

EMPLOYMENT PANEL

FRIDAY 8 JULY 2011 AT 1.30PM

PRESENT: Councillors Atkinson, Bloxham, Boaden, Hendry (as substitute for Cllr Glover), Mallinson J and Mitchelson.

EMP.17/11 APPOINTMENT OF CHAIRMAN

It was moved and seconded that Councillor J Mallinson be appointed as Chairman of the Employment Panel for the municipal year 2011/12.

RESOLVED – That Councillor J Mallinson be appointed as Chairman of the Employment Panel for the municipal year 2011/12. Councillor J Mallinson thereupon took the Chair.

EMP.18/11 APPOINTMENT OF VICE CHARIMAN

It was moved and seconded that Councillor Glover be appointed as Vice Chairman of the Employment Panel for the municipal year 2011/12.

EMP.19/11 APOLOGIES FOR ABSENCE

An apology for absence was submitted on behalf of Councillor Glover.

EMP.20/11 DECLARATIONS OF INTEREST

There were no declarations of interest in respect of any of the items on the Agenda.

EMP.21/11 MINUTES OF PREVIOUS MEETINGS

RESOLVED – That the minutes of the meeting held on 4 April 2011 be noted.

EMP.22/11 EMPLOYEE BENEFITS

The Organisational Development Manager submitted report CE.17/11 which provided the Panel with further information on the benefits other Cumbrian Councils offered staff and how the proposed benefits would work at Carlisle City Council.

The Organisational Development Manager reminded the Panel that they had previously considered the options regarding the proposed employee benefits at their meeting on 4 April 2011. The Panel had considered the options and had dismissed the sabbatical scheme. They requested further information on benefits offered by other Cumbrian Councils and the proposed holiday purchase scheme. She reminded the Panel that the Council had chosen to focus on the holiday purchase and cycle to work schemes.

The Organisational Development Manager reported that other Councils had been contacted regarding their schemes and South Lakeland District Council, Barrow Borough Council and Eden District Council offered holiday purchases schemes and Cumbria County Council would introduce one in September 2011. All of the Councils offered staff the opportunity to purchase up to 10 days leave except Eden

District Council which offered 5 days. All of the Councils except for Barrow Borough Council offered cycle to work schemes. She added that the Councils had achieved significant savings through holiday purchase schemes.

The Organisational Development Manager gave a detailed explanation of how the holiday purchase and cycle to work schemes would operate and the benefits to employees and to the organisation.

She then outlined the next stages of the proposed schemes. Both schemes would have implications for payroll, pension, National Insurance and tax so a small working group of relevant staff had been formed to develop policies and procedures. She explained that the first benefit to be introduced would be the holiday purchase scheme which would generate income to pay employer pension contributions and any additional administrative support needed. A draft policy for the purchase scheme had been developed and if approved, consultation with staff would take place. The scheme would also be considered by the Consultative Joint Committee to allow for consultation with the Unions.

It was difficult to estimate the income that would be generated by the holiday purchase scheme as it was dependent on the number of staff who chose to purchase additional holidays and the grade that they were on. It was recommended that, for the pilot programme, the income was initially used to fund employer pension contributions and any additional administrative support needed, with any extra income under £20,000 being used for other employee health and wellbeing initiatives, any income over £20,000 could be used as a saving.

Members asked for clarification with regard to the pension contributions and the holiday purchase scheme and thanked the Organisational Development Manager for the report. They agreed that the proposed Schemes would be additional benefits to staff at a difficult time. A Member asked for the terms of qualification for the Holiday Purchase Scheme to be clarified.

RESOLVED – 1) That the Additional Annual Leave Scheme be approved for consultation;

2) That further development work on the Cycle to Work Scheme be approved.

EMP.23/11 APPRENTICESHIP SCHEME

The Organisational Development Manager reported (CE.18/11) on the Apprenticeship Scheme Framework which had been developed and set out the principles and processes of taking on apprentices.

The Organisational Development Manager explained that the Framework was a new approach to apprenticeships which did not involve specific numbers of apprenticeships or identify which areas of the City Council would offer apprenticeships. She added that the Organisational Development Team would be responsible for promoting apprenticeships within the City Council and for supporting Managers in identifying opportunities. Managers would be responsible for finding the funding to pay apprentices and getting the position approved through the Establishment Change process.

The Organisational Development Manager outlined the benefits of apprenticeships and how they could also benefit the local economy. She reminded the Panel of the

key objectives of the Organisational Development Plan and how apprenticeship programmes supported those objectives. She concluded by explaining how apprenticeships would work at Carlisle City Council.

The Panel agreed that the Apprenticeship Scheme was a positive move and would be beneficial to the Council and to the local economy but had some concerns how managers would find the opportunity and funds for apprentices. They felt that the Scheme allowed the Council to support the young people of Carlisle in a positive way that encouraged them to remain in Carlisle to work.

RESOLVED –1) That the Apprenticeship Scheme Framework be approved for Carlisle City Council;

2) That the Employment Panel receive future reports on developments with apprentices within Carlisle City Council.

EMP.24/11 REVIEW OF ESSENTIAL USER ALLOWANCES – AFTER CONSULTATION

The Assistant Director (Resources) reported (RD.14/11) on the feedback received in response to the consultation with trade unions and staff on changes to the Essential Car User Allowances(ECUA) and Casual User mileage allowances as agreed by the Panel on 4 January 2011.

The Assistant Director (Resources) reminded the Panel of their previous decision and the proposals that had been consulted on. He added that if the proposals were adopted they would yield between £75,000 and £100,000 savings per year, this would depend on how many staff qualified for an essential user allowance after review and appeal stage.

The Assistant Director (Resources) explained that 164 staff had been consulted and 43 responses had been received, this included 2 collective responses from groups of 14 and 12 members of staff. He then summarised the responses and suggestions received and drew Members' attention to the officers comments made on the responses to the consultation.

In conclusion the Assistant Director (Resources) set out the recommendations made in paragraph 4 of the report.

A Member had concerns that a departure from the national terms and conditions regarding the ECUA allowances would be a breach of the conditions and he asked if a detailed audit of all users had been carried out. He also raised concerns that the twelve months protection for the allowance would begin on 1 September 2011 whilst the appeals process was still being carried out. He felt that there should be a set timescale for appeals and then, when all were completed, the protection period should begin.

The Personnel Manager explained that a review of the Essential Car Users had been carried out and highlighted an inconsistency in the amount of mileage being claimed by Essential Car Users.

The Assistant Director (Resources) reminded the Panel that the appeals process would not reconsider the new scheme but would look at each individual's case to

determine how they fit into the scheme. If the individual was not happy with their place within the scheme then a review panel would consider their circumstances and, if the officer was not happy with the review, they could then go onto appeal. The appeals process would be on going process as officers roles changed within the authority.

The Panel had a detailed discussion on the appeals process and the twelve months protection. They also discussed how the new scheme would be incorporated into officers' terms and conditions and what would happen if an agreement between employer and employee could not be reached.

The Personnel Manager informed the Panel that the decision of the Employment Panel would be taken to the next Consultative Joint Committee meeting for their information. She added that a formal consultation letter had been sent to the Unions but a response had not been received.

RESOLVED - That the recommendations as set out in paragraph 4 of report RD.14/11 and listed below be approved:

- Eligibility to receive an Essential Car User Allowance be determined by the annual business mileage carried by the post holder and that 1,750 miles per year (pro rata for part time staff) should be incurred before an Essential User Allowance is automatically awarded.
- The Review Panel adjudicate where a post holder currently receives an Essential Car User Allowance who drives less than 1,750 miles per year (pro rata for part time staff) to determine whether or not the use of the employee's own car is essential to carry out the job effectively or whether some alternative arrangements would be sufficient. This would also apply where several staff occupy the same post but did not all meet the mileage criterion. The Review Panel to consist of a representative from the service's management, personnel and chaired by an independent member of SMT.
- The Essential Car User allowance be as follows:
 - (i) For engine sizes up to and including 999 cc an allowance of £846 per year payable in 12 equal instalments
 - (ii) For engines of 1,000 cc and above, an allowance of £963 per year payable in 12 equal instalments
- Twelve months protection be applied to the Essential Car User Allowance paid and to any employee currently receiving an Essential Car User Allowance who loses it as part of changes, with effect from 1st September 2011.
- Business mileage rates for all travel except that connected with training and/or when driving leased cars is paid at the following rates:

Category	Engine size up to and including 999cc	Engine size 1,000 cc and above
Essential Users for first 8,500 miles in a financial year	36.9 pence per mile	40.9 pence per mile
Essential Users for miles	13.7 pence per mile	14.4 pence per mile

above 8,500 in a financial year		
Casual Users for first 8,500 miles in a financial year	46.9 pence per mile	52.2 pence per mile
Casual Users for miles above 8,500 in a financial year	13.7 pence per mile	14.4 pence per mile

The rates and allowances be increased in line with any national agreements for an increase in the two lower bands.

- Twelve months protection be applied to the current engine size bands.
- Agreed changes are applied to new Essential Users from the date of receipt of the allowance with no protection period.

In accordance with procedure rule 17.5 Councillor Atkinson requested that it be recorded that he voted against the above resolution.

EMP.25/11 ASSISTANT DIRECTOR – VACANCY MANAGEMENT AND CAPACITY REPORT

The Strategic Director presented report SD.06/11 which responded to the resolution passed by Council (C.25/11) at its meeting on 11 January 2011.

The Strategic Director outlined the Council resolution of 14 January which asked the Employment Panel to consider the capacity at Assistant Director level of the Council's staffing structure and the future of the Assistant Director (Economic Development) post. He then summarised issues which had a bearing on the future senior management arrangements within the City Council. He highlighted the Management Team Restructure which took place in 2009 and reduced the management costs by approximately £650,000 and significantly reduced the average cost per head of population.

He added that a key role for the Assistant Directors was the implementation of the revised Corporate Plan 2010-2013 which assigned 19 specific actions to the Assistant Directors and Portfolio Holders and was a core function of their role.

The Strategic Director reminded the Panel that the Assistant Directors were key to the delivery of the Transformation Programme and each had devised their own transformation actions to drive forward whilst seeking to build further accountability and resilience within service areas.

The Strategic Director explained each of the options available to the Panel, as set out in the report, with regard to the Assistant Director (Economic Development) post and outlined the opportunities and risks associated with each option.

A Member commented that it was clear from the report that the Senior Management structure that had been set up in 2009 was still appropriate, sensible and necessary for the Authority to move forward. He did, however, request more information to show that the structure was still 'fit for purpose' and appropriate for the future of the Council. A Member reminded the Panel that there had been some debate regarding

the Senior Management Team's ability to be interchangeable and share roles when necessary.

The Strategic Director confirmed that part of the recruitment process for the Senior Management Team had been to ensure that managers had the ability to be flexible and manager a host of services when required. He felt it was also appropriate to employ members of the Senior Management Team who had specific skills where necessary. The role of interim Assistant Director (Economic Development) had allowed for a full re-structure of the Economic Development section including Carlisle Renaissance and the Tourism Partnership, supported the City Centre Tourism bid and progressed the Local Development Framework. He felt that the post should be filled to continue the work that had been started and to take the Economic Development Directorate into the future.

RESOLVED – That the Employment Panel recommends to the City Council that the current Assistant Director structure be retained and that an external recruitment process is put in place to permanently appoint to the post of Assistant Director (Economic Development).

EMP.26/11 PUBLIC AND PRESS

RESOLVED – That in accordance with Section 100A(4) of the Local Government Act 1972 the Public and Press were excluded from the meeting during consideration of the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in the paragraph number (as indicated in brackets against the minute) of Part 1 of Schedule 12A of the 1972 Local Government Act.

EMP.27/11 OPTIONS FOR TRANSITIONAL ARRANGEMENTS FOLLOWING THE RETIREMENT OF THE TOWN CLERK AND CHIEF EXECUTIVE ON 31 AUGUST 2011

(Public and Press excluded by virtue of Paragraph 1)

The Town Clerk and Chief Executive submitted report CE.15/11 which set out the options for the transitional arrangements following the retirement of the Town Clerk and Chief Executive on 31 August 2011.

The Town Clerk and Chief Executive reminded the Panel of the role and responsibilities of the post as set out in Article 12 of the Constitution of the Council and outlined each of the options that were available to the Council for the transitional period and the risk implications associated with each option.

The Town Clerk and Chief Executive confirmed that it was a statutory requirement to have a named Head of Paid Service and the Chief Executive role was still required under the new Strong Leadership model.

The Panel gave detailed consideration to the options available and

RESOLVED –1) That option (vii) of report CE.15/11 – Appoint the Deputy Chief Executive as the 'Acting' Town Clerk and Chief Executive during the transition period be referred to the City Council for their approval.

2) That the recruitment process for the permanent Town Clerk and Chief Executive post begins as soon as possible following the Council meeting on 19 July 2011.

(Meeting ended at 3.20 pm)