

GENERAL PURPOSES COMMITTEE

THURSDAY, 2 MARCH 2006

DECISIONS

Set out below is a summary of the decisions taken at the meeting of the Cabinet held on Thursday, 2 March 2006. The wording used does not necessarily reflect the actual wording that will appear in the minutes.

If you have any queries about any matters referred to in this decision sheet please contact Julie Harris.

1. APOLOGIES FOR ABSENCE (IF ANY)

CLLR RICE AND HALEY FOR LATENESS. CLLR BROWN, THE DEPUTY CHAIR, TOOK THE CHAIR UNTIL CLLR RICE ARRIVED. CLLR RICE ARRIVED AT 7.40 AND TOOK THE CHAIR AT THE COMMENCEMENT OF ITEM 11.

2. DEPUTATIONS/PETITIONS

None received

3. URGENT BUSINESS

None

4. DECLARATIONS OF INTEREST

None

5. MINUTES

Appendix A

RESOLVED:

That the minutes of the Special General Purposes meeting held on 30 January 2006 be confirmed and signed.

6. MINUTES OF GENERAL PURPOSES SUB BODIES

Appendix B

Members agreed to receive a tabled copy of the minutes of the CEJCC of 16 January 2006

RESOLVED:

That the minutes of the following GPC sub bodies be noted:

- Pensions Panel 21.11.05
- Planning Applications Sub Committee of 13.12.05
- Council and Employee Joint Consultative Committee 16.1.06

7. AMENDMENT TO CONTRACT STANDING ORDERS ON TENDER OPENING

Appendix C

The Head of Legal Services representative introduced this item and advised members that the new procedure would introduce a uniform process for tender opening that would remove the need to use legal staff (and thereby reduce costs) and introduce extra safeguards. It was noted that the item had been approved by CEMB and the Procurement Committee, subject to the framework at Appendix 4 and an audit trail. The Head of Procurement attended the meeting and confirmed that a team of approved officers was in place for tender opening and that he would retain 'ownership' of the list.

RECOMMENDED

That the changes to Contract Standing Orders, as set out in Appendix 2 of the report, be recommended to Full Council for adoption as part G.3 of the Constitution.

8. REVIEW OF TRADE UNION TIME OFF AND FACILITIES ARRANGEMENTS

Appendix D

The Head of Personnel introduced this item and explained to members that the report sought their approval to establish terms of reference for a review of trade union time off arrangements, facilities arrangements and a consultation framework.

RESOLVED:

1. That the Terms of Reference for reviewing trade union time off outlined in paragraph 7.2 of the report be approved
2. That recommended changes to the trade union time off provision be received at the first GPC of the new Municipal Year (expected June 2006)

9. PREPARING FOR AGE LEGISLATION

Appendix E

The Head of Personnel introduced this item which set out the potential effect on Council policy as a result of the new Age Legislation due to commence on 1 October 2006. For example, employees approaching retirement age would be given the option to continue working if they so wished and Human Resources would write to them 6 months before their retirement date offering this option. The Council would retain the right to accept or refuse an application and although not obligated to provide a

reason, it was felt preferable to do this as the process would be subject to appeal. Employees would be asked why they would like to continue working. The new proposals would take effect from agreement at this meeting of GPC.

RESOLVED

1. That the potential effect on Council Policy of new Age legislation be noted
2. That the process for notifying age 65 employees and providing appeal arrangements from 1 April 2006 (as set out in paragraph 4.1 of the report) be noted.

10. REVIEW OF CRITERIA FOR CAR ALLOWANCES AND CAR PARKING ARRANGEMENTS

Appendix F

The Head of Personnel introduced this items which reviewed the criteria for allocating car allowances and Council allocated car parking spaces. Members noted that the rationalisation would provide an extra 100 parking spaces and reduce the number of essential users from 850 to 120; giving a potential annual saving of £600k. Members agreed to receive tabled comments from the Trade Unions and noted their general agreement to the proposals. Members noted that the employee car loan scheme would be phased out, as employees could often obtain a more competitive deal elsewhere, and the obligations of the Consumer Credit Act would place a further administrative burden on the Council.

RESOLVED

1. That the new criteria for determining when posts attract car allowances, as outlined in Appendix A, be approved but that the Head of Personnel revisit the minimum 2,000 mile requirement.
2. That existing staff with a car allowance retain this entitlement for as long as their current job remains the same or until the individual leaves the post.
3. That the arrangement cease where by staff can consolidate mileage payment after 6 months of

claims, with effect from 1 April 2006.

4. That the new criteria for determining the allocation of car parking spaces within the borough be approved.
5. That those existing staff with car park spaces, who do not satisfy the car park allocation criteria 1-4 (as set out in Appx B) be given 6 months notice from 1 July 2006 of their car park arrangement ending.

6. That only the Leader would have a named car parking space

11. SMOKING AT WORK

Appendix G

The Head of Personnel introduced this item which sought to review the operation of the Council's Smoking Policy. Members agreed to receive tabled comments from the Trade Union and noted their general agreement to the proposals. There was discussion about the impact and enforcement of the policy and members were concerned that there should be synergy with a policy for themselves.

RESOLVED

That this item be deferred for consideration by Groups and a Special Meeting of the General Purposes Committee on 16 March 2006.

12. SECONDMENT AND ACTING UP ARRANGEMENTS

Appendix H

The Head of Personnel introduced this item which introduced policies to capture best practice without placing undue burden on the process of temporary changes to duties. Members noted that the Council currently had no written policies on either additional duties or secondment.

RESOLVED

1. That the policies for Additional Duties and Secondment be agreed but with a review of the quarterly appraisal process for those members of staff acting up which would give protection against automatic assimilation into posts and reinforce equal opportunities policies in the recruitment process.
2. That the implication of accrued benefit to the Council

from professional secondment of its employees be strengthened.

13. HR POLICIES FOR THE ENGAGEMENT OF CONSULTANTS AND AGENCY STAFF **Appendix I**

The Head of Personnel introduced this item which proposed HR policies for the engagement of consultants and agency staffing resources. Members noted that the report complemented the decisions of GPC and Procurement Committee on the award of an agency supply contract. It also accommodated the recommendations of a Member Working Group into consultants, agency and improver staff. Members were advised that any breaches in the policy could be easily identifiable by a spending analysis and the proposals represented a reduced level of usage of consultants and agency staff, representing an annual saving between £800k and £1m.

RESOLVED

1. That the employment policies for consultant use attached at Appendix 1 of the report are adopted and that processes to support the policies are introduced, including robust authorisation and monitoring arrangements.
2. That the reason for use, cost, benefit and duration of consultant use be reported to GPC on a frequency to be agreed by the Committee
3. That the Committee note the progress to date on the award of a contract for the provision of temporary staff and may meet with the managed service provider at a future date.
4. That the employment policies and a business process for agency staff, based on those attached at Appendix 2 of the report be adopted.

14. KEY WORKFORCE DATA FOR APRIL 2005 - SEPT 2005 **Appendix J**

The Head of Personnel introduced this item which set out key workforce information on sickness, dismissal and disciplinary data in the Council between April 05 and September 05. Members noted that the Council had only lost 1 Employment Tribunal (ET) case out of a possible 26 and staff turnover rates were generally better than in other London Boroughs. Members noted that any failure from departments to record sickness statistics was reported to Chief Executive's Management Board and

were advised that the decision to settle ET's was based on a balance of cost and time effectiveness. Members were advised that Human Resources were in receipt of legal briefings of shared experiences in other boroughs and would share these with the pool of members who were on disciplinary and appeal panels. Members thanked the Head of Personnel for a valuable and informative piece of work.

RESOLVED

1. That the report be noted
2. That further data on Appeals be returned to the first meeting of GPC in the new Municipal Year to monitor the policy implemented in July 05.
3. That a pattern of trends and reasons behind behavioural disciplinary action be provided in the next update.

15. ACTION PLAN FOR OCCUPATIONAL HEALTH, SAFETY AND WELFARE [Appendix K](#)

The Head of Personnel introduced this item which had been submitted to the Health and Safety Executive (HSE) by the 28 February deadline. Members noted that the outcome had been very positive for the Council.

RESOLVED

1. That a formal action plan for formal submission to the HSE be agreed as detailed in Appx 1 of the report
2. That the findings of the HSE be noted in Appx 2 of the report.
3. That all elements of the draft action plan be supported.
4. That additional costs related to the implementation of the Action Plan be noted and the Head of Personnel agree additional budgetary provision with the Director of Finance once the estimates are finalised.
5. That the Corporate Health and Safety Team offer additional services beyond their core functions to directorates who require this to achieve compliance with the proposed action plan.

16. AMENDMENTS TO THE CONSTITUTION CONSEQUENT ON THE HOUSING ALMO [Appendix L](#)

The Head of Legal Services' representative introduced this item which approved changes to the Scheme of

Delegation to Officers, Officer structure and the Financial Regulations that follow on from the decisions to establish the Housing ALMO with effect from 1 April 2006.

RECOMMENDED

That full Council adopt the changes to the Scheme of Delegation to Officers, Officer Structure and Financial Regulations, set out in Appendices, 1, 2, 3, 4, 5 and 6 to the report; to have effect as amendment to parts F7, G2, K1 and K5 of the Council's Constitution.

17. MAKING THE SCHEME OF MEMBERS' ALLOWANCES

Appendix M

The Head of Legal Services' representative introduced this item which would set the Members' Allowance scheme for 2006/7. Members noted that it would be possible to revisit this later in the financial year if necessary.

RECOMMENDED

That Full Council adopt the Scheme of Members' Allowances for 2006/7, as set out in the Appendix to the report, to have effect as a replacement for Part C7 of the Council's Constitution; with a small amendment to paragraph 3.01 of Part C7 to say that they are "*not entitled to any form of concession or special permit as Councillors for parking in the Borough*"

18. AMENDMENTS TO THE CONSTITUTION RE DECISION MAKING IN ELECTION YEAR

Appendix N

The Head of Legal Services' representative introduced this report which sought to amend the Council's Constitution by (1) clarifying the term of office of the Leader and Executive Members and (2) bringing the emergency procedures in election year into accord with local government legislation by granting extended delegated powers to the Chief Executive.

Members were not able to assess the implications on the Licensing Committee because Legal Services were still awaiting Counsel's advice which was expected early in the week commencing 6 March. This would be reported to the Licensing Committee on 14 March (which was due

to meet to hear a major application). The Licensing Committee could then make their recommendations to the Special General Purposes Committee on 16 March.

RECOMMENDED

1. Following further consultation by Groups; that Full Council be recommended to adopt the changes to the term of office of the Leader and Executive Members, as set out in Appendix 1 to the report, to have effect as amendments to Part H1 of the Council's Constitution subject to the amendments noted under 2 below.
2. That Full Council adopt the changes to the "Emergency Procedures in Election Year" including the delegated powers to the Chief Executive, set out in Appendix 2 to the report, to have effect as amendment to Part E.7 of the Council's Constitution; with the following amendments:
 - The Leader to remain in office until the Annual Meeting unless personally not re-elected or unless Majority Party control changes.
 - If the Leader remains in office then those Executive Members personally re-elected will form a "*collective executive to exercise the existing "urgency powers"*" of the Leader until the Annual Meeting.
 - If the Leader does not remain in office the Chief Executive should take any "Executive" decision in cases of genuine urgency in consultation with either (i) the re-elected Executive Members if the Majority Group retains control or (ii) the leader of the largest party group(s) if the party control changes. These arrangements apply only for those decisions that the Council can lawfully delegate.
 - That the Chief Executive has delegated powers to take urgent "non-executive" decisions in consultation with the Mayor.
3. That the recommendation from the Licensing Committee to Full Council be considered at a further meeting of the Committee on 16 March following the meeting of the Licensing Committee on 14 March which would receive Counsel's Opinion on the extension of the Licensing bodies and make its final recommendations through General Purposes Committee.

19. EMERGENCY CO-ORDINATION IN LONDON **Appendix O**

The Head of Legal Services' representative introduced this item which sought to provide for the delegation of powers to a "Gold" Chief Executive acting London-wide in the event of a major emergency less serious than a "catastrophic incident".

RECOMMENDED

1. That Full Council extend the ALG arrangements for co-ordinating the response to emergencies, set out in Appendix 2 to the report, to have effect as amendments to Part J.1 of the Council's Constitution.
2. That the revised "LA Gold" resolution be noted, as set out in Appendix 1 to the report, and be recommended for agreement by the Executive and Full Council as a pre-condition to the amendments to the Constitution recommended in resolution (1) above.

20. NEW ITEMS OF URGENT BUSINESS: TO CONSIDER ANY ITEMS ADMITTED AT ITEM 2 ABOVE.

None

**21. EXCLUSION OF THE PRESS AND PUBLIC
RESOLVED**

As the following item contains 'exempt' information as defined in Section 100A of the Local Government Act 1972, namely information relating to a particular employee, it was resolved that the press and public be excluded from this part of the meeting

**22. MINUTES OF DISMISSAL APPEAL HEARINGS
RESOLVED**

That the above minutes be noted.

Notes:

- The meeting finished at 10.30 pm

- Members were asked to note the Special Meeting of General Purposes Committee convened for 16 March at 6.30pm.

