

NORTH HERTFORDSHIRE DISTRICT COUNCIL



19 February 2020

Our Ref Council 27.02.20
Contact. Committee Services
Direct Dial. (01462) 474655
Email. committee.services@north-herts.gov.uk

To: The Chair and Members of North Hertfordshire District Council

NOTICE IS HEREBY GIVEN OF A

MEETING OF THE COUNCIL

to be held in the

**COUNCIL CHAMBER, DISTRICT COUNCIL OFFICES,
GERNON ROAD, LETCHWORTH GARDEN CITY**

on

THURSDAY, 27 FEBRUARY 2020

at

7.30 PM

Yours sincerely,

Jeanette Thompson
Service Director – Legal and Community

****MEMBERS PLEASE ENSURE THAT YOU DOWNLOAD ALL AGENDAS AND REPORTS VIA THE MOD.GOV APPLICATION ON YOUR TABLET BEFORE ATTENDING THE MEETING****

Agenda **Part I**

Item		Page
1.	APOLOGIES FOR ABSENCE	
2.	CHAIR'S ANNOUNCEMENTS <u>Climate Emergency</u> Members are reminded that this Council has declared a Climate Emergency. This is a serious decision and means that, as this is an emergency, all of us, officers and Members have that in mind as we carry out our various roles and tasks for the benefit of our District. <u>Declarations of Interest</u> Members are reminded that any declarations of interest in respect of any business set out in the agenda, should be declared as either a Disclosable Pecuniary Interest or Declarable Interest and are required to notify the Chair of the nature of any interest declared at the commencement of the relevant item on the agenda. Members declaring a Disclosable Pecuniary Interest must withdraw from the meeting for the duration of the item. Members declaring a Declarable Interest, wishing to exercise a 'Councillor Speaking Right', must declare this at the same time as the interest, move to the public area before speaking to the item and then must leave the room before the debate and vote.	
3.	REFERRAL FROM EMPLOYMENT COMMITTEE To consider a referral from the Employment Committee. This referral will be published on 27 February 2020.	
4.	SENIOR MANAGEMENT ARRANGEMENTS REPORT OF COUNCILLOR MARTIN STEARS-HANDSCOMB AND THE SERVICE DIRECTOR – RESOURCES To consider a report entitled Senior Management Arrangements.	5 - 8
5.	EXCLUSION OF PRESS AND PUBLIC To consider passing the following resolution: That under Section 100A of the Local Government Act 1972, the Press and Public be excluded from the meeting on the grounds that the following report will involve the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 3 of Part 1 of Schedule 12A of the said Act (as amended).	

6. SENIOR MANAGEMENT ARRANGEMENTS
REPORT OF COUNCILLOR MARTIN STEARS-HANDSCOB AND THE
SERVICE DIRECTOR – RESOURCES

9 - 14

To consider a report entitled Senior Management Arrangements.

This page is intentionally left blank

REFERRAL FROM EMPLOYMENT COMMITTEE: 27 FEBRUARY 2020

EXTRACT FROM DRAFT MINUTES

SENIOR MANAGEMENT ARRANGEMENTS – PART 1

Councillor Martin Stears-Handscomb presented the report entitled Senior Management Arrangements.

At this point the meeting moved into Part 2.

Following the Part 2 discussion the meeting returned to Part 1

RECOMMENDED TO COUNCIL:

- (1) That the report entitled Senior Management Arrangements be noted;
- (2) That the recommendations to Council made in Part 2 be agreed.

REASON FOR DECISIONS: To effect savings to support the Councils objective of reducing costs.

SENIOR MANAGEMENT ARRANGEMENTS – PART 2

Councillor Martin Stears-Handscomb presented the Part 2 report entitled Senior Management Arrangements.

The following Members asked questions and took part in the debate:

- Councillor David Levett;
- Councillor Martin Stears-Handscomb
- Councillor Judi Billing;
- Councillor Keith Hoskins.

Questions were answered by:

- The Corporate Human Resources Manager;
- The Representative from EELGA;
- The Service Director Resources.

Following a detailed debate it was:

RECOMMENDED TO COUNCIL:

- (1) That the Part 2 report entitled Senior Management Arrangements be noted;
- (2) That the resolutions regarding the Part 2 report entitled Senior Management Arrangements be agreed.

REASON FOR DECISION: To effect savings to support the Councils objective of reducing costs.

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

**COUNCIL
27 FEBRUARY 2020**

***PART 1 – PUBLIC DOCUMENT**

TITLE OF REPORT: SENIOR MANAGEMENT ARRANGEMENTS

REPORT OF: COUNCILLOR MARTIN STEARS-HANDSCOMB AND SERVICE DIRECTOR:
RESOURCES

EXECUTIVE MEMBER: LEADER OF THE COUNCIL

CURRENT COUNCIL PRIORITY: RESPONSIVE AND EFFICIENT

NEW COUNCIL PRIORITY: ENABLE AN ENTERPRISING AND CO-OPERATIVE ECONOMY

1. EXECUTIVE SUMMARY

1.1 For Council to consider changes to the posts of Chief Executive and Deputy Chief Executive.

2. RECOMMENDATIONS

2.1. That the Council indicates whether to proceed with the approach taking into account the Employment Committee's recommendations and as outlined within the part 2 report.

3. REASONS FOR RECOMMENDATIONS

3.1 To effect savings to support the Councils objective of reducing costs.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1 Retaining the current structure has been considered, but is not the preferred option given the forecast level of savings that the Council needs to make.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

5.1 Informal consultation has taken place by the Leader of the Council, with the two members of staff directly affected, the Deputy Leader and Executive Members. Other relevant Members have been consulted including the Leader of the Opposition and the shadow Cabinet.

5.2 The Employment Committee will consider this report at a meeting on 27th February 2020, and provide their recommendation to Council.

- 5.3 This is a staffing matter which would normally fall within the remit of the Head of Paid Service, however as they may be affected by the proposal the Council has been supported by Michelle Kirk the Director at the East of England Local Government Association (EELGA) and Kerry Shorrocks (Corporate Human Resources Manager).

6. FORWARD PLAN

- 6.1 This report does not contain a recommendation on a key Executive decision and has therefore not been referred to in the Forward Plan.

7. BACKGROUND

- 7.1 Based on current forecasts the Council is estimating that it will have a significant budget shortfall from 2021/22 onwards. By a planned use of reserves, the Council will need to deliver savings of £1.35m over a 3- year period up to the end of 2023/24. However, there is significant uncertainty over funding beyond 2020/21, and will be subject to changes to a new funding formula, changes to Business Rates retention and a Business Rates reset. There is expected to be more certainty during 2020/21. The opportunity for further cost efficiencies is expected to be limited, and the majority of savings will need to be achieved through service reductions or, where possible, income generation.
- 7.2 Given the current and expected financial and business imperatives that the Council faces, adjustments to the very senior structure provides an opportunity to make significant savings recovered over a short period which will contribute to the council's savings targets without directly affecting front line services.
- 7.3 The Council's Reorganisation Policy sets out the approach to restructure arrangements and includes a strong emphasis on seeking to avoid compulsory redundancies. The Council's approach to voluntary redundancy arrangements are set out in the policy.
- 7.4 The authorisation arrangements for terminating employment are set out on the Constitution and, with the exception of Statutory Officers (Head of Paid Service, S151 Officer and Monitoring Officer) such matters fall to the Head of Paid Service (subject to the Officer Employment rule and relevant appeal procedures delegated to the Employment Appeals Committee. However, as the Head of Paid service may be affected the decision is reserved to Full Council.
- 7.5 In addition, the Council's adopted Pay Policy Statement requires Council to approve any related settlement package where the total cost to the Council exceeds £100,000 (which includes both severance payment and employer's liability for pension strain or other costs). In the circumstance of those cases referred to below the total contractual payments including employer costs may exceed £100,000.

8. RELEVANT CONSIDERATIONS

- 8.1 These are set out in the part 2 report.

9. LEGAL IMPLICATIONS

9.1. These are covered in full in the part 2 report.

9.2 The Council is bound by the terms of individual contracts with employees and employment law. The proposed course of action set out in this report accords with the Council's employment policies and those contracts. The settlement agreement manages any subsequent liabilities that the Council may have in terms of claims and is a prudent step to take.

10. FINANCIAL IMPLICATIONS

10.1 These are covered in the part 2 report.

11. RISK IMPLICATIONS

11.1 There are risks associated with any organisational change and it is a matter of weighing up any short- term risk (in terms of knowledge/skills loss) with the longer term financial and organisational opportunities that such a change offers.

11.2 The provision of settlement agreements manages any potential future claims against the Council. The proposed course of action manages the risks in an effective manner and facilitates the circumstances for a restructure to progress swiftly.

12. EQUALITIES IMPLICATIONS

12.1. In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

12.2 There are no equalities implications arising from this report. This proposal has been managed in line with HR policies and processes.

13. SOCIAL VALUE IMPLICATIONS

13.1. The Social Value Act and "go local" requirements do not apply to this report.

14. HUMAN RESOURCE IMPLICATIONS

14.1. These are detailed in the part 2 report.

15. APPENDICES

15.1 None.

16. CONTACT OFFICERS

- 16.1 Kerry Shorrocks
Corporate Human Resources Manager
kerry.shorrocks@north-herts.gov.uk, Ext: 4224
- 16.2 Ian Couper
Service Director Resources
ian.couper@north-herts.gov.uk; Ext: 4243
- 16.3 Michelle Kirk,
Director, East of England Local Government Association
Tel: 01284 758314
michelle.kirk@eelga.gov.uk
- 16.4 Jeanette Thompson
Service Director – Legal & Community
jeanette.thompson@north-herts.gov.uk; Ext. 4370

17. BACKGROUND PAPERS

- 17.1. Revenue Budget Report 2020/21- Council 6th February 2020
- 17.2. Pay Policy Statement 2020-21.

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

Document is Restricted

This page is intentionally left blank