

ESTABLISHMENT COMMITTEE

Tuesday, 26 February 2019

Minutes of the meeting of the Establishment Committee held at Committee Room -
2nd Floor West Wing, Guildhall on Tuesday, 26 February 2019 at 11.30 am

Present

Members:

| | |
|---|--------------------------|
| Deputy Edward Lord (Chair) | Sylvia Moys |
| Deputy the Revd Stephen Haines (Deputy Chairman) | Deputy Joyce Nash |
| Randall Anderson | Barbara Newman |
| Sir Mark Boleat | Deputy Elizabeth Rogula |
| Deputy Keith Bottomley | Alderman William Russell |
| Deputy Kevin Everett | Ruby Sayed |
| Christopher Hayward | Deputy Philip Woodhouse |
| Deputy Jamie Ingham Clark | |

In Attendance

Natasha Lloyd-Owen

Officers:

| | |
|-----------------|--|
| John Barradell | - Town Clerk and Chief Executive |
| Angela Roach | - Town Clerk's Department |
| Kristina Drake | - Town Clerk's Department |
| Kate Smith | - Town Clerk's Department |
| Sacha Than | - Town Clerk's Department |
| Matthew Lock | - Chamberlain's Department |
| Michael Cogher | - Comptroller and City Solicitor |
| Jon Averbs | - Markets & Consumer Protection Department |
| Gavin Stedman | - Markets & Consumer Protection Department |
| Chrissie Morgan | - Director of Human Resources |
| Marion Afoakwa | - Human Resources Department |
| Janet Fortune | - Human Resources Department |
| Tracey Jansen | - Human Resources Department |
| Colette Hawkins | - Human Resources Department |

The Chair welcomed Christopher Hayward to his first meeting of the Committee.

1. APOLOGIES

Apologies for absence were received from Jeremy Mayhew 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 16 January 2019 be approved as an accurate record.

Matters Arising

Terms of Reference

A Member noted that at the previous meeting of the Committee it had been agreed for the Chair of the Policy and Resources Committee to become an ex-officio Member of this Committee and this would create an additional ten meetings per year to her already significant workload. Whilst the Chair explained that the Chair of Policy and Resources had been party to this decision, the Member advised they would raise this at the forthcoming Policy and Resources Committee meeting.

The Chair advised that as the topic had been raised, he would provide an update with regards to what had transpired at a recent meeting of the Finance Committee. The Chair reminded Members that the decision had also been taken at the January 2019 meeting for the Chairman of Finance to be made an ex-officio Member of the Establishment Committee with the expectation this be reciprocated for the Chair of (the Establishment Committee) to become an ex-officio Member of the Finance Committee.

However, at the February meeting of the Finance Committee, the Chairman encouraged the Committee to vote against this reciprocity. A Member advised they had been present at that meeting and explained that the Chairman of Finance had not conveyed what had been agreed at the Establishment Committee, therefore he had spoken in support of the Chairman's opposition to the appointment. However, having been made aware of the facts he had subsequently withdrawn his remarks, and had written to the Chair of Policy and Resources asking that the (Policy and Resources) Committee overturn the decision of the Finance Committee at their March meeting.

Members noted this raised the point of reciprocity and collaboration in general, advising that it would be useful for the Policy and Resources Committee to consider all ex-officio arrangements that were currently in place. A Member added that when ex-officio appointments were made, there was a question as to whether when the Member spoke at Committee they were conveying their own views or those of the Committee.

The Committee asked that a note of this discussion be provided to the Policy and Resources Committee for information.

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. **BREXIT UPDATE**

The Director of Human Resources provided an update in respect of Brexit advising that there were no short-term issues. City of London Corporation staff in the Brussels office could remain in place until 2020 under the current arrangements. It was currently unknown what would happen beyond 2020 however it was expected that a regulatory framework would be developed for then. The Human Resources Department had been developing a set of Brexit related FAQs for staff which would be posted on the intranet and Chief Officers were identifying critical posts which may be affected by Brexit.

6. **HEADLINE RESULTS OF THE 2018 EMPLOYEE ENGAGEMENT SURVEY**

The Committee received a joint report of the Town Clerk and Director of Human Resources which presented the headline findings of the 2018 City of London Corporation (the Corporation) employee engagement survey.

The Town Clerk gave a presentation to the Committee which set out the highlights of the survey and the proposed action plans. It was explained that there had been a very good response rate of 62%. The survey had shown there were areas where the Corporation had scored extremely well, areas where there was ambivalence amongst those who had responded and areas which had scored poorly and where action would need to be taken. The Town Clerk advised of next steps; the findings from the 2018 employee engagement survey would be used to help improve communication, leadership and collaboration across departments. Departmental action plans would be developed to address issues identified in the survey.

The Town Clerk highlighted the importance of the work arising from the staff survey results noting the difference in responses from those based at the Guildhall complex and those who worked in other areas. It was suggested that given the complexity of the results a workshop be held for Members of the Establishment Committee to look at this further.

During discussion Members made the following comments:

- With regards to the responses received around senior leadership it was noted that 50% of respondents believed senior managers had a clear vision, but only 29% believed change was being managed effectively. As the statistics were high level and fuller details had not been provided; this should be a topic for further discussion at the workshop.
- Continuing the discussion around leadership; a Member queried whether any guidance had been provided within the survey as to who should be classified as senior management. A Member asked that going forward, the performance assessments of leaders include measures from the survey.
- A Member commented that the action plans should focus on enhancing collaboration and breaking down silos within the organisation.

- Members noted the low scores given to elements such as pay, poor performance and senior leadership. It was asked whether there were any individual departments where there might be specific issues.
- A Member commented that the percentages relating to the questions on whistleblowing and safeguarding should be higher as those were areas where people should feel protected.
- A Member queried the response rate to the previous staff survey which had been conducted nine years ago.
- A Member asked whether staff would have the opportunity to input into the strategy and when staff would be able to address the issues that had arisen.

Responding to the discussion and questions raised, the Town Clerk explained that:

- With regards to change management, there had been a high percentage of respondents who advised they did not know/were unsure to the questions posed therefore this group of people should also be considered when looking at the statistics. The proposed workshop would be useful for Members and officers to look further at this level of detail.
- It was suggested that the level of pay and comparisons with other organisations/local authorities also be considered at the workshop.
- The definition of senior leadership should be considered when looking at the statistics as based on the guidance provided this section of the survey could refer to any level of manager within the City Corporation. However, this area would need further consideration and performance appraisals would be looked at as a potential measure of both good and poor behaviour.
- Responding to the question regarding the response rate to the staff survey conducted nine years, it was confirmed that this was 48%.
- In response to the point made around safeguarding, Members were advised that the wording of the question was critical when considering the responses received. The number of people who had answered they did not know *should the need arise for them to access those policies* should be taken into account.
- In response to a Member's questions on the level of respondents to the survey when compared with the previous survey. The Town Clerk agreed to look into the detail of this and respond to the Member directly.

A Member asked the Director of Human Resources for their thoughts on the responses received in relation to how poor performance was managed. The Director explained that this would need to be looked at in more detail with comparisons of the responses submitted alongside the work carried out such as grievances, appeals, etc. The Director advised it would be helpful to conduct workshops with staff to find out more behind the responses.

The Chair thanked the Committee for a helpful discussion and for their agreement to hold a workshop on this matter. It was asked that the presentation be circulated to all Members of the Committee for information.

RESOLVED – That:

- a) the Committee note the headline findings of the employee engagement survey;
- b) a workshop focussing on the staff survey results be organised; and
- c) the presentation be circulated to all Members of the Committee.

7. **PROTOCOL ON MEMBER OFFICER RELATIONS**

The Committee considered a joint report of the Comptroller and City Solicitor and Director of Human Resources which sought approval of the revised Protocol on Member/Officer Relations for onward approval by the Court of Common Council.

The Chair provided officers with a number of minor amendments to the Protocol and it was agreed that subject to those amendments the document should be put before the Court of Common Council for final approval.

A short discussion took place during which the Chair clarified that the Establishment Committee held responsibility for the Protocol document and the reason behind the two Aldermen being referenced within the introduction of the document was because the responsibility for upholding this Protocol resided with both the Chairman of the General Purposes Committee of Aldermen and the Chairman of the Privileges Committee of the Court of Aldermen.

RESOLVED – That the Committee review the Protocol on Member/Officer Relations and endorse the amendments proposed by the Standards Committee and include the amendments proposed by the Chair of the Establishment Committee for onward approval by the Court of Common Council.

8. **EQUALITY AND INCLUSION - UPDATE**

The Committee received a report of the Director of Human Resources which provided an update on equality and inclusion initiatives and set out the pay gap differential with regards to ethnicity and disability.

The Chair advised that the report before Members sought funding of £1000 for participation in the Parade, but this should be amended to £1300 and the sum would be provided from the Committee's 2018/19 Contingency fund. In response a Member queried why the costs had increased and the Chair explained that the costs remained the same, however the Staff Network had previously used their own budget to cover participation in the Parade. The Chair also advised that the City Corporation was encouraging the Staff Networks to think of opportunities they might be interested in order for the expenditure to be spread equitably.

Discussion took place on the ethnicity and disability pay gap during which the following comments were made:

- A Member noted that the gender pay gap snap shot as set out in the report was two years old and asked that more recent information be provided. The Director of Human Resources responding advised that more recent information was being prepared and would be presented to

the Committee mid-year. The Committee asked that this information be presented as expeditiously as possible.

- A Member noting the complexity of the data suggested that a statistician be employed to provide analysis.
- A Member observed that the statistics around ethnicity and disability were concerning and raised the following points:
 - Analysis and clarification of the statistics would be needed. It was asked that the strategy to address the pay gaps be provided to Members.
 - In the report before Members it was explained that employees in the lower quartile were casual employees and less likely to enter their ethnicity and disability information on City People. It was asked what the City Corporation could do to address this.
 - The Guildhall complex even with the recent works which had taken place was still difficult to navigate for those with mobility issues and this was an area which should be considered.
 - It was asked whether Members could access the Equality and Inclusion Training as detailed in the report.

Responding to the points raised the Director of Human Resources advised that:

- The data provided within the report was raw and analysis would need to be carried out to find out the reasons behind the disparities.
- Initiatives were taking place which looked at the City Corporation's recruitment processes and how to attract and recruit people. An Attracting Talent workshop had already been carried out and a new recruitment campaign to promote the City Corporation as an inclusive and welcoming employer would go live within a month.
- In relation to obtaining monitoring information, the City Corporation had already run campaigns encouraging staff to respond and provide these details.
- Discussions were taking place with the City Surveyor as to how improvements could be made to the Guildhall for those with mobility issues.
- All Members had access to the City Corporation's online training which could be found via the intranet.

RESOLVED – That the Committee:

- note ethnicity and disability pay gaps and plans to develop and consult on an action plan to redress any imbalances;
- note the update and proposed schedule from the Diversity and Business Engagement (D&BE) Lead Officer with particular attention to the Stonewall Diversity Champions section and Diversity Networks;
- note the general equality and inclusion update;
- note and support City Pride's participation at Pride London Parade on 7 July 2018; and

- agree to fund the cost of participating in the Parade from the Establishment Committee 2018/19 Contingency fund of up to £1300 for the entry cost of £800 and any further associated expenses.

9. **SENIOR REMUNERATION SUB-COMMITTEE MINUTES**

The Committee received the draft public minutes of the Senior Remuneration Sub-Committee meeting held on 31 January 2019.

RESOLVED – That the Committee note the minutes.

10. **RESULTS OF THE FLU JAB PILOT SCHEME**

The Committee considered a report of the Director of Human Resources which sought approval of a scheme to provide free flu vaccinations for all officers and Members.

RESOLVED – That the Committee:

- approve the recommendation to operate this scheme for officers in the same way as eye and eyesight tests are reclaimed, and for Members to reclaim via the Committee and Members Services team; and
- approve the recommendation that the maximum cost that can be reclaimed is £15.

11. **FINAL DEPARTMENTAL HIGH-LEVEL BUSINESS PLANS 2019/20**

The Committee considered a report of the Town Clerk, Comptroller and City Solicitor, and Director of Human Resources which sought approval of the final 2019/20 high level business plans for the Town Clerk's Department (Corporate and Member Services), Corporate Human Resources and the Comptroller and City Solicitor's Department.

RESOLVED – That the Committee approve and provide feedback on the final high-level Business Plans for 2019/20 for the Town Clerk's Department (Corporate and Member Services), Corporate HR and the Comptroller & City Solicitor's Department.

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

Ban The Box

The Chair welcomed Member of the Court Natasha Lloyd-Owen to the meeting who asked the following question;

Would the City Corporation increase its inclusive recruitment practices by becoming a 'ban the box' employer and removing barriers to employment for people with criminal convictions by:

1. removing requests for disclosure of unspent criminal convictions on its job application forms; and
2. evaluating the skills, abilities and persona of all candidates equally before asking about criminal convictions.

In response, the Director of Human Resources advised that this was an area which the City Corporation was looking into and a report would be brought before the Committee at a later date with information on how it might be implemented. It was noted that 75% of employers admit to discriminating against applicants with a criminal conviction; however, some roles required disclosure due to safeguarding needs therefore work was being undertaken to identify those roles in preparation of recommendations.

Members suggested that officers liaise with City firms who had already undertaken this work, it was also observed that it might be helpful to include the Sheriffs and the Old Bailey on this matter.

Members voiced their support on this issue.

Job Evaluation Process

A Member explained that the amount of time it took to complete the job evaluation process had been brought to their attention. In response the Director of Human Resources advised that whilst job evaluations could be lengthy if being considered as part of a departmental restructure. One of the main issues was if the evaluation did not result in the anticipated grade, this could then result in delays. The Director advised the Committee if there were any direct examples, she would look at them.

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

The Chair advised there was one item of business.

Pay Policy Statement

The Chair explained that within the Pay Policy Statement approved at the previous meeting of the Committee the definition of Senior Management within the Statement did not meet the legal legislative requirements and should therefore be considered by the Committee again.

The Committee considered a tabled amended report and agreed that the decision should be taken under delegated authority procedures.

RESOLVED – That approval of the revised Pay Policy Statement be delegated to the Town Clerk in consultation with the Chair and Deputy Chairman of the Establishment Committee in accordance with Standing Order 41(b).

14. **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 |
|-------------|-----------|
| 15,16,19,20 | 1,2 |
| 21 | 1,3 |
| 22 | 2 |
| 23 | 1,4 |

15. **NON-PUBLIC MINUTES**

The non-public minutes of the meeting held on 16 January 2019 were approved.

16. **OUTSTANDING ACTIONS REPORT**

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

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

There were no questions.

18. **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.

19. **CONFIDENTIAL MINUTES**

The confidential minutes of the meeting held on 16 January 2019 were approved.

20. **CHAMBERLAIN'S STAFFING MATTERS**

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

21. **PORT HEALTH STAFFING MATTERS**

The Committee considered a report of the Interim Director of Consumer Protection and Markets Operations regarding staffing matters.

22. **MARKET FORCES SUPPLEMENTS**

The Committee received a report of the Director of Human Resources regarding Market Forces Supplements.

23. **SENIOR REMUNERATION SUB COMMITTEE MINUTES**

The Committee received the confidential minutes of the last meeting of the Senior Remuneration Sub-Committee.

24. **TOWN CLERK'S UPDATE**

An update was given by the Director of Human Resources in respect of a recruitment campaign taking place.

The meeting ended at 1.06 pm

Chair

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