

Agenda

Employment panel

Date: **Monday 26 November 2018**

Time: **3.45 pm**

Place: **Leominster Room, Plough Lane**

Notes: Please note the time, date and venue of the meeting.

For any further information please contact:

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If you would like help to understand this document, or would like it in another format, please call Caroline Marshall, Democratic Services Officer on 01432 260249 or e-mail caroline.marshall3@herefordshire.gov.uk in advance of the meeting.

Agenda for the meeting of the Employment panel

Membership

Chairperson **Councillor AW Johnson**
Vice-Chairperson **Councillor RJ Phillips**

Councillor RI Matthews
Councillor P Rone
Councillor A Seldon

Agenda

	Pages
1. APOLOGIES FOR ABSENCE To receive any apologies for absence.	
2. NAMED SUBSTITUTES (IF ANY) To receive details of any member nominated to attend the meeting in place of a member of the panel.	
3. DECLARATIONS OF INTEREST To receive declarations of interests in respect of Schedule 1, Schedule 2 or Other Interests from members of the committee in respect of items on the agenda.	
4. MINUTES To approve and sign the minutes of the meeting held on 18 October 2018.	7 - 10
5. QUESTIONS FROM MEMBERS OF THE PUBLIC To receive any written questions from members of the public. Details of the scheme and related guidance are available here: https://www.herefordshire.gov.uk/info/200148/your_council/61/get_involved Please submit questions to councillorservices@herefordshire.gov.uk The deadline for the receipt of questions is Tuesday 20 November at 5.00 pm. Accepted questions will be published as a supplement prior to the meeting.	
6. QUESTIONS FROM COUNCILLORS To receive any written questions from councillors. Please submit questions to councillorservices@herefordshire.gov.uk The deadline for the receipt of questions is Tuesday 20 November 2018 at 5.00 pm. Accepted questions will be published as a supplement prior to the meeting.	
EXCLUSION OF THE PUBLIC AND PRESS In the opinion of the Proper Officer, the next item will not be, or is likely not to be, open to the public and press at the time it is considered.	
RECOMMENDATION That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Schedule 12(A) of the Act (as amended), namely that it discloses or is likely to disclose information relating to an individual.	
7. APPOINTMENT OF DIRECTOR FOR ADULTS AND COMMUNITIES To appoint the council's director for adults and communities.	11 - 14

The public's rights to information and attendance at meetings

You have a right to: -

- Attend all council, cabinet, committee and sub-committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the council and all committees and sub-committees and written statements of decisions taken by the cabinet or individual cabinet members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public register stating the names, addresses and wards of all councillors with details of the membership of cabinet and of all committees and sub-committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the council, cabinet, committees and sub-committees.
- Have access to a list specifying those powers on which the council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- Access to this summary of your rights as members of the public to attend meetings of the council, cabinet, committees and sub-committees and to inspect and copy documents.

Public transport links

The Shire Hall is a few minutes walking distance from both bus stations located in the town centre of Hereford.

Recording of this meeting

Please note that filming, photography and recording of this meeting is permitted provided that it does not disrupt the business of the meeting.

Members of the public are advised that if you do not wish to be filmed or photographed you should let the governance services team know before the meeting starts so that anyone who intends filming or photographing the meeting can be made aware.

The reporting of meetings is subject to the law and it is the responsibility of those doing the reporting to ensure that they comply.

Fire and emergency evacuation procedure

In the event of a fire or emergency the alarm bell will ring continuously.

You should vacate the building in an orderly manner through the nearest available fire exit and make your way to the Fire Assembly Point in the Shire Hall car park.

Please do not allow any items of clothing, etc. to obstruct any of the exits.

Do not delay your vacation of the building by stopping or returning to collect coats or other personal belongings.

The chairman or an attendee at the meeting must take the signing in sheet so it can be checked when everyone is at the assembly point.

HEREFORDSHIRE COUNCIL

MINUTES of the meeting of Employment panel held at Committee Room 1, The Shire Hall, St. Peter's Square, Hereford, HR1 2HX on Thursday 18 October 2018 at 3.30 pm

Present: Councillor AW Johnson (Chairman)
 Councillor RJ Phillips (Vice Chairman)

Councillors: H Bramer, RI Matthews and AJW Powers

Officers: Julie Davies, Alistair Neill and Tracey Sampson

58. APOLOGIES FOR ABSENCE

Apologies were received from Councillor RM Matthews.

59. NAMED SUBSTITUTES (IF ANY)

Councillor PE Crockett substituted for Councillor RM Matthews.

60. DECLARATIONS OF INTEREST

None

61. MINUTES

Resolved:

that the minutes of the meeting of 16 July 2018 be approved as a correct record and signed by the chairman.

62. QUESTIONS FROM MEMBERS OF THE PUBLIC

There were no questions from members of the public.

63. QUESTIONS FROM COUNCILLORS

There were no questions from councillors.

64. APPOINTMENT OF DIRECTOR FOR ADULTS AND COMMUNITIES

The chief executive introduced the item.

It was noted that the report sought the approval of the employment panel to commence the permanent recruitment for the role of director of adults and communities (formerly called director of adults and wellbeing). The chief executive explained that details of the changes to the structure of the council were notified to all councillors during August 2018.

It was noted that the use of major recruitment companies for past director appointments had not always been successful. The head of HR and organisational development explained that there were indications that there would be candidates available for this role and on this occasion it was felt that Hoople would deliver a successful recruitment campaign.

The panel agreed that recommendation (c) would be amended so that the cabinet member for health and wellbeing would undertake the shortlisting of candidates with the chief executive. This ensured that the cabinet member for health and wellbeing was involved in the recruitment process. It was noted that the only other way that the cabinet member could be involved in the recruitment process was to act as substitute for a member of the employment panel when they interviewed the candidate.

Following a detailed discussion, it was agreed that role profile would be amended on page 16 of the agenda pack, number 6 to insert the words "parish councils and third sector bodies".

RESOLVED:

- (a) Employment panel makes arrangements for the post of director for adults and communities to be advertised;**
- (b) Employment panel agrees the role profile at appendix 1 for the post of director for adults and communities and all other terms and conditions associated with the post remain the same;**
- (c) the panel delegates authority to the chief executive to, following consultation with the cabinet member health and wellbeing, undertake the shortlisting; and**
- (d) in the event that recruitment is not successfully completed by the end of March 2019 the current acting director continues in post until a substantive appointment is made.**

65. TEACHERS PAY AWARD 2018/19

The HR services manager presented the report.

It was noted that the proposed teachers' pay award went across all the pay reference points for teachers. The purpose of the report was to seek the views of the panel of a pay award to all the different pay points within the four pay ranges so that all teachers receive the same pay increase (within each pay range) as the Department for Education (DfE) pay award covered minima and maxima points of the pay ranges only. It was further noted that the vast majority of teachers within Herefordshire do not sit on on the minimum and maximum points.

During the discussion it was noted that:

- The government had anticipated that schools would budget for a 1% increase and therefore the DfE would fund the additional cost, details of which would be announced.
- Herefordshire schools had been advise to budget for a 2% increase across all reference pay and allowance points.
- The Herefordshire financial modelling had been done on the actual numbers of teachers on each pay point whereas the DfE financial modelling was on pupil numbers. In this particular scenario, it was noted that Herefordshire would receive a bonus of approx. £18k for pupils that do not exist in the system as schools with pupil numbers between 41 and 99 would be funded on the basis of 100 pupils. The proposals covered centrally employed teaching staff although DfE had advised that there would be no funding to cover the national pay award for centrally employed teachers.

- There were no cost implications for the council as schools are responsible for their own budgets. However, there was a cost implication with regard to centrally employed teachers.
- The 2018/19 pay award was included within the figures provided to the panel.
- Other councils were implementing the same enhanced pay award and it would be better in this instance to be in line with other authorities to prevent recruitment and retention issues.

RESOLVED

- (a) **A 3.5% increase for teachers on all scale points (except minima and maxima points as part of national agreement) within the unqualified and main pay ranges with effect from 1st September 2018;**
- (b) **A 2% increase for teachers on all scale points (except minima and maxima points as part of the national agreement) within the upper pay range with effect from 1st September 2018;**
- (c) **A 1.5% increase for teachers on all scale points (except minima and maxima points of each school size group as part of the national agreement) within the leadership range with effect from 1st September 2018.**

The meeting ended at 4.09 pm

CHAIRMAN



Meeting:	Employment panel
Meeting date:	Monday 26 November 2018
Title of report:	Appointment of director for adults and communities
Report by:	Chief executive

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards);

Purpose and summary

To appoint the council's director for adults and communities

Recommendation(s)

That:

- (a) **Subject to there being no valid objections received from cabinet members by 9am on Wednesday 28 November, [name to be confirmed] be appointed as the council's director for adults and communities.**

Alternative options

1. If employment panel determine that none of the candidates are appointable at this time, panel members can initiate a new search for the right candidate.

Key considerations

2. On 18 October 2018 employment panel approved the recruitment process for the post of director for adults and communities.

3. Subsequently a national search for candidates was undertaken and a shortlist of candidates was considered by the shortlisting panel. On Monday 26 November 2018 employment panel interviewed the shortlisted candidates.
4. Under the council's employment rules (para 4.9.1) the appointment of a statutory chief officer is undertaken by employment panel. Therefore after a full and rigorous selection process, employment panel is asked to confirm the appointment of [name to be confirmed] as the council's director for adults and communities. This appointment is subject to no valid objections being received from cabinet members within the timeframe specified, in accordance with the requirements of the council's employment rules.

Community impact

5. In accordance with the adopted code of corporate governance, Herefordshire Council needs appropriate structures and leadership, as well as people with the right skills, qualifications and mind-set to operate efficiently and effectively. The council is accountable for how it uses the resources under its stewardship, including accountability for outputs and outcomes achieved. In addition the council has an overarching responsibility to serve the public interest in adhering to the requirements of legislation and government policies.
6. The post holder provides strategic leadership to a key council service delivery area. Without effective leadership, outcomes for communities and individuals in Herefordshire could be adversely affected.

Equality duty

7. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
8. The recommendations in this report and the recruitment and selection process take full account of the legislation and will ensure the council's equality duty is met.

Resource implications

9. The full time salary for this post is £124,860 and the establishment budget for this post is available within the MTFs. Any appointment will be made within this budget.

Legal implications

10. The council is required to designate a suitably qualified officer to act as Director of Adult Social Services as prescribed in Children Act 2004.

11. Paragraph 4.9.19 of the constitution provides that the short-listing and interview of candidates for this post will be carried out by the employment panel.
12. With regard to the salary referred to in paragraph 9 above, the Localism Act provides that the pay policy statement must be approved by council. This salary is set out in the council's pay policy statement and was approved at full council on 26 January 2018.

Risk management

13. The risk of not being able to successfully recruit to the role have been considered and mitigated by undertaking a national search for the right candidate.

Consultees

14. None.

Appendices

None.

Background papers

None identified.

