

# Public Document Pack



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Wednesday 16 September 2015

## Notice of Meeting

Dear Member

### Personnel Committee

The **Personnel Committee** will meet in the **Leadership Meeting Room - 1st Floor, Civic Centre 3, Huddersfield, HD1 2TG** at **2.00 pm** on **Tuesday 22 September 2015**.

The items which will be discussed are described in the agenda and there are reports attached which give more details.

A handwritten signature in black ink, appearing to read "Julie Muscroft", on a light-colored background.

**Julie Muscroft**

**Assistant Director of Legal, Governance and Monitoring**

Kirklees Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair/Clerk of their intentions prior to the meeting.

## **The Personnel Committee members are:-**

### **Member**

Councillor David Sheard (Chair)  
Councillor Jean Calvert  
Councillor Andrew Cooper  
Councillor David Hall  
Councillor Robert Light  
Councillor Peter McBride  
Councillor Shabir Pandor  
Councillor Graham Turner  
Councillor Nicola Turner

When a Personnel Committee member cannot be at the meeting another member can attend in their place from the list below:-

### **Substitutes Panel**

#### **Conservative**

B Armer  
D Bellamy  
N Patrick  
K Sims  
J Taylor  
G Wilson  
B Armer  
D Bellamy  
N Patrick  
K Sims  
J Taylor  
G Wilson

#### **Green**

K Allison  
A Cooper  
R Barraclough  
K Allison  
R Barraclough

#### **Independent**

C Greaves

#### **Labour**

E Firth  
S Hall  
K Rowling  
M Sokhal  
G Turner  
S Ullah  
E Firth  
S Hall  
K Rowling  
M Sokhal  
S Ullah

#### **Liberal Democrat**

C Burke  
J Lawson  
A Marchington  
A Pinnock  
P Scott  
C Burke  
J Lawson  
A Marchington  
A Pinnock  
P Scott

# Agenda

## Reports or Explanatory Notes Attached

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**Pages**

**1: Membership of the Committee**

This is where Councillors who are attending as substitutes will say for whom they are attending.

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**2: Minutes of Previous Meeting**

1 - 6

To approve the Minutes of the meeting of the Committee held on 9 July 2015.

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**3: Interests**

7 - 8

The Councillors will be asked to say if there are any items on the Agenda in which they have disclosable pecuniary interests, which would prevent them from participating in any discussion of the items or participating in any vote upon the items, or any other interests

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**4: Admission of the Public**

Most debates take place in public. This only changes when there is a need to consider certain issues, for instance, commercially sensitive information or details concerning an individual. You will be told at this point whether there are any items on the Agenda which are to be discussed in private.

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## **5: Deputation/Petitions**

The Committee will receive any petitions and hear any deputations from members of the public.

A deputation is where up to five people can attend the meeting and make a presentation on some particular issue of concern. A member of the public can also hand in a petition at the meeting but that petition should relate to something on which the body has powers and responsibilities.

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## **6: Public Question Time**

The Committee will hear any questions from the general public.

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## **PART II**

## **7: Exclusion of the Public**

To resolve that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act.

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**8: Succession Planning, Managing Change and Senior Officer Structure** 9 - 18

To receive an update on developments in the period since the Personnel Committee on 16 March 2015.

Officer: Adrian Lythgo: 01484 221000

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**9: Assistant Director Responsibilities for Adult Social Care and Early Intervention** 19 - 24

To receive an update on developments in the period since the Personnel Committee on 16 March 2015.

Officer: Richard Parry: 01484 221000

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**10: Kirklees Council and work with the North Kirklees Clinical Commissioning Group (CCG)** 25 - 28

To receive a report on an opportunity to develop the councils work with the North Kirklees Clinical Commissioning Group (CCG)

Officer: Richard Parry: 01484 221000

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**11: Update on Human Resources and Industrial Relations Issues**

To receive an update concerning consultations and negotiations with trade unions on human resources and industrial relations issues.

Officer: Rosemary Gibson; 01484 221000

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Contact Officer: Helen Kilroy

## KIRKLEES COUNCIL

### PERSONNEL COMMITTEE

**Thursday 9th July 2015**

Present: Councillor Sheard (Chair)  
Councillor Light  
Councillor Pandor  
Councillor N Turner  
Councillor Sokhal

**1 Membership of the Committee**

Apologies for absence were received from Councillors David Hall, Jean Calvert, Andrew Cooper, Nigel Patrick and Graham Turner.

Councillor Mohan Sokhal substituted for Councillor Jean Calvert.

**2 Minutes of Previous Meeting**

**RESOLVED** - That the Minutes of 16 March and 20 May 2015 were approved.

**3 Interests**

No interests were declared.

**4 Admission of the Public**

Members resolved to consider items 10 and 11 in private session as they both contained exempt information.

**5 Deputation/Petitions**

There were no deputations or petitions received.

**6 Public Question Time**

None questions received.

**7 Proposed amendments to Employee Relations Sub Committee Terms of Reference**

Rosemary Gibson, Head of HR introduced a report to seek approval to amend the mechanism by which the outcome of the officer appeal panel may be referred to ER Sub Committee and to clarify the remit of the group where a matter is referred from CNT.

## Personnel Committee - 9 July 2015

The report set out the current Terms of Reference for Employee Relations Sub Committee and were appended to the report.

### **RESOLVED -**

(1) That the Terms of Reference for ER Sub Committee be amended so that the Head of Human Resources in consultation with Resources Cabinet Portfolio Holder replaces the AD Support Service as "gate keeper" in respect of referrals from the officer appeals panel so as to help build trust and confidence in the process.

(2) That wording of point 3 of the Terms of Reference be amended as indicated within the report to read "To hear disputes that have previously been presented to Central Negotiating Team and which resulted in either or both parties disagreeing with the outcome, *'so as to determine whether to support the management case or the Trade Union case or alternatively give clear direction as to the areas where they believe further negotiation is required'*".

### **8 Policy on Personal Accident Cover for Assaults and Accidents at Work.**

The item was withdrawn from the agenda.

### **9 Exclusion of the Public**

**RESOLVED -** That acting 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 Part 1 of Schedule 12A of the Act, as specifically stated in the undermentioned Minute.

### **10 Policy on Personal Accident Cover for Assaults and Accidents at Work**

(Exempt information relating to an individual and/or is likely to reveal the identity of an individual. The public interest in maintaining the exemption outweighs the public interest in disclosing the information and providing greater openness in the Councils decision making.)

Jacqui Gedman, Director of Economy, Skills and Environment, introduced a report to consider the application of the Council's Policy on Personal Accident Cover for Assaults and Accidents at Work in relation to an employee. The considered report provided information on the circumstances relating to the individual concerned and the Committee were advised of the application of the scheme in this case.

Personnel Committee went on to discuss negotiations that need to take place to reach an agreement on this issue and the need for negotiations on the content of the scheme to be applied in the event of the incidents in the future.

### **RESOLVED -**

(1) That, in respect of the case set out in the considered report, officers be requested to conclude negotiations in relation to entitlement under the current scheme and that the outcome of negotiations be reported back to the Personnel Committee for information.



(2) Officers be requested to commence negotiations on a revised scheme for Personal Accident Cover for Assaults and Accidents at Work and that the outcome of negotiations be reported back to Personnel Committee for approval.

(3) That the scheme referred to at (2) above include clear arrangements for dealing with cases that may arise in the future.

**11 Update on Human Resources and Industrial Relations Issues**

(Exempt information relating to consultations and negotiations and contemplated consultations and negotiations in connection with the a labour relations matter. The public interest in maintaining the exemption is that the disclosure of information would prejudice the outcome of the consultations and negotiations with Trade Unions, which outweighs the public interest in disclosing the information.)

Further to the Personnel Committee on 20 May 2015, the Committee received a verbal update from Jacqui Gedman, Director of Economy, Skills and Environment, on the progress made on the conclusion of the remaining negotiations with the Trade Unions in formalising and signing off on the memorandum of understanding and the collective agreement.

Officers went on to answers Member's questions about the next steps.

Personnel Committee discussed the potential implications of the national budget for Kirklees and agreed to receive a briefing note to a future meeting of the Personnel Committee.

**RESOLVED -**

(1) That the information provided in the update be noted.

(2) That a briefing note be prepared for Personnel Committee on Implications of the Budget for Kirklees Council.

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<b>KIRKLEES COUNCIL</b>			
<b>COUNCIL/CABINET/COMMITTEE MEETINGS ETC</b>			
<b>DECLARATION OF INTERESTS</b>			
Personnel Committee			
<b>Name of Councillor</b>			
<b>Item in which you have an interest</b>	<b>Type of interest (eg a disclosable pecuniary interest or an "Other Interest")</b>	<b>Does the nature of the interest require you to withdraw from the meeting while the item in which you have an interest is under consideration? [Y/N]</b>	<b>Brief description of your interest</b>

Signed: ..... Dated: .....

## NOTES

### Disclosable Pecuniary Interests

If you have any of the following pecuniary interests, they are your disclosable pecuniary interests under the new national rules. Any reference to spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.

Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses.

Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -

- under which goods or services are to be provided or works are to be executed; and
- which has not been fully discharged.

Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.

Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.

Any tenancy where (to your knowledge) - the landlord is your council or authority; and the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.

Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -

- (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
- (b) either -

the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

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

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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