

Committee to Determine the Terms and Conditions of Employment of Chief and Deputy Chief Officers

12:15	Tuesday, 23 September 2014	C224 - 225,
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Quorum: 2

Membership:

Councillor D Finch
Councillor K Bentley

Councillor K Bobbin
Councillor T Higgins
Councillor D Madden

Leader of the Council
Deputy Leader and Cabinet Member for Economic
Growth, Infrastructure and Waste and Recycling
Labour Group
Liberal Democrat Group
Cabinet Member for Children and Families

For information about the meeting please ask for:

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Essex County Council

Essex County Council and Committees Information

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<http://www.essex.gov.uk/Your-Council/Local-Government-Essex/Pages/Visit-County-Hall.aspx>

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The Council Chamber and Committee Rooms are accessible by lift and are located on the first and second floors of County Hall.

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Please note that an audio recording may be made of the meeting – at the start of the meeting the Chairman will confirm if all or part of the meeting is being recorded.

Part 1

(During consideration of these items the meeting is likely to be open to the press and public)

Pages

1 Apologies for Absence

2 Minutes

5 - 8

To approve as a correct the minutes of the meeting held on 27 May 2014

3 Declarations of Interest

To note any declarations of interest to be made by Members

4 Urgent Business

To consider any matter which in the opinion of the Chairman should be considered in public by reason of special circumstances (to be specified) as a matter of urgency.

Exempt Items

(During consideration of these items the meeting is not likely to be open to the press and public)

To consider whether the press and public should be excluded from the meeting during consideration of an agenda item on the grounds that it involves the likely disclosure of exempt information as specified in Part I of Schedule 12A of the Local Government Act 1972 or it being confidential for the purposes of Section 100A(2) of that Act.

In each case, Members are asked to decide whether, in all the circumstances, the public interest in maintaining the exemption (and discussing the matter in private) outweighs the public interest in disclosing the information.

5 Chief and Deputy Chief Officer Panel Report

- Information relating to any individual;
- Information which is likely to reveal the identify of an individual;

6

Candidate Interviews

(Exempt under paragraphs 1 & 2 of the Local Government Act 1972 - information relating to any individual or which is likely to reveal the identity of any individual)

To interview candidates for the post of Executive Director for Place Commissioning.

Interview pack to follow.

7

Urgent Exempt Business

To consider in private any other matter which in the opinion of the Chairman should be considered by reason of special circumstances (to be specified) as a matter of urgency.

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 8.00am on 27 May 2014

Present:

Councillors

D Finch	Leader of the Council (Chairman)
R Hirst	Cabinet Member for Transformation and Corporate Services
J Huntman	Leader of the UKIP Group
D Madden	Cabinet Member for Families and Children

The following officers were present in support:

Joanna Killian	Chief Executive (except for part of agenda item 8, Corporate Management Board 2013/14 Performance, minute 8 below refers)
Adam Bowles	Director for Human Resources
Terry Osborne	Director for Corporate Law and Assurance (except for agenda item 8, Corporate Management Board 2013/14 Performance, minute 8 below refers)
Judith Dignum	Committee Services Manager (Secretary to the Committee)

An apology for absence was received from Councillor J Young, Leader of the Labour Group, and for lateness from Councillor J Huntman. Councillor Huntman arrived at 8.15am.

1. Declarations of Interest

There were no declarations of interest.

2. Opening Remarks

At the request of the Chief Executive, the Director for Corporate Law and Assurance outlined the Committee's responsibilities and the legal framework under which it operated.

3. Changes to Management Structure

The Committee considered a report by the Chief Executive regarding a change to the organisational structure and a proposed review of the Customer Operations function. The Committee noted and endorsed the action taken by the Chief Executive in transferring responsibility for the Customer Services Team from Customer Operations to the Executive Director for Corporate Services. It also noted the proposal to review the Customer Operations function, with a view to determining future management arrangements for the remainder of the

services located within it. Further reports regarding the options available would be submitted to future meetings of the Committee.

The Chief Executive responded to Members' questions on various aspects of the transfer of responsibility and the proposed review.

Resolved:

That the transfer of responsibility for the Customer Services function to the Executive Director for Corporate Services be noted and endorsed.

4. Amendment to Individual and Team Reward Policy

The Committee considered a report by the Chief Executive regarding a proposed revision to the policy relating to Individual and Team Rewards. The proposal was before the Committee as, by virtue of the fact that it applied to staff at all levels within the Council, implementation of any change would involve an amendment to the terms and conditions of employment of Chief and Deputy Chief Officers, which fell within the Committee's remit.

The Committee noted the proposal to increase the number of days leave that could be awarded under the policy but requested the imposition of a cap of 25 on the maximum number of days available. It also endorsed the application of the revised Policy to Executive Directors, as determined by the Chief Executive. In response to Members' questions, the Chief Executive advised that the setting of a relatively high maximum would allow the greatest flexibility, for example in the case of an award to someone at the end of their career. Awards of this magnitude were expected to be rare.

Resolved:

- 1) That the proposed revisions to the Individual and Team Reward Policy by increasing the number of days leave that can be awarded be noted, subject to the imposition of a cap of 25 on the maximum number of days available.
- 2) That the application of the revised Policy to Executive Directors, as determined by the Chief Executive, be endorsed.

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. Termination of Employment of a Chief Officer through Mutual Agreement
(Exempt under paragraphs 1 and 2 of Schedule 12A of the Local Government Act 1972)

The Committee considered a report by the Chief Executive concerning the termination of employment of a Chief Officer by way of mutual agreement.

Resolved:

That the termination of employment of Robert Overall, Executive Director for Place Commissioning and Deputy Chief Executive be agreed, by mutual agreement and on the terms set out in the report.

7. Annual Pay Award for Executive Directors 2014/15
(Exempt under paragraphs 1 and 2 of Schedule 12A of the Local Government Act 1972)

The Committee considered a report by the Chief Executive concerning the performance pay approach for Executive Directors (excluding the Chief Executive) to be applied from April 2014. The report also recommended the refresh of the membership of the Independent Remuneration Panel and its reconstitution to consider the issue of executive pay.

Arising from their consideration of the report, Members requested the provision of more detailed comparative information in future years.

Councillor Huntman wished to record his concern at the performance pay approach being adopted, given the current economic climate.

Resolved:

- 1) That the pay award for Executive Directors (excluding the Chief Executive) for the 2013/14 performance year be an unconsolidated payment at the same level as the base pay increase awarded to employees at Band 5+ who achieve an assessment of 'fully met' or above.
- 2) That the membership of the Independent Remuneration Panel be renewed.
- 3) That a refreshed Independent Remuneration Panel be asked to produce a set of recommendations to guide the ongoing pay, reward and recognition plan for future pay for both Executive Directors and the Chief Executive.

The Director for Corporate Law and Assurance was not present during consideration of the following item of business and the Chief Executive was present during part of its consideration only.

8. Corporate Management Board 2013/14 Performance

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

The Committee considered a joint report by the Chief Executive and the Leader of the Council which set out the Chief Executive's assessment of the performance of members of the Corporate Management Board (CMB) (other than the Chief Executive) for the year 2013/14, and sought Members' confirmation or amendment of the recommended outcomes.

The report also asked the Committee to agree the assessment of the Chief Executive's performance for the year 2013/14, as recommended by the Leader of the Council. (The Chief Executive was not present during this part of the meeting.)

Arising from consideration of the report, Members expressed the view that the methodology for assessment of performance should be amended to provide for a greater emphasis on delivery, as opposed to demonstration of the values and behaviours. They also stated that, in order to reach a judgement on CMB performance next year, they would expect to see the inclusion of specific measures within contracts and clear evidence to demonstrate to what extent these had been achieved.

Resolved:

- 1) That the Chief Executive's recommended outcomes with regard to the performance of Corporate Management Board members (excluding the Chief Executive) for the year 2013/14 be confirmed.
- 2) That the assessment of the Chief Executive's performance for the year 2013/14 be agreed as per the Leader of the Council's recommendation.
- 3) That future performance contracts include details of specific measures, with end of year reports providing clear evidence to demonstrate to what extent these have been achieved.
- 4) That consideration be given to a review of the methodology for assessment of performance to provide for a greater emphasis on delivery.

The meeting closed at 9.45am.

Chairman