

Public Document Pack

Date: 28 January 2014
Ask For: Anona Somasundaram
Direct Dial: 01843 577046
Email: anona.somasundaram@thanet.gov.uk



GENERAL PURPOSES COMMITTEE

5 FEBRUARY 2014

A meeting of the General Purposes Committee will be held at **5.30 pm on Wednesday, 5 February 2014** in the Austen Room, Council Offices, Cecil Street, Margate, Kent.

Membership:

Councillors: S Tomlinson, Everitt, Fenner, C Hart, I Gregory, Kirby, Marson, Poole, King and Wiltshire

A G E N D A

Item
No

Subject

1. **APOLOGIES FOR ABSENCE**

2. **DECLARATIONS OF INTEREST**

To receive any declarations of interest. Members are advised to consider the advice contained within the Declaration of Interest form attached at the back of this agenda. If a Member declares an interest, they should complete that form and hand it to the officer clerking the meeting and then take the prescribed course of action.

3. **ELECTION OF CHAIRMAN**

To elect a Chairman of the General Purposes Committee.

4. **MINUTES OF PREVIOUS MEETING** (Pages 1 - 2)

To approve the Minutes of the meeting of the General Purposes Committee held on 21 February 2013, copy attached.

5. **PROPOSAL TO AMEND THE DESIGNATION OF THE TWO STATUTORY POSTS OF CHIEF FINANCIAL OFFICER AND MONITORING OFFICER** (Pages 3 - 8)

Declaration of Interest form - back of agenda

This page is intentionally left blank

GENERAL PURPOSES COMMITTEE

Minutes of the meeting held on 21 February 2013 at 7.00 pm in Austen Room, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Michelle Fenner (Chairman); Councillors Everitt, C Hart, Kirby, Marson, Poole, M Tomlinson and S Tomlinson

29. APOLOGIES FOR ABSENCE

An apology was received from Councillor I Gregory, who felt he could not attend the meeting as two of his immediate family were employed by the Council. Councillor M Tomlinson was present as Councillor I Gregory's substitute.

A further apology was received from Councillor Grove.

30. DECLARATIONS OF INTEREST

There were no declarations of interest.

31. MINUTES OF PREVIOUS MEETING

On the proposal of Councillor Poole, seconded by Councillor Hart, the minutes of the meeting held on 19 July 2012 were approved and signed by the Chairman.

32. EXCLUSION OF PRESS AND PUBLIC

On the proposal of Councillor S Tomlinson, seconded by Councillor M Tomlinson, it was AGREED:

"That the public and press be excluded from the meeting during consideration of the report relating to item number 5 on the agenda, *"2013/14 Pay and Grading and Introduction of Pay for Contribution"*, on the grounds that the report contained exempt information by virtue of Paragraph 4 of Schedule 12 A of the Local Government Act 1972.

33. 2013/14 PAY AND GRADING AND INTRODUCTION OF PAY FOR CONTRIBUTION

During consideration of the report, and in response to Members' queries, Juli Oliver-Smith, Head of EK Human Resources, and Sue McGonigal, Chief Executive, gave the following assurances:

1. that implementation of the proposed scheme would not result in a net increase in the budget;
2. that full clarification would be given in letters to staff on protection and transition payments;
3. that no member of staff would have their current take-home pay reduced as a result of the scheme;
4. that no senior management team member would receive a pay rise as a result of the scheme;
5. upon implementation of the scheme, the Council would attain the status of a Living Wage employer, upon implementation of the scheme;
6. that staff could appeal on the basis of job descriptions not reflecting the duties of their posts or the market rate not being reflected in their salary benchmarking.

In response to a further query, the Chief Executive explained the rationale behind the car allowances scheme for senior managers.

On the proposal of Councillor Fenner, seconded by Councillor Poole, it was AGREED to adopt the recommendations as set out at Paragraph 10 of the report, namely:

1. Approve the proposed Pay & Reward Scheme as it applies to Senior Officers;
and
2. Recommend to Full Council that the Pay Policy Statement for 2013/14 be approved.

Meeting concluded : 7.20 pm

PROPOSAL TO AMEND THE DESIGNATION OF THE TWO STATUTORY POSTS OF CHIEF FINANCIAL OFFICER AND MONITORING OFFICER

To: **General Purposes Committee – 5 February 2014**

Main Portfolio Area: **Leader of the Council and Cabinet Member for Strategic Economic Development Services**

By: **Head of Paid Service**

Classification: **Unrestricted**

Ward: **All**

Summary: To set out for Members proposed changes to the designations of the Council's Chief Financial Officer and Monitoring Officer in the context of a corporate restructure.

For Recommendation

1.0 Introduction and Background

- 1.1 It is almost three years since the last corporate restructure in 2011. This brought the designation of Chief Financial Officer and Head of Paid Service together onto the role of Chief Executive and designated the Corporate and Regulatory Services Manager as Monitoring Officer. These changes were made as part of a larger organisational restructure to reduce staffing costs in response to the known grant funding cuts in 2011/12 and 2012/13.
- 1.2 The management structure of 2011 was designed on the basis that the remaining support services would ultimately move into EK Services. However in 2012 it was realised that this was unlikely to happen and the structure was changed to include a new post of Director of Corporate Services and Transformation. This recognised the need to have robust management of the support services that remained with the council. It also added capacity to take forward a transformation programme, to enable the Council to develop plans to deal with the continuing budget cuts.
- 1.3 In light of the continuing reductions in the Government grants, and the fact that the Council is holding a number of vacancies in key senior posts, it is timely to review the structure. This is to make sure that our much reduced resources are directed to our priorities whilst providing us with sufficient flexibility for the current and future needs.

2.0 The Current Situation

- 2.1 Since 2011, the Chief Executive has been performing both the statutory posts of Head of Paid Service and Chief Financial Officer. In view of the ongoing reduction in government grants and the requirement for the Council to have a heightened focus on its financial strategy, the Council needs to add capacity in the area of strategic financial management.
- 2.2 Since 2011, the Corporate and Regulatory Services Manager has performed the statutory post of Monitoring Officer. The Corporate and Regulatory Services Manager

has responsibility for a wide range of services (environmental health, licensing and land charges, CCTV, legal and democratic). With the council's focus on outcomes for customers, there are greater efficiencies and potential for improved outcomes by grouping services differently. The proposal sees the services of environmental health, licensing and land charges being grouped together within Community Services, CCTV being grouped with other enforcement services within Operational Services and legal and democratic services remaining within Corporate Services (renamed Corporate Resources). The result of this proposed change is that the post of Corporate and Regulatory Services Manager will be deleted.

3.0 The Proposals

- 3.1 Attached at **Annex 1** are the final proposals for changes to the Council's corporate senior management structure. These proposals describe the outcome of an initial consultation with Unions (Unison and GMB) and formal consultation with staff and now detail a new structure to which members are requested to lend their support.
- 3.2 The proposal is firstly to move the designation of Chief Financial Officer from the Chief Executive to the Director of Corporate Resources. This will increase the capacity at a senior level for strategic financial management and support the Council's many and varied commercial transactions.
- 3.3 Secondly the proposal designates the Legal Services Manager as the Monitoring Officer. This reflects the fact that the skills and experience of the legal services manager and the requirement of the MO role are very similar and will enable a narrowed but deeper focus for the role holder to support the needs of officers and Members in the operation of the Council's constitution.
- 3.4 The proposals are still subject to the completion of a consultation period during which further comments will be considered. Consequent to this, should any changes to the proposal at 3.2 and 3.3 above be required, these will be referred back to this committee for approval.
- 3.5 The Council already provides delegated authority to the Chief Executive and Corporate Management Team to progress all staffing matters but given the proposed changes to the two statutory posts (Monitoring Officer and Chief Financial Officer), the General Purposes Committee are requested to approve these for recommendation to full Council. .
- 3.6 If the changes as detailed at paragraphs 3.2 and 3.3 above are approved by the committee and subsequently by Council, selection (as per the Council's Standing Orders) to the new positions will commence following the completion of the consultation period.

4.0 Options

- 4.1 The committee approve the changes to the two statutory posts as set out in the report.
- 4.2 The committee do not approve the changes to the two statutory posts. Should this be the preferred option then the committee are requested to agree which posts in the new structure should hold the designation of Chief Financial Officer and Monitoring Officer.

5.0 Corporate Implications

5.1 Financial and VAT

- 5.1.1 The proposed changes (which facilitate other organisation structure changes) will deliver full year savings in excess of £150,000 a year. This will be facilitated by up to ten redundancies. Based on the financial modelling that has been completed, it is believed that severance costs will be containable within existing budgets and through the use of appropriate reserves (excluding the General Reserve).

5.2 Legal

- 5.2.1 The Council is required by the Local Government Acts to employ suitably qualified individuals as Head of Paid Service, Chief Financial Officer and Monitoring Officer. The proposed structure complies with those requirements.

5.3 Corporate

- 5.3.1 An initial consultation has taken place with both staff and unions and all comments have been considered and fed into this proposal. The council is required to consider further comments until the consultation period is completed.
- 5.3.2 The council will comply with its relevant policies and procedures.

5.4 Equity and Equalities

- 5.4.1 There are no implications.

6.0 Recommendation(s)

- 6.1 General Purposes Committee is asked to confirm agreement with the proposal as set out in this report and recommend to Council that:
- 6.1.1 The statutory post of Chief Financial Officer is designated to the Director of Resources.
- 6.1.2 The statutory post of Monitoring Officer is designated to the Legal Services Manager.

7.0 Decision Making Process

- 7.1 Responsibility for confirming the two statutory posts lies with full Council

Contact Officer:	Sue McGonigal, Chief Executive
------------------	--------------------------------

Annex List

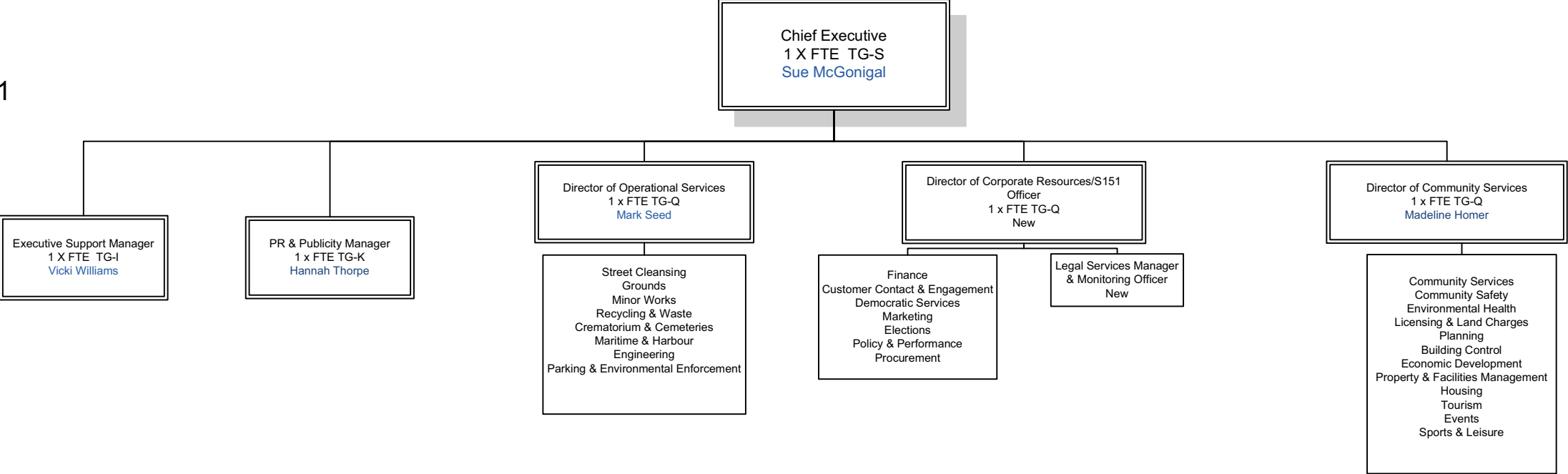
Annex 1	Organisation structure chart.
---------	-------------------------------

Corporate Consultation Undertaken

Finance	Sue McGonigal, Chief Executive and s151 Officer
Legal	Steven Boyle, Interim Legal Services Manager

This page is intentionally left blank

Annex 1



This page is intentionally left blank

THANET DISTRICT COUNCIL DECLARATION OF INTEREST FORM

Do I have a Disclosable Pecuniary Interest and if so what action should I take?

Your Disclosable Pecuniary Interests (DPI) are those interests that are, or should be, listed on your Register of Interest Form.

If you are at a meeting and the subject relating to one of your DPIs is to be discussed, in so far as you are aware of the DPI, you **must** declare the existence **and** explain the nature of the DPI during the declarations of interest agenda item, at the commencement of the item under discussion, or when the interest has become apparent

Once you have declared that you have a DPI (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must:-**

1. Not speak or vote on the matter;
2. Withdraw from the meeting room during the consideration of the matter;
3. Not seek to improperly influence the decision on the matter.

Do I have a significant interest and if so what action should I take?

A significant interest is an interest (other than a DPI or an interest in an Authority Function) which:

1. Affects the financial position of yourself and/or an associated person; or
Relates to the determination of your application for any approval, consent, licence, permission or registration made by, or on your behalf of, you and/or an associated person;
2. And which, in either case, a member of the public with knowledge of the relevant facts would reasonably regard as being so significant that it is likely to prejudice your judgment of the public interest.

An associated person is defined as:

- A family member or any other person with whom you have a close association, including your spouse, civil partner, or somebody with whom you are living as a husband or wife, or as if you are civil partners; or
- Any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors; or
- Any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000;
- Any body of which you are in a position of general control or management and to which you are appointed or nominated by the Authority; or
- any body in respect of which you are in a position of general control or management and which:
 - exercises functions of a public nature; or
 - is directed to charitable purposes; or
 - has as its principal purpose or one of its principal purposes the influence of public opinion or policy (including any political party or trade union)

An Authority Function is defined as: -

- Housing - where you are a tenant of the Council provided that those functions do not relate particularly to your tenancy or lease; or
- Any allowance, payment or indemnity given to members of the Council;
- Any ceremonial honour given to members of the Council
- Setting the Council Tax or a precept under the Local Government Finance Act 1992

If you are at a meeting and you think that you have a significant interest then you **must** declare the existence **and** nature of the significant interest at the commencement of the

matter, or when the interest has become apparent, or the declarations of interest agenda item.

Once you have declared that you have a significant interest (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must**:-

1. Not speak or vote (unless the public have speaking rights, or you are present to make representations, answer questions or to give evidence relating to the business being discussed in which case you can speak only)
2. Withdraw from the meeting during consideration of the matter or immediately after speaking.
3. Not seek to improperly influence the decision.

Gifts, Benefits and Hospitality

Councillors must declare at meetings any gift, benefit or hospitality with an estimated value (or cumulative value if a series of gifts etc.) of £100 or more. You **must**, at the commencement of the meeting or when the interest becomes apparent, disclose the existence and nature of the gift, benefit or hospitality, the identity of the donor and how the business under consideration relates to that person or body. However you can stay in the meeting unless it constitutes a significant interest, in which case it should be declared as outlined above.

What if I am unsure?

If you are in any doubt, Members are strongly advised to seek advice from the Monitoring Officer or the Democratic Services and Scrutiny Manager well in advance of the meeting.

DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS, SIGNIFICANT INTERESTS AND GIFTS, BENEFITS AND HOSPITALITY

MEETING.....

DATE..... AGENDA ITEM

DISCRETIONARY PECUNIARY INTEREST ☐

SIGNIFICANT INTEREST ☐

GIFTS, BENEFITS AND HOSPITALITY ☐

THE NATURE OF THE INTEREST, GIFT, BENEFITS OR HOSPITALITY:

.....
.....
.....

NAME (PRINT):

SIGNATURE:

Please detach and hand this form to the Democratic Services Officer when you are asked to declare any interests.