



LEADER OF THE COUNCIL

COUNCILLOR PHIL DAVIES

CABINET

MONDAY 7 MARCH 2016

EMPLOYMENT AND APPOINTMENTS

COMMITTEE TERMS OF REFERENCE

Councillor Phil Davies, The Leader of The Council, said:

“Making sure that Elected Members have appropriate and robust oversight regarding the make-up and design of the Council’s senior management structure has never been more important. Achieving the 20 Pledges we committed to in our Wirral Plan demands a fundamental shift in the way this Council operates.”

“The new Operating Model for the organisation which is in development is at the heart of that change; ensuring that the Council’s Employment and Appointment Committee is empowered to effectively monitor the implementation of the Operating Model is vital to ensuring a Member-led authority.”

REPORT SUMMARY

This report proposes changes to the current Employment and Appointments Committee Terms of Reference in order that the Committee has the authority to consider and agree changes to senior management structures in relation to the Council’s new operating model.

Cabinet are asked to agree the proposal and recommend its approval to Full Council.

RECOMMENDATION/S

That Cabinet Recommends to Council on 14 March 2016 the approval of the Terms of Reference for the Employment and Appointments Committee, attached at Appendix One, and that the Council’s Constitution be amended accordingly.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

The Council is required to agree any proposed changes to the Terms of Reference for the Employment and Appointments Committee. The revised terms of reference will ensure effective and timely implementation of the Council's new operating model.

2.0 OTHER OPTIONS CONSIDERED

The Employment and Appointments Committee is the appropriate Committee to consider and agree changes to senior management structures and therefore no other options were considered appropriate.

3.0 BACKGROUND INFORMATION

The Wirral Plan

The Wirral Plan sets out what we plan to do to improve the lives of the people of Wirral over the next five years and is clear that in order to achieve it the Council needs to modernise and work in a completely different way, ensuring it has the right attitudes, abilities, skills and approach.

The Operating Model

A new operating model is required to reflect the fundamental change in how the Council must work, plan, and deliver in the future.

To deliver the Wirral Plan and the underpinning strategies and plans, we need an operating model that will enable us to achieve change which is effective, appropriate and delivered at pace. This will also involve a review of senior management roles and responsibilities, structures and services. Working with partners, we need to have the appropriate skills, resources and commercial awareness to support delivery of the Wirral Plan.

The Council needs to ensure that it has the appropriate decision making and governance in place to enable the effective and timely implementation of the new operating model.

Further information about the principles of the new operating model will be brought to the next Cabinet meeting on 21 March 2016. A detailed report on the proposed new Operating Model and senior management structure will be presented to the Council's Employment and Appointments Committee in due course when this is finalised. However, to enable this to happen, the current Terms of Reference of the Committee need to be amended in accordance with Appendix One

4.0 FINANCIAL IMPLICATIONS

There are no financial implications arising from this report. Any financial implications related to the new operating model will be brought to the Employment and Appointments Committee.

5.0 LEGAL IMPLICATIONS

The Council is required to approve any amendment to the Terms of Reference for the Employment and Appointments Committee. Any legal implications related to the new operating model will be brought to the Employment and Appointments Committee.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

There are no resource implications arising from this report. Any resource implications related to the new operating model will be brought to the Employment and Appointments Committee.

7.0 RELEVANT RISKS

The Council is required to approve any amendment to the Terms of Reference for the Employment and Appointments Committee.

8.0 ENGAGEMENT/CONSULTATION

Affected staff and the Trade Unions will be consulted on the proposed changes to the Council's operating model. Feedback from consultation will be brought to the Employment and Appointments Committee.

9.0 EQUALITY IMPLICATIONS

An EIA will be undertaken on the new operating model. This will be brought to the Employment and Appointments Committee.

REPORT AUTHOR: **Tony Williams**
Acting Head of HR/OD
telephone: (0151) 691 8590
email: tonywilliams@wirral.gov.uk

APPENDICES

Appendix One: Proposed amendment to the Council's Constitution

REFERENCE MATERIAL

N/A

SUBJECT HISTORY (last 3 years)

Council Meeting	Date

Proposed amendment to the Council’s Constitution

The change proposed seeks to include a further provision with the remit of the Committee and does not make any other change to the existing provision.

PART 3 - RESPONSIBILITY FOR FUNCTIONS

Table 2 (pages 59-64)

<p>Employment and Appointments Committee</p>	<p>8 Members of the Authority</p> <p>Where the matter to be considered relates to the dismissal of the Head of Paid Service, Monitoring Officer or Chief Finance Officer, the Employment and Appointments Committee membership shall include a minimum of two Independent Persons on the Committee as determined and defined by The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 (SI 2015/881) or as may be amended from time to time.</p>	<p>Appointment of Chief Officers and Deputies.</p> <p>To act as the Appeals Body in respect of misconduct of chief officers.</p> <p>Functions relating to Pensions as an Employer.</p> <p>To provide advice, views or recommendations to Full Council on a matter proposing the dismissal of the Head of Paid Service, Monitoring Officer or Chief Finance Officer in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 (SI 2015/881) or as may be amended from time to time.</p> <p>To approve, amendment and/or revise Council employment/ workforce policies and schemes. To monitor and exercise oversight of workforce performance and management matters.</p> <p>The Chairperson shall, in consultation with Party Spokespersons and the Head of Human Resources and Organisation Development, have authority to make minor amendments to employment/ workforce policies and schemes.</p> <p>PROPOSED AMENDMENT:</p>	
--	--	--	--

		<p>Include the following:</p> <p>To consider and approve substantive changes to the Council’s senior management structure proposed by the Chief Executive/Head of Paid Service where the overall cost of the restructure can be met from existing approved budgets. Where the overall cost cannot be met from existing approved budgets, the Committee shall make a recommendation to Council as appropriate.</p> <p>For the avoidance of doubt, Chief Officers are posts are above Spinal Column Point 74 on the Council’s pay scales.</p>	
--	--	--	--

PART 3 – SCHEDULE 2

Scheme of Delegation of (non-Executive) Functions to Committees

(Pages 83-96)

PROPOSED AMENDMENT:

Paragraph 8 (page 94)

Insert new paragraph:

- (7) To consider and approve substantive changes to the Council’s senior management structure proposed by the Chief Executive/Head of Paid Service where the overall cost of the restructure can be met from existing approved budgets. Where the overall cost cannot be met from existing approved budgets, the Committee shall make a recommendation to Council as appropriate.**

For the avoidance of doubt, Chief Officers are posts are above Spinal Column Point 74 on the Council’s pay scales.