



Establishment Committee

Date: WEDNESDAY, 26 JULY 2017
Time: 11.00 am
Venue: COMMITTEE ROOM - 2ND FLOOR WEST WING, GUILDHALL

Members: Deputy the Revd Stephen Haines (Chairman)
Deputy Edward Lord (Deputy Chairman)
Randall Anderson
Sir Mark Boleat
Deputy Keith Bottomley
Alderman Peter Estlin
Deputy Kevin Everett
Sophie Anne Fernandes
Deputy Jamie Ingham Clark
Jeremy Mayhew
Sylvia Moys
Deputy Joyce Nash
Barbara Newman
Deputy Richard Regan
Deputy Elizabeth Rogula
Ruby Sayed
Deputy Philip Woodhouse

Enquiries: Amanda Thompson
tel. no.: 020 7332 3414
amanda.thompson@cityoflondon.gov.uk

Lunch will be served in Guildhall Club at 1PM
NB: Part of this meeting could be the subject of audio or video recording

John Barradell
Town Clerk and Chief Executive

AGENDA

Part 1 - Public Agenda

1. **APOLOGIES**
2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**
3. **MINUTES**
To agree the public minutes and summary of the meeting held on 19 June 2017.

For Decision
(Pages 1 - 6)
4. **OUTSTANDING ACTIONS REPORT**
Report of the Town Clerk.

For Information
(Pages 7 - 10)
5. **REVISED EMPLOYEE DATA PROTECTION POLICY**
Report of the Director of Human Resources.

For Decision
(Pages 11 - 24)
6. **OPERATION OF THE SCHEME OF DELEGATIONS**
Report of the Director of Human Resources.

For Information
(Pages 25 - 26)
7. **REVENUE OUTTURN 2016/17**
Report of the Town Clerk, the Chamberlain, the Comptroller and the City Solicitor

For Information
(Pages 27 - 36)
8. **APPRAISALS/HALF YEARLY REVIEWS - CHIEF OFFICERS**
Town Clerk and Deputy Chairman to be heard.

For Decision
9. **RECRUITMENT AND OFF PAYROLL WORKERS**
Report of the Director of Human Resources.

For Information
(Pages 37 - 58)
10. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

11. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

12. **EXCLUSION OF THE PUBLIC**

MOTION - That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act.

For Decision

Part 2 - Non-Public Agenda

13. **NON-PUBLIC MINUTES**

To agree the non-public minutes of the meeting held on 19 June 2017.

For Decision
(Pages 59 - 60)

14. **OUTSTANDING ACTIONS REPORT**

Report of the Town Clerk.

For Information
(Pages 61 - 62)

15. **NON-PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

16. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREES SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

Part 3 - Confidential Agenda

17. **CONFIDENTIAL MINUTES**

To agree the Confidential minutes of the last meeting held on 19 June 2017.

For Decision

18. **MARKET FORCES SUPPLEMENT REQUEST**

Report of the Managing Director of the Barbican.

For Decision

19. **EXTENSION OF HONORARIA**

Report of the City Surveyor.

For Decision

20. **STAFF APPEALS COMMITTEE SUMMARY REPORT**

Report of the Comptroller and City Solicitor.

For Information

21. **OPERATION OF THE SCHEME OF DELEGATIONS - APPENDIX**

Report of the Director of Human Resources.

This is the confidential appendix relating to agenda item 7.

For Information

22. **DEPARTMENTAL REORGANISATION**

Report of the Town Clerk.

For Decision

23. **EU ENGAGEMENT - CITY OF LONDON CORPORATION REPRESENTATION IN BRUSSELS**

For Decision

24. **SUPPORT FOR COMMITTEE CHAIRMEN**

Report of the Assistant Town Clerk

For Decision
(Pages 63 - 66)

25. **DEPUTY HEAD OF THE PAID SERVICE**

Director of HR to be heard.

For Decision

26. **TOWN CLERKS UPDATE**

Town Clerk to be heard.

For Information

ESTABLISHMENT COMMITTEE

Monday, 19 June 2017

Minutes of the meeting of the Establishment Committee held at the Guildhall EC2 at 1.45 pm

Present

Members:

Deputy the Revd Stephen Haines (Chairman)	Sylvia Moys
Deputy Edward Lord (Deputy Chairman)	Deputy Joyce Nash
Randall Anderson	Barbara Newman
Sir Mark Boleat	Deputy Elizabeth Rogula
Deputy Keith Bottomley	Ruby Sayed
Sheriff & Alderman Peter Estlin	Deputy Philip Woodhouse
Deputy Jamie Ingham Clark	

Officers:

Matthew Lock	-	Chamberlain's Department
Michael Cogher	-	Comptroller and City Solicitor
Chrissie Morgan	-	Director of Human Resources
Tracey Jansen	-	Human Resources Department
Amanda Thompson	-	Town Clerk's Department
Peter Lisle	-	Assistant Town Clerk
Sara Pink	-	Community and Children's Services

The Chairman welcomed Members to the meeting and, in particular, congratulated Sir Mark Boleat on his appointment as a Knight Bachelor in the Queen's Birthday Honours List.

1. APOLOGIES

There were no apologies.

2. MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA

There were no declarations of interest.

3. MINUTES

RESOLVED – That the public minutes and summary of the meeting held on 3 May be approved as an accurate record.

4. **OUTSTANDING ACTIONS REPORT**

The Committee considered a report of the Town Clerk which provided details of outstanding actions from previous meetings.

RESOLVED – That the Committee note the report.

5. **BUSINESS PLANS 2017/2018**

The Committee received a joint report of the Town Clerk, Comptroller and City Solicitor and Director of Human Resources presenting the business plans for 2017/18 for the Departments for which the Committee was responsible – these were the Town Clerk’s Department, Corporate Human Resources, and the Comptroller and City Solicitor’s Department.

The report also presented an early draft of the Corporate Plan 2018-23 in order to give Members an opportunity to provide initial feedback before wider consultation on the plan took place in the autumn with staff, partners and other external stakeholders.

Several members referred to the section regarding developing capabilities and highlighted the fact that the recent high turnover of staff in the Town Clerk’s Committee and Members’ Services Team might make this hard to deliver. A Member suggested that it was time to look again at the operational model and review effectiveness as the ‘policy’ function had practically disappeared and the ‘committee’ function took priority, and there was now limited support for Chairmen and Deputy Chairmen. In particular, Officers were asked to look at this in the context of establishing a career path for staff joining the Corporation, possibly as graduates, for whom work as a committee/policy officer could form part of their progression into non-specialist management roles.

It was agreed that the views of both Members and staff be sought and a report be brought back to a future meeting.

RESOLVED - to

- 1) Approve the high-level and detailed departmental business plans from:
 - Town Clerk’s Department (Corporate and Member Services)
 - Corporate Human Resources
 - Comptroller and City Solicitor’s Department
- 2) Note the draft Corporate Plan 2018-23
- 3) Request the Town Clerk and Director of Human Resources to report back to the Committee on the staffing resource concerns identified by Members.

6. **DIVERSITY FLOAT LORD MAYOR'S SHOW NOVEMBER 2017**

The Committee received a report of the Director of Human Resources concerning funding for a Diversity Float in the 2017 Lord Mayor’s Show.

The Committee was advised that the Director of Community & Children's Services had agreed to provide project management for the Float from within his Department, with the Staff Networks playing a key role, together the support of others with specialist expertise. The Float would also be an opportunity to work with equality and inclusion partners and networks across the City.

The Committee was asked to approve a budget of £10,000 from the Town Clerk's local risk contingency to finance the costs associated with the Float, however the Committee was of the view that given this would only cover the entry cost, a higher budget should be approved and the possibility of sponsorship be explored.

RESOLVED – That a budget of up to £16,000 from the Town Clerk's local risk contingency be allocated to fund the Diversity Float, and the possibility of external sponsorship be explored.

7. CORPORATE AND PUBLIC LAW DIVISION OF THE COMPTROLLER & CITY SOLICITOR'S DEPARTMENT - STAFF FUNDING

The Committee considered a report of the Comptroller and City Solicitor seeking approval for the recruitment of three additional permanent members of staff to the Comptroller and City Solicitor's Department in 2017/18. A base budget increase of £140,000 for future financial years had been approved by Policy and Resources Committee on 4 May 2017.

RESOLVED – That the recruitment of three additional members of staff at grade E, career grade C/D and at grade C to the Comptroller and City Solicitor's Department be approved.

8. MARKET FORCES SUPPLEMENT REQUEST

The Committee received a report of the Town Clerk concerning approval for a market forces supplement to be paid to the new Strategic Security Director and Counter Terrorism Advisor.

The Committee was advised that following the increase in the UK threat level to SEVERE the Town Clerk had commissioned a security review of all Corporation activity, critical building and assets in early 2016. An outcome of the review was to develop and implement a Security Strategy to establish a corporate wide framework, structure and strategy to provide oversight, ownership and coordination in the quality delivery of security matters. In order to achieve this, it would be necessary to appoint to a new post of Strategic Security Director and Counter Terrorism Advisor.

The Committee was requested to approve a market forces supplement which would allow for a salary of up to £95,000 to be paid to the new Strategic Security Director and Counter Terrorism Advisor enabling recruitment to be targeted at candidates with the appropriate level of seniority, gravitas, expertise and skill set.

Members, in approving the market forces supplement, questioned the grading of the post, which seemed at odds with the importance of the role and the salary required to recruit a suitable candidate.

RESOLVED – That a market forces supplement of up to £25,360 to be applied to the Strategic Security Director and Counter Terrorism Advisor post to allow a salary offer of up to £95,000 subject to the experience and skills of the successful candidate.

9. **ANNUAL EQUALITIES IN EMPLOYMENT MONITORING REPORT 2016/2017**

The Committee received a report of the Director of Human Resources setting out the workforce profile information for the year 2016-2017 and providing Members with a summary of the main equalities and inclusion initiatives and actions that had taken place over the year.

RESOLVED - That the report be noted.

10. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

Questions were raised as follows –

Use of Volunteers

In relation to the extent of use of volunteers in the workforce a concern was raised with regard to the protocols used across the organisation and how the duty of care towards volunteers was discharged, as this appeared to vary from department to department.

The Director of Human Resources undertook to provide a report comparing and contrasting the approach to paid and unpaid workers, and guidance on how to appoint them, to a future meeting.

Recruitment

A request was made for a report concerning the use of recruitment by Chief Officers to manage the out turn for their departments, including the average time from vacancy to post being filled detailed by month. Further questions were asked concerning the use of consultants and whether or not any employees were paid in any other ways other than payroll and it was agreed that this be included in the paper

11. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

There were no urgent items of business.

12. **EXCLUSION OF THE PUBLIC**

RESOLVED – That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds

that they involve the likely disclosure of exempt information as defined in Part I of the Schedule 12A of the Local Government Act.

13. **NON-PUBLIC MINUTES**

RESOLVED – That the non-public minutes and summary of the meeting held on 3 May be approved as an accurate record.

14. **OUTSTANDING ACTIONS REPORT**

The Committee noted a report of the Town Clerk which provided details of non-public outstanding actions from previous meetings.

15. **MARKET FORCES SUPPLEMENT REVIEW**

The Committee received a report of the Director of Human Resources concerning the market forces supplement review.

16. **NON-PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

There were no questions.

17. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREES SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

There were no items of urgent business.

18. **CONFIDENTIAL MINUTES**

RESOLVED – That the confidential minutes of the meeting held on 3 May be approved.

19. **PAY AWARD 2017/18**

The Committee considered a report of the Director of Human Resources concerning the 2017/18 Pay Award.

20. **DEPARTMENTAL UPDATE**

The Committee noted an update from the Assistant Town Clerk.

The meeting closed at 3.25 pm

Chairman

**Contact Officer: Amanda Thompson
tel. no.: 020 7332 3414**

amanda.thompson@cityoflondon.gov.uk

Establishment Committee – Outstanding Actions

Item	Date	Action	Officer responsible	To be completed/ progressed to next stage	Progress Update
1.	16 September 2016, Item 5	<p><u>Accommodation and Ways of Working Programme</u></p> <p>The Committee requested that a report responding to the points raised at the September meeting regarding elements that should be in place for the programme to be delivered successfully, be submitted to the Committee prior to the implementation of the Scheme.</p> <p>A report was provided to the Committee in January 2017 which provided an overview of work carried out to date and addressed potential concerns. A further report on the Programme would be submitted to the Committee in the autumn.</p>	Comptroller and City Solicitor	Autumn 2017	A report to be submitted in the autumn of 2017.

Item	Date	Action	Officer responsible	To be completed/ progressed to next stage	Progress Update
2.	14 February 2017, Item 14	<p><u>Human Resources Dashboards</u> A discussion arose in Committee on the Human Resources Dashboards where the following queries were raised.</p> <ul style="list-style-type: none"> a) Whether other service committees in addition to the Establishment Committee should have the opportunity to view the dashboards for their areas. b) Whether comparison data could be made available to help provide context to the data within the dashboards. c) Whether the frequency of dashboard reporting should be reduced from quarterly to biannual, but instead of the three dashboards currently provided, that all dashboards for the 19 City of London Corporation departments be made available. <p>The Committee asked the Town Clerk to consider their suggestions.</p>	Town Clerk	October 2017	<p>The Town Clerk has asked the Head of Corporate Strategy & Performance to review whether there are any opportunities for the dashboards to be included in the new business planning framework.</p> <p>At the May meeting of the Committee, the Director of Human Resources provided Members with an update and proposed that a further update be provided to the in October.</p>

Item	Date	Action	Officer responsible	To be completed/ progressed to next stage	Progress Update
3.	19 June 2017 Item 5	<p>BUSINESS PLANS 2017/2018</p> <p>A Member suggested that it was time to look again at the operational model and review effectiveness as the 'policy' function had practically disappeared and the 'committee' function took priority, and there was now limited support for Chairmen and Deputy Chairmen. In particular, Officers were asked to look at this in the context of establishing a career path for staff joining the Corporation, possibly as graduates, for whom work as a committee/policy officer could form part of their progression into non-specialist management roles.</p> <p>It was agreed that the views of both Members and staff be sought and a report be brought back to a future meeting.</p>	Town Clerk	July 2017	On Agenda

Item	Date	Action	Officer responsible	To be completed/ progressed to next stage	Progress Update
4.	19 June 2017 Item 10	<p><u>Use of Volunteers</u> In relation to the extent of use of volunteers in the workforce a concern was raised with regard to the protocols used across the organisation and how the duty of care towards volunteers was discharged, as this appeared to vary from department to department.</p> <p>The Director of Human Resources undertook to provide a report comparing and contrasting the approach to paid and unpaid workers, and guidance on how to appoint them, to a future meeting.</p> <p><u>Recruitment</u> A request was made for a report concerning the use of recruitment by Chief Officers to manage the out turn for their departments, including the average time from vacancy to post being filled detailed by month. Further questions were asked concerning the use of consultants and whether or not any employees were paid in any other ways other than payroll and it was agreed that this be included in the paper</p>	Director of HR	Future Meeting	Recruitment on the agenda

Committee(s)	Dated:
Establishment Committee	26 July 2017
Subject: Revised Employee Data Protection Policy	Public
Report of: Director of Human Resources	For Decision
Report author: Bijel Thakrar, Town Clerks Human Resources	

Summary

The purpose of this report is to update Members on changes to the Employee Data Protection Policy. The policy reinforces the City of London Corporation's commitment to protect personal data and implement that commitment with regards to the collection and use of data both fairly and lawfully, which ensures our compliance with the Data Protection Act (DPA) 1998.

The policy has been updated to advise employees of their roles and responsibilities in relation to data protection, data processing, accessing personal data and responding to Subject Access Requests on behalf of the City Corporation. The revised policy provides a good foundation for the incorporation of further changes that may arise in the lead up to the implementation of the General Data Protection Regulation (GDPR) in 2018.

Recommendation

Establishment Committee is asked to approve the revised Employee Data Protection Policy attached at Appendix 1.

Main Report

Background

1. The processing of personal data should strike a balance between the needs of the organisation being able to function effectively and efficiently, whilst respecting the rights and freedoms of the individual. This policy sets out how the City Corporation intends to safeguard those rights and summarises the appropriate use of personal data.
2. The policy has been updated on an ongoing basis with minor changes where appropriate. The last change was recorded in December 2014 and the policy was updated with links to external websites and training materials.

3. The policy has been refreshed and updated in its entirety as part of the City Corporation's commitment to provide employment policies that are relevant for a modern workforce. The format now aligns with the suite of existing policies in the City Corporation's Employee Handbook.
4. The policy reinforces the responsibilities of all employees when processing and using personal data in accordance with the DPA and protects the City Corporation against liability for the actions of its employees.
5. Data Protection should not be seen as a barrier to sharing information, instead it provides a framework to ensure that personal information is shared, protected and used appropriately. The policy includes information regarding reporting and addressing breaches.

Current Position

6. The current policy focuses on the subject of Data Protection and related principles rather than the responsibilities placed on the City Corporation and our employees. Consultation indicated that this can lead to a lack of transparency for employees and the way in which they manage data.
7. Due to the ongoing challenges related to Data Protection and security, the City Corporation has a duty of care to ensure that all of its employees take reasonable steps to follow procedures in relation to appropriate use of personal data especially in relation to accessing and processing data.
8. To ensure that employees are fully aware of the expectations placed on them, more detail about responsibilities has been added, including information about accessing personal data and managing Subject Access Requests.
9. An online data protection module is provided via City Learning for all employees. This is a mandatory course as it is essential for employees to understand how to recognise information covered by the DPA and how to ensure it is processed in accordance with the Act. Additional information is also available on City Learning relating to data protection.

Key Changes

10. The main areas of change include:
 - the introduction of additional sections such as; statement of intent, scope, purpose, responsibilities, accessing personal data, Subject Access Requests, data protection breaches, monitoring, training and compliance;
 - the scope of user groups covered under this policy has been clarified and broadened, specifically to include contractors, volunteers and agency workers;

- the Data Protection Principles provide additional information and clarity around the responsibilities placed on the City Corporation, line managers and employees;
- the responsibilities section outlines the expectations placed on the employee and line manager.

Corporate & Strategic Implications

11. The City Corporation is a data controller and has publicly registered its general purposes for processing personal data. Should there be a breach in data protection there are a number of tools available to the Information Commissioner's Office for taking action to change the behaviour of organisations and individuals that collect, use and keep personal information. They include criminal prosecution, non-criminal enforcement and audit. The Information Commissioner's Office (ICO) also has the power to serve a monetary penalty notice on a data controller.
12. The revised policy demonstrates the City Corporation's ongoing commitment to data protection and acts as a reminder of the appropriate use of personal data. The policy aligns to the Using IT Policy and supports all employees that handle and manage personal data.
13. Colleagues from Town Clerks, Chamberlain's, Comptroller and City Solicitor's division, including the Information Officer and the Trade Unions have been consulted on the changes to this policy. Chief Officers and managers within the business were also consulted on its development.
14. The test of relevance did not identify any significant relevance for equality. Protected characteristics such as race, religion and gender are classified as sensitive personal data and would be treated with even greater care than other personal data.
15. The General Data Protection Regulation (GDPR) will apply in the UK from 25 May 2018. Like the DPA the GDPR applies to personal data, however the GDPR's definition is considered more detailed. We will await further information, once available, on the GDPR and review the Employee Data Protection Policy in light of this and any significant changes will be reported back to this committee.

Risks

16. The City Corporation processes a multitude of data about individuals we serve and there is a risk of causing damage and distress to them if the DPA is not complied with. Non-compliance may result in the City Corporation facing significant penalties and damage to our reputation.
17. Since 2010 the ICO has had the power to issue Monetary Penalty Notices (MPNs) requiring data controllers to pay up to £500,000 where serious breaches of the DPA have occurred as a result of their actions. The ICO has exercised this on a number of occasions and the average MPN amount is £115,000. Local

authorities have received the highest number and amount of fines for DPA breaches.

18. The City Corporation has not been subject to any enforcement action as a result of breaching the Data Protection Act, largely due to the amount of effort and time put into raising awareness, implementing training and keeping policies up-to-date. Enforcement action taken by the ICO against other organisations for breaching the Data Protection Act is also regularly reviewed, and, where necessary, information is circulated to City Corporation departments in an effort to learn from breaches which have occurred elsewhere, and to improve our own systems if required. This proactive approach helps to improve compliance.

19. The City Corporation has suffered from lower level data protection breaches and near misses, all of which are reported and investigated with the responsible department. Recommendations are then made to improve future compliance and these are reported to committee when required.

Communications Plan

20. The policy will be publicised through the use of internal communication and will form part of the Employee Handbook and referenced as an updated policy on the intranet. The policy will also be publicised through the use of posters and reinforced via City Learning.

Conclusion

21. The City of London Corporation has a commitment to provide employment policies that are relevant and compliant and this policy reinforces how personal data can be used and provides a useful framework for employees to follow.

Appendices

- Appendix 1 – Employee Data Protection Policy and Notice for Employees

Bijel Thakrar

Strategic HR Projects Manager, Town Clerks Human Resources

T: 020 7332 3307

E: bijel.thakrar@cityoflondon.gov.uk

Employee Data Protection Policy

Table of Contents

Statement of Intent.....	2
Scope	2
Purpose	2
Definitions	2
Data Protection Principles	3
Responsibilities	3
Accessing Personal Data / Subject Access Requests (SARs).....	6
Data Protection Breaches	7
Monitoring.....	7
Training & Compliance.....	7
List of appendices	8
Links / Other Resources.....	8

Statement of Intent

1. The City of London Corporation is committed to all aspects of data protection and takes seriously its duties, and the duties of its employees, under the Data Protection Act 1998 (DPA). This policy sets out how the City Corporation deals with personal data, including personnel files and data subject access requests, and employees' obligations in relation to personal data.
2. The City Corporation recognises that employees have rights in relation to their own personal data processed by the City Corporation, and as employees of the City Corporation they have responsibilities for the personal data of others (i.e. clients, customers and colleagues) which they process in the course of their work.

Scope

3. This policy applies to all employees and workers at the City Corporation, including teaching and support staff in the three City Schools and support staff in the City of London Police. The term 'employee' used in this policy refers to all those in scope as described above. In addition, contractors, volunteers and agency staff at the City Corporation are expected to observe the data protection principles and to comply with the responsibilities set out in paragraphs 16 – 21 below.
4. This policy may be supplemented by local data protection policies for example within Schools and the Barbican Centre where local policies may act as an extension to this policy.

Purpose

5. The purpose of the policy is to:
 - provide employees with a framework that outlines appropriate use of personal data in accordance with the DPA;
 - protect the City Corporation against liability for the actions of its employees.

Definitions

6. Data protection is about the privacy of individuals, and is governed by the DPA 1998, which defines, among others, terms as follows:
 - **“data”** generally means information which are computerised or in a structured hard copy form (although other information held by a public authority may also qualify);

- **“personal data”** data which can identify someone, such as a name, a job title or a photograph, and include opinions and intentions relating to that individual;
- **“processing”** anything that is done with data – just having data amounts to processing;
- **“data controller”** for the purposes of this policy is the City Corporation
- **"data subject"** is an individual who is the subject of personal data.

Data Protection Principles

7. The DPA sets out eight principles governing the processing of personal information, and all these must be fully complied with every time personal data are processed. The principles require that personal data must be:

- obtained and used fairly and lawfully
- used for limited, specifically stated purposes
- adequate, relevant and not excessive for the purpose(s)
- accurate and kept up-to-date
- kept for no longer than is absolutely necessary
- handled according to people’s data protection rights
- kept safe and secure from unauthorised use
- not transferred outside the European Economic Area without adequate protection

8. Stronger legal protection applies to more sensitive personal information, such as:

- Racial or ethnic background
- political opinions
- religious beliefs
- mental or physical health
- sexual life
- trade union membership
- criminal proceedings or records

Responsibilities

The City Corporation

9. As a data controller the City Corporation has publicly registered its general purposes for processing personal data on the Information Commissioner’s website.

10. As part of the purpose of "employee administration" the City Corporation may disclose personal data to professional advisers (e.g. legal or medical), pension

scheme administrators, banks and insurers, and other companies to which the City Corporation has contracted work relating to any of the purposes stated on the register. Information about employees may also be disclosed where required by law, or in connection with legal proceedings, or for the prevention / detection of crime, or assessment / collection of tax. Information about employees may also be disclosed to others at the employee's request or with the employee's consent.

11. Special provisions apply to the processing of sensitive personal data (see para.6), and generally the processing of such information will be avoided where possible. Where the City Corporation needs to process sensitive personal data we will rely on the subject's explicit consent given in the contract of employment, or on one of the other justifications specified under the first principle, or we will seek, if appropriate, the data subject's specific consent
12. The City Corporation operates an Access to Information Network (AIN), consisting of representatives from each department which supports the work of the Information Officer. A list of all AIN Reps at the City of London is available on the Access to Information pages of the Intranet.
13. The Departmental AIN Rep should be the first port of call, when a matter concerning DPA has arisen. If you are unable to contact your AIN Rep, you should contact the Information Officer or Assistant Information Officer.

Managers

14. Managers should ensure that employees:
 - have undertaken the mandatory online training course on DPA
 - are familiar with local procedures and practices regarding the processing of all personal data with which they have access in the course of their duties.

Employees

15. Employees provide explicit consent to the City Corporation to process personal information about them by signing their contract of employment and attention is drawn to the City Corporation's Data Protection Notice to Employees (Appendix 1) advising how data may be processed.
16. Employees are responsible for maintaining their own personal information (i.e. bank details, home address etc.) and can do so through the HR self-service system or by advising the HR Business Unit.
17. Employees with access to and responsibility for personal data are expected to:
 - use data responsibly and in accordance with the data protection principles and should be cautious about disclosing personal data both within and outside

the City Corporation, and about using it in email and via the internet or intranet;

- undertake mandatory DPA and related training comply fully with corporate and local guidance, procedures and practice regarding the processing of personal data and check their authority to take any action involving personal data with their manager;
 - report any loss or compromise of own or others personal information to the local Access to Information Network representative as soon as possible;
 - take all necessary actions to keep electronic devices secure, in accordance with corporate policies and guidance;
 - take all necessary actions to keep personal information in hard copy format secure, in accordance with corporate policies and guidance.
18. Where personal information is to be disposed of, employees should ensure that it is destroyed permanently and securely. This may involve the permanent removal of the information from the server, so that it does not remain in an employee's inbox or Deleted Items folder or Recover Deleted Items folder. Hard copies of personal information may need to be confidentially shredded or placed in confidential waste bins where available. Employees should be careful to ensure that personal information is not disposed of in a wastepaper basket/recycle bin.
19. If an employee acquires any personal data in error by whatever means, they shall inform their AIN representative immediately and, if it is not necessary for them to retain it, destroy the personal data.
20. An employee must not take any personal information away from the City Corporation's premises save in circumstances where prior consent is obtained from their line manager or senior officer.
21. Any employee taking records off site must ensure that appropriate steps are taken to protect it, be it in hard copy, or stored on a laptop or other electronic device. Care must also be taken when observing personal data in hard copy or on-screen so that such information is not viewed by anyone who is not legitimately privy to it.
22. If an employee is in any doubt about what they may or may not do with personal information, they should seek advice from their AIN representative before taking any action.

Accessing Personal Data / Subject Access Requests (SARs)

23. Data subjects have a general right of access (subject to exemptions) to the personal information held about them. This right can be exercised by submitting a Subject Access Request (SAR). A charge of £10 may be applied prior the disclosure of personal data under a SAR.
24. All responses to SARs and disclosure of personal information should be coordinated by the departmental AIN representative in accordance with the Data Protection Subject Access Requests Policy. Departments may issue local guidance in handling this type of request, which act as an extension to the policy.
25. Some personal data may be exempt from disclosure to the data subject, for example:
- Information about the City Corporation's intentions in relation to negotiations with employees
 - Information to be processed for the purposes of management planning
 - Information that would reveal the identity of another individual, without that individual's consent (but subject to the Information Commissioner's guidelines)
 - Confidential references written by the City Corporation
 - Communications relating to legal advice between the City Corporation and its legal advisers as this is subject to legal professional privilege (a case by case basis);
26. If a data subject thinks that any of their personal information is inaccurate, they will be required to detail what information they want reviewed and why, after which the departmental AIN Representative will be notified.
27. The personal information kept about employees to which access can be given, includes personnel files, sickness records, disciplinary or training records, appraisal or performance review notes, emails in which the employee is the focus of the email and documents that are about the employee.
28. If an employee as the data subject wishes to obtain their personal information (beyond what is held on any corporate HR self-service systems), they should write to the AIN Representative to make a Subject Access Request, specifying the information requested and providing proof of identity. Requests will be acknowledged and, subject to any exemptions or constraints to disclosure under the DPA, the information will be provided within 40 calendar days. It will be explained why the information is being processed and to whom it is disclosed."
29. If an employee becomes aware that the City Corporation holds any inaccurate, irrelevant or out-of-date personal information about them, it may be possible for them to update this themselves (through any corporate self-service HR systems). Where

this is not possible, they should notify the HR business unit and provide any necessary or suggested corrections and/or updates to the information.

30. Any employee receiving a SAR from a data subject directly should immediately pass it to their AIN representative. At the same time, the Information Officer should be informed of the receipt of the SAR. All responses to SARs should be coordinated by the departmental AIN representative, in liaison with the Information Officer, and in accordance with the City Corporation's SARs Policy and Guidance.
31. As part of the on-going move to self-service, address and contact details for a manager's immediate reports are accessible for business purposes.

Data Protection Breaches

32. Failure to observe the data protection principles within this policy may result in an employee incurring personal criminal liability. It may also result in disciplinary action up to and including dismissal.
33. Employees must immediately report to their AIN representative and the Information Officer, any possible breach of the DPA. The breach will be investigated in accordance with corporate procedures.

Monitoring

34. Since the City Corporation's communications facilities are provided for the purposes of the City Corporation's business, employees should not expect that their communications will be private, although the City Corporation will, subject to its overriding business requirements, do its best to respect an employee's privacy and autonomy at work.
35. The City Corporation may monitor an employee's internal and external communications (whether via telephone, email, and internet, or otherwise) for the purposes specified in the Code of Conduct in accordance with the Communications and Information Systems Use Policy.

Training & Compliance

36. The City Corporation provides training to all employees on data protection matters on induction and on a regular basis thereafter. This training is mandatory.
37. The City Corporation will review and ensure compliance with this policy at regular intervals.

List of appendices

Appendix 1 - Data Protection Notice to Employees

Links / Other Resources

[Code of Conduct](#)

[Communications and Information Systems Use Policy](#)

[Corporation of London Data Protection Policy](#)

[Data Protection Act 1998](#)

[Data Protection \(Processing of Sensitive Personal Data\) Order 2000](#)

[Data Protection Subject Access Requests Policy](#)

[Information Commissioner's Office](#)

[The City of London and Access to Information](#)

[Regulation of Investigatory Powers Act \(RIPA\) Policy](#)

[Regulation of Investigatory Powers Act 2000](#)

Data Protection Notice to Employees

The City of London Corporation will use information which it obtains about employees for administration, management purposes and carrying out appropriate security checks. We may disclose your information to our service providers / agents for these purposes. We may share data with external agencies for the prevention or detection of crime, in accordance with legal obligations. We may keep your information for a reasonable period in accordance with legal requirements after you leave our employment.

We may share your personal data with trade unions and organisations which provide and administer employee benefits e.g. pension schemes and other services on behalf of the City of London Corporation.

The organisation will ensure that personal information about an employee, including information in personnel files, is securely retained. The organisation will keep hard copies of information in a locked filing cabinet. Information stored electronically will be subject to access controls and passwords. Encryption software will be used where necessary.

There is a possibility that some information about you may be transferred to countries which may not provide the same level of data protection as the UK, but if we do make such a transfer we will, if appropriate, put a contract in place to ensure that your information is protected. By returning any forms accompanying this notice, you signify your consent to any such transfer of your personal data, and also to our processing your sensitive personal data such as health data, or unspent criminal convictions, for any of the purposes specified.

We will from time to time distribute information to you about goods, services or promotions of ours or other companies which may be of interest to you. If you do not wish to receive this you can choose to unsubscribe.

By giving us information about another person, e.g. emergency contact details, you signify your confirmation that they have appointed you to act for them, to consent to the processing of their personal data including sensitive personal data and to the transfer of their information abroad and to receive on their behalf any data protection notices.

You have a right to ask for a copy of your information (for which a small charge is applied – see the Data Protection policy for the types of information you can request). You can correct any inaccuracies in your personal data via the self-service system, or alternatively by notifying Corporate HR. Note that we may monitor or record communications (such as telephone, email, internet use) for the purposes set out in our Code of Conduct. If you have any query or concern about any of the above, please contact the Information Officer on 0207 332 1209.

This page is intentionally left blank

Committee(s): Establishment Committee	Date: 26 July 2017
Subject: Operation of the Scheme of Delegations April 2017– June 2017	Public
Report of: Chrissie Morgan - Director of Human Resources	For Information
Report author: Marion Afoakwa – Human Resources, Town Clerks	

Summary

In line with the Scheme of Delegations the report provides information on any redundancies, early retirements (including those made under the '85 year rule') and ill health retirements in the reporting period 1 April 2017 and 30 June 2017. The report also provides information on total numbers in a rolling year. The Market Forces Supplements (MFS) approved by the MFS Board during this period are also reported.

Recommendation

Members are asked to:

- Note the actions taken under delegated authority.

Main Report

Background

1. In line with the Scheme of Delegations, the report provides information on redundancies, early retirements (including those made under the '85 year rule'), ill health retirements and MFS payments this reporting period.
2. There has been 1 redundancy in this reporting period.
3. There have been no ill health retirements.
4. There have been no early retirements including those made under the '85 year rule'.
5. 13 Market Forces Supplements were agreed during this period for 9 new or vacant positions, 2 existing awards that were reviewed and 2 new awards.
6. In the past 12 months (July 2016 - June 2017) there have been 11 redundancies and 1 ill health retirement.

7. Appendix 1 (within the confidential section of the agenda) provides a table summarising the information).

Conclusion

8. The Establishment Committee is asked to note the actions taken under delegated authority.

Appendices:

Appendix 1 (within the confidential section of the agenda) - table summarising information for the period April 2017 - June 2017.

Marion Afoakwa

Head of HR Operational Services

T: 020 7332 1554

E: marion.foakwa@cityoflondon.gov.uk

Agenda Item 7

Committee(s):	Date(s):
Establishment Committee	26 th July 2017
Subject: Revenue Outturn 2016/17	Public
Report of: The Town Clerk, the Chamberlain, the Comptroller and City Solicitor	For Information
Report Author: Laura Tuckey, Chamberlain's Department	

Summary

This report compares the revenue outturn for the services overseen by your Committee in 2016/17 with the final budget for the year. Overall total net expenditure during the year was £11,542m, whereas the budget was £11,697m, representing an underspend of £155,000 as summarised below.

	Final Budget	Revenue Outturn	Variations Worse/ (Better)
	£0	£0	£0
Chief Officer			
Total Town Clerk	7,073	6,943	(130)
Total Comptroller and City Solicitor	3,034	2,987	(47)
Total Chief Officer	10,107	9,930	(177)
Support Services	1,590	1,612	22
Net Expenditure	11,697	11,542	(155)

The better than budget position mainly relates to local risk underspends on communications & computing costs (further details can be found in paragraphs 3 and 5 of the main report).

The Town Clerk proposed to carry forward £120,000 of the £126,000 local risk underspend and the Comptroller and City Solicitor proposed to carry forward £110,000 of the £117,000 local risk underspend. These proposals are to be agreed by the Chamberlain in consultation with the Chairman and Deputy Chairman of the Resource Allocation Sub Committee and will be added to budgets for 2017/18 upon approval.

Recommendations

It is recommended that this revenue outturn report for 2016/17 and the budgets carried forward to 2017/18 are noted.

Main Report

Revenue Outturn for 2016/17

1. As indicated in the table in the summary, actual net expenditure for your Committee's services during 2016/17 totalled £11.542m compared to a budget of £11.697m, resulting in an underspend of £155,000.

Town Clerk - £130,000 reduced net requirement

2. The reduced requirement of £130,000 is comprised of underspends of £126,000 on local risk and underspends of £4,000 on central risk. A breakdown of local and central risk spend is shown in Appendix 1.
3. The reduced local risk requirement was largely due to:
 - The re-tendering exercise for funding for HR software system licence has taken longer than expected; hence the delay in purchase that had been planned for 2016-17. This has resulted in an underspend against budget of £25,000 which has been requested as a carry forward into 2017-18.
 - The procurement related to the renewal of the Corporate Learning Management System licence extended beyond the 2016-17 financial year which has resulted in an underspend against budget of £95,000. This amount has also been requested as a carry forward.

Comptroller and City Solicitor - £47,000 reduced net requirement.

4. The reduced net requirement of £47,000 was comprised of underspends of £117,000 on local risk and a worse than budget under recovery of income of £70,000 on central risk as shown in Appendix 1.
5. The local risk reduced requirement was mainly due to:
 - The planned replacement of the information management system was paused in January 2017 to ensure that the system procured achieves a good technical fit within the new corporate IT infrastructure being deployed in 2017. This resulted in an underspend against budget of £135,000 of which £110,000 has been requested as a carry forward (see Appendix 1);
6. The central risk worse than budget outcome was due to:
 - A reduction in property related legal fee income that has resulted in a worse than budget position of £70,000. This was due to a reduced number of property transactions as a result of market conditions.

Carry Forwards to 2017/18

7. In relation to their cash limited budgets, Chief Officers can request up to 10% of the total underspend or £500,000 (whichever is the lesser) to be carried forward provided the underspending is not fortuitous and the resources are required for a planned purpose. Such requests are considered by the

Chamberlain in consultation with the Chairman and Deputy Chairman of the Resource Allocation Sub Committee.

8. Overspendings are carried forward in full to be met from agreed 2017/18 budgets. However, there are no such overspends in relation to the services overseen by the Establishment Committee.
9. The Town Clerk and the Comptroller and City Solicitor proposed to carry forward £120,000 and £110,000 of their respective underspends. Details of the use of the carry forwards are set out in Appendix 2.
10. These proposals are to be agreed by the Chamberlain in consultation with the Chairman and Deputy Chairman of the Resource Allocation Sub Committee and the 2017/18 budgets increased accordingly upon approval

City of London overall Financial Position and context for the Efficiency and Sustainability Plan

11. The Court of Common Council approved the published Efficiency and Sustainability Plan on the 13th October 2016. This plan focuses on the existing Service Based Review programme which is now nearing completion, other agreed transformation initiatives and developing a framework for continuous efficiency improvement for 2017/18 and later years. This plan needs to be viewed in the context of the overall Medium Term Financial Strategy to have a five year plan with sufficient cashable savings to present a balanced budget for all four funds and adopting an investment approach utilising the headroom to invest in one-off projects such as the Museum of London relocation project and 'bow wave' list of outstanding repairs.
12. To assist with this context and messaging, a set of core messages on the City of London Corporation's Finances have been developed and are set out in Appendix 3 for members' information.

Appendices

- Appendix 1 – Local & Central Risk Breakdown
- Appendix 2 – Carry Forwards
- Appendix 3 – City of London Efficiency & Sustainability Plan

Peter Kane
Chamberlain

John Barradell
Town Clerk

Michael Cogher
Comptroller & City Solicitor

Contact Officers:

Laura Tuckey, Chamberlain's Department
020 7332 1761
laura.tuckey@cityoflondon.gov.uk

Paul Debuse, Town Clerk's Department
020 7332 3431
paul.debuse@cityoflondon.gov.uk

Nick Senior, Comptroller and City Solicitor's Department
020 7332 1668
nick.senior@cityoflondon.gov.uk

APPENDIX 1

	Final Budget £0	Revenue Outturn £0	Variations Worse/(Better) £0
Chief Officer			
Local Risk			
The Town Clerk	6,782	6,656	(126)
The Comptroller and City Solicitor	3,205	3,088	(117)
Total Local Risk	9,987	9,744	(243)
Central Risk			
The Town Clerk	291	287	(4)
The Comptroller and City Solicitor	-171	-101	70
Total Central Risk	120	186	66
Total Town Clerk	7,073	6,943	(130)
Total Comptroller and City Solicitor	3,034	2,987	(47)
Total Chief Officer	10,107	9,930	(177)
Support Services	1,590	1,612	22
Net Expenditure	11,697	11,542	(155)

APPENDIX 2

Approved carry forwards	£000
<p><u>The Town Clerk</u></p> <p>Funding for XperthHR software system licence, the retendering exercise has taken longer than expected; hence delay in purchase that had been planned for 2016-17.</p> <p style="text-align: right;">25</p> <p>Funding for the Corporate Learning Management System software licence, the procurement process has taken longer than expected; hence delay in purchase that had been planned for 2016-17.</p> <p style="text-align: right;">95</p>	
Total Town Clerk	120
<p><u>The Comptroller and City Solicitor</u></p> <p>The department has an objective in its 2016/19 Business Plan to 'Complete a major Information Management Project'. On the 4 February 2016, the Corporate Projects Board approved a C&CS proposal to implement a replacement information management system. The project was paused at the procurement stage in January 2017 to ensure that the system procured achieves a good technical fit with the new corporate IT infrastructure being deployed in 2017. The budget is £100k plus £10k as a contingency.</p> <p style="text-align: right;">110</p>	
Total Comptroller and City Solicitor	110

Efficiency & Sustainability Plan

CORE MESSAGES ON THE CITY OF LONDON CORPORATION'S FINANCES – January 2017

Our aim:

Our funds are there to help the City of London Corporation promote financial, professional and business services, provide excellent public services and support the City, capital and country as a whole.

They must be used economically, efficiently and effectively to maintain the City's underlying infrastructure and services and so we can prioritise paying for initiatives which meet our long-term ambitions.

How we do this:

The City has three funds.

City Fund, paid for by ratepayers and taxpayers, including:

- money used to cover local authority activities in the square mile and beyond.
- money used to pay for the City of London Police Force

Two are provided at no cost to the taxpayer:

- City's Cash - an endowment fund built up over 800 years and passed from generation to generation used to fund services that benefit London and the nation as a whole.
- Bridge House Estates - the money used to look after five bridges over the Thames with any surpluses being used for charitable purposes and awarded through the City Bridge Trust.

It is a duty on us to make the best use of the resources we have. This can only be done through continually reviewing the economy, efficiency and effectiveness of our services, the outcomes that are achieved and how they meet our long-term ambitions.

Everyone has a role to play in constantly challenging what we do and thinking about how we could do things better.

Are there further cuts being made?

Yes, 2% to ensure continuous improvement. In 2014, we estimated that due to cuts in government funding City Fund would be facing deficits approaching £11m by 2017/18 so we had to deal with this by scrutinising all our activities in what we called the Service Based Review.

We could, of course, have just made efficiencies in those areas paid out of public funds. But we decided it was not fair or equitable to ask some parts of our organisation to be more efficient and not others.

Proposals totalling £20m in efficiencies/extra income were identified and are well underway to being implemented. Following the completion of the Service Based Review programme, a continuous 2% per annum budget reduction target will be introduced across all our services. Departments will be expected to meet this through efficiency and performance improvements.

Why are we continuing to make budget reductions?

Firstly, we have a duty to ensure the most effective and efficient use of our resources.

Secondly, we continue to have big cost pressures. We live in an historic and ageing City. Many of our properties are deteriorating which requires an increased level of investment and our IT infrastructure and service needs investment. In addition the City of London Police needs to address the changing nature of policing and the increasing demands placed on the service in the context of increased security threats from terrorism, growing cybercrime and online economic crime and intelligence requirements.

Thirdly, by being economic, efficient and making savings and focusing our efforts where we are most effective we can enhance existing services and pursue new priorities and increasingly ambitious outcomes for the benefit of the City, London and the nation.

Why not utilise the City's Cash fund endowment?

This is money which has been passed down to us over the years, produces income for us and is not to be used lightly as we want to pass it on to future generations to sustain services in the medium to longer term. Its income comes mainly from property and investments and is used to finance activities for the benefit of the City, London and the nation as a whole. Any sale of the underlying investments reduces the ability of the fund to generate income in future years.

The City's Cash budget will be running a deficit over the next three years to allow us to carry out essential investment before returning to a small surplus in 2020/21.

So what does the future look like for these funds?

The financial forward look for two of our funds is relatively healthy but uncertainties remain.

- City Fund: we have been planning for a continuing reduction in government grant and the underlying budget position is robust. We will be using the headroom to invest in essential repairs and maintenance and to fund the building of the new Museum of London to the benefit of all Londoners and the country as a whole.

- City's Cash: The forecast deficit over the next three years reflects our commitment to carry out essential investment and to support cultural development before returning to a small surplus in 2020/21.
- Bridge House Estates: the rising surplus will increase the resources available to the City Bridge Trust for charitable giving across London.
- The Police Fund: The underlying financial position remains very challenging. Additional cost pressures have meant the fund is forecast to move into deficit, utilising the remaining ring fenced reserves by 2018/19. An interim strategy has been developed and proposed for dealing with the deficit to the end of 2017/18. The Town Clerk, the Chamberlain and the Commissioner, have commissioned a review of the Police operating model, focusing on future demand modelling and how best to secure VFM, to identify options to address the, as yet unfunded, projected deficits of £5.8m in 2018/19 and £3.0m in 2019/20.

What are your total assets?

The City of London Corporation has assets of around £4bn. Income from these assets fund our services and any sale of assets to fund on-going services in the short term would harm our ability to protect services in the medium to longer term. Sale of many of our local authority assets to fund day to day services is also effectively prohibited by Local Government accounting rules.

This page is intentionally left blank

Committee(s)	Dated:
Establishment Committee	26/07/2017
Subject: Recruitment and Off Payroll Workers	Public
Report of: Director of HR ; Chrissie Morgan	For Information
Report author: Janet Fortune	

Summary

Members asked at the Committee Meeting on 19th June, for a report concerning the use of recruitment by Chief Officers, including the average time from a vacancy to the post being filled, detailed by month and by department. The Committee also asked about the use of consultants and whether or not any employees were paid in any other ways other than payroll.

This report is intended to answer Members' questions on these matters. It includes a chart showing the average time to fill vacancies by department and details of the different types of 'off payroll' workers.

Recommendation(s)

Members are asked to:

- Note the report.

Main Report

Background

1. All recruitment at the City of London, except teachers and City Police are processed through the City People Recruitment site. This records candidate details from application to appointment and the vacancy from the manager's request to the new employee commencing.
2. Off Payroll workers is a term used by HMRC to refer to those who work for an organisation but are not paid through that organisation's payroll, but paid direct via an invoice or via an agency or third party. There are inconsistencies in the way employees/workers are treated for employment purposes and for tax purposes. This was highlighted in the recent Taylor reportⁱ and has been further highlighted by what has been referred to as 'the new IR35' legislation.
3. IR35 is an HMRC regulation which defines, for tax and NI purposes if a 'worker' is deemed to be an employee and therefore liable for tax and NI, as opposed to

employment legislation which defines employees by means of an employment contract.

4. In fact, the IR35 regulation has not changed, but the way those who fall under this category i.e. they are classed as an employee for tax purposes, and who pay themselves through a Personal Service Company (a Ltd Company for tax purposes), and who work for the public sector, must now have tax and NI deducted from their invoiced amount, by us, and we as employers must pay employers NI and the Apprenticeship Levy.
5. The City of London set up a special payroll to enable the relevant deductions, without being part of the other payrolls for employees.

Current Position

6. The charts attached at Appendix one show the breakdown of the number of campaigns advertised and the average time to fill those vacancies, broken down by department and month, for the year April 2016 to March 2017.
7. Filling a vacancy usually spans more than one month, the charts show the number of campaigns which commenced in that month and then the average time to fill those vacancies, even if they were completed in a different month. Appendix one includes a chart for each department and a summary chart for all departments.
8. In summary, 408 campaigns were run in the period with an average time of 45 days from start to confirmed offer.
9. The vacancy is deemed to be 'filled' at the date of confirmed offer. Statistics that Members may have seen in the past – on the previous dashboard for example – will have charted from the start date to the date the new employee starts. This is dependant of course on the notice period of the new employee and can present a slightly skewed position. The data on this chart has been specially formatted to respond to Members request.
10. The average time from requisition from manager to confirmed offer is 45 days. There are factors which influence this. Firstly the time from advertisement to closing date. This is normally no less than 14 days, but can be between 4 – 6 weeks depending on a number of factors including the month of recruitment. Adverts tend to have longer closing dates in December and August to allow for holidays.
11. The number of applicants can also be a factor, GSMD tends to have a high number of applicants and often has more than one vacancy in a single campaign. For example;
 - a. In December one campaign took 129 days, broken down as follows;
 - i. From advert to closing date 46 days (3 jobs)
 - ii. From closing date to shortlisting 20 days (70 applicants)
 - iii. Interviews to conditional offer 42 days
 - iv. Conditional offer to confirmed offer 21 days but some still ongoing
12. Multiple jobs in a campaign, combined with high number of applicants generally means departments take longer to shortlist and interview. For example one job in DBE advertised in June 2016 was advertised for 22 days, closing at the end of June. Interviews were held at the beginning of August some 42 days later. It took a further 18 days to clear references.

13. If we take the average number of days from campaign start to confirmed offer which is 45 days, and take out 14 days for the advertisement to run, and 14 days from conditional offer to confirmed offer, the average time for shortlisting and interviewing is only 17 days and this includes weekends, potentially therefore 11 working days.
14. There are several categories of workers who are not paid through the COL employee payroll, these are listed below;
- a. Workers who are deemed to be under the IR35 regulation who have an individual contractual relationship direct with a department and who are paid on receipt of an invoice through the special payroll. These appointments are controlled by procurement regulations. Any spend over 10K has to have a waiver signed by the Chief Officer and over 50K by the spending Committee if a single contractor/consultant is being appointed without any selection process. Where there is a process for three quotes or a tender process this is also controlled by procurement regulations.
 - b. Workers who are not deemed to be under the IR35 regulation (because they are a 'sole trader' or other self employed term), who invoice direct to the department but pay tax via an end of year tax return. These also are controlled by the above procurement regulations.
 - c. Workers who are employed on a 'service contract', these may be sole traders or those working through a limited company but they will be paid solely on outputs and will not be defined by HMRC regulations as an employee. Also controlled through procurement regulations.
 - d. Workers who are placed in City of London via our Temporary Labour Agency or some other agency, and who will be paid by a third party. All rates of pay for temporary workers are aligned to the COL grades and temporary staff must be paid these rates. Higher rates can be paid with the approval of the Director of HR who would require a business case to pay above the grade or a day rate. Our new temporary agency Hays provides benchmark rates so that COL can pay the market rate rather than that demanded by an individual.
 - e. Workers placed in City of London through a contracted service who are paid on that contractor's payroll. The rate of pay of these is dictated by the contractor but authorisation for the contract would have been part of the procurement process and is usually agreed by Members.
15. In answer to the Members' question, all employees, i.e. those with a City of London Employment Contract are paid through a COL payroll.
16. There are 185 workers placed in COL roles via the Hays contract, of those 137 are deemed to be 'in scope' for IR35 and are having tax and NI deducted by the agency, 48 are deemed to be 'out of scope'.

Appendices

- Appendix 1 – Chart showing the breakdown of recruitment 2016/17 by department.

Background Papers

There are no background papers but Members might be interested in the Taylor report, the link to it is given below:

[Good Work, Matthew Taylor](#)

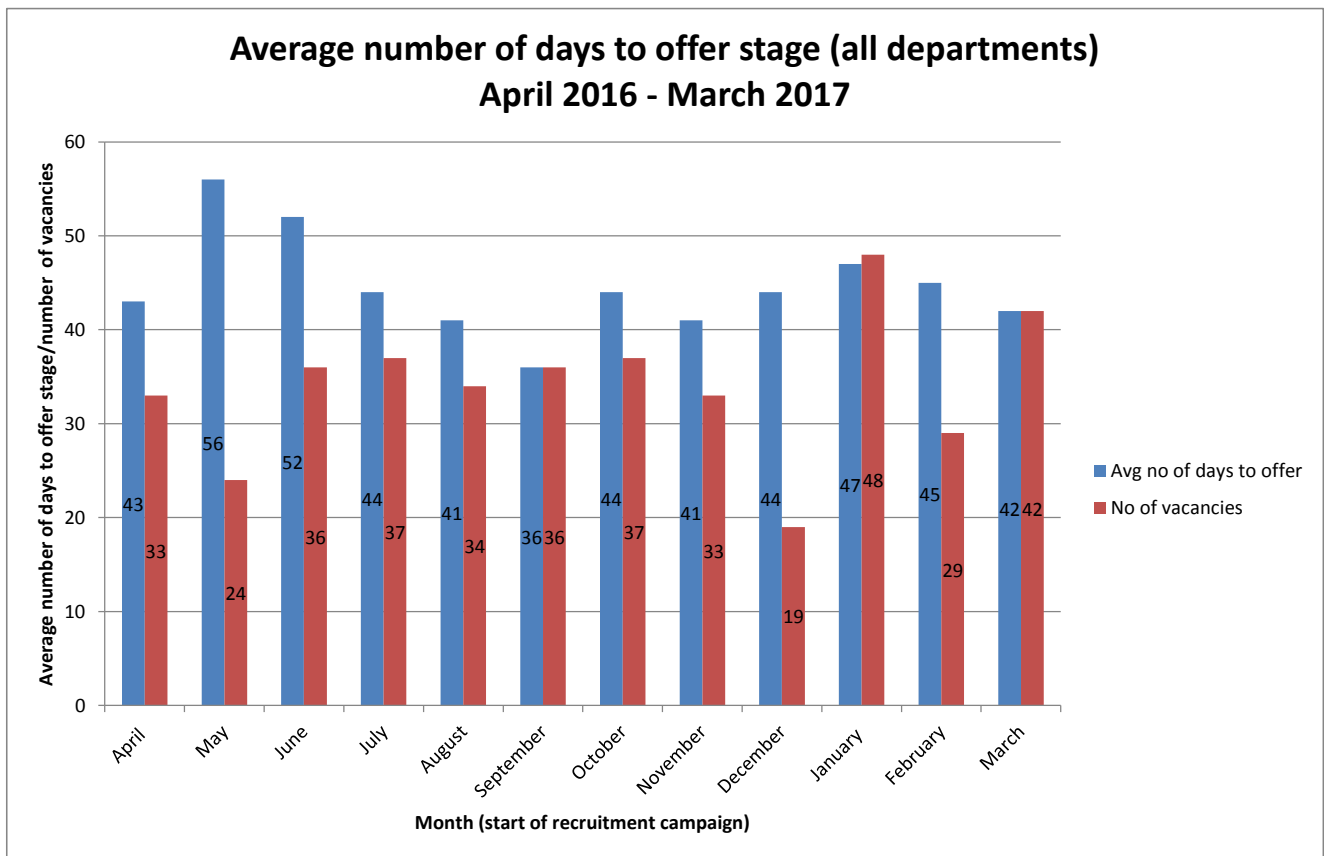
Janet Fortune, Assistant Director HR

T: 02073321245]

E: [janet.fortune @cityoflondon.gov.uk](mailto:janet.fortune@cityoflondon.gov.uk)]

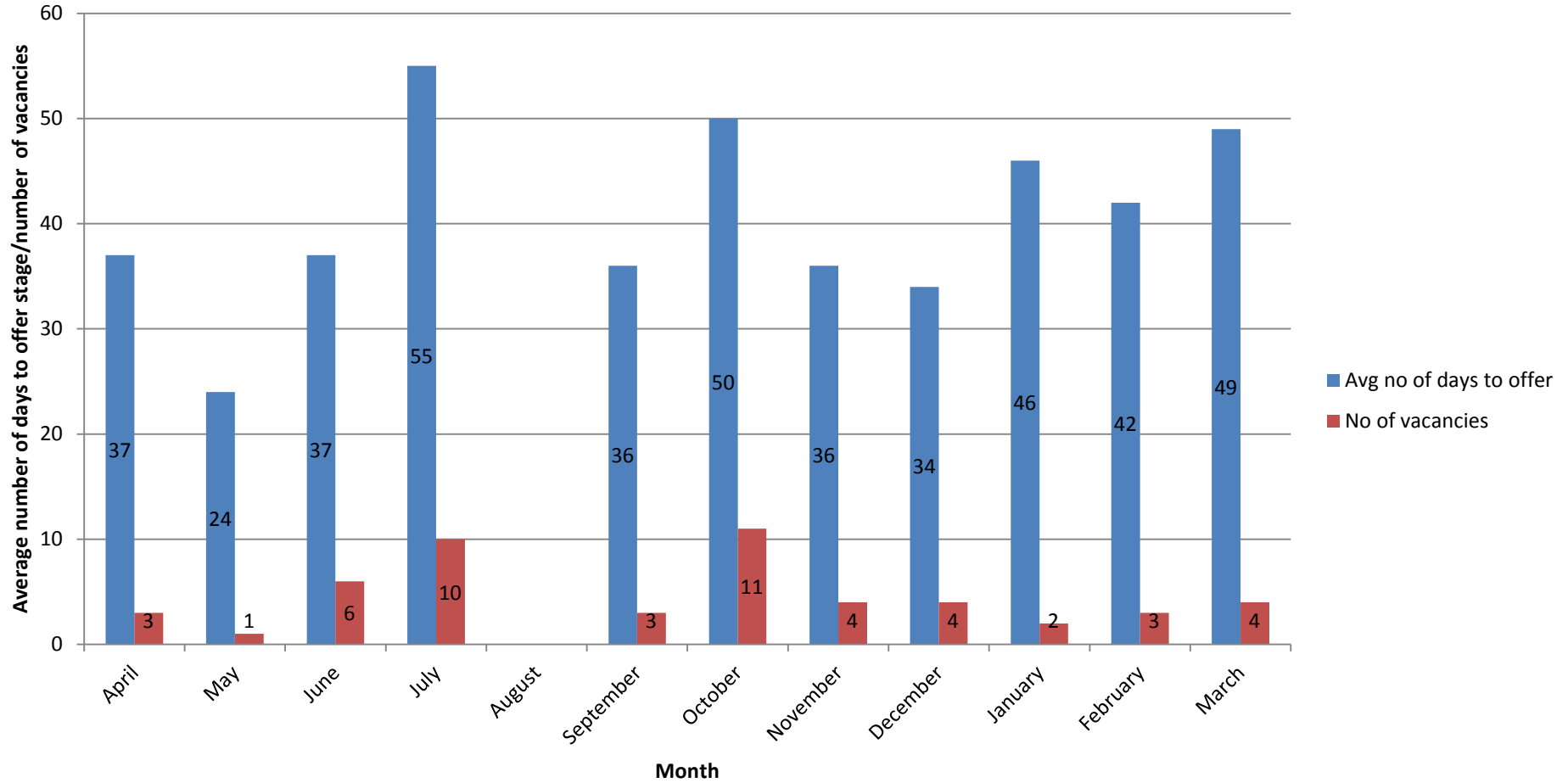
ⁱ Good Work the Taylor review of Modern Working Practices by Matthew Taylor, published July 17

Average number of days to offer stage (all departments) April 2016 - March 2017



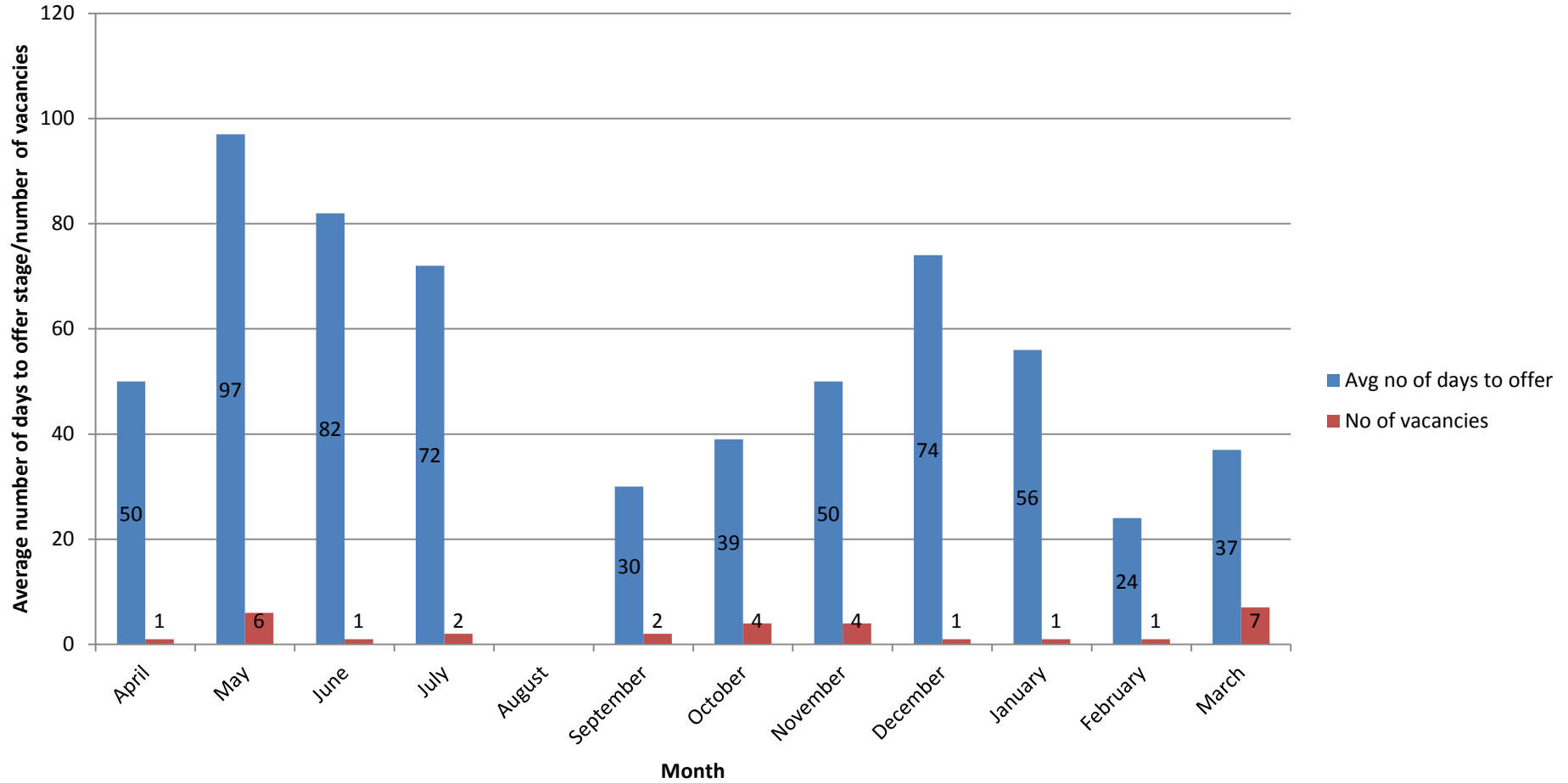
Average number of days to offer stage
Barbican Centre
April 2016 - March 2017

Page 42

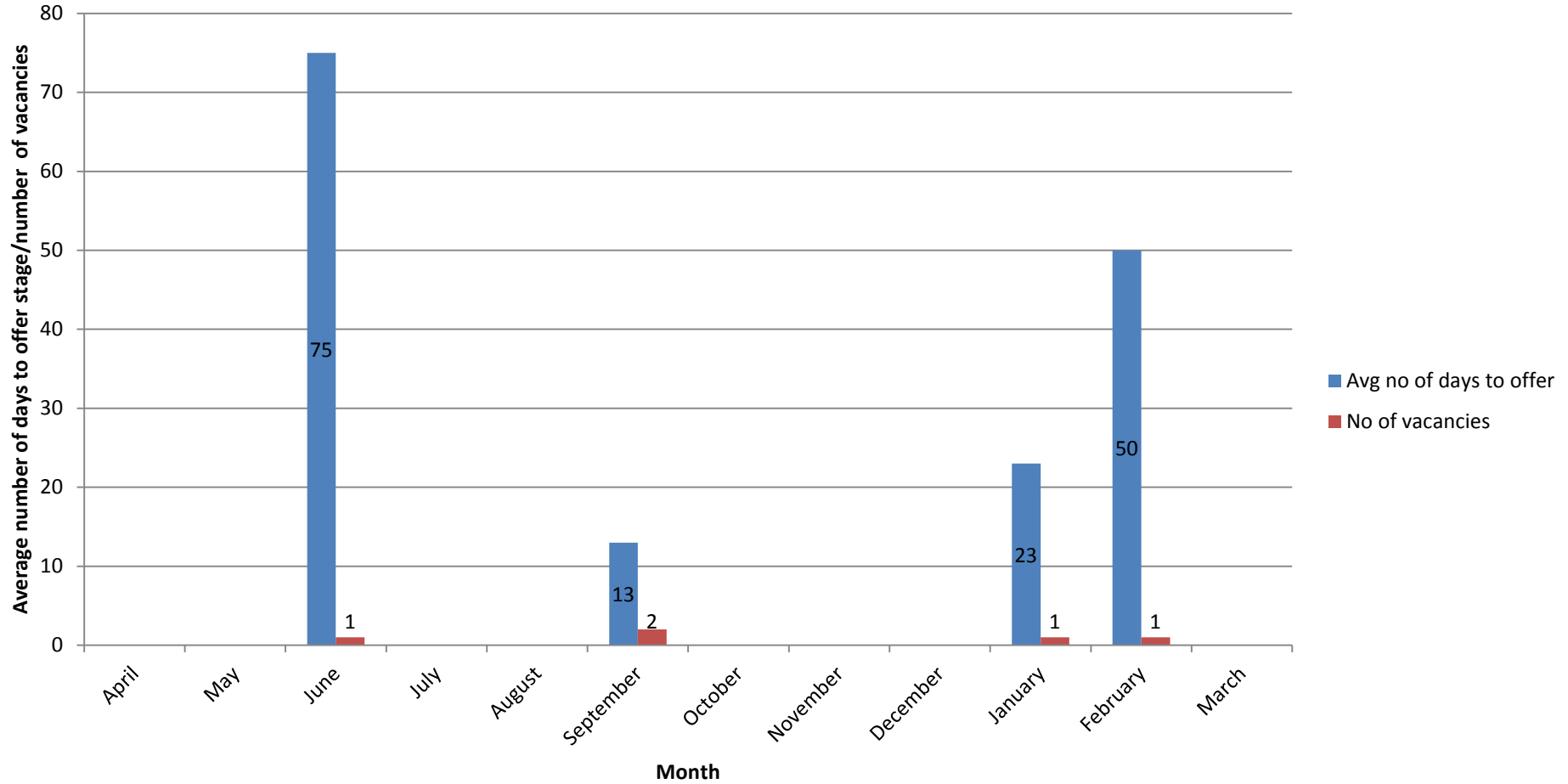


Average number of days to offer stage Department of the Built Environment April 2016 - March 2017

Page 43

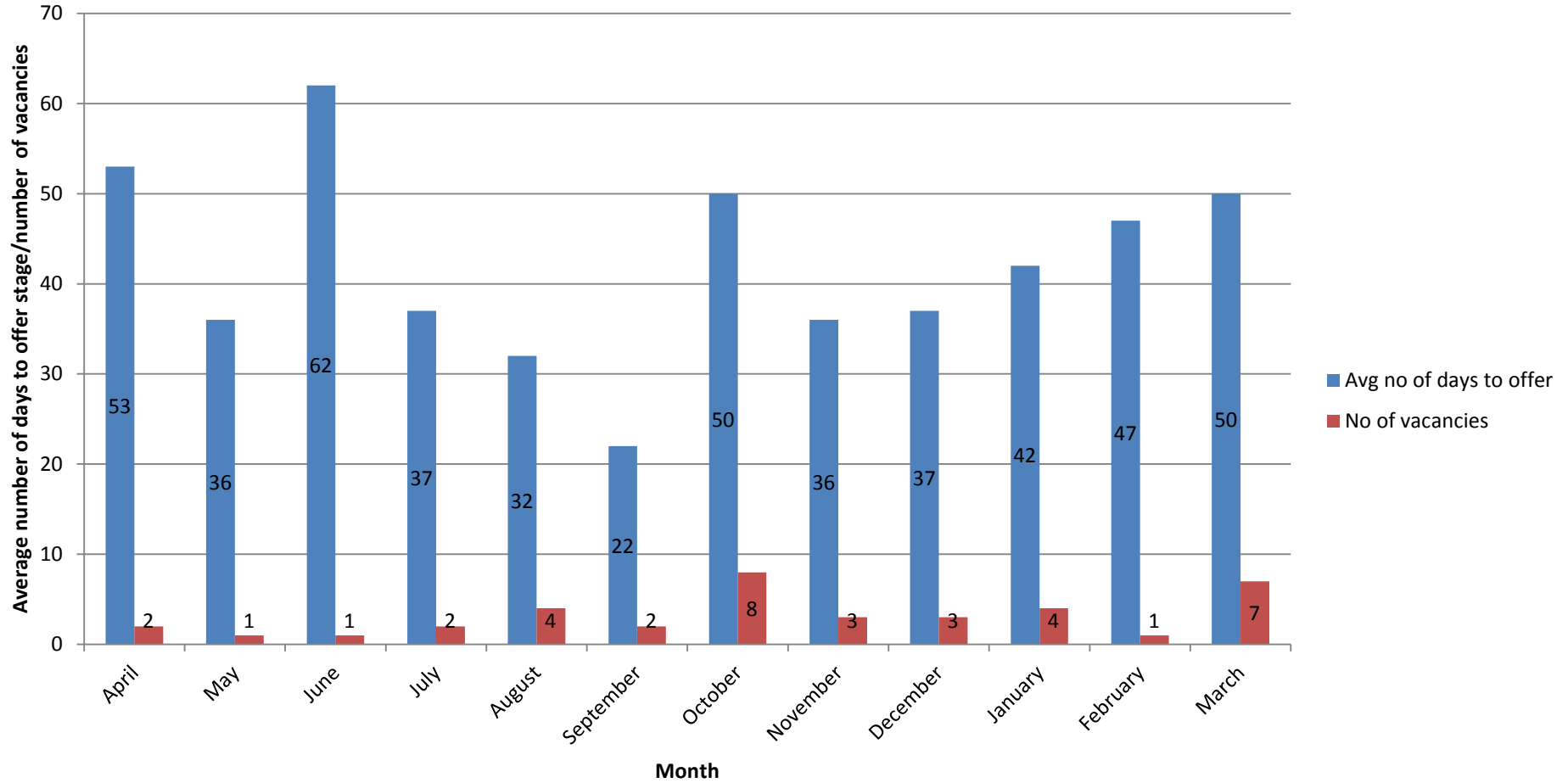


Average number of days to offer stage Central Criminal Court April 2016 - March 2017

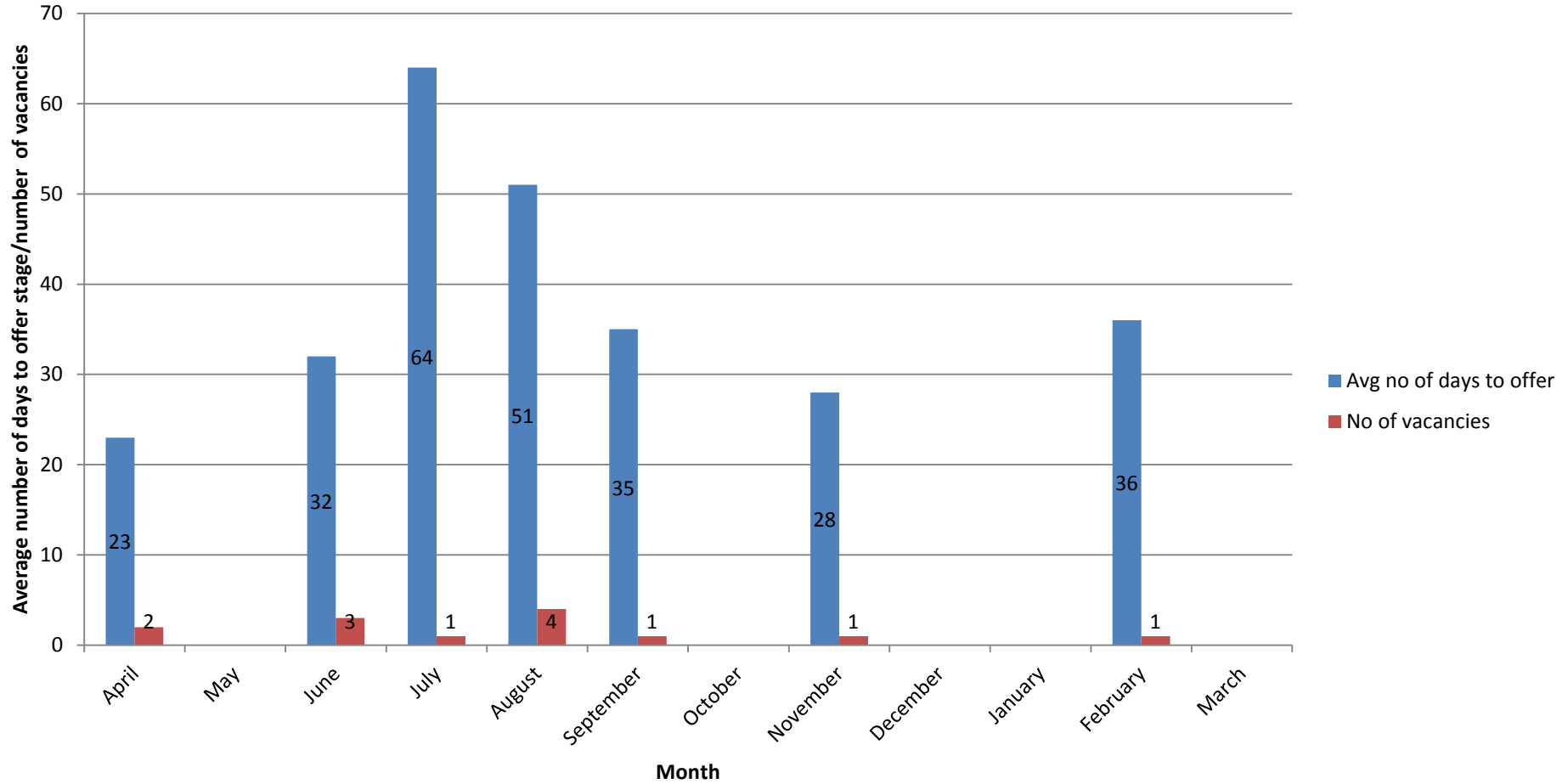


Average number of days to offer stage Chamberlain's April 2016 - March 2017

Page 45

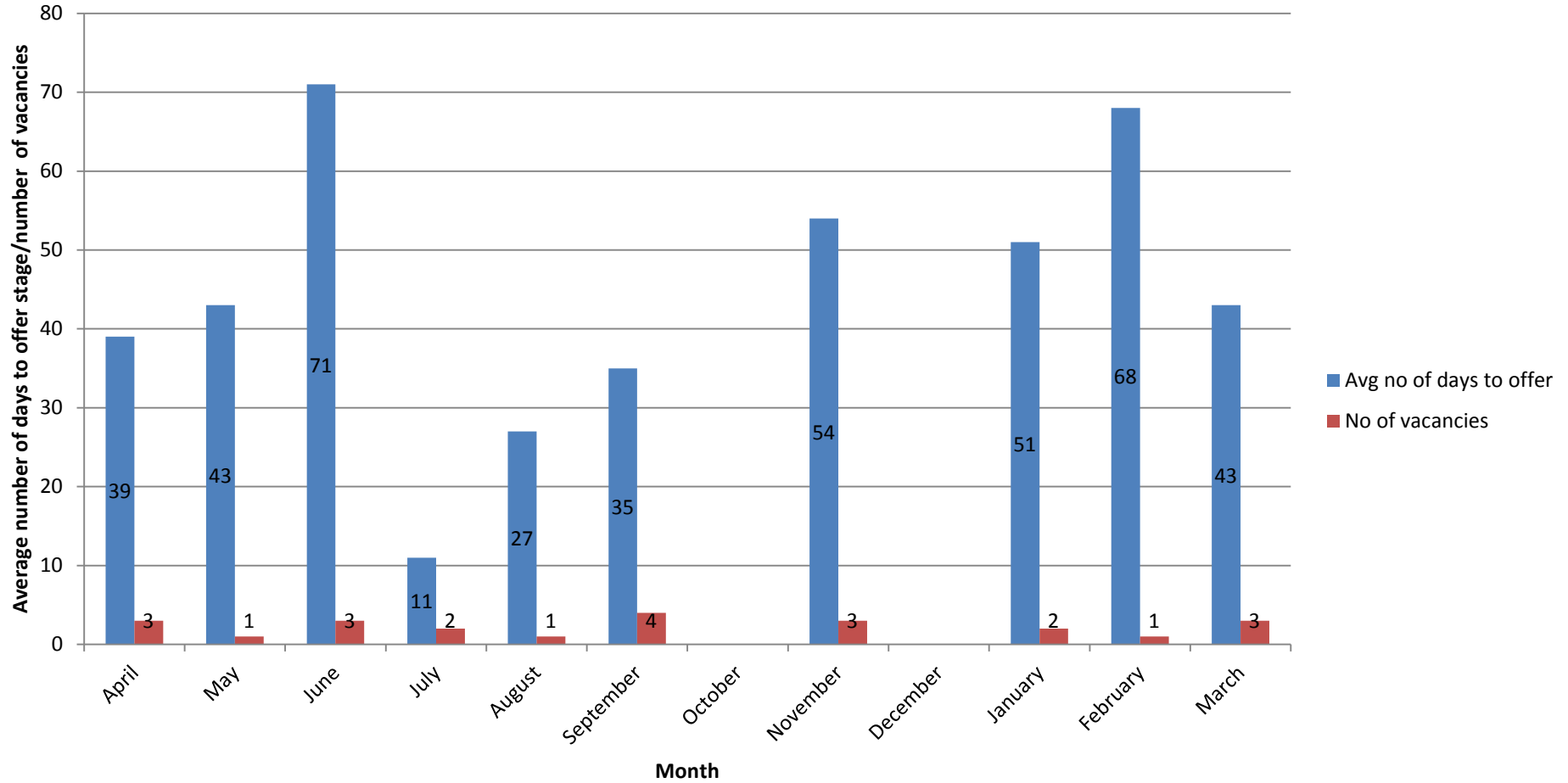


Average number of days to offer stage City of London School April 2016 - March 2017



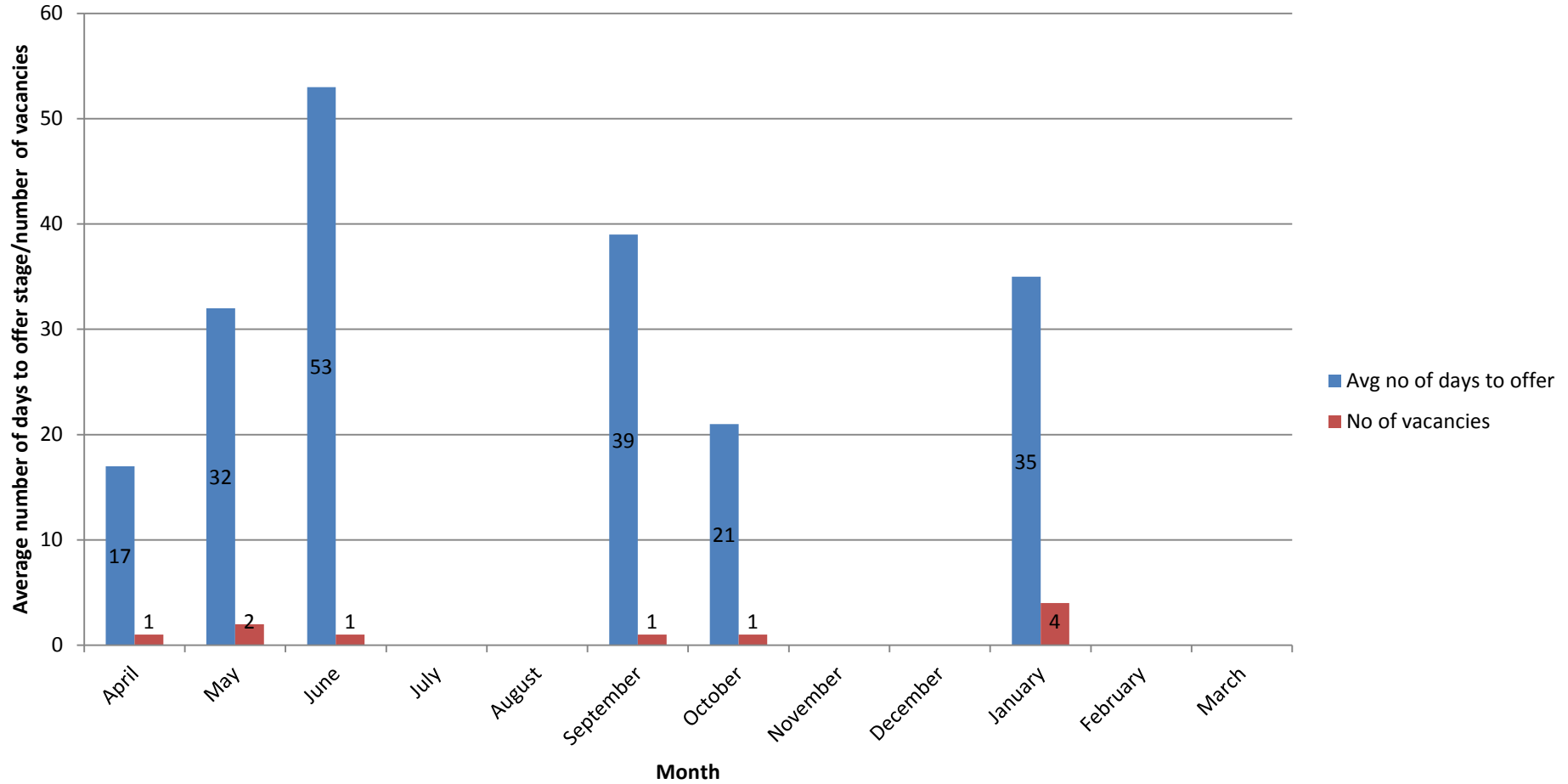
Average number of days to offer stage City Surveyor's April 2016 - March 2017

Page 47



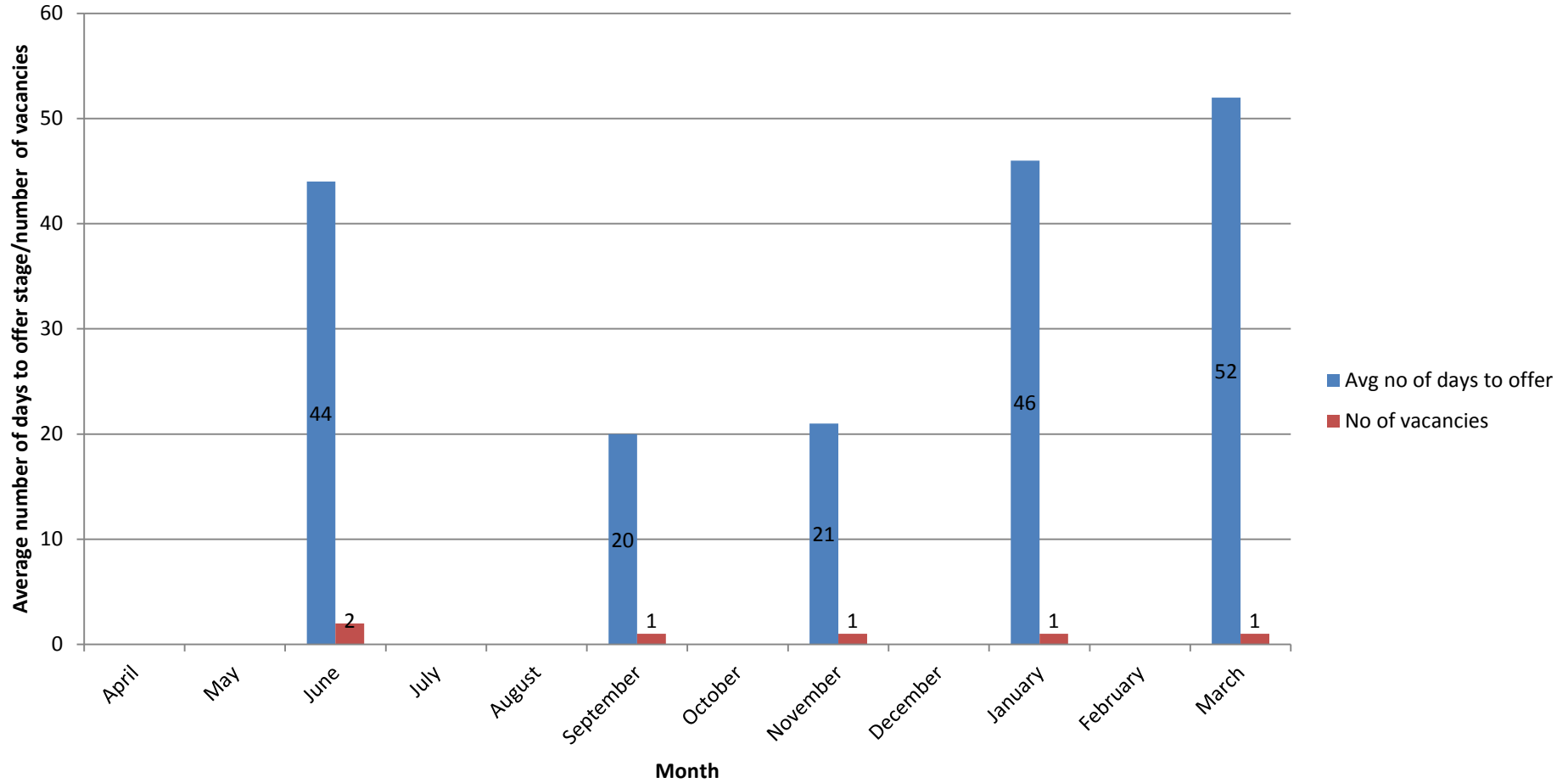
**Average number of days to offer stage
City of London Freeman's School
April 2016 - March 2017**

Page 48



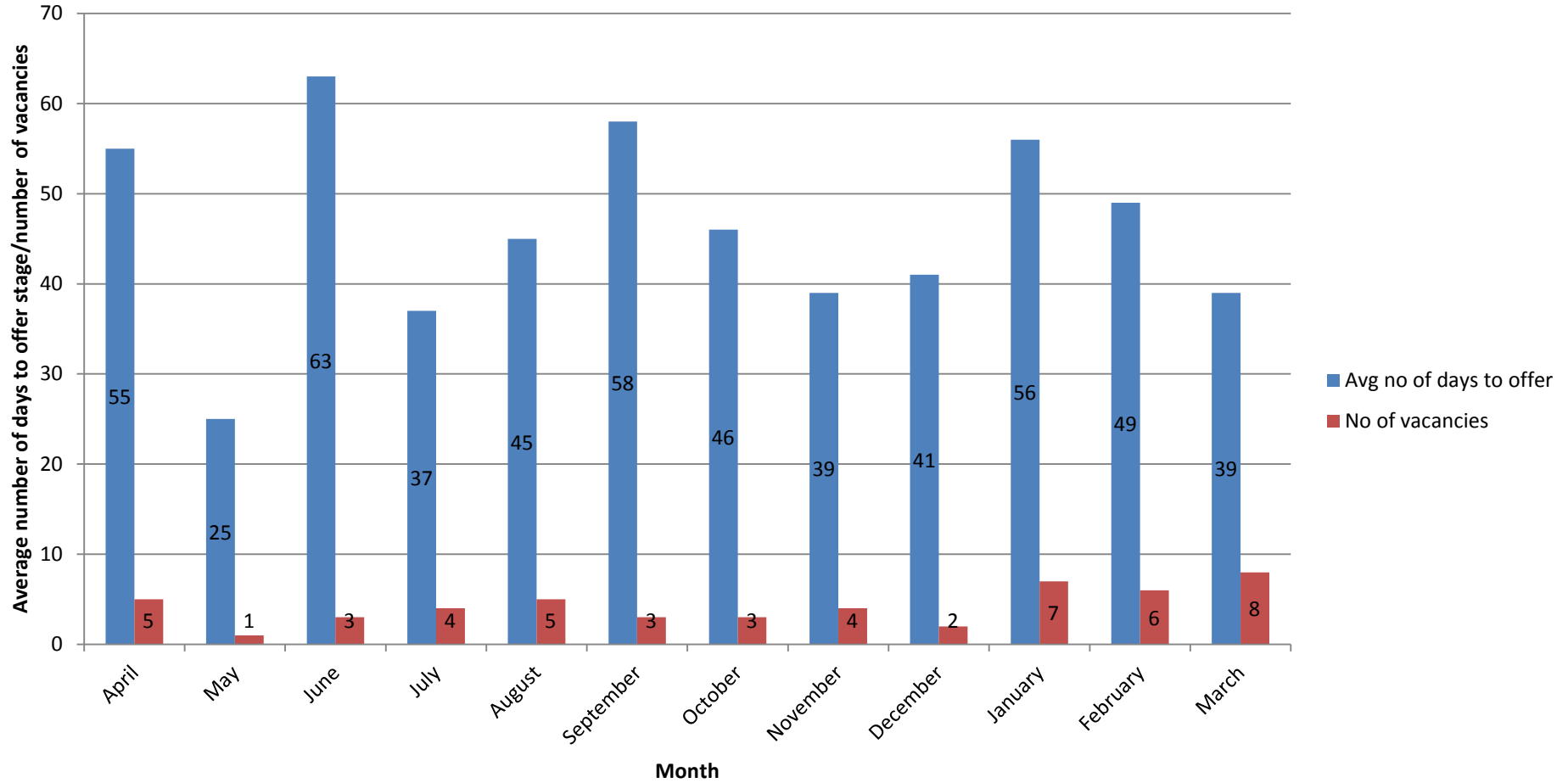
Average number of days to offer stage City of London School for Girls April 2016 - March 2017

Page 49

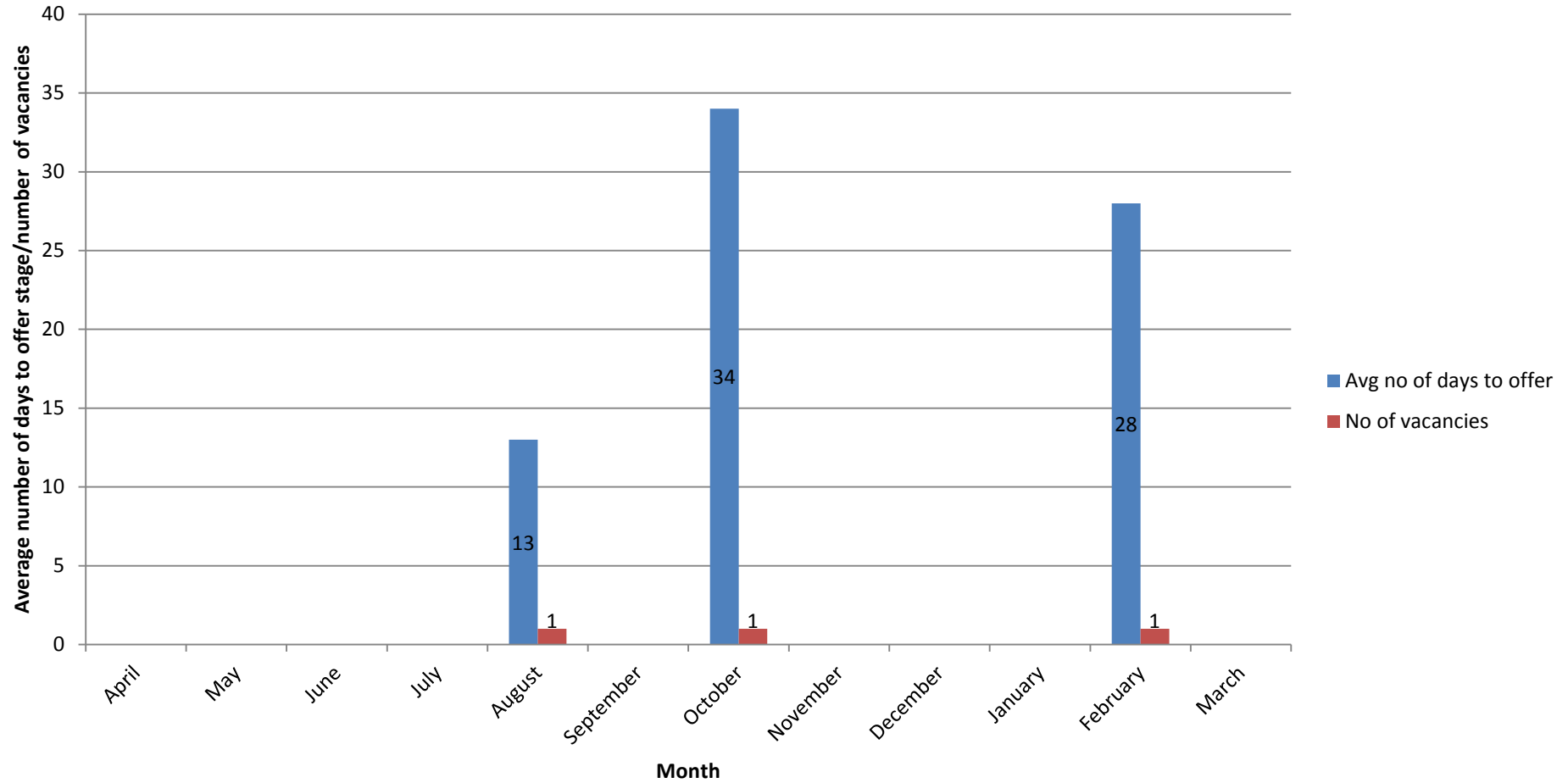


Average number of days to offer stage Community and Children's Services April 2016 - March 2017

Page 50

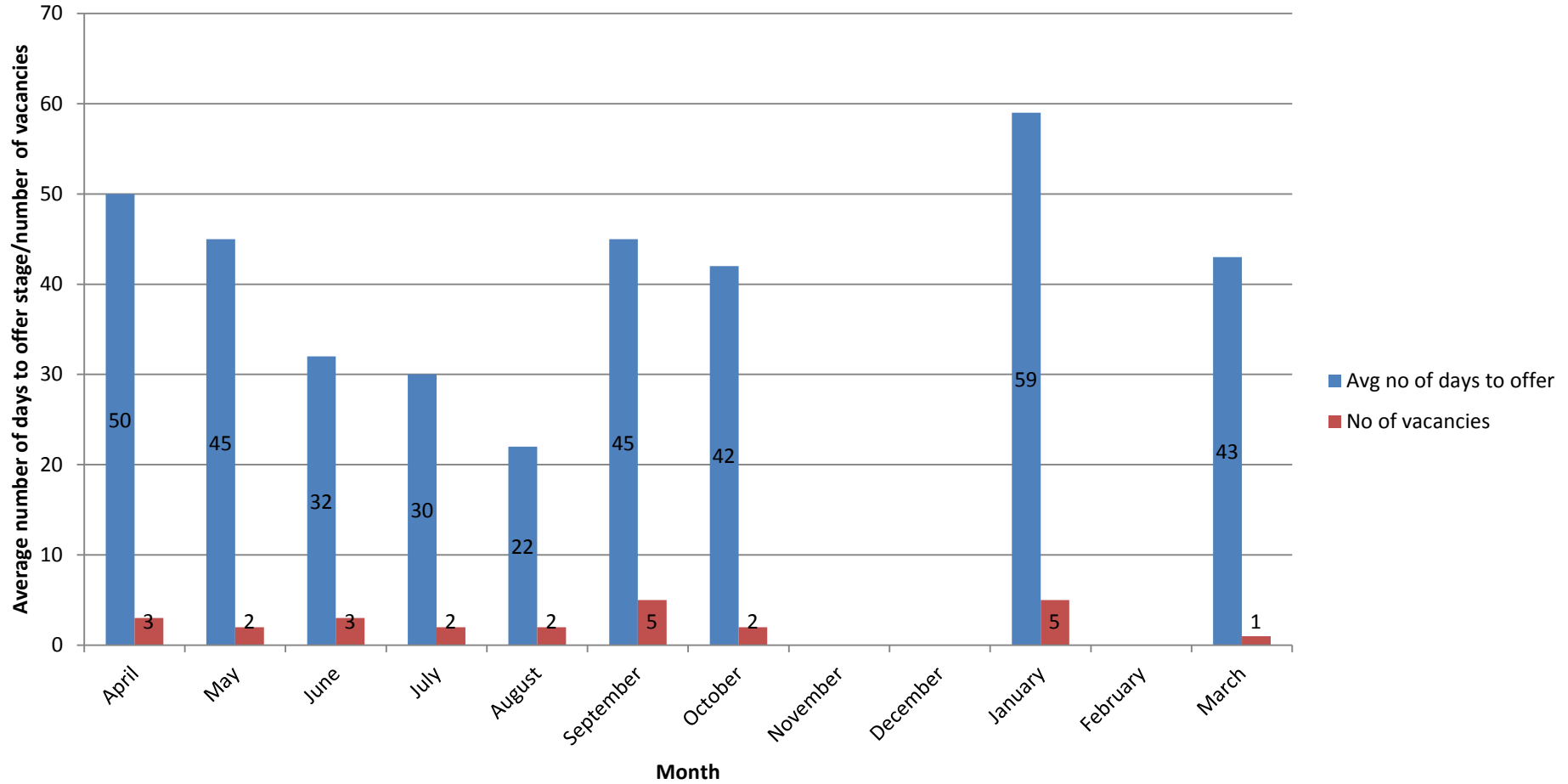


Average number of days to offer stage Comptroller and City Solicitor April 2016 - March 2017



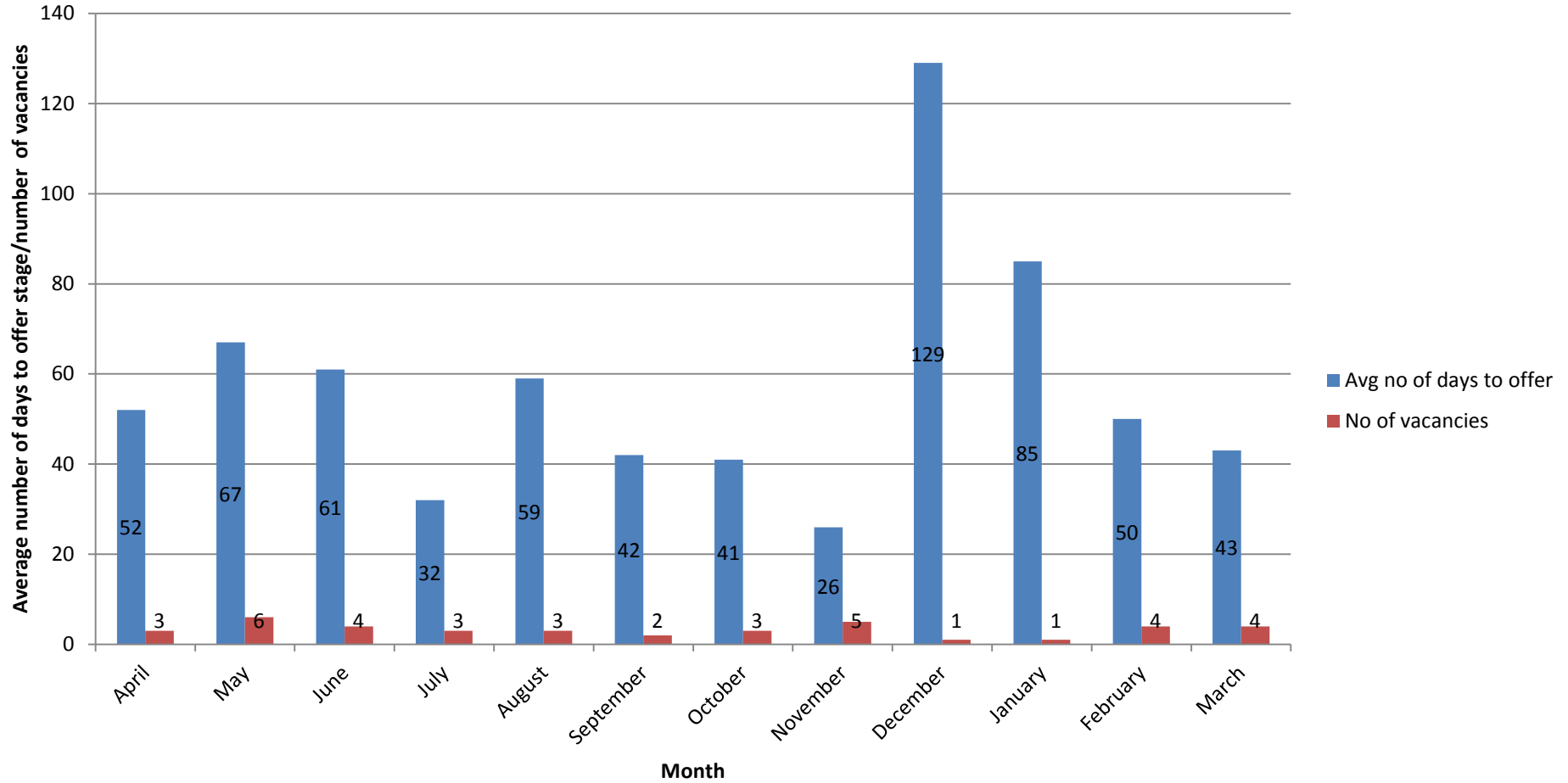
Average number of days to offer stage Culture, Heritage and Libraries April 2016 - March 2017

Page 52

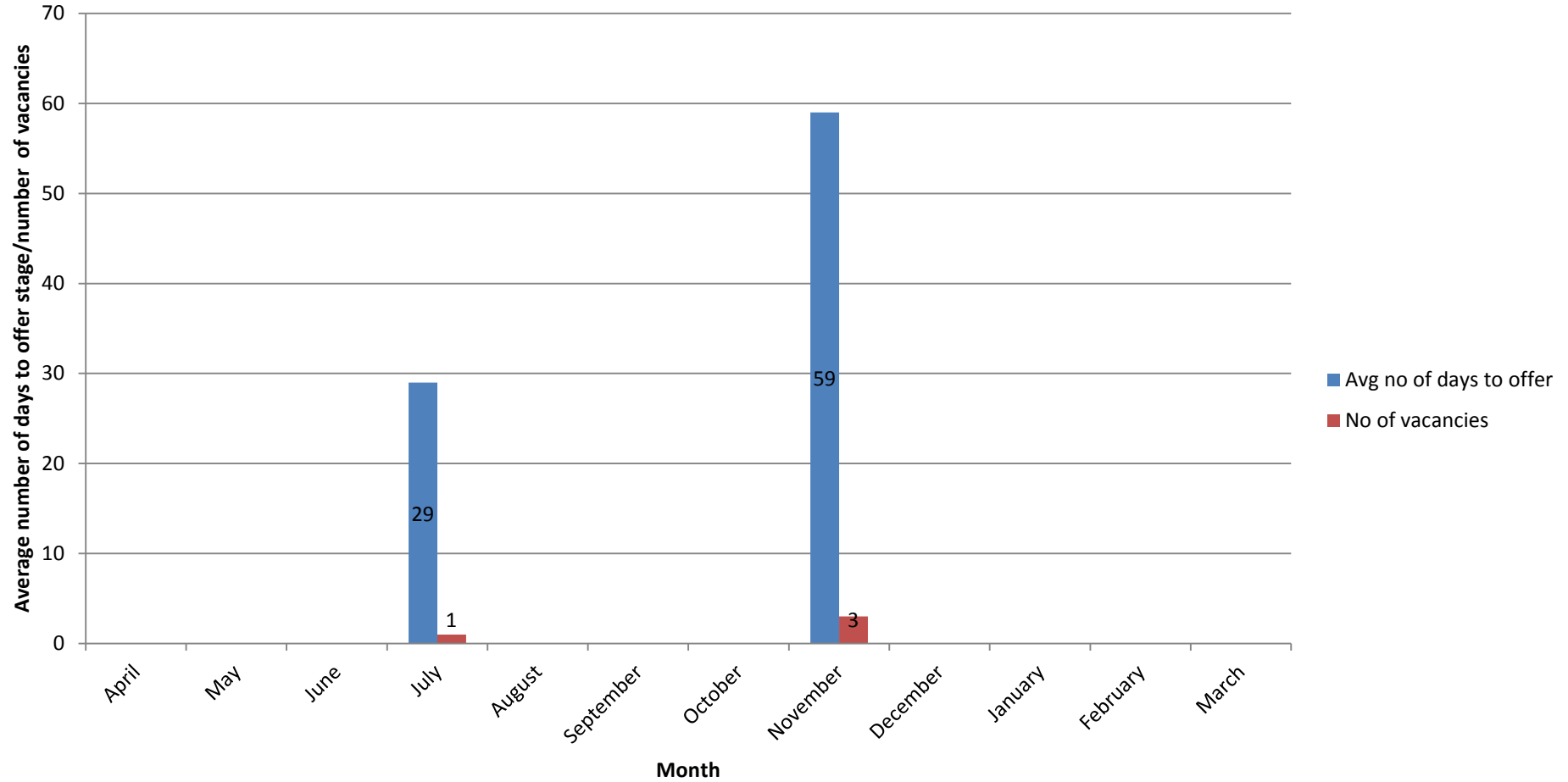


Average number of days to offer stage Guildhall School of Music & Drama April 2016 - March 2017

Page 53

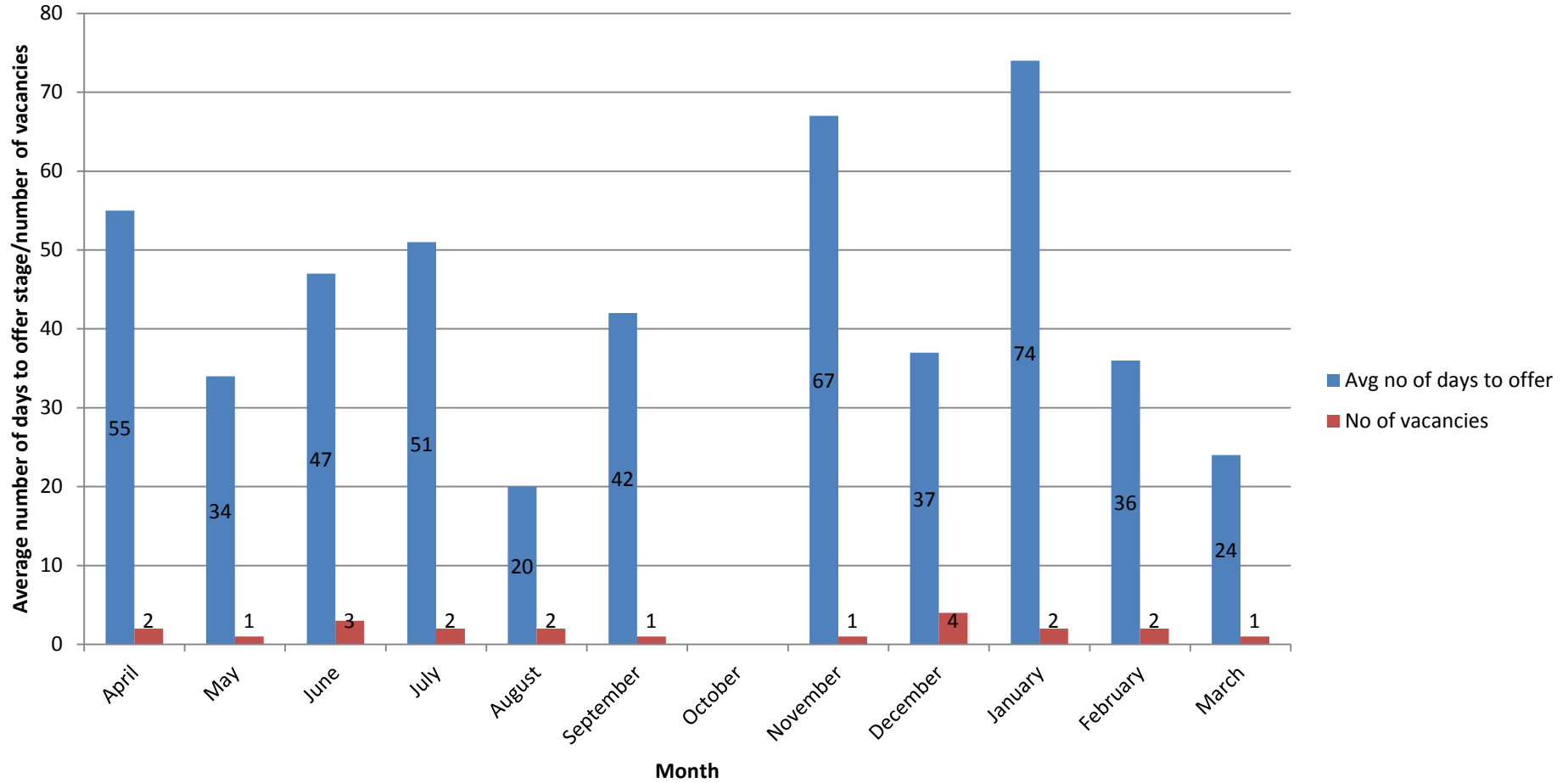


**Average number of days to offer stage
Mansion House
April 2016 - March 2017**



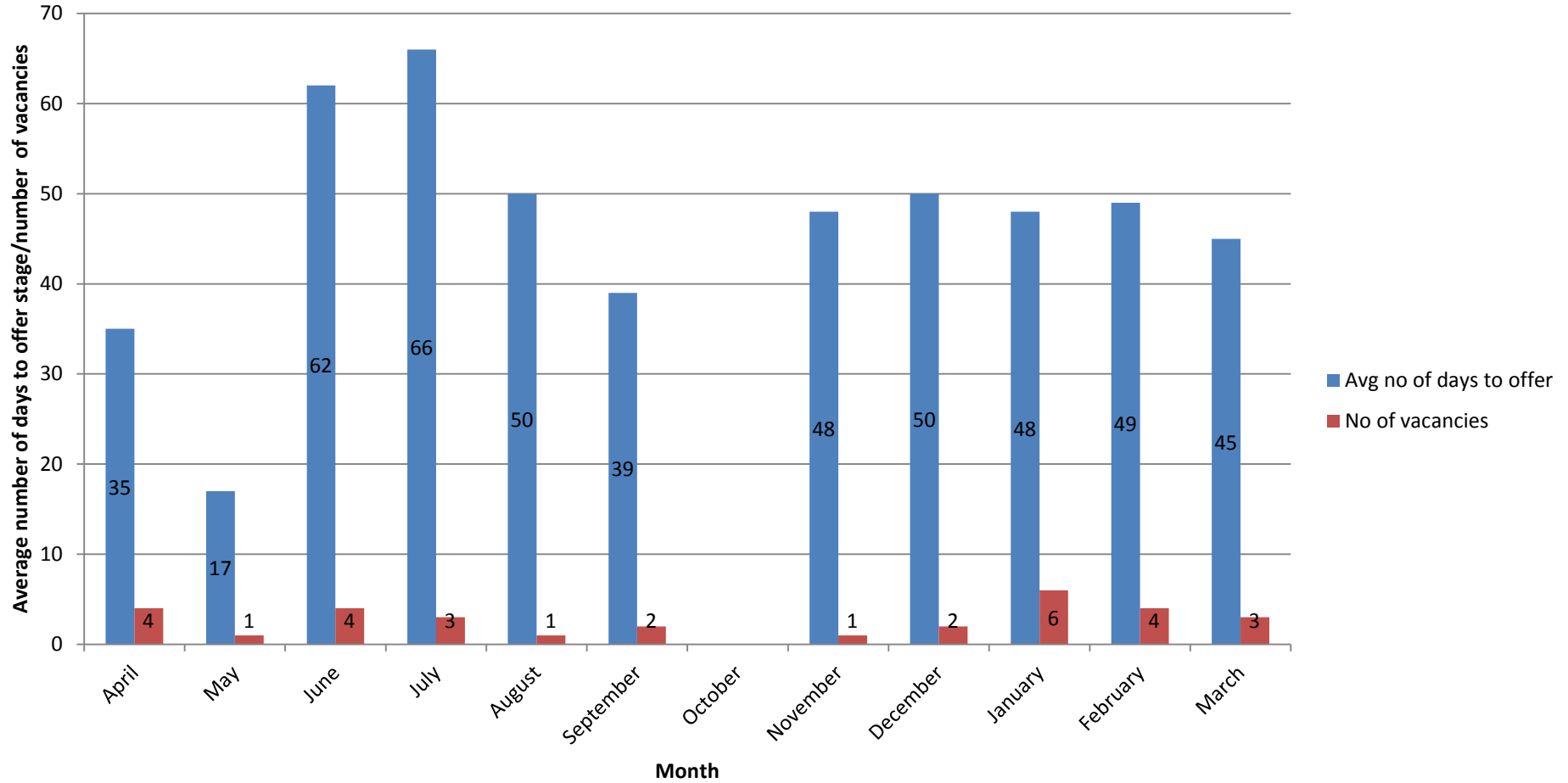
Average number of days to offer stage Markets and Consumer Protection April 2016 - March 2017

Page 55

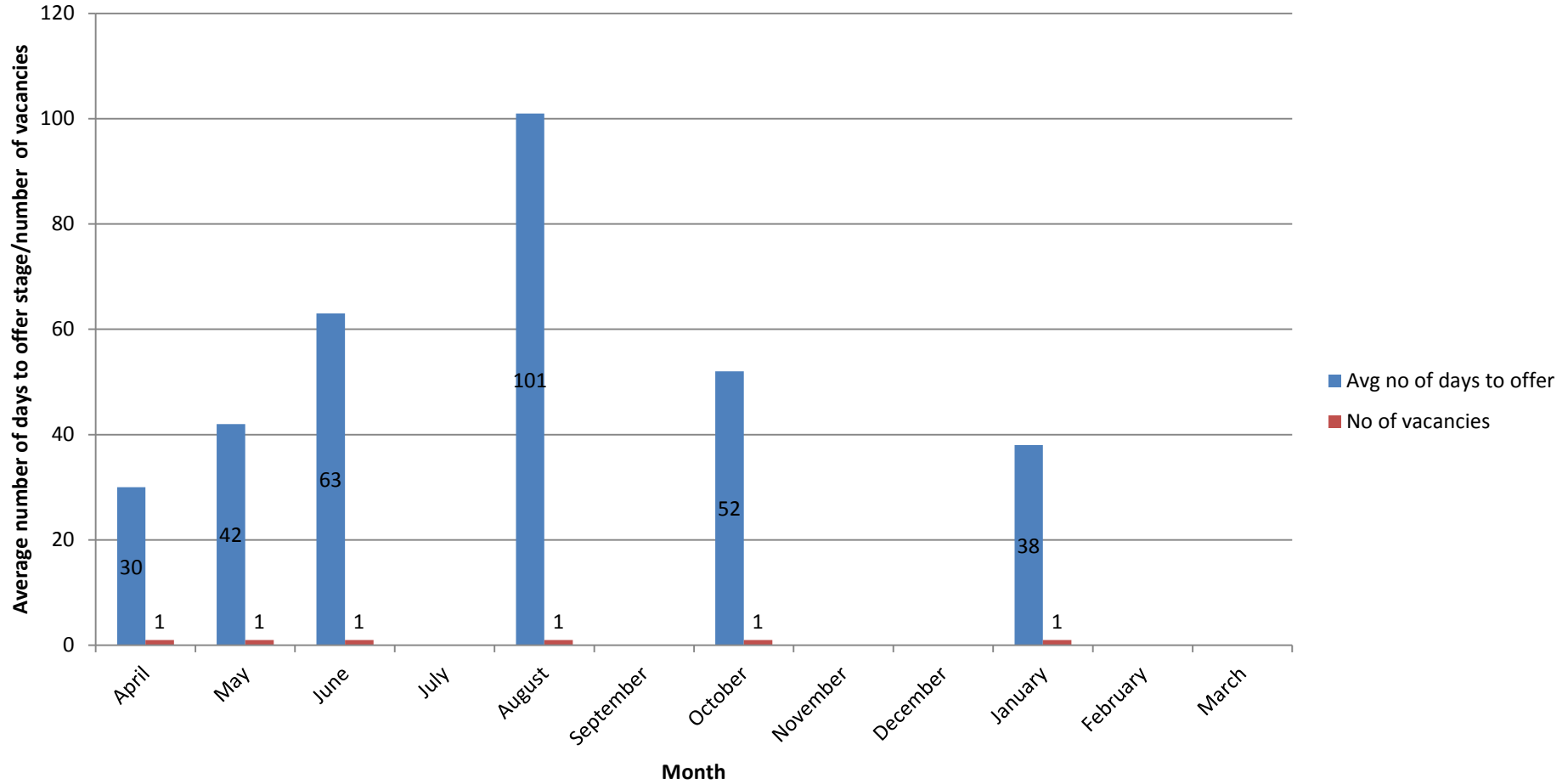


Average number of days to offer stage Open Spaces April 2016 - March 2017

Page 56

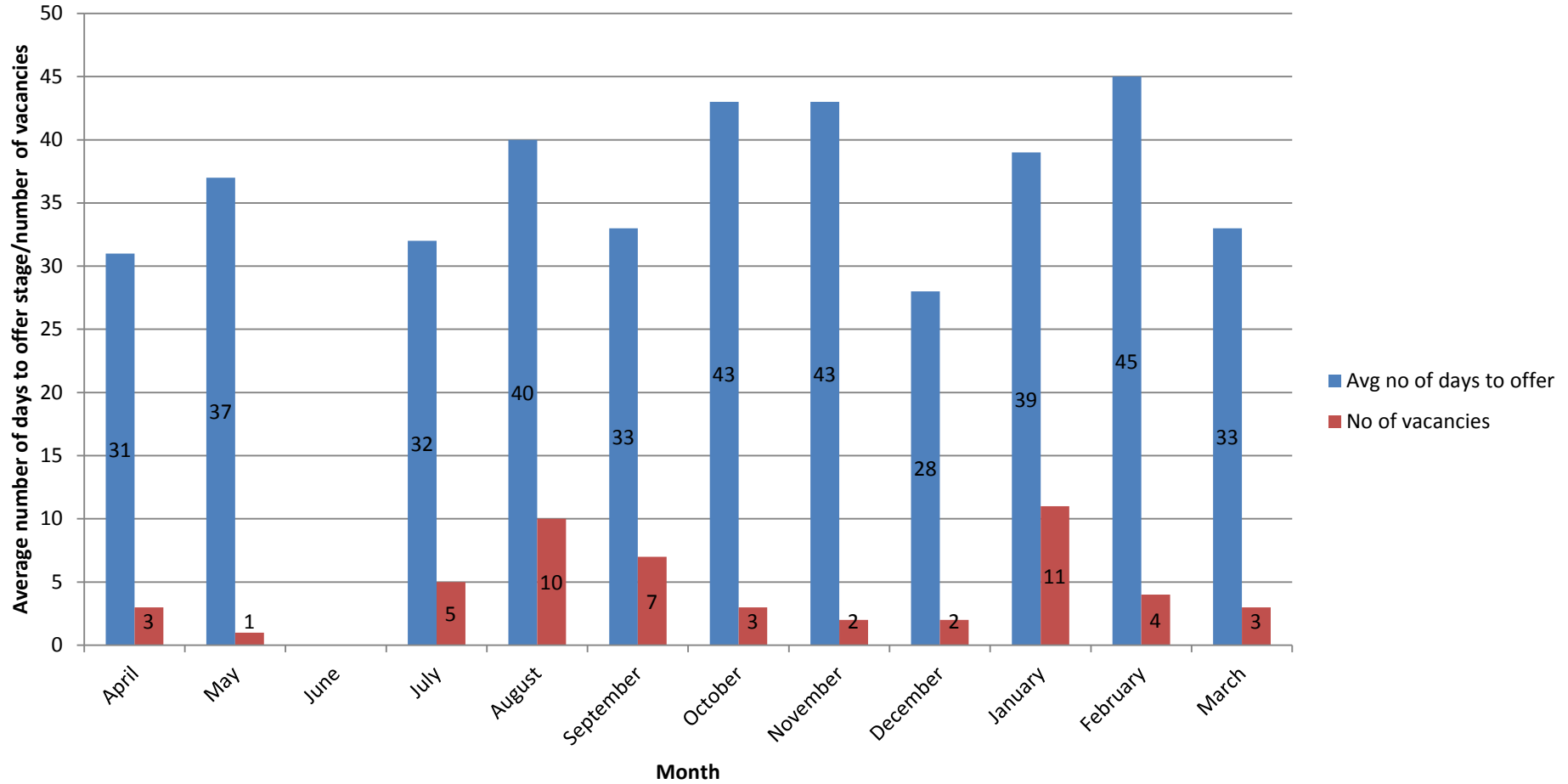


Average number of days to offer stage Remembrancer's April 2016 - March 2017



Average number of days to offer stage Town Clerk's April 2016 - March 2017

Page 58



Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Committee: Establishment Finance Resource Allocation	Date: 26 July 2017
Subject: Support for Committee Chairmen	Public
Report of: Town Clerk	For Decision
Report Author: Simon Murrells, Assistant Town Clerk	

Summary

1. Currently, only the Chief Commoner and the Chairman of the Policy & Resources Committee are in receipt of dedicated administrative (PA) and executive support including diary, meeting and secretarial management, provision and coordination of briefings and making transport arrangements etc. This is provided centrally by the Town Clerk's Department. From time-to-time, the Chairmen of other Committees require similar support, albeit not to the same degree, and this has customarily been provided by the service department relevant to the work in question.
2. There has been some discussion informally including most recently at a meeting of Members of the Resource Allocation Sub-Committee and a Chairman's briefing session, over whether the support available to the Chairmen of several Committees through the rather ad-hoc arrangement with service departments is sufficient for their needs bearing in mind current day demands. This is particularly so for the Chairmen of the Planning and Transportation, Police, Establishment and Finance Committees.
3. This report seeks the views of Members on whether PA/executive support for the Chairmen of the Committees referred to above should be provided centrally in future and, if that is endorsed, to authorise an increase in the Town Clerk's local risk budget each year to cover the cost of two employees necessary to provide the service.
4. In addition, whilst the Mayoralty and Shrievalty receive a dedicated speechwriting service, no such facility is available to the Chairman of Policy & Resources or the Chief Commoner. The demands now placed on the Policy Chairman particularly, means that delivering speeches has become a regular, often daily, occurrence and there is need for specialist full-time support in this area for which there is no provision. If approved, the post would sit within the Communications Team, but work closely with the Committee and Members Services Team.
5. Finally, the Establishment Committee has identified the need for the current structure of the Committee and Member Services Team to be reviewed to ensure that it is fit for purpose. This will be carried out over the coming weeks. In

the meantime, a small adjustment to the help strengthen resilience within the team has been identified and a relatively modest additional sum would be required for this purpose. A further report will be submitted jointly by the Director of HR and the Assistant Town Clerk on the more substantive elements of the review in due course.

Recommendation: That the views of Members be sought on whether:

a) dedicated PA/executive support, should be provided centrally to City of London Corporation Committee Chairmen, principally for the Chairmen of the Planning and Transportation, Police, Establishment and Finance Committees;

b) a dedicated speechwriting service should be provided for the Chairman of the Policy & Resources Committee and the Chief Commoner;

c) subject to a and b above, the Finance Committee's approval be sought to increasing the Town Clerk's local risk budget by £170,000 each year from contingencies to cover the cost of the posts necessary to provide the services and to help strengthen resilience within the Committee and Member Services team, in advance of a request review of the structure of the team.

Main Report

Background

4. Over the years, the demands placed on the work of the Chief Commoner and the Policy Chairman have increased and, as a result, the office holders have required dedicated administrative (PA) and executive support to carry out their duties. This includes diary and secretarial management, provision and coordination of briefings, organising meetings and making transport arrangements etc.
5. This service is provided centrally by the Town Clerk's Department and there are two full-time members of staff involved in supporting the post-holders. These two posts also provide some modest associated committee management eg. clerking the Hospitality Working Party which is chaired by the Chief Commoner. Part of a further, senior post, is responsible for overall management. The posts all sit within the Committee and Member Services Team. It should also be noted that steps are being taken to provide dedicated speech writing support for the two principals as part of the service provided by the Director of Communication and his team.
6. The Chairmen of other Committees also require administrative support in carrying out their duties, including correspondence and organising meetings etc. Previously the extent of that work has meant that the department relevant to the work in question has helped to provide that service and has supported 'their' Chairman on an as and when required basis. However, the demands being placed on several of the Committee Chairmen are increasing and there has been

some informal discussion about the provision of dedicated centralised PA/executive support, particularly but not exclusively for the Chairmen of the Planning and Transportation, Police, Establishment and Finance Committees.

7. In addition, whilst the Mayoralty and Shrievalty receive a dedicated speechwriting service, no such facility is available to the Chairman of Policy & Resources or the Chief Commoner. The demands now placed on the Policy Chairman particularly, means that delivering speeches has become a regular, often daily, occurrence and there is need for specialist full-time support in this area for which there is currently no provision. The Director of Communications is concerned to ensure that the Policy Chairman and the Chief Commoner have a high level of professional support in this key area. Consideration has been given to whether speechwriting could be a shared service, utilising the posts supporting the Mayoralty and Shrievalty. However, there is concern over whether there would be sufficient capacity to provide a fully comprehensive service to each of the five principals involved and, on balance, it is felt that a post dedicated to the work of the Policy Chairman and the Chief Commoner, based at Guildhall, is the best way forward at this stage. Good communication and liaison between all speechwriters is essential to ensure consistent and effective messaging and that whoever represents the City Corporation speaks with one voice. The post of speechwriter would sit within the Communications Team.
8. Finally, at the Establishment Committee meeting on 19 June 2017, the operation and structure of the Town Clerk's Committee and Member Services Team was discussed and the view was expressed that it was time to look again at the operational model and review the effectiveness as the 'policy' function had practically disappeared and the 'committee' function took priority, and there was now limited support for Chairmen and Deputy Chairmen. In particular, Officers were asked to look at this in the context of establishing a career path for staff joining the Corporation, possibly as graduates, for whom work as a committee/policy officer could form part of their progression into non-specialist management roles.
9. It was agreed that the views of both Members and staff be sought and a report be brought back to a future meeting and the Town Clerk and Director of Human Resources were asked to report back to the Committee on the staffing resource concerns identified by Members.
10. This review will be carried out over the coming weeks. In the meantime, a small adjustment to help strengthen resilience within the team has been identified and a relatively modest additional sum would be required for this purpose.

Proposed Support

11. If Members are minded to endorse the provision of dedicated PA/executive support for Committee Chairmen, it is not envisaged that every Committee Chairman (there are 29 Chairmen of Grand Committees and only two members of staff are proposed) would benefit from a fully comprehensive PA service provided centrally. Departments would continue to provide a significant degree of

practical help and support for the relevant Chairman in most cases. However, where appropriate and subject to the demands of the service, occasional support would be provided to individual Chairmen centrally and this would have to be determined on a case-by-case basis. The service would principally be for supporting the work of the Chairmen of the Planning and Transportation, Police, Establishment and Finance Committees.

8. The cost of creating two PA posts and a post of speechwriter (subject to Job Evaluation) plus the cost of strengthening resilience within the Committee and Member Services Team would be £170,000 (including on-costs) and the Town Clerk's local risk budget would need to be increased to meet this additional and unanticipated expenditure on an on-going basis.

Contact:

Simon Murrells, Assistant Town Clerk

Telephone: 020 7332 1418

Email: simon.murrells@cityoflondon.gov.uk