

# WIRRAL COUNCIL

## Cabinet

20 December 2012

<b>SUBJECT:</b>	<b>Delegation on Employment Issues</b>
<b>WARD/S AFFECTED:</b>	<b>All</b>
<b>REPORT OF:</b>	<b>The Chief Executive</b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b>The Leader</b>
<b>KEY DECISION?</b>	<b>No</b>

### 1.0 EXECUTIVE SUMMARY

- 1.1 To delegate to the Chief Executive as Head of Paid service the power to make appropriate arrangements for conducting appeals in connection with gradings, grievances or disciplinary action against or dismissal of employees.

### 2.0 BACKGROUND AND KEY ISSUES

- 2.1 The current delegations to the Employment Appeals Sub-committee of the Employment and Appointments Committee confers the following function upon the sub-committee.

*“To hear and determine appeals in connection with gradings, grievances or disciplinary action against or dismissal of employees.”*

- 2.2 In the light of the scale of possible changes to staffing the council will be considering over the coming months the current appeal arrangements are unlikely to be able to cope with the volume of work in a reasonable time scale. This accords with the recommendations of the Improvement Board which have recommended the greater devolution of authority in order to achieve quicker decision making in key areas.
- 2.3 It is recommended that the council move to the practice common in many authorities where the Chief Executive as Head of Paid Service ensures that appropriate appeal arrangements are established. Again this accords with the feedback from the Peer Challenge which recommends that roles are clarified to ensure elected members do not get too involved in operational matters and officers are empowered to take decisions.
- 2.4 This will not apply to Chief Officers or Deputies, effectively Strategic Directors and Heads of Service in the new structure. In those cases the Employment and Appointments Committee will continue to be responsible for their appointment and dismissal.

- 2.5 It is a further recommendation that the Chief Executive report annually to the Employment and Appointments Committee on the operation of the arrangements for conducting appeals in connection with gradings, grievances or disciplinary action against or dismissal of employees.

### **3.0 RELEVANT RISKS**

- 3.1 If it is not possible to deal with employment appeals in a timely fashion the council faces the risk of legal challenge and delay in achieving savings.

### **4.0 OTHER OPTIONS CONSIDERED**

- 4.1 The only two options are either member or officer delegation.

### **5.0 CONSULTATION**

- 5.1 The trade unions are being consulted and their response will be reported to full council to inform any final decision.

### **6.0 OUTSTANDING PREVIOUSLY APPROVED ACTIONS**

- 6.1 None

### **7.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

- 7.1 None

### **8.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

- 8.1 It is anticipated that a streamlined process will help contribute up to £20,000 in efficiencies which will support the restructuring of governance arrangements.

### **9.0 LEGAL IMPLICATIONS**

- 9.1 In order to comply with best practice a fair and timely internal appeal process for employment related matters relating gradings, grievances, disciplinary action against or dismissal of employees is necessary.

### **10.0 EQUALITIES IMPLICATIONS**

- 10.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

No because there is no relevance to equality.

### **11.0 CARBON REDUCTION AND ENVIRONMENTAL IMPLICATIONS**

- 11.1 None

### **12.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

- 12.1 None

### **13.0 RECOMMENDATION/S**

13.1 To recommend to Council that:

13.2 They delegate to the Chief Executive as Head of Paid Service the power to make appropriate arrangements for conducting appeals in connection with gradings, grievances or disciplinary action against or dismissal of employees.

13.3 The Chief Executive as Head of Paid Service report annually to the Employment and Appeal Committee on the operation of the arrangements for conducting appeals in connection with gradings, grievances or disciplinary action against or dismissal of employees.

13.4 To remove the delegations to the Employment and Appeals Sub-committee to hear and determine appeals in connection with gradings, grievances or disciplinary action against or dismissal of employees.

### **14.0 REASON/S FOR RECOMMENDATION/S**

14.1 To ensure the council is able to hear and conclude appeals in connection with gradings, grievances or disciplinary action against or dismissal of employees in a fair and timely manner.

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### **APPENDICES**

None

### **BACKGROUND PAPERS/REFERENCE MATERIAL**

None

### **BRIEFING NOTES HISTORY**

<b>Briefing Note</b>	<b>Date</b>

### **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>