

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

PERSONNEL COMMITTEE

24th June 2019

Report of the Head of Human Resources – Sheenagh Rees

SECTION A – MATTER FOR DECISION

WARDS AFFECTED – ALL

REVIEW OF PERSONNEL COMMITTEE ARRANGEMENTS

Purpose of the Report

1. To seek Council approval to grant delegated authority from the Personnel Committee to the Chief Executive and / or Corporate Directors for decisions in relation to Directorate Structural and Staffing Changes.

Executive Summary

2. Annex D of Part 3 of the Neath Port Talbot Constitution (“the Constitution”) sets out that the Council’s Personnel Committee shall discharge certain delegated personnel and related matters, with all other matters being dealt with by Full Council. Such delegations include directorate structural and staffing changes.
3. In addition, the Constitution sets out that any Committee of the Council may grant delegated authority to an officer to discharge its functions.

4. This report proposes the granting of delegated authority to the Chief Executive and / or Corporate Directors to make decisions in relation to Directorate Structural and Staffing changes, subject to certain conditions set out in the main body of this report.
5. This will not include authority for decisions to be taken in line with the Council's Employment Procedure rules relating to the appointment of the Head of Paid Service and Chief Officers and other matters referred to in the functions delegated by Council to the Personnel Committee and set out in the Constitution. It will also not include decisions in relation to the policy arrangements for Retirement and Redundancy, but will include decisions to be taken in line with those policies.

Current arrangements

6. The Constitution sets out arrangements for a Personnel Committee, which is to discharge with delegated authority the following functions:
 - a) Personnel and related matters where a non-executive function under Schedule 1 of the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007 is required i.e.
 - Regulations under the Superannuation Act 1972 relating to staff pensions
 - Section 112 of the Local Government Act 1972 including staff terms and conditions (consequent on appointments under the Employment Procedure Rules) i.e. matters such as job evaluation strategies, national and local pay negotiations, operational conditions of service policies such as sickness, Directorate Structural and Staffing changes including Early Retirement and Voluntary Redundancy policies and industrial disputes.

- b) To institute or defend any legal proceedings, including those of Tribunals, Arbitrations and forums involving dispute resolutions in relation to the functions of the Committee.
 - c) The Committee may discharge any functions delegated to officers which relate to the functions of the Committee.
7. The Personnel Committee meets every 6 weeks, and receives a range of reports for decision and for information, and in line with the requirements of the Constitution. Each meeting of Personnel Committee receives reports that relate to Structural and Staffing changes, ranging from proposals that affect one job / employee to proposals that affect hundreds of jobs / employees. Some reports contain proposals that have already been considered by Members in other forums, e.g. Cabinet and Cabinet Boards. Prior to meetings of the Committee, the budget and employment implications of proposals contained within reports are scrutinised by the Head of Finance and the Head of Human Resources respectively, and reports approved to proceed to Members. This ensures that necessary budgets are in place to fund jobs, that the Council's job evaluation scheme has been applied, that workforce implications have been considered and that decisions are taken in line with Council policy and procedure.

Proposals for Change

9. It is proposed that delegated authority is granted to the Chief Executive and / or Corporate Directors to make decisions in relation to Directorate Structural and Staffing changes, including the creation or deletion of jobs. This is being proposed to increase the flexibility, agility and efficiency of decision making in relation to staffing structures and to make the best use of Officer and Member resources.
11. The delegated authority will be subject to consultation with the Head of Finance and the Head of Human Resources, via a form which will be designed for this purpose, and consultation with the relevant Cabinet Member. The Cabinet Member can require a report to be submitted to Personnel Committee for determination if they feel that this is appropriate prior to any delegated authority being exercised,

in which case the decision whether to approve or reject the proposal will rest with Personnel Committee.

12. The delegated authority will also be subject to the completion of an Integrated Impact Assessment and compliance with relevant Council policy and procedures, e.g. the Management of Change in Partnership Policy.
13. The Personnel Committee will continue to discharge all other delegated personnel and related matters as set out in the Council's Constitution, and which are in relation to staff terms and conditions of employment, employment policies, pay negotiations, job evaluation strategy and industrial disputes. Information reports, setting out regular workforce data and monitoring reports will support Members knowledge and understanding of the Council's workforce.
14. It is proposed that a forward work programme is developed and approved by the Personnel Committee that reflects the Committee's role in determining the Council's employment framework. A draft is attached at Appendix 1, for Members to consider and provide feedback at Committee.
15. It is also proposed that the Committee meets on a quarterly basis. This will allow meetings to be efficient and to ensure that there are a suitable number of items on the agenda for each meeting, which will in turn afford greater scrutiny by members of the Personnel Committee.

Financial impact

16. There are no financial impacts associated with this report.

Integrated impact assessment

17. The delegated authority will be subject to the completion of Integrated Impact Assessments to inform decision making. There is no requirement for an Integrated Impact Assessment in respect of this particular report.

Workforce impacts

18. This proposal relates to decision making that could impact directly on the Council's workforce and / or future workforce. As such, the proposal is subject to consultation with relevant Cabinet Members and the Head of Finance and the Head of Human Resources, as well as the completion of an Integrated Impact Assessment.

Legal impacts

19. The Chief Executive and Corporate Directors are required to comply with Council employment policy and procedures which ensure compliance with employment legislation.

Risk Management

20. The proposal suggests controls to ensure that structural changes are financially viable and within the parameters of approved employment policy and procedure.

Consultation

21. Consultation has taken place with trade unions who support the proposals set out in this paper.

Recommendation

22. It is recommended that Members:
 - i) grant delegated authority to the Chief Executive and or Corporate Directors to make decisions in relation to Directorate Structural and Staffing changes as set out in this report, subject to completion of an Integrated Impact Assessment and consultation with the Heads of Finance and Human Resources and the relevant Cabinet Member;
 - ii) develop and approve a forward work programme for the Personnel Committee; and
 - iii) change the schedule of meetings to a quarterly basis

FOR DECISION

Reason for proposed decision

23. To increase the flexibility, agility and efficiency of decision making in relation to staffing structures and to make the best use of Officer and Member resources.

Implementation of Decision

24. The decision is proposed for implementation after the three day call in period.

Appendices

25. Appendix 1 – Draft Forward Work Programme for consideration

List of Background Papers

The Neath Port Talbot Constitution

Officer contact

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