

## **Minutes of a Meeting of the Committee to Determine the Conditions of Employment of Chief and Deputy Chief Officers held at County Hall, Chelmsford, at 10.00am on 28 May 2013**

Present:

### **Councillors**

|               |   |
|---------------|---|
| David Finch   | Leader of the Council (Chairman)  |
| Kevin Bentley | Deputy Leader and Cabinet Member for Economic Growth and Infrastructure |
| Roger Lord    | Leader of the UKIP Group  |
| Mike Mackrory | Leader of the Liberal Democrat Group                                    |
| Roger Walters | Cabinet Member for Waste and Recycling                                  |

The following officers were present in support:

|                |                                    |
|----------------|------------------------------------|
| Joanna Killian | Chief Executive                    |
| Adam Bowles    | Head of HR                         |
| Terry Osborne  | Assistant Director – Corporate Law |
| Judith Dignum  | Secretary to the Committee         |

### **1. Declarations of Interest**

There were no declarations of interest.

### **2. Minutes**

The minutes of the meeting held on 9 April 2013 were agreed as a correct record and signed by the Chairman.

### **3. Appointment of Vice-Chairman**

Upon the motion of the Chairman, duly seconded by Councillor Roger Walters, it was:

#### **Resolved:**

That Councillor Kevin Bentley be appointed Vice-Chairman of the Committee for the Municipal Year 2013/14.

### **4. Establishment of Appointments Sub-Committee**

The Committee considered a report (CO/02/13) by the Assistant Director – Corporate Law which sought approval to establish an Appointments Sub-Committee to deal with appointments to certain posts as part of the Transformation Programme. The Sub-Committee would comprise three members (two Conservative, and one from the three main Opposition Groups) with nominations to be sought on an ad hoc basis as necessary.

In considering the report, the Committee noted that membership of the Sub-Committee would vary between appointments according to Members' availability and experience, with training to be made available for those with little or no experience of employment matters.

**Resolved:**

That an Appointments Sub-Committee be established comprising three members (two Conservative and one from the three main Opposition Groups) to be appointed on an ad hoc basis to deal with appointments to certain posts as part of the Transformation Programme.

**5. Exclusion of the Press and Public**

**Resolved:**

That, having reached the view that the public interest in maintaining the exemption (and discussing the matter in private) outweighed the public interest in disclosing the information, the public (including the press) be excluded from the meeting during consideration of the following items of business on the grounds that they involved the likely disclosure of exempt information as specified in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Local Government Act 1972.

**6. Appointment of Staff at Tiers Two and Three**

(Exempt under paragraphs 1 and 2 of Schedule 12A of the Local Government Act 1972)

The Committee considered a report (CO/03/13a) by the Assistant Director – Corporate Law which sought agreement to delegate authority for the Chief Executive or her nominee to make appointments to certain Deputy Chief Officer posts (detailed in Appendix 1 to the report) as part of tier 3 of the Transformation Programme.

In considering the report, Members were advised of the rationale for appointment to these particular posts to be dealt with by officers. The majority of appointments at Tiers Two and Three arising from the Transformation Programme would be dealt with at Member level.

**Resolved:**

That authority be delegated to the Chief Executive or her nominee to make appointments to the following three posts, as identified in Appendix 1 to report CO/03/13:

- Director for Delivery Transition
- Director for Commissioning: Economic Growth and Communities (interim)
- Director for Commissioning: Waste and Environment

## **7. Dismissals of Deputy Chief Officers Through Voluntary Redundancy** (Exempt under paragraphs 1 and 2 of Schedule 12A of the Local Government Act 1972)

The Committee considered a report (CO/03/13b) by the Head of HR which sought agreement to dismiss two Deputy Chief Officers by way of voluntary redundancy, following the recent changes at Tier 3.

The following matters arose from consideration of the report:

- The word 'dismissal' in the context of voluntary redundancy is recognised legal terminology and does not have adverse connotations in terms of the employment of the person concerned.
- Following the abolition of the compulsory retirement age, the option of voluntary redundancy is available to an employee whose post is at risk and who is eligible to retire but has expressed no previous intention to do so.
- Members requested that details of the likely payback period (bearing in mind the cost of redundancy payments and any strain on the pension fund) should be included in all future reports dealing with similar issues.

### **Resolved:**

That the dismissal of two Deputy Chief Officers (identified in the report) by way of voluntary redundancy be agreed.

The meeting closed at 10.15am.

**Chairman**