

ESTABLISHMENT COMMITTEE
Thursday, 17 September 2020

Minutes of the meeting of the Establishment Committee held at Guildhall on
Thursday, 17 September 2020 at 11.00 am

Present

Members:

Deputy Edward Lord (Chair)
Tracey Graham (Deputy Chairman)
Randall Anderson
Deputy Keith Bottomley
Alderman Sir Charles Bowman
Henry Colthurst
Karina Dostalova
Deputy Kevin Everett
The Revd Stephen Haines
Sheriff Christopher Hayward
Deputy Jamie Ingham Clark
Jeremy Mayhew
Deputy Elizabeth Rogula
Ruby Sayed
Deputy Philip Woodhouse

Officers:

Chrissie Morgan	- Director of Human Resources
Michael Cogher	- Comptroller and City Solicitor
Marion Afoakwa	-
Janet Fortune	- Town Clerk's Department
Tracey Jansen	- Human Resources
Peter Young	- City Surveyor's Department
Sean Green	- Chamberlain's Department
Nathan Rodgers	- Media Officer
Lorraine McLennan	-
Amanda Lee-Ajala	-
Tim Fletcher	-
Colette Hawkins	- HR Business Partner, Town Clerk's

1. APOLOGIES

An apology for absence was received from Sylvia Moys.

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

There were no declarations of interest.

3. **ORDER OF COURT OF COMMON COUNCIL**

The Committee received the Order of the Court of Common Council from Thursday, 16th July 2020 appointing the Establishment Committee for the 2020/21 civic year.

4. **ELECTION OF CHAIR**

In accordance with Standing Order 29, Deputy Edward Lord was elected Chair of the Establishment Committee for the ensuing year.

Deputy Lord thanked Members for their continuing support and looked forward to working with them in the upcoming year.

5. **ELECTION OF DEPUTY CHAIRMAN**

In accordance with Standing Order 30, Tracey Graham was elected Deputy Chair of the Establishment Committee for the ensuing year.

The Deputy Chair welcomed the confidence shown in her candidacy by fellow Members and gave particular thanks to the decision taken by the former Deputy Chairman, Deputy Kevin Everett, that in the interests of diversity, he chose not re-stand for the role.

The Deputy Chair added that she looked forward to working hard with the Chair, in support of the work of the Committee, in what would be a very important and challenging year for the Corporation.

The Chair welcomed Ms Graham's election to the role and very much looked forward to working with her over the upcoming year.

The Chair recorded their special thanks to Deputy Kevin Everett for his hard work, particularly behind the scenes, as Deputy Chairman of the Committee for the past 15 months.

The Chair welcomed Henry Colthurst and Karina Dostalova to the Committee.

6. **MINUTES**

RESOLVED – That the public minutes of the meeting held on 8th July be approved as an accurate record.

7. **JOINT P&R AND ESTABLISHMENT COMMITTEE MEETING MINUTES**

RESOLVED – That the public minutes of the joint Establishment Committee and Policy & Resources Committee meeting held on 20th July be approved as an accurate record.

8. **APPOINTMENT OF THE JOINT CONSULTATIVE COMMITTEE**

After requesting expressions of interest, it was

RESOLVED – that the following appointments be made to the Joint Consultative Committee for 2020/21:-

- The Chair;
- The Deputy Chair;
- Randall Anderson;
- Deputy Keith Bottomley;
- Deputy Kevin Everett;
- Jamie Ingham Clark
- Ruby Sayed; and
- The Finance Committee representative, Jeremy Mayhew.

9. **APPOINTMENT OF THE SENIOR REMUNERATION SUB COMMITTEE**

After requesting expressions of interest, it was

RESOLVED – that the following appointments be made to the Senior Remuneration Sub- Committee for 2020/21:-

- Chair of the Establishment Committee (Chair of the Sub Committee);
- Deputy Chair of the Establishment Committee;
- Chair of the Policy and Resources Committee (Deputy Chair of the Sub Committee, subject to confirmation by the Policy and Resources Committee);
- a Deputy Chair of the Policy and Resources Committee – subject to confirmation by the Policy and Resources Committee)
- Chairman of the Finance Committee (see below)
- Chairman of the General Purposes Committee of Aldermen;
- Karina Dostalova;
- Deputy Kevin Everett;
- Sheriff Christopher Hayward;
- Deputy Jamie Ingham Clark;
- Ruby Sayed; and
- The Finance Committee representative, Jeremy Mayhew

10. **INTERIM REPORT ON TACKLING RACISM**

The Committee considered a Report of the Town Clerk concerning the Tackling Racism Taskforce.

Co-Chair of the Tackling Racism Taskforce, Caroline Addy, attending today's meeting as a guest of the Committee, updated Members on the work that has been undertaken by the Taskforce to date. This had been channelled across three key workstreams, namely; Employment and Staffing issues, Culture, and Governance. Given its internal focus, the Taskforce were keen to begin its work by concentrating on reform and actions in relation to Employment and Staffing. This has been followed by examining the Culture in the City, most notably via the public consultation focussing on the statues and place names with

connections to the slave trade and colonialism. Work is also underway to improve governance structures and behaviours; the Co-Chair highlighted one of the appendices to today's Report which sets out guidance for Chairs, Members and Officers when talking about racial inequality.

The Co-Chair emphasised that whilst the Taskforce's final Report was due to be submitted in December, Members of the Taskforce were keen to ensure that momentum was maintained, and they would continue to review and audit how their proposals had been implemented post-December.

The Co-Chair added that a meeting of the Taskforce had taken place earlier today, with Members from the wider Court in attendance (including several Members of the Establishment Committee); this had generated a fruitful discussion.

Finally, the Co-Chair expressed her formal thanks to Emma Cunningham for her work in support of the Taskforce.

Members thanked the Co-Chair for her comments and raised several queries:

In response to a question on whether the Taskforce was adequately resourced, the Co-Chair responded that, currently, the group had managed to avoid being overly bureaucratic and they were "fine as we are"; however, whilst she was conscious that resources would be tight in 2021 and onwards, suggested that a greater level of resources may well be needed, once we begin to look at implementing the practical actions further down the line.

In response to a query around how the Taskforce was promoting the survey to the widest audience possible, the Co-Chair informed Members that news of the survey had attracted an impressive response from local, national, and international media. The Taskforce had contacted several bodies with either stewardship or a specific understanding of the of local statues and monuments, including: the Guildhall Art Gallery, the London Metropolitan Archive, and the Deputy Mayor (GLA) for Culture and the Creative Industries.

In addition, the Taskforce was liaising with the Corporation's BAME staff network and other external BAME networks across the City.

Whilst offering the Taskforce as a hub, the Co-Chair encouraged Members of the Committee to circulate the survey link to any groups or individuals they thought appropriate, including the Livery Committee.

The Co-Chair also welcomed the Deputy Chair of the Committee's suggestion to update the Financial Conduct Authority about the Taskforce's work. In July,

the FCA had communicated to all banks and financial firms talking to this very point; so it would be useful to see highlight our work and see whether it could complement their efforts and vice versa.

RESOLVED – that Members:

- Noted the contents of this report and the direction of travel of the Tackling Racism Taskforce;
- Noted that an increase in departmental training budgets will be required and a more detailed recommendation will be submitted to the Establishment and Policy and Resources Committees in due course;
- Noted the draft revised Bullying and Harassment Procedure in Appendix 3;
- Approved that anonymised recruitment be rolled out across the City of London Corporation at all grades;
- Approved that a programme of mentoring and reverse mentoring, as piloted in the Department for Built Environment, be rolled out across the City Corporation in the first instance to staff from the most underrepresented groups.

11. TACKLING RACISM TASKFORCE - STAFFING UPDATE

The Committee considered a Report of the Director of Human Resources concerning employment work priorities arising from the Tackling Racism Taskforce (TRT) at its meeting on 13 July 2020.

Officers provided a brief introduction, and asked Members to note that the Bullying and Harassment Procedure was, in fact, on today's agenda for consideration.

In addition, officers confirmed that work was being undertaken to present Members with scoped out options for training budgets. To provide a snapshot on current thinking, spending had been estimated at £500 per staff member (£2 million total).

An officer added that training budgets in general would be considered more widely in 2021, as given departmental changes over recent years, these budgets were now somewhat out of kilter.

In response to a query around how positive changes would be tracked and reported in the future, officers confirmed that the Equality and Inclusion Board

had been looking in-depth at how KPIs could be reformed so as to provide Members with a much more robust and accurate picture of how well the Corporation was performing. The updated KPIs would be submitted to the Establishment Committee at its 9th December meeting.

Members raised queries around the term “safe space”. Officers informed Members, that in response to staff asking for “safe spaces” to raise concerns, a specific group of 20 staff members from across the board, has been established. These individuals will receive training to be confidential advisors, effectively by listening and counselling those colleagues who require their guidance/help, it was important to emphasise that these individuals will not replace Human Resources or the union representatives, but they will be someone to speak to in the same way as we would offer confidential one-to-one help for, for example, mental health or health and safety issues. 20 staff have been recruited, which should give full coverage throughout the year for any staff Member looking for a confidential advisor. The group would not be defined as a “safe space”, officers are currently examining other terminology and would update Members in due course.

RESOLVED – that Members:

- Noted that an increase in training budgets will be required and a more detailed recommendation will be submitted to the Establishment and Policy and Resources Committees in October 2020.
- Endorsed the Confidential Advisors Scheme being implemented across the City Corporation
- Approved that anonymised recruitment currently in place for senior positions be rolled out across the City of London Corporation at all grades.
- Noted that a programme of mentoring and reverse mentoring, as piloted in the Department for Built Environment, is rolled out across the City Corporation in the first instance to staff from the most underrepresented groups.
- Note the proposed peer review/equality challenge of the Equality and Inclusion action plan and performance assessment.

12. **RETURN TO THE WORKPLACE**

The Committee received a joint Report of the Chamberlain, the Town Clerk and the City Surveyor concerning a Roadmap to a return to Guildhall.

The Chair clarified that, whilst marked as a non-public item, this Report should be considered in public and displayed as such on the online agenda.

Officers provided a brief introduction. They made the following points:

- the work being undertaken to return stakeholders to the Guildhall (and the other Corporation sites) focusses on three principles:

- Staff, Member and visitor safety (fire, security, H&S)
 - The buildings are Covid-Secure
 - The benefits of the new ways of working are captured and embedded for the longer term
- A balance is struck between implementing the measures that are required across the Corporation's estate and avoiding unnecessary "gold plating".
 - The Department for Work & Pensions were fined by the Health and Safety Executive for safety breaches at their Leeds site.
 - The Corporation's Health and Wellbeing Board met yesterday, the Board made a point acknowledge and thank staff for the work that had been put in to ensure the Guildhall (and other sites) were now Covid secure and risk assessed.
 - From an IT perspective, a lot of work was going into planning for the longer term, officers were examining what tools and strategies would be needed in the post-covid era, with the 9-5, five-day-a-week routine unlikely to be revived for a great number of staff.
 - The Committee Services team was working closely with colleagues in City Surveyors and Chamberlains (IT) to get hybrid meetings up and running effectively.

Several queries were raised by Members:

A Member asked why there had been a reduction in the number of printers available across Guildhall. The Director of IT responded that the decision had been made in order to ensure people did not congregate around the printers (pre-covid, two printers would usually be stationed next to each other). Members responded that this made little sense, as demand would surely then increase at the fewer remaining printers; they proposed retaining the pre- covid number of printers but separate them to be stationed at more distant locations across the site. In addition, Members were concerned that a reduction in printers amounted to a way of ultimately cutting down on the use of paper; whilst we did need to be aware of the amount of paper printed, it was still important to give Members the option of having hard or soft copies of the agenda packs.

A Member expressed his disappointment of the lateness of the paper, and the lack of substance about how we, as the Corporation, were going to deal with the biggest challenge to employment since the financial crisis. Officers needed to grasp the urgency of this, residents and businesses expected us to take the lead in returning people, in a safe and appropriate manner, back to the office. The Chair reiterated that the vast majority within the workforce have, throughout the crisis, been working entirely properly from their place of work or from home. They wanted to avoid any measure that, in effect, forced staff to get back onto public transport if they can work just as effectively from home; in

short, presenteeism was to be avoided. Furthermore, it was clear that even after the crisis abates, radical change as to how and from where work takes place is inevitable, so it was now incumbent upon senior officers and Members to begin to sketch out a strategy about the longer term.

The Deputy Chair encouraged officers and Members to take a more strategic focus, a useful way forward would be to co-ordinate our own approach with others in the City. She suggested that the Director of Human Resources should liaise with other HR heads across the City to come up with a roadmap plan which could then inform and provide leadership to the local business and resident community.

A Member welcomed this approach and queried whether the Corporation had, hitherto, shown enough broad leadership in this area – the biggest responsibility for the Corporation over the coming 18 months was to ensure a safe return for the bulk of the working population of the City.

In response to a query, the City Surveyor confirmed that the demand for space/desks etc was being met (the approximate occupancy was around 20% of pre-covid levels) and capacity would continue to be there for those that want to come back to Guildhall. In addition, he noted that the exit from Guildhall could, from a logistical standpoint, be smoother, and potentially utilise COTAG. He informed Members that the process for getting people into the building would be moving from a manual to a digital approach (utilising both Condeco and COTAG) in the coming weeks.

A Member informed the Committee of the discussion on this item which had taken place the previous day at the meeting of the Efficiency & Performance Sub-Committee. Reiterating earlier comments, the concern was that the Report lacked pace and the efforts, so far, did not show leadership to the rest of the City. Whilst recognising that the safety of public transport was key, it should, in the interests of displaying leadership, become a matter of habit for most people to come back into the office for a set number of days per week.

The Chief Commoner asked about the status of the Committee Rooms; in response officers confirmed that, after some delays, the rooms were currently being refurbished, with the new technology to enable hybrid meetings being installed; it was anticipated that this would be completed by the end of November. It was important to keep in mind that the meetings needed to be delivered in a Covid safe manner and this would limit capacity, with for instance, a maximum of 10 members able to sit in the biggest room (3 and 4 combined). Ultimately, the prevalence of Covid will determine the numbers able to come into physically attend the meetings.

Going forward, once hybrids are available in the committee rooms, we will continue to operate an access procedure (to ensure the building is both covid secure and fire regulations are adhered to), it is likely that the system will be on the basis of “first come, first served”. It was added that the Committee Services team are returning to Guildhall with a rota in operation to ensure a minimal number of staff are present daily to assist Members.

A Member informed the Committee that officers were currently looking at the larger spaces across the Guildhall complex (i.e. those rooms and areas bigger than the Committee rooms in the West Wing) to potentially hold meetings in, but, that tech would need to be installed if Members decided to proceed with any of them.

The Member stressed that he was disappointed with the pace of action - some of the measures contained in the Report “should have been done and dusted six weeks ago”. It was now important to begin to map out expectations around the “next normal” – particularly the implications for office space. He added that Managers should be the ones to decide when it was appropriate to bring people back to Guildhall, and Members should avoid pressuring them to do so whilst the risk factor was still high.

Finally, a Member raised concerns about the costs to officers of coming into Guildhall – if, as expected we moved to a more flexible working pattern on a permanent basis, rail season ticket prices would need to reflect these changing patterns. He encouraged officers and fellow Members to reach out other bodies in both the public and private sectors in London to begin to make a broad-based case for greater flexibility.

RESOLVED – that Members noted the Report.

13. BREXIT UPDATE

The Director of Human Resources informed Members that she had no further update to make at this time.

14. BAN THE BOX

The Committee considered a Report of the Director of Human Resources concerning “Ban the Box”

Natasha Lloyd-Owen, attending the meeting as a guest of the Committee, expressed her delight that Members were now at a point where this policy can be implemented. It offered the Corporation an opportunity to be a trailblazer in this area, and, given the disproportionate number of BAME individuals with a criminal conviction relative to the population as a whole, implementation of the policy would be a welcome and positive development to sit alongside the other proposals that were currently being considered by the Tackling Racism Taskforce.

The Chair indicated their support for the policy and thanked Ms Lloyd-Owen for her sterling efforts in ensuring that this was now ready for Members to consider implementing.

The Deputy Chair reiterated the Chair's thanks to Ms Lloyd-Owen and, after querying whether officers would have enough support and guidance on next steps if a conviction did come to light, she was reassured that once selected for interview, applicants would be required to complete a self-disclosure form; at that point, if a conviction did come to light, a risk assessment would be undertaken. The aim of the policy was to remove any sub-conscious biases of the employer at the selection stage.

If a conviction came to light when a self-disclosure form was submitted, officers would need to exercise judgement on whether the nature of the offence merited further action; clearly, some offences (e.g. safeguarding and financial crime) were more serious than others.

In response to a separate query, officers confirmed that, after internal consultation, the schools and those departments with DBS posts would not be signing up to the policy, and offences would still need to be declared by candidates at the point of application.

RESOLVED - Members approved the implementation of the "Ban the Box" scheme and that authority is delegated to the Director of Human Resources to approve the revisions to the relevant policy, procedure and guidance documents cited in the report.

15. **BULLYING & HARASSMENT PROCEDURE**

The Committee considered a Report of the Director of Human Resources concerning the Corporation's Bullying and Harassment procedure.

In response to a query, the Chair confirmed that the procedure applied to staff only. Member – staff relations was captured under the Member – Officer protocol.

In response to concerns that the document was too long and at times vague, officers explained they always aimed to keep policies and procedures short, digestible and practical, however, this specific document did need more detail set out so as to capture the whole grievance procedure. Officers stressed, however, that this was a draft iteration and they would try to cut down on the word count as well as making things more concrete with the finalised version.

Members were concerned that not enough focus was being given to whistleblowing, officers advised that employees were perfectly within the rights to raise issues such as bullying or harassment with senior officers outside of their own department or HR but that ultimately it was preferable from an employment law perspective to deal with those types of issues under the Employee Handbook procedure which, in effect, channels individual to raise personal issues with their manager(s) or HR in the first instance. The Director of HR and the Comptroller stressed, however, that whistleblowing had a very important role to play when it came to reporting issues such as health and safety breaches, fraud, or safeguarding concerns where the public interest was clearly under threat.

Officers confirmed that they will examine whether volunteers should be covered in the scope. It was felt that this was logical and practical step. The procedure still needs to be finalised and this point will be highlighted.

RESOLVED – that Members delegated authority to the Town Clerk, in consultation with the Chair and Deputy Chair, to approve the Bullying and Harassment Procedure at Appendix 1, subject to reviewing responses made to the wider stakeholder and formal trade union consultation.

16. ANNUAL WORKFORCE PROFILE REPORT 2019-20

The Committee received a Report of the Director of Human Resources concerning the annual workforce profile.

RESOLVED – that Members noted the Report.

17. REVENUE OUTTURN 2019-20

The Committee received a joint Report of The Town Clerk, the Chamberlain, and the Comptroller & City Solicitor concerning the revenue outturn.

RESOLVED – that Members noted the Report.

18. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE

There were no questions.

19. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

The following item of urgent business was raised –

The Lisvane Review

The Chair highlighted that the findings of the Lisvane Review had been published in the past week; the Review proposed the abolition of the Establishment Committee.

The Chair suggested that today was not the right time to scrutinise the Review, but that the Committee should come back to it a later meeting in 2020 for a further discussion.

For Member's information, the Chair asked the Committee clerk to circulate Establishment Committee's collective contribution to Lisvane.

20. 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.

21. NON-PUBLIC MINUTES

The non-public minutes of the meeting held on 8th July 2020 were approved.

22. FLU VACCINATIONS - COMMUNICATIONS FOR AUTUMN/WINTER

The Committee received an oral update from the Director of Communications concerning messaging around the Corporation's offer to reimburse the cost to officers and Members for their winter flu jab vaccinations.

23. **STAFF CHRISTMAS LUNCHEONS**

The Chair updated Members on the topic of the staff Christmas luncheon.

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

There were no questions.

25. **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.

26. **CONFIDENTIAL MINUTES**

The confidential minutes of the meeting held on 8th July were approved.

27. **JOINT P&R AND ESTABLISHMENT COMMITTEE MEETING CONFIDENTIAL MINUTES**

The confidential minutes of the joint P&R and Establishment Committee meeting held on 20th July were approved.

Officers acknowledged that slippage had occurred around the deadline of 30th September, for Establishment Committee to receive reports on:

- a) options for any staff and structural reorganisation necessitated by the Fraser Review;
- b) detailed proposals in respect of the implementation of the recommendations of the Maclean Partnership's independent management review, and;
- c) draft governance and funding protocols for the Corporation's autonomous institutions, clarifying the reporting relationships and funding arrangements

Work was being carried to ensure these Report and an update on the TOM reached Establishment Committee members as soon as possible.

28. **MARKET FORCES SUPPLEMENT (1)**

The Committee considered a Report of the Chamberlain concerning a Markets Force Supplement for the Head of Police Authority Finance.

Whilst Members commended Ally Cook's performance, they were cautious about extending the MFS for a whole year without a proper review point after 6 months. This was to ensure good practice and to avoid setting an unhelpful precedent with other similar MFS requests.

RESOLVED – that Members approved the request to extend the FTC for the role, and

consequently, the MFS, in principle, for a further one year at a cost of £32,040, with a mid-year review point/break clause at five and half months.

29. **MARKET FORCES SUPPLEMENT (2)**

The Committee received a Report of the Town Clerk concerning a Market Forces Request for the Communications Director.

Whilst commending the Communication Director's performance since he joined the Corporation, it had become apparent that the position itself (and associated responsibilities) was now out of kilter with the grade assigned to the role. An MFS was an inadequate and unsustainable solution. Officers responded that the Target Operating Model (TOM) would be looking at the entire grading structure, and it may well result in the Director of Communications role being upgraded to a higher-grade level, negating the need for future MFSs.

RESOLVED – that Members approved an increase to the current Market Forces Supplement of the Communications Director by £25,000, bringing the total Market Forces

Supplement to £38,130 with effect from 1st October 2020 for a period of 5 years. Members noted that this role (and others) will be considered as part of the TOM and the grade may change going forward.

The meeting ended at Time Not Specified

Chairman

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