

ESTABLISHMENT COMMITTEE

Tuesday, 17 January 2017

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

Present

Members:

Edward Lord (Deputy Chairman)
Randall Anderson
Nigel Challis
Sheriff & Alderman Peter Estlin
Deputy Kevin Everett
Michael Hudson

Deputy Jamie Ingham Clark
Jeremy Mayhew
Sylvia Moys
Deputy Joyce Nash
Deputy Elizabeth Rogula
Philip Woodhouse

Officers:

John Barradell	-	Town Clerk and Chief Executive
Simon Latham	-	Town Clerk's Department
Sacha Than	-	Town Clerk's Department
Scott Nixon	-	Town Clerk's Department
Peter Kane	-	Chamberlain
Matthew Lock	-	Chamberlain's Department
Michael Cogher	-	Comptroller and City Solicitor
Chrissie Morgan	-	Director of Human Resources
Janet Fortune	-	Human Resources Department
Tracey Jansen	-	Human Resources Department
Neil Davies	-	Town Clerk's Department

The Chairman welcomed Michael Hudson to the Establishment Committee following his appointment by the Court of Common Council on 12 January 2017.

1. APOLOGIES

Apologies for absence were received from Deputy the Revd Stephen Haines (Chairman), Mark Boleat, Barbara Newman, 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

In response to a Member's query on the accuracy of item five, the Committee confirmed that the minutes were a correct record and summary of the meeting, but noted that certain matters concerning this item had changed subsequently.

RESOLVED – That the public minutes and summary of the meeting held on 1 December 2016 be approved as an accurate record subject to the following amendment;

- that Deputy Elizabeth Rogula's attendance details be amended.

Matters Arising

Special Representative to Asia

- (i) The Director of Human Resources informed Members that following the December meeting of the Establishment Committee, an appointment panel had been convened and following the interview, an offer of employment had been made for the post of Special Advisor (Asia) in the Economic Development Office. The details of the appointment had been circulated to all Members of the Court.

In accordance with Section 100(A) of the Local Government Act 1972, the Committee agreed to exclude the public at this point in order for further discussion to take place within the confidential session. With the exception of the Town Clerk and his officers, the Comptroller and City Solicitor, and the Director of HR and her representatives all officers and the public withdrew from the meeting during the discussion of this item.

Following consideration of this item, the public were readmitted to the meeting

- (ii) In response to a Member's question on the existence of a register of gifts and hospitality for Chief Officers, the Director of Human Resources confirmed that a register of gifts is kept in the Town Clerk's Department and has been regularly audited by Internal Audit. It was also confirmed that the register was available to all Members for inspection. It was noted that the Audit and Risk Committee included this in the internal audit work programme.

4. OUTSTANDING ACTIONS REPORT

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

The Chairman advised Members that a communication on Member Development had been circulated to the Establishment Committee from the Town Clerk's Department.

The Director of Human Resources explained to Members that whilst recording devices are not used for Staff Appeals at the Corporation, they had been used in the past. The Director of Human Resources further explained that although the Corporation asked staff not to record formal meetings, it was to be noted that there was an increase in the workplace in general, not just the Corporation, in staff recording other staff in informal conversations as 'evidence'. The Corporation discourages this practice but it is difficult to ban it, and Employment Tribunals, are increasingly accepting such 'evidence'.

RESOLVED – That the Committee note the report.

5. CITY OF LONDON CORPORATION STAFF SPORTS AND ACTIVITIES CLUB

The Committee considered a report of the Town Clerk which asked that funding continue to be provided to the City of London Corporation Staff Sports and Activities Club for the next three years and that the next review of funding take place after three years.

In response to a Member's question on the disparity of funding amongst the sports clubs, the Town Clerk confirmed that the level of funding given to the sport clubs is connected to the costs they had incurred. For example, some sports clubs incur higher costs for reasons such as pitch hire whereas other activities take place within the Corporation's premises and as a result the costs and the level of funding received for those clubs had been lower.

RESOLVED – That the Committee:

- a) Continue to provide funding to the City of London Corporation Staff Sports and Activities Club, at a reduced rate of £11,225 per year, for the next three years (2017-2019); and
- b) Agree that the next review of the funding take place after three years.

6. ACCOMMODATION AND WAYS OF WORKING

The Committee received a report of the Comptroller and City Solicitor which provided an overview of work carried out to date on the Accommodation and Ways of Working (AWoW) programme and highlighted potential concerns. The report set out three options for future ways forward for decision by the Policy and Resources Committee and the Projects Sub-Committee.

The Comptroller and City Solicitor explained that at the September Establishment Committee Members had suggested that certain elements of the programme be looked at in more detail including IT and whether senior officers would be included. Following this a project board had been convened of which he was Chairman which would keep the programme under review. The Comptroller and City Solicitor explained that a further report would be submitted to the Establishment Committee in the autumn of 2017.

In response to Members' questions on the timeframe for this programme, the Comptroller and City Solicitor explained that the success of the programme was dependent on the IT provision and the project would only move forward when this was in place. The Director of Human Resources further advised the Committee that the project board would be looking at the versatile mobile technology already in place at the City Corporation and how this could be used with small pilot trials taking place. A Member, also the Chairman of the IT Sub Committee, assured Members that the IT provision was a core part of the IT Transformation Programme, which was the IT Sub Committee's highest priority.

RESOLVED – That the Committee note the report.

7. APPRENTICESHIPS - EXPANSION OF THE APPRENTICESHIP PROVIDER SERVICE

The Committee considered a joint report of the Director of Community and Children's Services and the Director of Human Resources which provided information on the apprenticeship provider service and asked that approval be given to the proposed staffing structure with the creation of additional supporting roles.

The Chairman advised Members that the recommendation to approve the proposed structure of the apprenticeship provider service and additional supporting roles had been brought before the Community and Children's Services Committee on 13 January 2017 where Members expressed their concerns about the cost of the proposed structure.

In relation to the staffing structure, the Director of Human Resources explained that the City Corporation funded roles would provide an opportunity for staff seeking redeployment and the proposed roles should be offered on a fixed-term basis. The Town Clerk advised the Committee that the apprenticeship scheme should provide benefits not only to young people, but also to the City Corporation.

In response to a Member's question on the purpose of the proposed roles, the Director of Human Resources explained that although the apprentices would be managed on a day-to-day basis by City Corporation staff, the proposed roles would provide additional support such as recruitment and training.

Whilst acknowledging the importance and value of the scheme, a Member, also the Chairman of the Finance Committee suggested that future reports of this nature should, at the point of seeking agreement in principle, include associated costs for the purpose of clarity. The Chairman suggested that this point might be best considered by the Resource Allocation (Policy and Resources) Sub Committee.

RESOLVED – That the Committee:

- a) approve the proposed structure of the apprenticeship provider service; and
- b) approve the additional supporting roles which would be offered on fixed-term contracts.

8. REPORT OF ACTION TAKEN

The Committee received a report of the Town Clerk which informed Members that in accordance with Standing Order. No. 41(a), approval had been given by the Town Clerk, in consultation with the Chairman and Deputy Chairman for the creation of the Grade I post of Strategic Education and Skills Director; and a Market Forces Supplement of £12,000 be recommended for the post.

The Chairman advised the Committee that the Grade I post of the Strategic Education and Skills Director had been approved by the Court of Common Council on 12 January 2017.

RESOLVED – that the Committee note the report.

9. FORMER OFFICERS AS MEMBERS

The Committee received a report of the Comptroller and City Solicitor which set out the main legal and governance issues which arise when former officers are elected as City Corporation Members.

The Chairman advised that the report before Members had been produced by the Comptroller and City Solicitor in response to the proposed Ward appointment of the recently elected Member of Walbrook Ward to serve on the Planning and Transportation Committee.

A Member expressed concerns about the imposition of restrictions on Members in order to prevent their appointment to committees. A discussion took place, during which the point was raised that when nominating or electing Members to serve on Committees, potential conflicts of interest should be taken into consideration. Members further added that it was the responsibility of all Members to decide, under the existing governance arrangements, whether a Member should be appointed to a Committee.

Members further considered the recent Ward Committee appointment and it was suggested that, had the Ward Deputy been aware of the Common Councilman job description, which specifies that former officers should not sit on committees to which they have previously reported for a period of two years, the motion to appoint the new Member to the Planning and Transportation Committee may never have been submitted.

A discussion took place about the onus being on Ward Deputies to be aware of this information and the Committee asked that this be brought to the attention of both the Members' Privileges Sub (Policy and Resources) Committee and the Standards Committee.

At the conclusion of the discussion it was noted that whilst the Committee was clear about the legal position, the appointment to committees was in essence a political decision and that Members needed to determine a policy which would ensure that appropriate restrictions on committee appointments and decision-making activities could be imposed when former officers became Members.

RESOLVED – That:

- a) the Committee note the contents of the report and the legal position; and
- b) the report and a summary of the discussion be sent to both the Members' Privileges Sub Committee and the Standards Committee.

10. INVOLVEMENT OF EXTERNAL PARTIES IN CITY OF LONDON RECRUITMENT

The Committee considered a report of the Director of Human Resources in relation to the inclusion of external parties in the recruitment of City of London staff, and which recommended that the Committee should resolve that external parties would not be part of future appointment processes.

The Chairman in introducing the report advised the Committee that the recommendation within the report to exclude external parties from recruitment processes was at variance with what was increasingly best practice to involve stakeholders informally in recruitment exercises. The Chairman therefore suggested the following alternative recommendations, and that subject to Members' approval, a revised report would be submitted to the February Establishment Committee:

1. That only City of London Elected Members, Co-opted Members, and Officers may take part as voting members of appointment panels for posts within the City of London Corporation.
2. That for appointments which have a substantially outward facing or stakeholder engagement function, the inclusion of stakeholders or external advisers in the assessment and appointment process is to be encouraged.
3. That the nature of the inclusion of any stakeholder or adviser should be agreed between the Chairmen of the service committees, the Town Clerk (or other relevant Chief Officers), and the Director of Human Resources, and might include:
 - (a) the inclusion of a non-voting adviser on the appointment panel; and/or
 - (b) the involvement of stakeholder representatives in the assessment centre process; and/or
 - (c) consultation with stakeholder representatives as to the nature of the role and the type of candidates to be sought;
4. that Officers be instructed to prepare amendments to the Recruitment and Selection policy to implement this decision.

RESOLVED – That:

- a) the Committee approve the Chairman's recommendations; and
- b) a paper be submitted to the February Establishment Committee, encompassing changes to the recruitment and selection policy.

11. TEMPLATE FOR RESTRUCTURE REPORTS

The Committee considered a report of the Director of Human Resources which set out a new template for use on reports that are submitted to the Establishment Committee in relation to restructures of departments.

The Committee agreed that in order to ensure future consistency of approach, the first two recommendations before them should be approved, but the third recommendation in relation to delegating decisions to officers was not supported.

RESOLVED – That:

- a) the Committee recommend to agree the use of the template for Committee reports from their first Committee in 2017; and
- b) the Committee agree the general process and definitions for reports coming to Establishment Committee.

12. 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 advised Members of plans to undertake a self-assessment against the Equality Framework for Local Government.

RESOLVED – That the Committee note the report.

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

There were no questions.

14. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

There were no urgent items.

15. 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
16,17,20	1,2,3
21	1,2
22	1

16. NON-PUBLIC MINUTES

The non-public minutes of the meeting held on 1 December 2016 were approved.

17. OUTSTANDING ACTIONS REPORT

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

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

There were no questions.

19. 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.

20. **CONFIDENTIAL MINUTES**

The confidential minutes of the meeting held on 1 December 2016 were approved.

21. **TOWN CLERK'S UPDATE**

The Town Clerk provided the Committee with an oral update.

22. **IT DIVISION UPDATE**

The Committee agreed a report of the Chamberlain in relation to the IT Division.

The meeting ended at 2.59 pm

Chairman

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