

## **ESTABLISHMENT COMMITTEE**

**Thursday, 17 September 2015**

**Minutes of the meeting of the Establishment Committee held at the Guildhall EC2 at 11.30 am**

### **Present**

#### **Members:**

Deputy the Revd Stephen Haines (Chairman)	Wendy Mead
Edward Lord (Deputy Chairman)	Sylvia Moys
Randall Anderson	Deputy Joyce Nash
Nigel Challis	Deputy Richard Regan
Deputy Kevin Everett	Angela Starling
Deputy Jamie Ingham Clark	Philip Woodhouse
Jeremy Mayhew	

#### **Officers:**

Peter Lisley	Assistant Town Clerk
Christopher Braithwaite	Town Clerk's Department
Caroline Al-Beyerty	Chamberlain's Department
Michael Cogher	Comptroller and City Solicitor
Peter Bennett	City Surveyor
Sue Ireland	Director of Open Spaces
Janet Fortune	Human Resources Department
Tracey Jansen	Human Resources Department

The Chairman advised the Committee that the Director of Human Resources was unable to attend the meeting following a death in her family. The Committee asked the Town Clerk to convey to the Director their sympathy for her loss and offered their support to her at this difficult time.

#### **1. APOLOGIES**

Apologies for absence were received from Deputy Billy Dove, Alderman Peter Estlin and Barbara Newman.

#### **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 July 2015 be approved as an accurate record.

#### **4. OUTSTANDING ACTIONS REPORT**

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

The Town Clerk clarified that the application of the Corporate Transport Policy to Members would be considered by the Member Privileges Sub (Policy and Resources) Committee, not this Committee. He advised that the report to the Sub-Committee had been completed in time for the meeting of the Sub-Committee that was due to be held the following week, and would be available for consideration at the Sub-Committee's subsequent meeting.

**RESOLVED** – That the Committee notes the report.

5. **EQUALITY AND INCLUSION UPDATE**

The Committee considered a report of the Director of Human resources which updated Members on progress with staff-related equality and inclusion initiatives since the last update to the Committee in June 2015.

It was noted that the Committee had oversight of the Corporation's policies and practices in respect of equality and inclusion. The Committee therefore requested that the Equality and Inclusion Board submit a report to a future meeting of the Committee providing an overview of wider equality issues, such as those relating to service provision, residents and Members.

**RESOLVED** – That the Committee:

- a) notes the report; and
- b) requests that Equality and Inclusion Board submit a report to a future meeting of the Committee providing an overview of wider equality issues, such as those relating to service provision, residents and Members.

6. **CALCULATION OF REDUNDANCY PAYMENTS**

The Committee considered a report of the Director of Human Resources which proposed the reintroduction of a fixed formula for enhanced redundancy payments for a period of two years.

Members asked questions regarding the relationship between this proposed policy and the Service Based Review (SBR), the proposed duration of the policy, the financial impact of the proposed policy on SBR savings, whether this proposed policy would be subject to negotiation with the Joint Consultative Committee and the business case and rationale for the proposed policy.

The Director of Human Resources advised the Committee that the policy was proposed to provide a better position for officers who were subject to redundancy from the SBR, and therefore it was intrinsically linked to the SBR. The policy was therefore proposed to last for the remaining two year duration of the SBR. The Chamberlain informed the Committee that it had previously been agreed that redundancy costs arising from SBR proposals would be met from a central reserve.

The Committee requested that the Director of Human Resources provide a further report to the next meeting of the Committee to provide further information in relation to the likely financial impact, the business case and the overall rationale for the proposed policy.

**RESOLVED** – That the Director of Human Resources provides a further report on the proposed fixed formula for enhanced redundancy be submitted to the Committee's next meeting, providing further information in relation as to the likely financial impact, the business case and the overall rationale for the proposed policy.

7. **SOCIAL MEDIA POLICY**

The Committee considered a report of the Director of Human Resources which sought endorsement of the implementation of a Social Media Policy in accordance with Advisory, Conciliation and Arbitration Service (ACAS) best practice.

Members discussed the difficulty of establishing specific rules in this area, as Social Media continued to be an emerging issue. Members expressed concern that the Policy should not be seen as the Corporation positioning itself to make moral judgements as to the conduct of staff on Social Media where this had no impact on their work with the Corporation. Members also requested that the Policy should give further consideration to the fact that the Corporation was a political body led by elected Members, and therefore the Policy should reflect that it was not appropriate for Corporation staff to publicly comment upon elected Members or their actions on Social Media.

The Committee agreed that the Director of Human Resources should provide the Committee with a revised proposed version of the Social Media Policy which took account of Members' comments.

It was noted that Alderman Matthew Richardson was one of the foremost authorities in Social Media law in the UK, and it would be beneficial if the Director of Human Resources consulted with Alderman Richardson in the redrafting of the policy.

**RESOLVED** – That the Director of Human Resources provide an updated version of the proposed Social Media Policy to the Committee's next meeting, taking account of the comments made by Members.

8. **REPORT OF ACTION TAKEN UNDER URGENCY PROCEDURES SINCE THE LAST MEETING**

The Committee considered a report of the Town Clerk which advised Members of action taken by the Town Clerk since the last meeting of the Committee, in consultation with the Chairman and Deputy Chairman, under urgency procedures in accordance with Standing Order 41(a).

**RESOLVED** – That the Committee notes the report.

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

There were no questions.

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

There were no urgent items.

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, 25	1, 2, 3, 4
13, 16, 19, 23, 24	1, 2, 3
14	3
15	1, 2, 3, 5
20	1, 2
21	1, 2, 4
22	5

12. **NON-PUBLIC MINUTES**

The non-public minutes of the meeting held on 16 July 2015 were approved.

13. **OUTSTANDING ACTIONS REPORT**

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

14. **POST TERMINATION OF EMPLOYMENT RESTRICTIONS ON OFFICERS**

The Committee considered a joint report of the Comptroller and City Solicitor and the Director of Human Resources which provided information on the steps which could be taken to restrict the activities of senior officers following their retirement.

15. **EMPLOYMENT TRIBUNAL CASE SUMMARY - SIX MONTHLY UPDATE**

The Committee noted a report of the Comptroller and City Solicitor which provided an update on Employment Tribunal cases since the last report to the Committee in March 2015.

16. **REPORT OF ACTION TAKEN UNDER URGENCY PROCEDURES SINCE THE LAST MEETING**

The Committee noted a report of the Town Clerk which advised Members of action taken by the Town Clerk since the last meeting of the Committee, in consultation with the Chairman and Deputy Chairman, under urgency procedures in accordance with Standing Order 41(a).

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

One question was asked regarding the process for amending employment contracts of existing staff.

18. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREES SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

There were no urgent items.

19. **CONFIDENTIAL MINUTES**

The confidential minutes of the meeting held on 16 July 2015 were approved.

20. **STAFF APPEALS COMMITTEE MINUTES**

The minutes and summary of the Staff Appeals Committee held on 28 July 2015 were noted.

21. **OPEN SPACES DEPARTMENT - REVIEW OF A SERVICE**

The Committee considered and approved a report of the Director of Open Spaces which requested approval to explore redeployment and redundancy options for a supervisor of a service within the Open Spaces Department, which the relevant Service Committee had determined should cease trading.

22. **OPEN SPACES DEPARTMENT - SERVICE BASED REVIEW 2015/16**

The Committee considered and approved a report of the Director of Open Spaces which requested approval for the Human Resources aspects of the Open Spaces Department's Service Based Review savings proposals for 2015/16, subject to the approval of the relevant Service Committees.

23. **CITY SURVEYOR'S DEPARTMENT**

The Committee considered and approved a report of the City Surveyor which requested approval for an additional payment to two Officers within the Department.

24. **RESTRUCTURING OF A DIVISION WITHIN THE CHAMBERLAIN'S DEPARTMENT**

The Committee considered and approved a report of the Chamberlain which requested approval for the appointment of an additional post within the Chamberlain's Department and the reorganisation of the structure of the Department.

25. **COMPLETION OF THE RECONFIGURATION OF THE TOWN CLERK'S DEPARTMENT**

The Committee noted a report of the Town Clerk which provided an update on the progress made towards the reconfiguration of the Town Clerk's Department. The Committee requested that a review be undertaken of the appointment process for Senior Officers.

**The meeting closed at 1.20 pm**

-----

Chairman

**Contact Officer: Chris Braithwaite**  
**tel. no.: 020 7332 1427**  
**[christopher.braithwaite@cityoflondon.gov.uk](mailto:christopher.braithwaite@cityoflondon.gov.uk)**