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NOTICE OF MEETING

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EMPLOYMENT AND MEMBER STANDARDS PANEL

will meet on

TUESDAY, 9TH JULY, 2019

At 6.30 pm

in the

ASCOT AND BRAY - TOWN HALL, MAIDENHEAD

TO: MEMBERS OF THE EMPLOYMENT AND MEMBER STANDARDS PANEL

COUNCILLORS CHRISTINE BATESON, SIMON DUDLEY, SAMANTHA RAYNER (CHAIRMAN), LYNNE JONES, CATHERINE DEL CAMPO, DAVID COPPINGER, SHAMSUL SHELIM (VICE-CHAIRMAN) AND SIMON WERNER

COUNCILLORS

SUBSTITUTE MEMBERS

COUNCILLORS DAVID HILTON, JOHN STORY, JOHN BALDWIN, DAVID CANNON, STUART CARROLL, PHIL HASELER, JOSHUA REYNOLDS AND GEOFF HILL

Karen Shepherd, Service Lead- Governance - Issued: Monday, 1 July 2019

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AGENDA

PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
1.	<u>APOLOGIES FOR ABSENCE</u> To receive any apologies for absence	-
2.	<u>DECLARATIONS OF INTEREST</u> To receive any declarations of interest	5 - 6
3.	<u>MINUTES</u> To consider the Part I minutes of the meeting held on 19 March 2019	7 - 10
4.	<u>TERMS OF REFERENCE</u> To consider the terms of reference of the Employment and Member Standards Panel.	11 - 12
5.	<u>LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC</u> To consider passing the following resolution:- "That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on items 6-8 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act"	

PART II - PRIVATE MEETING

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
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7.	<u>APPOINTMENT OF HEAD OF HOUSING SERVICES</u> To consider the report. <i>(Not for publication by virtue of Paragraph 2, 4 of Part 1 of Schedule 12A of the Local Government Act 1972)</i>	15 - 18
8.	<u>SENIOR MANAGEMENT RESTRUCTURE</u> To consider the report. <i>(Not for publication by virtue of Paragraph 2, 4 of Part 1 of Schedule 12A of the Local Government Act 1972)</i>	19 - 32

MEMBERS' GUIDE TO DECLARING INTERESTS IN MEETINGS

Disclosure at Meetings

If a Member has not disclosed an interest in their Register of Interests, they **must make** the declaration of interest at the beginning of the meeting, or as soon as they are aware that they have a DPI or Prejudicial Interest. If a Member has already disclosed the interest in their Register of Interests they are still required to disclose this in the meeting if it relates to the matter being discussed.

A member with a DPI or Prejudicial Interest **may make representations at the start of the item but must not take part in the discussion or vote at a meeting.** The speaking time allocated for Members to make representations is at the discretion of the Chairman of the meeting. In order to avoid any accusations of taking part in the discussion or vote, after speaking, Members should move away from the panel table to a public area or, if they wish, leave the room. If the interest declared has not been entered on to a Members' Register of Interests, they must notify the Monitoring Officer in writing within the next 28 days following the meeting.

Disclosable Pecuniary Interests (DPIs) (relating to the Member or their partner) include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit made in respect of any expenses occurred in carrying out member duties or election expenses.
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the relevant authority.
- Any licence to occupy land in the area of the relevant authority for a month or longer.
- Any tenancy where the landlord is the relevant authority, and the tenant is a body in which the relevant person has a beneficial interest.
- Any beneficial interest in securities of a body where:
 - a) that body has a piece of business or land in the area of the relevant authority, and
 - b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

Any Member who is unsure if their interest falls within any of the above legal definitions should seek advice from the Monitoring Officer in advance of the meeting.

A Member with a DPI should state in the meeting: ***'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations on the item: 'I declare a Disclosable Pecuniary Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'

Prejudicial Interests

Any interest which a reasonable, fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs the Member's ability to judge the public interest in the item, i.e. a Member's decision making is influenced by their interest so that they are not able to impartially consider relevant issues.

A Member with a Prejudicial interest should state in the meeting: ***'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'***

Or, if making representations in the item: 'I declare a Prejudicial Interest in item x because xxx. As soon as we come to that item, I will make representations, then I will leave the room/ move to the public area for the entire duration of the discussion and not take part in the vote.'

Personal interests

Any other connection or association which a member of the public may reasonably think may influence a Member when making a decision on council matters.

Members with a Personal Interest should state at the meeting: ***'I wish to declare a Personal Interest in item x because xxx'. As this is a Personal Interest only, I will take part in the discussion and vote on the matter.***

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Agenda Item 3

EMPLOYMENT AND MEMBER STANDARDS PANEL

TUESDAY, 19 MARCH 2019

PRESENT: Councillors Lisa Targowska (Chairman), Stuart Carroll, Christine Bateson, Simon Dudley, Edward Wilson and Lynne Jones

Officers: Karen Shepherd, Nikki Craig and Duncan Sharkey

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bicknell, Dr L Evans, Quick and Saunders.

DECLARATIONS OF INTEREST

Nikki Craig and Karen Shepherd declared interests in the item 'Pay Reward Payment 2019' as officers of the council eligible for the Pay Reward scheme.

MINUTES

RESOLVED UNANIMOUSLY: That the Part I minutes of the meeting held on 22 January 2019 be approved.

2018 STAFF SURVEY

Members considered the results of the 2018 staff survey. The survey had been undertaken in July 2018 and had been completed by 327 employees (52.53%). The survey had covered seven areas, as detailed in paragraph 2.3 of the report. Members noted that the last staff survey was undertaken in 2016 and since then the number of staff directly employed had reduced from over 1200 to 600, due to the transfer to partner organisations. The questions were based on those used in previous years to allow for a direct comparison.

The Head of HR and Corporate Projects explained that overall the majority of questions scored higher than in 2016; details were included in Appendix A. The covering report provided detail on the key areas for focus including leadership, the council, and employee stress. Members also noted areas to celebrate were teamwork, managers and the service being delivered.

The results had been reviewed by the Corporate Leadership Team (CLT) and the staff champions group to create an initial action plan. These were discussed further at CLT with focus being given to nine priority activities as detailed in Appendix C. The top three were also discussed at the staff events held in early March 20-19 and would be further considered by CLT and the champions group in the coming week.

Councillor Dudley commented that there did not appear to be an action plan item relating to engagement with Members. Following the local elections there could be a large number of new councillors. The current cohort of councillors were experienced, yet did not necessarily engage with officers or the CREATE values, therefore there needed to be an action plan for both new and returning councillors. He was concerned

that the new cohort would not be able to demonstrate the types of leadership or characteristics that staff were not seeing enough of at the moment.

The Managing Director commented that there was work needed over the next two years on the culture of the organisation in terms of how everyone worked together and the issue of visible leadership. More work was also needed to understand the results of the survey given the majority of staff would not have day to day contact with Members. The Service Lead – Governance confirmed that the Member-Officer protocol would be covered as part of the Member Induction programme, beginning the week after the local elections.

Councillor Dudley commented that he had seen numerous examples of engagement by Members that he felt was inappropriate or disrespectful. There was also a lack of Members giving basic thanks or recognition of support by officers. The Chairman highlighted that instant recognition awards provided an opportunity for Members to nominate staff for good work.

Councillor Carroll stated that he agreed with the comments by Councillor Dudley. The reality was that Members usually only contacted officers when there was a problem. It was important for Members to offer thanks to individual officers and also highlight this to their line manager.

It was noted that the owner for action plan point 7 (Stress and Wellbeing) was listed as 'TBC'. The Head of HR and Corporate Projects confirmed that ultimately CLT would be responsible. Mental Health First Aid training had been rolled out and would continue online. A checklist would be used to ensure any new policies or initiatives were considered in the context of mental health.

The Chairman suggested that the Panel in the next municipal year may wish to see a more in-depth report to monitor progress.

Councillor Bateson commented that the response rate was disappointing. The Head of HR and Corporate Projects confirmed that the response rate was actually higher than in 2016. The majority of staff had online access to the survey but paper copies had also been made available and the survey had been promoted through the Borough Bulletin and staff events.

The Chairman suggested that responding to the survey should be mandatory. Councillor Carroll commented that he felt this was not the right approach as it could lead to people filling the survey in quickly with little thought. It would be preferable for there to be an environment in which people felt willing and comfortable to provide feedback. Councillor Dudley also felt that a mandatory response could lead to skewed results. The Managing Director commented that response rates increased when people felt that action would be taken as a result of feedback. This needed to be seen as a management issue not just a function of the HR department.

The Chairman felt that the action plan could be more ambitious and address those areas rated amber, rather than just red, from the survey results. The Head of HR and Corporate Projects explained that CLT and the champions group had developed a longer list of actions; Appendix C highlighted areas of focus.

Councillor Dudley commented that the council had experienced some severe IT issues earlier in the year. He felt that such situations would inevitably make an

individual stressed if they were unable to access the IT system for lengthy period of time when they had work to undertake. The council was investing in improved IT but it would take time to roll out. The Managing Director confirmed that an IT pilot was underway which sought to identify the appropriate tools for different officer groups within the council. Satisfaction rates would be improved by giving people the tools to do their work efficiently.

Councillor Jones commented that question 2 in appendix B related back to wellbeing; this needed to be looked at in more details. Question 6 demonstrated that 40% disagreed or strongly disagreed with the direction in which the council was going. She wondered if this was to do with taking part in decision making and feeling involved. The Head of HR and Corporate Projects confirmed that one of the key actions was for each service to hold a whole service planning meeting to look at how the council's key priorities linked to the work of the service area.

Councillor Dudley commented that the survey was undertaken at a difficult time for staff as issues and pressures that had been bubbling had materialized. The Chairman commented that the council had been through a period of significant change for the last two years which was just coming to a close. There would be a further temperature check survey later in the year.

The Managing Director commented that a two-way flow of information was important therefore CLT would be pledging to ensure that every officer would get protected time with their manager. A later Panel meeting would receive a report on the structure which would consider the right number of layers within the organisation and appropriate spans of control for managers.

It was confirmed that AfC had recently undertaken a similar survey however only anecdotal evidence had been received so far in terms of results. The Head of HR and Corporate Projects would seek to gain further details and share with Members. As far as she was aware Optalis had not done anything in the last financial year but she would check and confirm. Research had shown that the average satisfaction rates for both the public and private sectors on a national level was 52%.

The Chairman highlighted the need to commend line managers who had come out favourably in the survey results.

RESOLVED UNANIMOUSLY: That Employment Panel Note the 2018 Staff Survey results and analysis and the draft priority engagement activities plan.

LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

RESOLVED UNANIMOUSLY: That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on items 6-8 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act.

The meeting, which began at 6.30 pm, finished at 7.10 pm

CHAIRMAN.....

DATE.....

B2 Employment and Member Standards Panel

B2.1 Purpose

In relation to the officers or employees of the Council:

- (i) To approve any payment of discretionary monies to an employee or group of employees (including pension costs) (other than that contractually due under a contract of employment or stated under any employment policy) where such payment is in excess of £25,000 (whether singularly or collectively).
- (ii) To consider representations on employment relation matters from recognised Trade Unions.
- (iii) To approve new or significant changes to employment policies for staff.
- (iv) To approve significant revisions to staffing, in the case of five or more employees where the total costs (including redundancy and pension costs), is more than £25,000, or where there are changes to the number and functions of the Council's directorates or any other significant changes of a similar magnitude, (subject where appropriate to consultation with the Trade Unions and other similar organisations involved).
- (v) To determine arrangements for the appointment and conditions of service of the Managing Director (who is appointed, on recommendation, by Council) and the Directors and Heads of Service in accordance with Part 8B.
- (vi) To monitor the cost effectiveness of Human Resources management across the Council's services.
- (vii) To determine the Council's Pay and Benefits Policy and annual pay awards under the Council's local schemes.
- (viii) To establish and monitor Corporate Health and Safety policies for the Council.
- (ix) To establish and monitor Equal Opportunities policies for the Council.
- (x) To establish and monitor the Council's training and staff development policies.
- (xi) To consider employment implications arising from i-x for alternative employment arrangements (including Local Authority Trading Company or Community Interest Company) to deliver services (including pensions) delegated from Council or Cabinet.

In relation to the Members of the Council:

- (xiii) To promote and maintain high standards of conduct by Members, co-opted Members, including church and parent governor representatives;
- (xiv) To assist Members, co-opted members, including church and parent governor representatives, to observe the Members' Code of Conduct;
- (xv) To recommend to the Council on the adoption or revision of its Members' Code of Conduct;
- (xvi) To monitor the operation of the Members' Code of Conduct, the Officers' Code of Conduct and the Council's Whistleblowing policy and any other appropriate codes of conduct and procedures;
- (xvii) Advising, training or arranging to train Members, co-opted members and church and parent governor representatives on matters relating to the Members' Code of Conduct;
- (xviii) To present an annual report to Council on Member Standards by the Chairman of the Employment and Member Standards Panel.

B2.2 Membership

8 Members

B2.3 Quorum

3 Members

B2.4 Frequency

6 per annum

Agenda Item 6

By virtue of paragraph(s) 1, 2, 3, 4 of Part 1 of Schedule 12A of the Local Government Act 1972.

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Agenda Item 7

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

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Agenda Item 8

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

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