

ESTABLISHMENT COMMITTEE

Wednesday, 16 January 2019

Minutes of the meeting of the Establishment Committee held at Committee Room -
2nd Floor West Wing, Guildhall on Wednesday, 16 January 2019 at 11.30 am

Present

Members:

Deputy Edward Lord (Chair)	Barbara Newman
Randall Anderson	Deputy Elizabeth Rogula
Deputy Kevin Everett	Alderman William Russell
Deputy Jamie Ingham Clark	Ruby Sayed
Jeremy Mayhew	Deputy Philip Woodhouse
Sylvia Moys	

In Attendance

Officers:

John Barradell	- Town Clerk and Chief Executive
Peter Lisle	- Assistant Town Clerk (Culture Mile Director)
Sufina Ahmad	- Town Clerk's Department
Polly Dunn	- Town Clerk's Department
Sacha Than	- Town Clerk's Department
Chandni Tanna	- Town Clerk's Department
Phil Black	- Chamberlain's Department
Matthew Lock	- Chamberlain's Department
Michael Cogher	- Comptroller and City Solicitor
Alan Bennetts	- Comptroller and City Solicitor's Department
Dorian Price	- City Surveyor's Department
Chrissie Morgan	- Director of Human Resources
Marion Afoakwa	- Human Resources Department
Janet Fortune	- Human Resources Department
Tracey Jansen	- Human Resources Department

The Chair noted the election of Christopher Hayward and looked forward to welcoming him at the next meeting.

1. APOLOGIES

Apologies for absence were received from Deputy Stephen Haines (Deputy Chairman), Deputy Keith Bottomley, Christopher Hayward, Deputy Joyce Nash, and Deputy Richard Regan.

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 December 2018 be approved as an accurate record.

Matters Arising

In response to a Member's query regarding the date of the Equalities and Inclusion Conference, the Director of Human Resources explained there was no date yet. The Chair asked that this information be circulated to the Committee once available.

4. **OUTSTANDING ACTIONS REPORT**

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

Influenza Inoculations

The Chamberlain explained that the proposal was for funding for the jobs to be provided from local risk and from each of the Chief Officers' budgets. The approach would be similar to the current process for members of staff who visited the opticians via the City Corporation. It was explained that this project was not large enough to warrant a procurement exercise but that could be reassessed. It was noted that due to the costs being lower than the HMRC threshold, this could not be considered a tax benefit.

In response to Members' requests that Boots and/or Lloyds Pharmacies be approached to see whether they would offer a discounted rate and the suggestion of a voucher system, the Chair asked the Chamberlain to discuss this further with the Procurement Team. The Chair added that Members wished to see a process for inoculations to be in place for the autumn of 2019.

A Member added that it would be useful for the Committee to be advised of the numbers from the Open Spaces pilot scheme. The Chair asked for a progress report to be provided to the next meeting of the Committee.

RESOLVED – That the Committee note the report.

5. **GUILDHALL WORKPLACE UTILISATION PROGRAMME - SMART WORKING REPORT**

The Committee considered a report of the Town Clerk and the City Surveyor which sought approval of the six Design Principles which would support the Smart Working programme.

The City Surveyor explained that there would be changes within the project as it moves forward but an equalities assessment would be reviewed as the programme develops to ensure any changes were proportionate.

In response to a Member's question on feedback, the City Surveyor explained that a staff survey had been conducted and the responses would be reviewed; the Chair asked for the results to be provided to the Committee. The Director of Human Resources replying to the comments made advised there were pilots taking place within Human Resources and the Department of the Built Environment of flexible and agile working with local consultation of what works best and those discussions would be fed back to the Smart Working Group.

Members observed that it would be useful for them to have a walkaround as the programme develops.

A Member noted that an Agile Working programme also seemed to be taking place explaining that this had been reported at a different Committee meeting, in response the City Surveyor explained that he was not aware of the Agile Working programme and would look into this.

RESOLVED – That the Committee:

- a) Note the report; and
- b) approve the six Design Principles to support the Smart Working programme.

6. **TERMS OF REFERENCE REVIEW**

The Committee considered a report of the Town Clerk which sought approval to the Terms of Reference for subsequent submission to the Court of Common Council.

The Chair proposed that the Chair of the Policy and Resources Committee become an ex-officio Member of the Establishment Committee. In response the Chairman of the Finance Committee suggested this also be applied to their role. It was suggested that the Chair of the Establishment Committee also serve on the Finance Committee as an ex-officio Member.

RESOLVED – That: -

- a) the membership of the Committee be amended to include the following two ex-officio Members: the Chair of the Policy and Resources Committee or their nominee and the Chairman of the Finance Committee or their nominee;
- b) the terms of reference of the Committee be approved for submission to the Court of Common Council in April 2019;
- c) any subsequent changes required in the lead up to the Court's appointment of Committees be delegated to the Town Clerk in consultation with the Chair and Deputy Chairman;
- d) the frequency of meetings continue on a six weekly basis; and
- e) the Policy and Resources Committee be invited to change the membership of the Finance Committee to include the Chair of this Committee.

7. **DRAFT PAY POLICY STATEMENT 2019/20**

The Committee considered a report of the Director of Human Resources which sought approval of the draft Pay Policy Statement 2019/20, the Statement will be submitted to the February Policy and Resources Committee, and March Court of Common Council.

A Member raised their concerns on this being an all-encompassing Statement covering both the private and public work of the City Corporation noting there should be a clear demarcation with two separate documents to deal with that which applies under the Localism Act and that which applies privately. The Member added that this suggestion was made in order for there to be less confusion and was not to deviate from the City Corporation's spirit of openness.

Responding to the Member's suggestion, the Director of Human Resources explained that this was a policy decision taken by Members when the Localism Act came into force in 2011 and the distinctions on how the City Corporation determines its pay underlines the Statement. The Director advised that information could be extracted from the Statement, but this would identify staff.

The Comptroller and City Solicitor explained that this was a difficult issue noting that the City Corporation applied the Local Government Act across its functions even those which were private such as the schools and it would be difficult to split this out. He cited the example of staff, explaining that there were officers who spent the majority of their time on city's cash work and their contracts were those of local government with a local government pension. The Comptroller advised that whilst it was good to separate out where possible, it was difficult in practice especially with senior officers and this decision had been taken for the purpose of transparency.

Responding to the comments, the Member explained that they supported openness and transparency but there were practical difficulties that needed to be addressed and a process should commence to make the demarcation line where it was practical to enable clarity.

Discussion took place amongst Members and the following comments were made:

- If demarcation were to take place, would officers be placed on different terms and conditions depending on whether they worked on City's Cash or City's Fund. This would lead to confusion and would further complicate matters.
- To split out pay would create more bureaucracy; the Pay Statement reflected what the City Corporation does, particularly around pensions and this was already complicated.
- It was suggested that hyperlinks be included in the document where details such as the gender pay gap were reported.
- In response to a Member's query on London Weighting, the Director of Human Resources explained that this applied to all grades, but there was an Inner London Weighting and Outer London Weighting applied depending on the location of staff.

- Short discussion took place on whether the Establishment Committee should approve the pay increases for teachers as per its Terms of Reference or whether the Committee had delegated this authority to the Boards of Governors. The Chair asked the Town Clerk to look at past minutes to see whether formal approval had been given by the Committee.

The Director of Human Resources responding to the discussion explained that the issue would be separating out staff, noting that in the past it had been presumed to be a 60/40 City Fund/City's Cash split and only 60% of salary information was published but this was changed to 100% due to improve transparency.

RESOLVED – That the Committee agree the draft Pay Policy Statement 2019/20 to ensure the City Corporation meets its requirements under the Localism Act 2011, to enable it to be forwarded to the Policy and Resources Committee and Court of Common Council for further necessary approvals.

8. **BREXIT UPDATE**

The Director of Human Resources provided the Committee with an update on Brexit explaining there were no further changes regarding staffing issues. Those currently employed would be supported to achieve settled status and a communications launch was due to take place updating staff on the proposals for current employees who were EU citizens. The Director explained that the Home Office had advised they would not seek to reidentify the right to live and work in the UK if this had already been done and this would be included in the communications to staff.

The Director added that Brexit meetings were taking place each week with the Town Clerk and Chief Officers to discuss issues such as recruitment of new staff from 2021. The Director cited the Spanish vets as an example noting that they were qualified to undertake inspections at the Ports and UK institutions did not offer those qualifications.

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

There were no questions in the public session, but a Member advised that he would raise two questions in the confidential section of the meeting.

10. **ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT**

The Committee received a report of the Chief Grants Officer and Director, City Bridge Trust which provided a progress update on the Social Mobility Strategy for 2018-28. The Chair explained that they had requested this be circulated to Members for their information as it was relevant to the Committee.

RESOLVED – That the Committee note the report.

11. **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.

Item	Paragraph
12	1,2,3,4,5
13,14	3
17	1,2,3,4
18,19	1,2
20	1

12. NON-PUBLIC MINUTES

The non-public minutes of the meeting held on 3 December 2018 were approved.

13. OUTSTANDING ACTIONS REPORT

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

14. GUILDHALL WORKPLACE UTILISATION PROGRAMME - APPENDICES

The Committee received the non-public appendices to the Guildhall Workplace Utilisation Programme report at Item 5 of the agenda.

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

There were no questions.

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

There were no items of urgent business.

17. CONFIDENTIAL MINUTES

The confidential minutes of the meeting held on 3 December 2018 were approved.

18. STAFFING MATTERS - ADDENDUM

The Committee considered a report of the Chamberlain regarding staffing matters.

19. STAFFING MATTERS

The Committee considered a report of the Town Clerk regarding staffing matters.

20. STAFF APPEAL REPORT

The Committee received a report of the Director of Human Resources which summarised a recent Staff Appeal.

21. TOWN CLERK'S UPDATE

The Town Clerk provided the Committee with an oral update.

The meeting ended at 12.59 pm

Chair

**Contact Officer: Sacha Than
tel. no.: 020 7332 3419
sacha.than@cityoflondon.gov.uk**