

Public Document Pack



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Wednesday 6 July 2016

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 **11.30 am** on **Thursday 14 July 2016**.

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 Shabir Pandor
Councillor Martyn Bolt
Councillor David Hall
Councillor Terry Lyons
Councillor Nigel Patrick
Councillor Nicola Turner
Councillor Peter McBride
Councillor Graham 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
L Holmes
B McGuin
K Sims

Green

R Barraclough
K Allison
A Cooper

Independent

C Greaves

Labour

E Firth
S Hall
K Rowling
M Sokhal
G Turner
S Ullah
G Asif
F Fadia
E Firth
C Scott
M Sokhal
S Ullah

Liberal Democrat

C Burke
J Lawson
A Marchington
A Pinnock
P Scott
R Eastwood
J Lawson
A Marchington
L Wilkinson

Agenda

Reports or Explanatory Notes Attached

Pages

1: Membership of the Committee

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

2: Minutes of Previous Meeting

1 - 6

To approve the Minutes of the meeting of the Committee held on 14 April and 25 May 2016

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.

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.

5: Public Question Time

The Committee will hear any questions from the general public.

6: Member Question Time

To consider questions from Councillors.

7: 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.

PART II

8: 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.

9: Succession Planning and Managing Change

9 - 40

To receive an update on developments in the period since the Personnel Committee on 14 April 2016, plus proposals for the development of the Council's Senior Management structures in 2016/17.

Contact: Adrian Lythgo – 01484 221000

10: Update on Human Resources and Industrial Relations and Trade Union Relationships in the New Council

To receive an update on developments in the period since the Personnel Committee on 14 April 2016.

Contact: Rosemary Gibson – 01484 221000

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Contact Officer: Steve Copley

KIRKLEES COUNCIL

PERSONNEL COMMITTEE

Thursday 14th April 2016

Present: Councillor David Sheard (Chair)
Councillor Robert Light
Councillor Peter McBride
Councillor Shabir Pandor
Councillor Graham Turner
Councillor Nicola Turner

Apologies: Councillor Jean Calvert
Councillor David Hall

Observers: None

1 Membership of the Committee

Apologies for absence were noted on behalf of Councillors Jean Calvert and David Hall

2 Minutes of Previous Meeting

The Minutes of the Personnel Committee meeting on 19 January 2016 were approved

3 Interests

No interests were declared

4 Admission of the Public

Members resolved to consider items 7, 8 and 9 in private session, as they contain exempt information. The details and reasons are set out at the start of each item.

5 Deputation/Petitions

No deputations or petitions were received.

6 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 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, as specifically stated in the under mentioned minutes.

7 Kirklees Council and work with the North Kirklees Clinical Commissioning Group (CCG)

(Exempt information relating to particular employees. The public interest in maintaining the exemption, which would protect the rights of the individual under the Data Protection Act 1988, outweighs the public interest in disclosing the information and providing greater openness in the council's decision making)

Following a report at the Personnel Committee on 19 January 2016, Adrian Lythgo provided a report which explained the arrangements, including the terms and conditions of employment, surrounding the appointment of Richard Parry, Director of Commissioning, Public Health and Social Care, to the role of Accountable Officer for the North Kirklees Clinical Commissioning Group from 1 April 2016.

Adrian Lythgo answered members questions on the steps that will be taken to allow Richard Parry to carry out the duties associated with both posts in 2016/17.

RESOLVED – That the Committee notes and welcomes the temporary joint arrangement with the North Kirklees CCG to appoint Richard Parry as its Accountable Officer, and approves the terms and conditions of employment as described within today's report.

8 Succession Planning and Managing Change

(Exempt information relating to consultations or negotiations, or contemplated consultations and negotiations, in connection with a labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority. The need to maintain confidentiality around negotiations with the trade unions outweighs the public interest in disclosing the information)

Following a report at the Personnel Committee on 19 January 2016, Adrian Lythgo and Rosemary Gibson provided a report on a suggested approach to deal with the management of voluntary redundancy and access to pension entitlements in 2016/17, whilst at the same time having regard to the skills needed for new council and an obligation to mitigate redundancies.

The report focused, in particular, on a series of changes which the government is consulting on and hoping to introduce from 1 April 2016 onwards, to tighten up the rules on exit payments and access to pensions for all employees working within the public sector. News of these proposals is also being discussed with the trade unions.

RESOLVED – That the Committee:-

(1). Note and support the work on these issues that will apply to the whole of the council and supports the approach described within the report

(2). Authorise the Chief Executive to progress cases involving any Director and Assistant Director level posts. News of any decisions involving these posts to be reported back to the Personnel Committee for information.

(3). Request the Chief Executive and Head of Human Resources to make representations to central government about the potential changes regarding the recovery of exit payments for those earning £80k or more who return to work within the public sector within 12 months of receiving an exit package. Members felt that this proposal would be difficult to implement and would also limit the ability of local authorities to recruit and draw upon the experience and skills of employees who, having been made redundant, may be seeking a new job or role with a council.

9 Update on Human Resources and Industrial Relations and Trade Union Relationships in the New Council

(Exempt information relating to consultations or negotiations, or contemplated consultations and negotiations, in connection with a labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority. The need to maintain confidentiality around negotiations with the trade unions outweighs the public interest in disclosing the information)

Further to the Personnel Committee on 19 January 2016, the Committee received a verbal update from Rosemary Gibson, Head of Human Resources, on the progress being made in the discussions with the trade unions to try to develop the working arrangements between the management and trade unions in 2016/17.

Rosemary Gibson explained that:-

- Meetings have taken place with representatives of the GMB, UNISON and UNITE unions
- A set of principles on the way forward have been agreed
- Time off for trade union representatives will be based on a new ratio of 1:1000 trade union members
- Further work is being undertaken to clarify how much time off should be allowed, and how this can be managed and used. However, there will be some flexibility in these arrangements to deal with busy and peak periods of activity. Quarterly monitoring reports will also have to be provided on how much time has been taken and used.
- Management support will be provided for those council employees who are trade union representatives, where this involves all of their contractual hours
- Kirklees UNISON will have an e-mail address, which will be available for use from April 2016 onwards.

RESOLVED: - That the Committee:-

(1). Note the progress report and supports the work that is being undertaken to develop the working arrangements between the management and trade unions in 2016/17

Personnel Committee - 14 April 2016

(2). Ask the Head of Human Resources to provide members of the committee with a breakdown on the number of employees employed by the Council in 2016/17, the current memberships of the GMB, UNISON and UNITE unions and how these numbers may begin to change from April 2016 onwards.

Contact Officer: Steve Copley

KIRKLEES COUNCIL

PERSONNEL COMMITTEE

Wednesday 25th May 2016

Present: Councillor Shabir Pandor (Chair)
Councillor Jean Calvert
Councillor David Hall
Councillor Nicola Turner
Councillor Martyn Bolt
Councillor Marielle O'Neill
Councillor Naheed Mather
Councillor Terry Lyons
Councillor Nigel Patrick

1 Admission of the Public

The Committee determined that the business for the meeting be considered in public.

2 Appointment of the Employee Relations Sub-Committee

It was moved by Councillor Pandor, seconded by Councillor Calvert and;

RESOLVED –

(1) That the appointment of the Employee Relations Sub Committee be approved and that the Membership of the Sub Committee be drawn from the Membership of the Personnel Committee as set out in the report at Item 18 of the Agenda of Annual Council.

(2) That Councillor Pandor be appointed as Chair of the Sub Committee.

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KIRKLEES COUNCIL			
COUNCIL/CABINET/COMMITTEE MEETINGS ETC			
DECLARATION OF INTERESTS			
Personnel Committee			
Name of Councillor			
Item in which you have an interest	Type of interest (eg a disclosable pecuniary interest or an "Other Interest")	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]	Brief description of your interest

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) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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