

EMPLOYMENT COMMITTEE

WEDNESDAY 10 APRIL 2024

9.30 AM

Bourges/Viersen Rooms - Town Hall

AGENDA

Page No

1. Apologies for Absence

2. Declarations of Interest

At this point Members must declare whether they have a disclosable pecuniary interest, or other interest, in any of the items on the agenda, unless it is already entered in the register of members' interests or is a "pending notification " that has been disclosed to the Solicitor to the Council.

3. Employment Committee Terms of Reference

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4. Exclusion of the Press and Public

To resolve that the press and public may be excluded from the meeting on the following items:

Item 5, Appendix 1 EXEMPT Report

on the grounds that the items contain an exempt appendix which includes information under Paragraphs 1, 2 and 4 of Part 1 Schedule 12A of the Local Government Act 1972, as amended, and that it would not be in the public interest for this information to be disclosed as it contains information relating to individuals or the possible identification of individuals as well as contemplated consultations or negotiations in connection with a labour relations matter arising between the authority and employees or office holders of the authority.

5. The Recruitment of Deputy Chief Officer Post for IT & Digital Services

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Emergency Evacuation Procedure – Outside Normal Office Hours

In the event of the fire alarm sounding all persons should vacate the building by way of the nearest escape route and proceed directly to the assembly point in front of the Town Hall. The duty Beadle will assume overall control during any evacuation, however in the unlikely event the Beadle is unavailable, this responsibility will be assumed by the Committee Chair. In the event of a continuous alarm sounding remain seated and await instruction from the duty Beadle

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<http://democracy.peterborough.gov.uk/documents/s21850/Protocol%20on%20the%20use%20of%20Recording.pdf>

Committee Members:

Councillors: Jones (Chair), M Jamil (Vice Chairman), Allen, M Cereste, Coles, B Rush and Wiggin

Substitutes: Councillors: Seager, Thulbourn, Ray and Farooq

Further information about this meeting can be obtained from on telephone 01733 747474 or by email – democratic.services@peterborough.gov.uk

EMPLOYMENT COMMITTEE	AGENDA ITEM No. 3
10 APRIL 2024	PUBLIC REPORT

Report of:	Adesuwa Omoregie, Interim Director of Legal and Governance		
Cabinet Member(s) responsible:	Councillor John Howard, Deputy Leader and Cabinet Member for Corporate Governance and Finance		
Contact Officer(s):	Adesuwa Omoregie, Interim Director of Legal and Governance (Monitoring Officer)	Tel.	

EMPLOYMENT COMMITTEE TERMS OF REFERENCE

RECOMMENDATIONS	
FROM: Interim Director of Legal and Governance (Monitoring Officer)	Deadline date: 10 April 2024
That the Employment Committee recommends to Full Council the adoption of the amended Terms of Reference for the Employment Committee included at Appendix 1.	

1. ORIGIN OF REPORT

1.1 This report is submitted to the Employment Committee for the Committee to consider the proposed changes to the Terms of Reference of the Employment Committee, which are proposed in line with the Centre for Governance and Scrutiny recommendations.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is to request that the Employment Committee considers changes to the Terms of Reference of the Employment Committee included at Appendix 1 and determine whether the amended Terms of Reference can be referred to Full Council for approval.

2.2 This report is for the Employment Committee to consider under its Terms of Reference No. 3.3.2.2.

To determine employee procedures, including dismissal procedures.

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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4. BACKGROUND AND KEY ISSUES

4.1 The Council commissioned the Centre for Governance and Scrutiny to undertake a review of the governance arrangements in the Council. One of the recommendations related to the Employment Committee and statutory and chief officer appointments.

4.2 The details of the recommendation are set out below:

Employment Committee

We heard differing views on the operation of this Committee's express functions based on its wider than usual remit. Specifically, this Committee has a role in the recruitment of Directors and Heads of Service. It is assumed that the Committee also appoints Chief and Statutory Officers given the agendas for this meeting over the past 12 months. We note that the terms of reference has not been considered formally by the Committee for some time (even though it is dated August 2022, it appears from the agenda that it was not taken to the Committee) and therefore, it is opportune for the Committee to undertake a review.

We heard strongly that Members value involvement in the appointment of its senior staff, that it provides assurance to Members of their competence and provides the ability for Members to test, directly, the ability of the candidate to interface with Members. Other evidence we collected suggested that it slowed the overall process down and that Member time and expertise was essential to getting the most senior officer appointments right as this is where the majority of Member interface needed to sit. Whilst outside of the scope of this review, we did hear that the candidate experience of engaging with the employment committee, and the organisation and optics around it, was sub optimal. Any future change in respect of the Committee's remit must ensure clearly understood, and mutually arrived at Member / officer boundaries.

Recommendation 10: *That conversations with the Chair and Vice Chair of the Employment Committee, the Head of Paid Service, the Director of HR and the Monitoring Officer commence in which to revisit the terms of reference to reflect the evidence gathered and consider a consolidation of the Committee's role to focus on statutory and Chief Officer appointments only, and to ensure that the work of the Employment Committee aligns with the work of the Council.*

- 4.3 A meeting took place between the Chair, Vice-Chair of the Committee and the Head of Human Resources, the Director of Legal and Governance and the Chief Executive on 29th March 2024 in which the recommendations were proposed. It was agreed that a review of the Terms of Reference would be undertaken and that a report including the Terms of Reference would be presented at the Employment Committee for consideration with the proposed changes.
- 4.4 Attached as Appendix 1 are the current terms of reference for the committee with the proposed changes included in track changes.

In summary the changes are as follows:

1. Narrowing of the scope of recruitment so that the Employment Committee is responsible for appointment of all of the members of staff who report to the Chief Executive.
2. Updating of some of the titles within the role.
3. Updating of various sections so that they reflect the current ways of working in relation to employment related matters.

5. CORPORATE PRIORITIES

5.1 This report relates to:

1. Sustainable Future City Council
 - How we Work
 - How we Serve
 - How we Enable

Any changes will play a key role in how the Council serves its residents.

6. CONSULTATION

6.1 An initial meeting with the Chair and Vice-Chair of the Employment Committee took place at the end of January 24 to discuss the recommendation from the Centre for Governance and Scrutiny related to the Employment Committee.

7. ANTICIPATED OUTCOMES OR IMPACT

7.1 It is anticipated that this will enable the committee to have an up to date fit for purpose terms of reference.

8. REASON FOR THE RECOMMENDATION

8.1 As the decision to amend the Terms of Reference is that of Full Council, a recommendation is needed from the Employment Committee to effect referral to Full Council.

9. ALTERNATIVE OPTIONS CONSIDERED

9.1 The committee could agree to keep the terms of reference as they are, however, these have not been updated or reviewed in detail for a number of years and do not take into account the recommendations from the Centre for Governance and Scrutiny report.

10. IMPLICATIONS

Financial Implications

10.1 There are none at this time.

Legal Implications

10.2 Full Council is the decision maker for the changes to the Terms of Reference of the Employment Committee. This report is seeking approval for the Employment Committee to recommend to Full Council the proposed change to the Terms of Reference of the Employment Committee

Equalities Implications

10.3 There are none.

11. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

11.1 N/A

12. APPENDICES

12.1 Appendix 1 – Employment Committee Terms of Reference

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2.3 Employment Committee

2.3.1 ~~It is advised that~~ Members of the Employment Committee are required to undertake relevant training on an annual basis within the past three years in order to hold a seat on this committee.

2.3.2 Terms of Reference

2.3.2.1 To appoint all members of the Corporate Leadership Team who report to the Chief Executive - Directors and Heads of Service, and determine terms and conditions of employment.

2.3.2.2 ~~————~~ To determine substantial changes to contractual employee procedures, including dismissal procedures.

2.3.2.3 To act as the Employer's Side of the Joint Consultative Panel (the Council's consultative body with recognised trade union representatives), for discussion and negotiation. When meeting in this context, the Chief Executive, Service Director – People, BI and Transformation, Head of People and Development will attend. ~~The~~ Cabinet member with human resource responsibilities may also attend and speak, if not already a member of this committee.

2.3.2.4 To determine local terms and conditions of employment for employees.

2.3.2.5 To consider, and recommend appropriate actions where necessary in response to, executive proposals relating to:

(a) changes within a Department's/~~Division's Directorate's~~ structure which involve substantial changes in the responsibilities of first ~~and second~~ tier posts;

(b) changes within a department's structure following the uncoupling of shared services with other authorities

~~(b) requests for Trade Union facilities, including budget and establishment;~~

~~(c) other executive human resources matters. - 1~~

2.3.2.6 To promote and pursue a policy of equal opportunities in employment.

2.3.2.7 To determine pension issues which relate to auto enrolment.

2.3.3 Delegation to Officers

2.3.3.1 The appropriate Director is authorised to make appointments to vacancies on the establishment at levels below Head of Service Corporate Leadership Team level, within approved policy and budgets, subject to:

(a) appointments of Directors and Heads of Service Corporate Leadership Team members (unless on an interim or acting up basis in which case such appointments may be made by the Chief Executive) being made by the Employment Committee (the Chief Executive's Head of Paid Service, Section 151 Officer and Monitoring Officer appointment is subject to a separate procedure reserved to Council);

~~(b) any limitations or other conditions in relation to filling vacancies which are currently required by the Executive.~~

2.3.3.2 The ~~relevant recruiting manager~~Chief Executive shall advertise vacancies subject to the authorisation of ~~Workforce Board~~a recruitment requisition, to any overriding Council policy, to there being adequate budget provision, and to compliance with national or local agreements.

2.3.3.3 In respect of ~~all~~ employees ~~(other than the Head of Paid Service, the Director of Legal and Governance and Monitoring Officer and the Executive Director of Corporate Services and Section 151 officer)~~, Directors may:

(a) suspend employees in accordance with the agreed procedure, subject to consultation with the ~~Director of Legal and Governance and the Assistant Director of HR and Development~~Head of People HR & Development;

(b) subject to the approved appeals procedure and consultation with the ~~Director of Legal and Governance and the Assistant Director of HR and Development~~ Head of People HR & Development ~~and following receipt of advice from the People Business Partner for the directorate~~, take any disciplinary action (including dismissal) and any action relating to incapability (including dismissal);

(c) approve the transfer of probationary staff to the permanent establishment at the end of their probationary period;

(d) terminate the employment of staff ~~(excluding Head of Paid Service, Section 151 Officer and Monitoring Officer)~~ whose performance has not been satisfactory during their probationary period;

(e) ~~in consultation with the Director of Legal and Governance, and Assistant Director of HR and Development~~ the Head of HR & Development determine whether a post is unsuitable for job-share and appoint in accordance with ~~that determination and~~ Council policy;

(f) ~~award an additional payment/honorarium to any member of staff within the guide-lines determined by Director of Legal and Governance;~~

~~(g) authorise Essential and Casual Car Allowances in accordance with Council policy and having regard to the circumstances of each case;~~

~~(h) authorise reimbursement for the installation and rental charges in respect of telephones at private residences where staff are subject to contact in cases of emergency or where private telephones are used for business reasons;~~

(i) vary job titles and job descriptions;

(j) authorise pay in lieu of holidays when a staff member leaves (in exceptional circumstances);

(k) terminate the employment of staff for any lawful reason, in consultation with ~~a member of the HR team~~Head of People and Development the Director of Legal and Governance and the Executive Director of Corporate Services and Section

~~151 Officer the Director of Legal and Governance and the Assistant Director of Head of HR and Development.~~

(l) take decisions relating to the employment of staff, including establishment control and matters of staff recruitment, reward and discipline that are necessary for the effective delivery of service and to stay within allocated budgets, in consultation with the relevant Cabinet Member in relation to executive functions

~~(m) Directors may determine matters relating to training and development, leave, temporary (including agency subject to Workforce Board approval)~~

2.3.3.4 Senior Officers from departments other than where the employee was employed should hear the appeal.

2.3.3.5 ~~The Chief Executive is authorised to grade all posts other than Chief Executive, Directors, Heads of Service, Teachers, Crafts employees and posts covered by Soulbury Scales, in accordance with the Council's agreed Job Evaluation Scheme with the aim of recruiting and retaining high quality employees. All posts will be graded in accordance with the appropriate Job Evaluation Scheme with the aim of recruiting and retaining high quality employees.~~

2.3.3.6 ~~The Chief Executive to exercise personal responsibility for delegations to officers in relation to non-executive human resource matters, including the creation and disestablishment of posts, changes to job descriptions and matters related to the recruitment, reward and disciplining of staff.~~

2.3.3.7 ~~Directors may determine matters relating to training and development, leave, temporary (including agency subject to Workforce Board approval) and overlapping appointments and minor variations to the relocation scheme for new employees, within agreed cash limits and in accordance with approved Council policies, consulting the Director of Legal and Governance and Assistant Director of the Head of HR and Development where appropriate.~~

2.3.3.8 The relevant Director, in consultation with the ~~Head of People and Development Corporate Executive Director of Corporate Resources Services and Section 151 Officer,~~ is authorised to consider and determine:-

(a) any redundancy within the Council's redundancy policy;

(b) premature retirement on the grounds of ill-health;

(c) premature retirement in the interests of the service.

2.3.3.9 ~~in consultation with the Director of Legal and Governance and the Chairman of the Employment Committee, may authorise the extension of an employee's contract beyond retirement age for a maximum period of 6 months.~~

2.3.3.10 ~~The Corporate Director Resources and Director of Governance are authorised following agreement by the relevant Director and their reports are authorised to approve, complete and transfer agreements relating to car loans including those which do not fall within Council policy, subject in these cases to consultation with the Director of Governance. leasing schemes~~

- 2.3.3.11 The Head of People & Development ~~Director of Legal and Governance~~ is authorised to implement agreed employee policies.
- 2.3.3.12 The Chief Executive and Corporate Directors respectively in consultation with the relevant Portfolio holder ~~and the Director of Legal and Governance~~ are authorised to update and amend the job descriptions and person specifications of all members of the Corporate Leadership Team who report to the Chief Executive Directors, Service Directors and Heads of Service/Assistant Directors.

EMPLOYMENT COMMITTEE	AGENDA ITEM No. 5
10 April 2024	PUBLIC REPORT This report contains an exempt Annex, not for publication, by virtue of Paragraph 1, 2 and 4 of Schedule 12A of Part 1 of the Local Government Act 1972.

Report of:	Executive Director of Corporate Services (S151 Officer)	
Cabinet Member(s) responsible:	Cllr John Howard, Deputy Leader and Cabinet Member for Corporate Governance and Finance	
Contact Officer:	Cecilie Booth, Executive Director of Corporate Services (S151 Officer)	07970 325557

THE RECRUITMENT OF DEPUTY CHIEF OFFICER POST FOR IT & DIGITAL SERVICES

1. ORIGIN OF REPORT

- 1.1 Following approval on 18 January 2024 to separate the shared service arrangements between PCC and CCC for IT & Digital Services, this report is submitted to Employment Committee to recruit to the vacant post of Service Director IT & Digital Services within Peterborough.
- 1.2 The Employment Committee are requested to consider applications from three candidates.

2. PURPOSE AND REASON FOR REPORT

- 2.1 Employment Committee are requested to interview and consider an appointment from an initial recruitment and selection process.

If the Employment Committee determine that a candidate is appropriate for the role, the Employment Committee are also requested to consider the appropriate salary determination within the Council's senior manager Hay pay structure.

- 2.2 This report is for the Committee to consider under Peterborough City Council's Constitution, Officer Employment Procedures Rules: Part 4, section 9:

5. APPOINTMENT OF DEPUTY CHIEF OFFICERS

3. REASONS FOR EXEMPTION

- 3.1 The attached report is NOT FOR PUBLICATION in accordance with paragraphs 1,2 and 4 of Schedule 12A of Part 1 of the Local Government Act 1972 in that it contains information relating to individuals or the possible identification of individuals as well as contemplated consultations or negotiations in connection with a labour relations matter arising between the

authority and employees or office holders of the authority. The public interest test has been applied to the information contained within the exempt report and it is considered that the need to retain the information as exempt outweighs the public interest in disclosing it.

4. APPENDICES

Appendix 1 – EXEMPT Report

By virtue of paragraph(s) 1, 2, 4 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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