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**Service Director – Legal, Governance and
Commissioning**

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Friday 25 October 2019

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 **1.00 pm** on **Monday 4 November 2019**.

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

Service Director – Legal, Governance and Commissioning

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 Shabir Pandor (Chair)
Councillor Graham Turner
Councillor Susan Lee-Richards
Councillor Naheed Mather
Councillor Peter McBride
Councillor John Taylor
Councillor David Hall
Councillor John Lawson
Councillor Rob Walker

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

Substitutes Panel

Conservative

N Patrick
B Armer
M Thompson
V Lees-Hamilton
R Smith

Green

K Allison

Independent

T Lyons
C Greaves

Labour

M Sokhal
S Hall
A Butt
E Hill
M Kaushik
W Simpson

Liberal Democrat

A Pinnock
A Munro

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 - 2

To receive the Minutes of the previous meeting held on 1 July 2019.

3: Interests

3 - 4

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: 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.

In accordance with Council Procedure Rule 10 (2), Members of the Public should provide at least 24 hours' notice of presenting a deputation.

6: Public Question Time

The Committee will hear any questions from the general public.

7: Dying to Work Charter

5 - 8

To consider the report.

Contact: Deborah Lucas, Head of People Services

8: Update - Senior Management Arrangements

9 - 16

To consider the report.

Contact: Deborah Lucas, Head of People's Services

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

PERSONNEL COMMITTEE

Monday 1st July 2019

Present: Councillor Graham Turner (Chair)
Councillor Susan Lee-Richards
Councillor David Hall
Councillor John Lawson
Councillor Rob Walker

Apologies: Councillor Shabir Pandor
Councillor Naheed Mather
Councillor Peter McBride
Councillor John Taylor

1 Membership of the Committee

Apologies for absence were received on behalf of Councillors Mather, McBride, Pandor and J Taylor.

In the absence of Councillor Pandor, the Committee determined that Councillor Turner be appointed as Chair for this meeting of the Committee.

2 Minutes of Previous Meeting

RESOLVED – That the Minutes of the Meetings held on 14 March and 22 May 2019 be approved as correct records.

3 Interests

No interests were declared.

4 Admission of the Public

It was noted that all Agenda Items would be considered in public session.

5 Public Question Time

No questions were asked.

6 Deputation/Petitions

No deputations or petitions were received.

7 Revised Employee Relations Framework

The Committee received a report which provided an update on revisions to the Council's Employee Relations Framework and sought approval for the deletion of Employee Relations Sub-Committee.

The Committee were advised that a review of the effectiveness of the previous framework had been undertaken and that the outcomes had highlighted that the framework was too complex and lacked clarity with regards to consultation,

Personnel Committee - 1 July 2019

negotiation and decision making. Consequently, the revised framework had been developed jointly between People's Services, trade union representatives and the Cabinet Portfolio Holder and was based upon a standard model which is used across a range of other local authorities.

The report advised that the new framework, which was attached at Appendix 2 of the considered report, was modern and transparent, provided clarity regarding arrangements for engagement with trade unions at a local, directorate and corporate level and aimed to create a process of inclusion and collaborative working with trade unions. It was noted that, as a result of the framework, there was no longer a requirement for Employee Relations Sub Committee to remain constituted and the Committee were therefore asked to support the deletion of the Committee.

RESOLVED - That the revised Employee Relations Framework be endorsed and that a report be submitted (i) to Corporate Governance and Audit Committee on 5 July 2019 recommending the deletion of Employee Relations Sub-Committee and thereafter (ii) to Council on 17 July 2019 recommending a constitutional amendment to delete Employee Relations Sub Committee.

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.



Personnel Committee

Date: 4th November 2019

Dying to Work Charter

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	No
Is it in the Council's Forward Plan ?	No
Is it eligible for "call in" by Scrutiny ?	No
Date signed off by <u>Director</u> & name	Rachel Spencer-Henshall 22 nd October 2019
Is it signed off by the Service Director – Legal, Governance and Commissioning (Monitoring Officer)?	Julie Muscroft 24 th October 2019
Cabinet member portfolio	Cllr Turner – Corporate 24 th October 2019

Electoral [wards](#) affected: None

Ward Councillors consulted:
None

Public or private: Public

1. Purpose

The purpose of this paper is to set out the background to the Dying to Work Charter, explain the impact of the Council signing up to this Charter and seek approval to formally adopt the Charter.

2. Decision required

The Personnel Committee is asked to consider the Dying to Work Charter, including the proposal that the Council extend our supportive approach beyond the core Charter to include employees who are dealing with a close relative with a terminal illness.

3. Background

The Trade Unions approached the Council earlier this year with a request that we consider signing up to the TUC Dying to Work Charter. The Charter sets out a commitment that the employer will support, protect and guide employees throughout their employment, following a terminal diagnosis.

The Council as an employer already has established guidance, practice and a supportive culture when managing complex ill health issues; the signing of the Dying to Work Charter is therefore an affirmation of our collective approach as a supportive employer and will not require any policy changes.

4. What is the Dying to Work Charter?

The Dying to Work Charter sets out an agreed commitment and approach to how our employees will be supported, protected and guided throughout their employment, following a terminal diagnosis. A copy of the Charter is at Appendix 1.

Over 250 employers, covering over half a million employees, have already signed up to the Charter. These employers include Leeds City Council as well as all ten Greater Manchester Councils, plus the Greater Manchester Combined Authority.

5. Implications for the Council

Kirklees Council policies and procedures are already supportive in terms of dealing with employees with a terminal diagnosis e.g. we would not pursue a dismissal in a long term absence case where this was for the reason of terminal illness and we would only consider a termination of contract where this was something requested by the individual affected. Our approach is to provide proactive support and access to programmes through Employee Healthcare, including access to counselling, specialist clinical services, legal and financial advice.

Signing the Charter will not change our approach but it will serve to increase awareness for employees who may have concerns now or in the future and reinforce our reputation as a caring, kind and supportive employer of choice.

In addition to supporting employees with a terminal illness, we propose that our commitment goes beyond the Charter to extend that support to employees dealing with close family members with a terminal illness. If approved, we will develop and provide guidance and support to managers on how to deal with affected employees in this situation e.g. offering flexible working arrangements, signposting staff to access support via to Employee Healthcare, etc.

6. Next steps

If supported, there will be a communication plan to raise awareness of the Dying to Work Charter throughout the organisation. This will be followed by an official signing opportunity, involving senior managers, political leaders and Trade Union colleagues and will be accompanied by an official photograph, press release and information being uploaded onto the Dying to Work website <https://www.dyingtowork.co.uk/>

7. Recommendation

That Personnel Committee approves the Dying to Work Charter

8. Contact Officer

Deborah Lucas, Head of People Service

9. Strategic Director responsible

Rachel Spencer-Henshall, Strategic Director for Strategy, Commissioning and Public Health



This charter sets out an agreed way in which our employees will be supported, protected and guided throughout their employment, following a terminal diagnosis.

- We recognise that terminal illness requires support and understanding and not additional and avoidable stress and worry.
- Terminally ill workers will be secure in the knowledge that we will support them following their diagnosis and we recognise that, safe and reasonable work can help maintain dignity, offer a valuable distraction and can be therapeutic in itself.
- We will provide our employees with the security of work, peace of mind and the right to choose the best course of action for themselves and their families which helps them through this challenging period with dignity and without undue financial loss.
- We support the TUC's Dying to Work campaign so that all employees battling terminal illness have adequate employment protection and have their death in service benefits protected for the loved ones they leave behind.

Chief Executive of Company

TUC Regional Secretary





Personnel Committee

Date: 4th November 2019

Update on Senior Management Arrangements

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	No
Is it in the Council's Forward Plan ?	No
Is it eligible for "call in" by Scrutiny ?	No
Date signed off by <u>Director</u> & name	Rachel Spencer-Henshall 22 nd October 2019
Is it signed off by the Service Director – Legal, Governance and Commissioning (Monitoring Officer)?	Julie Muscroft 24 th October 2019
Cabinet member portfolio	Cllr Turner – Corporate 24 th October 2019

Electoral [wards](#) affected:

None

Ward Councillors consulted:

None

Public or private: Public

1. Purpose of report

- 1.1 To receive an update from the Strategic Director for Corporate Strategy, Commissioning and Public Health on changes to senior management arrangements.
- 1.2 To seek approval to increase the establishment of Service Directors by one full-time equivalent role and to agree to convene a member appointment panel to recruit to the new role. This new role will be focused on Customers and Communities and bring together a number of functions that are currently managed in different parts of the Council.
- 1.3 To note the reconfiguration of existing adult social care Service Director capacity to create one role covering mental health, learning disabilities and in-house care services given the increased pressure in this area and the agenda on integration.
- 1.4 To agree to the temporary extension of the existing two part-time Service Director roles in adult social care that are due to expire in December 2019; these extensions are to ensure leadership stability and capacity remains whilst the above change is worked through and an external recruitment exercise is undertaken. In addition, the Committee is asked to agree to convene a member appointment panel to recruit to this reconfigured role.
- 1.5 This report builds on the reports to Personnel Committee of 29th October 2018, 30th July 2018, 25th April 2018, 13th February 2018, 18th December 2017, 19th September 2017 and 25th January 2017.

2. Update on Senior Management Recruitment

- 2.1 Following an external recruitment exercise and the subsequent internal promotion of an existing Service Director into the role of Strategic Director for Corporate Strategy, Commissioning and Public Health, the portfolio for the vacated role was reviewed and reconfigured to that of Service Director Strategy and Innovation. This reconfiguration was to strengthen capacity around the development and delivery of corporate planning and strategy and to bring an innovative approach to transformation across the organisation. Following an external recruitment process overseen by a panel of elected members, a successful candidate was appointed to that role in May of this year.
- 2.2 At around the same time, the role of Service Director for Environment was also subject to an external recruitment exercise overseen by a member panel and an individual commenced in role in June of this year. Unfortunately, the individual tendered their resignation within a few months of commencement and the role is currently being readvertised. Pending the outcome of that recruitment exercise, which is being overseen by a panel of members, an interim Service Director has been appointed to ensure effective leadership is maintained across this area.

3 Proposed changes

- 3.1 Within the current Adults and Health Directorate, there is increasing pressure on the provision of mental health, learning disabilities and in-house care services as well as a pressure on integration. The proposal is therefore to reconfigure two part-time Service Director roles which are on fixed term contracts into a single new Service Director role that is focused on the aforementioned areas. The role will be funded from within existing budgets and it is proposed that an external, member led recruitment exercise to fill this role is undertaken at the earliest opportunity. Given the timescales relating to senior recruitment processes, including notice periods, it is unlikely that a successful candidate will be in post for at least six months. As part of the portfolio for this role, a new Head of Service for the regulated in-house care services will be created; this reflects the risks that this set of services present as the needs of service users become ever more complex and the regulatory framework is ever more demanding.
- 3.2 There are currently a range of customer facing and community functions and services that sit across the organisation, under a variety of leadership arrangements. Some of these (libraries, customer services, community plus etc.) are managed by an existing part time Service Director whose contract expires in December 2019. Given the benefits that will be derived from bringing these services together with other front facing services such as Communities, it is proposed to create a new full time Service Director for Customers and Communities that covers this broader portfolio to replace the existing part time role. This will enable a real focus on these services working together to achieve the best outcomes for our residents. This role will have a matrix management arrangement and be accountable to a number of Strategic Directors as it will deliver outcomes across the Council, including for vulnerable children, adults and families as well as putting into operation the place based working approach. An external, member led recruitment exercise to fill this role is proposed and this will process will commence as soon as possible; it is noted, however, that taking into account the recruitment cycle including notice periods, any successful candidate is unlikely to be in post for at least six months.
- 3.3 It is therefore proposed that the two existing part time Service Directors have their contracts temporarily extended from December 2019 to provide transitional cover until the successful candidate commences in role.
- 3.4 The above changes also reflect the recommendations from our peer challenge in relation to increased leadership capacity, building on the community plus model as well as creating an environment where we are able to share posts between strategic directors in order to best facilitate collaborative working.

4. Other changes

- 4.1 Given the significant programme of work within the Economy and Infrastructure Directorate, a decision has been taken to transfer the responsibility for KNH to the Strategic Director for Adults and Health; this will enable the Strategic Director for Economy and Infrastructure to focus on the town and village regeneration schemes, the work to re-procure the waste contract and the redesign of operational services.
- 4.2 The alignment of housing with adult social care is relatively common and reflects the positive contribution that a good housing offer can make to increase the independence of people who need social care. To reflect the move and highlight the importance of this housing function being integrated into the Adults and Health directorate, it is proposed that the directorate is redesignated to “Adults, Housing and Health”.
- 4.3 A copy of the revised senior management structure which includes the proposals set out in this report is attached at Appendix 1.

5. Cabinet portfolio holder recommendation

- 5.1 There is no specific Portfolio Holder recommendation

6. Officer recommendation

- 6.1 The Personnel Committee is recommended:
- To note the update from the Strategic Director for Strategy, Commissioning and Public Health on recent and proposed changes to senior management arrangements;
 - To approve an increase to the establishment of Service Directors by one full-time equivalent and to agree to convene a member appointment panel to recruit to the new role. This new role will be focused on Customers and Communities and bring together a number of functions that are currently managed in different parts of the Council. The composition of the member panel will be a ratio of 3:1:1.
 - To note the reconfiguration of existing adult social care Service Director capacity to create one role covering mental health, learning disabilities and in-house care services given the increased pressure in this area and the agenda on integration. The Committee is also asked to agree to convene a member appointment panel to recruit to this reconfigured role. The composition of the member panel will be a ratio of 3:1:1.
 - Support the contract extensions for the two part-time Service Directors to ensure adequate capacity during the transitional period.

7. Contact officer

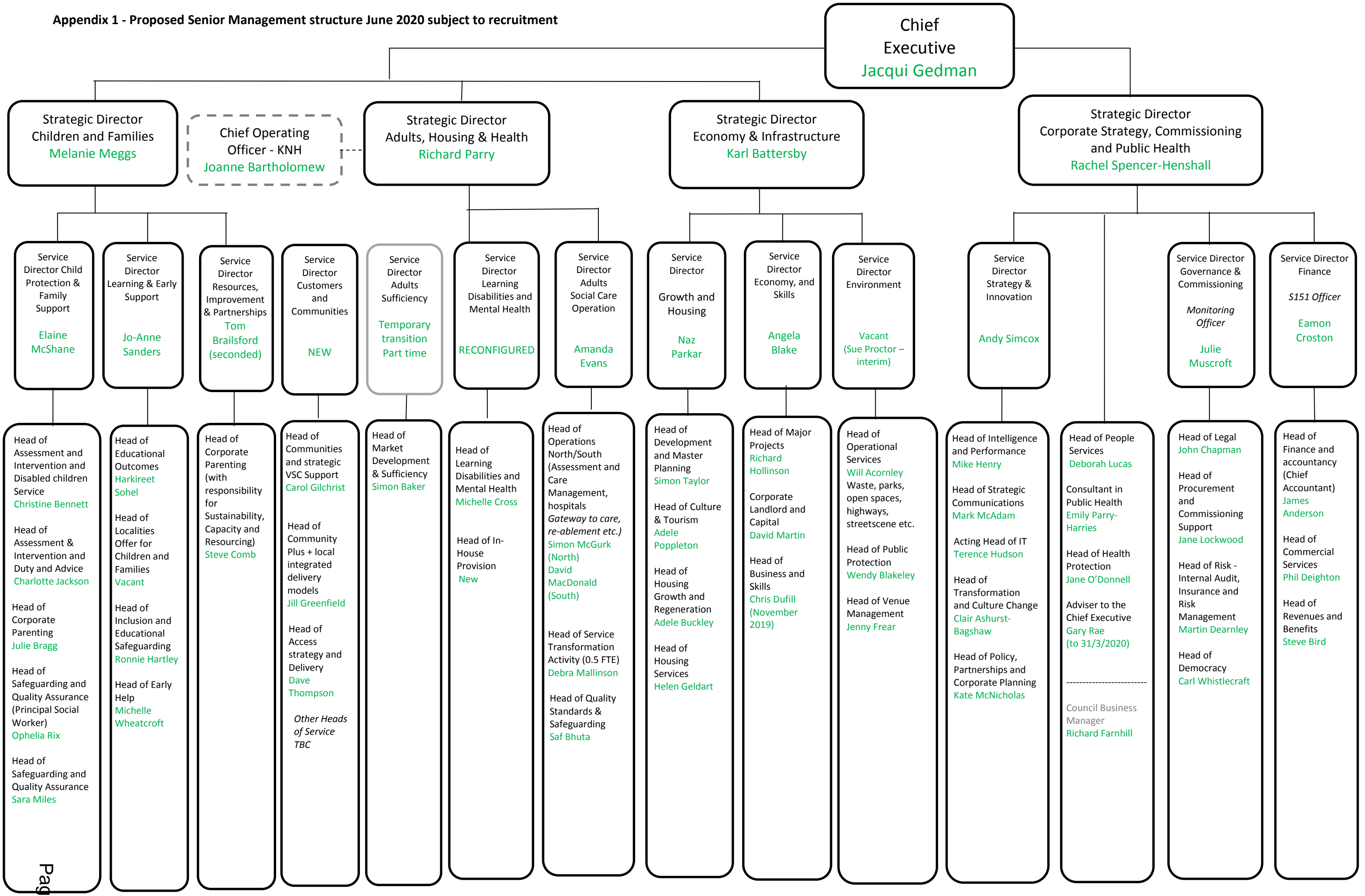
Deborah Lucas, Head of People Service

8. Strategic Director responsible

Rachel Spencer-Henshall, Strategic Director for Strategy,
Commissioning and Public Health

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Appendix 1 - Proposed Senior Management structure June 2020 subject to recruitment



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