

## **ESTABLISHMENT COMMITTEE**

**Wednesday, 25 April 2018**

**Minutes of the meeting of the Establishment Committee held at the Guildhall EC2 at 11.00 am**

### **Present**

#### **Members:**

Deputy the Revd Stephen Haines  
Deputy Edward Lord  
Sir Mark Boleat  
Deputy Keith Bottomley  
Deputy Kevin Everett  
Jeremy Mayhew  
Deputy Joyce Nash

Barbara Newman  
Deputy Elizabeth Rogula  
Alderman William Russell  
Ruby Sayed  
Deputy Philip Woodhouse  
Deputy Jamie Ingham Clark

#### **Officers:**

Michael Cogher	- Comptroller and City Solicitor
Chrissie Morgan	- Director of Human Resources
Paul Wilkinson	- City Surveyor
Amanda Thompson	- Town Clerk's Department
Christopher Bell	- Chamberlain's Department
Matthew Lock	- Chamberlain's Department
Janet Fortune	- Human Resources Department
Tracey Jansen	- Human Resources Department
Amanda Mays	- Human Resources Department
Justin Tyus	- Human Resources Department
Charles Griffiths	- City of London School

#### **1. APOLOGIES**

Apologies for absence were received from Randall Anderson, Sophie Anne Fernandes, Sylvia Moys 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. ORDER OF COURT OF COMMON COUNCIL**

**RESOLVED** – That the Order of the Court of Common Council of 19 April 2018 appointing the Committee and approving its terms of reference be noted.

#### **4. ELECTION OF CHAIRMAN**

The Committee proceeded to elect a Chairman in accordance with Standing Order No. 29. A list of Members eligible to stand was read and Deputy Edward

Lord, being the only Member expressing willingness to serve, was elected Chairman for the ensuing year and took the Chair.

The Chairman thanked Members for their confidence, welcomed both new and returning Members to the Committee, and advised that he would look forward to working with both Members and Officers over the coming years.

The Chairman spoke about key priorities for the Committee in the coming years:

- Developing a reward strategy which means we can attract, retain, and incentivise staff at all levels of the organisation;
- Putting diversity and inclusion at the heart of our policies, ensuring that our staff and our services reflect the communities we represent and serve;
- Tackle the gender pay gap in the Corporation;
- Ensure there is proper succession planning and recruitment to a number of key senior roles; and
- Ensure the effective oversight of further change programmes.

The Chairman went on to say that it was important to recognise that the Corporation is a Member-led organisation and that Members bore the ultimate collective responsibility as employers of the City's staff.

In taking his place, the Chairman expressed the hope that he would have the full and unequivocal support of the Town Clerk and Chief Executive in delivering these priorities and that he would be asking officers to bring forward reports on how the priorities might be achieved.

## **5. ELECTION OF DEPUTY CHAIRMAN**

The Town Clerk reported that in accordance with Standing Order No. 30(3)(a), Deputy Stephen Haines, as the immediate Past Chairman and having indicated his willingness to serve, was declared to be Deputy Chairman for the ensuing year.

Deputy Joyce Nash spoke in appreciation of the immediate past Chairman's contribution to the work of the committee during his Chairmanship and moved a vote of thanks which was seconded and agreed.

### **RESOLVED UNANIMOUSLY:**

THAT at the conclusion of his three-year term of office as their Chairman, the Members of the Establishment Committee wish to extend to

### **DEPUTY THE REVEREND STEPHEN HAINES**

their sincere thanks and appreciation for the able and courteous manner in which he has presided over their deliberations and the care and interest he has shown in all aspects of the work of this Committee.

Since being elected in April 2015, Stephen has been an extremely thoughtful and committed Chairman and he has helped to ensure that the City Corporation has continued to get the best possible outcomes for their staff.

Stephen's chairmanship has been marked with the deep interest he has demonstrated in the welfare of the Corporation's employees, in particular the efforts of staff to continue to grow and develop during their time with the City of London.

During Stephen's chairmanship, the Establishment Committee has overseen a wide range of corporate and departmental change programmes including restructures of the Chamberlain's Department and Mansion House and the Central Criminal Court, and the start of the review of reward strategy.

The Committee has also ensured that Members are more actively involved in senior appointments and the scrutiny of senior management remuneration, as well as taking leadership of equality and diversity matters.

AND SO in taking leave of Deputy Stephen Haines as their Chairman, Members of this Establishment Committee wish to thank him for his service, leadership, and hospitality. The Committee offers to him their best wishes for his future health and happiness, in particular as he plans his new life in the Philippines.

6. **MINUTES**

**RESOLVED** – That the public minutes and summary of the meeting held on 9 April 2018 be approved as an accurate record subject to the correction of the spelling of the Chief Commoner's name.

7. **OUTSTANDING ACTIONS REPORT**

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

**RESOLVED** – That the report be noted and the actions updated accordingly.

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

The Committee considered the appointment of four representatives to the Joint Consultative Committee and four Members expressed an interest in serving.

**RESOLVED** – That the Joint Consultative Committee for 2018/19 be appointed as follows:-

Deputy Edward Lord (Chairman)  
Deputy the Reverend Stephen Haines (Deputy Chairman)  
Randall Anderson  
Deputy Keith Bottomley  
Deputy Joyce Nash  
Ruby Sayed

Finance Committee Representative – Deputy Jamie Ingham Clark

9. **SENIOR REMUNERATION SUB-COMMITTEE**

The Committee considered the appointment of Members to the Senior Remuneration Sub-Committee.

It was proposed by Deputy Kevin Everett and seconded that an additional 2 members of the Establishment Committee also be appointed to serve, recognising that senior officer remuneration formed a core part of this Committee's terms of reference.

The Committee having unanimously agreed this proposal, a number of Members expressed their interest in serving on the Sub-Committee:

Sir Mark Boleat  
Deputy Keith Bottomley  
Deputy Kevin Everett  
Deputy Joyce Nash  
Ruby Sayed

The Chairman indicated that a ballot would be necessary, whereupon Sir Mark Boleat and Deputy Joyce Nash withdrew their candidature. Rather than proceed to a ballot, the Chairman asked the Committee if they would be willing to extend the number of elected positions from two to three, which received support.

**RESOLVED** – That the Senior Remuneration Sub-Committee for 2018/19 be appointed as follows:-

Chairman of the Establishment Committee (Chairman)  
Chairman of the Policy and Resources Committee (Deputy Chairman)  
Deputy Chairman of the Establishment Committee  
Deputy Chairman of the Policy and Resources Committee  
Chairman of the Finance Committee  
Chairman of the General Purposes Committee of Aldermen  
3 Members of the Establishment Committee – Ruby Sayed, Deputy Kevin Everett and Deputy Keith Bottomley.

10. **EQUALITY AND INCLUSION UPDATE**

The Committee received a report of the Director of Human Resources which provided a more detailed analysis of the mean average Gender Pay Gap of 8.1% and mean average Bonus Gender Pay Gap of 14% which were reported to the February meeting, together with a proposal to endorse the proposed establishment of a Diversity and Inclusion Consultant.

In response to a question concerning whether or not a request could be made to the Policy and Resources Committee to undertake a full diversity and inclusion review across the organisation, the Chairman advised that the issue of Member Diversity had recently been considered by the Public Relations & Economic Development Sub-Committee which had forwarded a resolution to the Policy and Resources Committee. The Director of Human Resources confirmed that this might be something that could be supported by the new consultant post.

The Chairman sought the Committee's support to fund the Corporation's Membership of the Stonewall Diversity Champions programme, which was contained in the Report, and also the funding for an additional diversity float for the Lord Mayor's Show.

**RESOLVED – To**

- 1) Note the report;
- 2) Endorse the proposal to seek funding to establish a Diversity and Inclusion Consultant and associated budget to support and develop staff networks;
- 3) Endorse membership of Stonewall Diversity Champions and approve a budget of up to £4000 to cover membership and costs of event attendance; and
- 4) Agree to fund the cost of an additional diversity float for the Lord Mayor's Show.

**11. MENTAL HEALTH AND WELLBEING POLICY**

The Committee received a report of the Director of Human Resources detailing the proposed *Mental Health and Wellbeing Policy*, the aim of which would contribute to outcomes required in the new corporate plan: *people enjoy good health and wellbeing* by providing a framework that would encourage and facilitate working practices and services and help support employee health and wellbeing.

Members raised a number of questions in relation to the ability of staff to work from home, and also whether or not it was possible to differentiate between absence due to home and/or work factors absence statistics.

A member highlighted the fact that chronic stress could have a serious impact on physical as well as psychological health, and suggested that the policy be amended to explicitly recognise the interconnectedness between physical and mental health. This was supported by the Committee.

**RESOLVED – To** note the report and agree that delegated authority be given to the Town Clerk, in consultation with the Chairman and Deputy Chairman, to approve the final wording of the Mental Health and Wellbeing Policy.

**12. ERADICATION OF PROCUREMENT CODE BREACH WAIVERS - RETROSPECTIVE WAIVERS**

The Committee received a report of the Chamberlain outlining the proactive and reactive steps proposed to eradicate the use of retrospective waivers, including the rebranding of retrospective waivers to 'Procurement Code Breaches' and a list of newly introduced sanctions aimed to be a deterrent as well as introducing

a transparent method of correcting behaviours and investigating non-compliant incidents.

The Committee was advised that that the report had been considered and approved by the Finance Committee, a minute of which was tabled, which had shown significant support for the new measures and which sought the concurrence of the Establishment Committee in approving the new policy. In particular, the Chairman of the Finance Committee had expressed a wish that the approval of retrospective waivers should be considered to be a gross misconduct offence within the Corporation's disciplinary procedures.

Members commented that whilst a tougher regime of 'zero tolerance' was needed, they felt that all cases must be considered 'on their merits', and that it would be difficult to state that all retrospective waiver approvals would result in dismissal as individual circumstances, such as lack of training would need to be taken into account.

**RESOLVED** – to note the planned 'Waiver Danger' communications campaign and the introduction of sanctions outlined in paragraph 12 for when a Procurement Code Breach waiver (formally retrospective waiver) is required effective 1 April 2018.

**13. SCHEME OF DELEGATION REPORT - REPORT OF ACTION TAKEN**

The Committee received a report of the Director of Human Resources in line with the Scheme of Delegations which provided information on redundancies, early retirements (including those made under the '85-year rule'), ill health retirements and Market Forces Supplements (MFS) approved in the reporting period 1 October 2017 to 31 March 2018.

**RESOLVED** – To note the actions taken under delegated authority.

**14. REPORT OF ACTIONS TAKEN UNDER URGENCY OR DELEGATED POWERS**

The Committee received a report of the Town Clerk advising of action taken in consultation with the Chairman and Deputy Chairman since the last meeting of the Committee, in accordance with Standing Order No. 41(b).

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

There were no questions.

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

The following items of urgent business were raised –

The Chairman reported that, following the example of Deputy Joyce Nash when she was Chairman of this Committee, he hoped to visit every department/major site over the next six months, ideally with the Chief Commoner and relevant service committee Chairman, to meet staff at all levels and gain a better understanding of key issues.

The Chairman asked Members to note that the annual Committee Dinner would take place on Friday 7 December at Leathersellers Hall and that Alderman Peter Estlin had agreed to attend, subject to his election as Lord Mayor.

The Chairman advised that Colin Bull, the outgoing branch secretary of Unite the Union, and his wife had been invited to attend lunch with the Committee after the meeting.

The Chairman thanked a member of the public present for attending the meeting.

**17. 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.

**18. NON-PUBLIC MINUTES**

The non-public minutes of the meeting held on 9 April were approved.

**19. OUTSTANDING ACTIONS REPORT**

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

**RESOLVED** – That the report be noted and the actions updated accordingly

**20. USE OF PERSONAL EMAIL, RISK AND GDPR COMPLIANCE**

The Committee considered a joint report of the Comptroller and City Solicitor and Data Protection Officer, the Director of IT and the Director of Information and Security, concerning the risks associated with the use of personal emails for City Corporation business, whether by officers or Members, and compliance with the General Data Protection Regulation (GDPR)

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

There were no questions.

**22. 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 non-public urgent business.

**23. CONFIDENTIAL MINUTES**

The confidential minutes of the meeting held on 9 April were approved.

**24. MARKET FORCES SUPPLEMENT REQUEST - CITY OF LONDON SCHOOL**

The Committee approved a report of the Head of the City of London School concerning the payment of a market forces supplement.

25. **1/5 LONDON WALL BUILDINGS EC2 - PROPOSED LEASEHOLD DISPOSAL**  
The Committee received a report of the City Surveyor in relation to the proposed leasehold disposal of 1/5 London Wall Buildings.
26. **MARKET FORCES SUPPLEMENT REQUEST - CITY SURVEYOR'S DEPARTMENT**  
The Committee approved a report of the City Surveyor in relation to the payment of Market Forces Supplements in the City Surveyors.
27. **STAFF APPEALS COMMITTEE MINUTES**  
A report of the Comptroller and City Solicitor giving the outcome of a Staff Appeals Committee held on 13 April was noted.
28. **SCHEME OF DELEGATION - CONFIDENTIAL APPENDIX TO ITEM 13**  
The Committee received and noted the confidential annex to agenda item 13 on the agenda which had been considered in public session.
29. **EMPLOYMENT CASES AND SETTLEMENTS**  
The Committee received a report of the Comptroller & City Solicitor concerning the Employment Tribunal cases and settlements dealt with by the Comptroller & City Solicitor (C&CS) since the last report on 17 October 2017.

**The meeting closed at 12.45 pm**

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Chairman

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