

STAFFING AND APPEALS COMMITTEE



Cambridgeshire
County Council

**Thursday,
8th September 2016**

1.00p.m.

**Room 128
Shire Hall
Cambridge CB3 0AP**

Democratic and Members' Services

Quentin Baker
LGSS Director: Law and
Governance
Shire Hall
Castle Hill
Cambridge
CB3 0AP

AGENDA

1. Election of Chairman/woman (oral)
2. Election of Vice-Chairman/woman (oral)
3. Apologies and Declarations of Interests (oral)

*Guidance for Councillors on declaring interests is available at
<http://tinyurl.com/ccc-decoint>*

4. Minutes – 20th April 2016 (pages 3 to 7)
5. Exclusion of Press and Public (oral)

To resolve that the press and public be excluded from the meeting on the grounds that the agenda contains exempt information under Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended, and that it would not be in the public interest for this information to be disclosed (information relating to any individual.)

6. Review of the Council's Senior Leadership Arrangements (to follow)
7. Appointment of a Deputy Chief Executive (to follow)

The Staffing and Appeals Committee comprises the following members:

Councillors B Ashwood, P Brown, P Bullen, A Dent, P Downes, W Hunt, G Kenney,
M McGuire, J Schumann, S Taylor and J Whitehead

Substitute members: Councillors P Ashcroft, I Bates, D Brown, E Cearns, B Chapman,
S Criswell, D Giles, R Hickford, J Hipkin, N Kavanagh, M Leeke, M Mason, L Nethsingha,
P Reeve, P Sales, M Tew, S van de Ven and A Walsh

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact Michelle Rowe, Democratic Services on 01223 699180, or by email at michelle.rowe@cambridgeshire.gov.uk.

STAFFING AND APPEALS COMMITTEE - MINUTES

Date: Wednesday, 20th April 2015

Time: 1.30 p.m. – 2.55 p.m.

Place: Kreis Viersen Room, Shire Hall, Cambridge

Present: Councillors B Ashwood, P Brown, P Bullen, A Dent, P Downes, R Hickford (Substituting for Cllr McGuire), W Hunt, J Schumann (Chairman), and J Whitehead

Apologies: Councillors G Kenney and M McGuire

47. DECLARATIONS OF INTEREST

There were no declarations of interest.

48. MINUTES – 27TH OCTOBER 2015

The minutes of the meeting held on 27TH October 2015 were confirmed as a correct record and signed by the Chairman.

49. RECRUITMENT TO THE POST OF SERVICE DIRECTOR CHILDREN'S SOCIAL CARE

In response to the resignation of the previous Service Director for Children's Social Care, and due to the specialist nature of the post, this Committee in March 2015 gave approval for an outside agency, SOLACE, to carry out a search and selection exercise to identify a high calibre replacement. In June 2015 the Committee was advised that only a small number of applications had been received for the reasons set out in the report. As a consequence, the decision was taken to suspend the process and source an interim Director.

A report to this Committee on 29th June approved an extension to this arrangement and for a further search and selection exercise to be undertaken in September. The interim extension had been to allow a dual approach to filling the post and provide more time to develop internal candidates, so that with additional training, they could be in a position to be considered as candidates for the post. Subsequently SOLACE advised against the further September exercise as the market conditions had not changed sufficiently.

The current report highlighted new requirements from the Department for Education for the role of Practice Leader to be filled by a qualified Social Worker who would have day to day operational responsibility across the system of child and family social work practice. This new role equated to the Service Director grade and therefore the job description had been updated to reflect the expectations of the Practice Leader function. The salary had not been increased.

It was suggested that the services of a Search and Selection Agency should again be secured to assist identifying potential candidates, at an estimated cost of approximately £20,000 plus advertising costs. It was explained that as a result of the structured approach to leadership development undertaken with the existing Heads of Service, they were now in a position to apply for the post when advertised,

with four having indicated that they would consider putting themselves forward. The advice of the Executive Director was to also seek external applications to ensure that the Council maximised the opportunity to recruit the best possible candidate for the role.

It was highlighted that it was unlikely that there would have been a significant change in the market since the process was undertaken last year, however, it was hoped that some recent developments might increase the profile of the role including Cambridgeshire being chosen by the Department for Education (DFE) as a pilot authority for the Partners in Practice Innovation Programme.

It was confirmed that the Committee would be involved with the selection process, and assessments would be managed internally by LGSS HR to minimise costs to the Council with the time frame as set out in the report.

In response, Members comments included:

- concern regarding the further costs and the need for clarification of what the £20k would cover, and whether it included advertising costs. It was explained that a search and selection agency used their database contacts to approach people directly, with a microsite also used, rather than undertaking a broader, less focussed national advertising campaign which would cost in the region of 5-7k.
- indicating that some of them could not justify agreeing to a further £20k expenditure on an outside agency which had, on the past experience with this particular post, no guarantee of success. The point was made by one Member that the aggregated costs so far spent and to be spent, was starting to approach the cost of the salary of the post. As a response to this, the Chairwoman of the Children and Young People Committee reminded the Committee of the importance of this particular post and indicated that as there was an underspend in the CYP Committee's budget, part of it could potentially be used to offset the costs of this recruitment process. She further made the point that should a tragedy occur which could be linked to an inappropriate person being appointed by not ensuring the widest possible recruitment field of candidates, this would have a far greater cost implication to the Council.
- querying whether the fee payable to the agency involved any withhold clause if they were unsuccessful and if not, it was suggested that there should be a renegotiation to include such a clause. Officers should also investigate whether it was possible to include an element based on any successful applicant staying in post for a specified period of time. The LGSS Director of People, Transformation and Transactions indicated that they would be able to assist in negotiations on the terms of the recruitment contract.
- questioned the date the interim director would be leaving. It was indicated that as he wished to take leave in August, the expectation was that a new post holder should start around September or October. Whilst the current post holder was willing to stay longer to assist a smooth transition, this could not continue indefinitely and was down to their good will, having already agreed to one extension.
- expressed concern that some applicants could be applying to seek leverage to improve their terms and conditions with their existing employer and if

offered the job would have no intention of taking it. In response, it was explained that the agency would through their processes to ensure that only those genuinely interested in taking the job, if offered it, would be shortlisted.

- proposed that the Council's LGSS HR team should carry out the recruitment process on the basis that it would not cost the Council any additional money. As a response it was explained that the advertising costs would increase as the Council did not have the same access to the head hunting database an agency could provide and would therefore require a differently targeted advertising campaign.

In further discussion, the possibility of a hybrid solution was discussed, with the recruitment process being driven by HR who would seek to negotiate a reduction in costs from any outside agency employed. This would include investigating the practicality of a reduction of part of the fee, if unsuccessful, or if retention was not achieved within a reasonable period. It was also suggested that this should be within an agreed budget figure.

In that the original recommendation to endorse an approach to use an outside agency for a further search and selection process was not supported, having discussed other options a revised recommendation was moved by Councillor Bullen and seconded by Councillor Hickford for LGSS HR to undertake the further outside market exercise within a budget of £15k and on being put to the vote was agreed unanimously.

It was therefore resolved:

That the further recruitment process to the outside market for the post of Service Director Children's Social Care should be undertaken by LGSS HR within a total cost budget of £15k.

50. ANALYSIS OF EXIT INTERVIEWS

In December 2015 General Purposes Committee received a report on the recruitment and retention of social care staff. During its discussion it was agreed that for consideration of any potential or emerging issues, exit information should be reported to this Committee. The current report therefore provided a summary of the exit information gathered from employee leavers during the 2015 calendar year. It explained the current processes operated and provided a copy of the letter and exit questionnaire sent to staff who had resigned.

In the calendar year 2015 there were 1053 leavers, of which 673 left as a result of resignation or retirement. Of those, 191 completed an exit questionnaire which was a return of 25.95%. The service aimed to increase this number through adding a reminder to the manager's checklist for leavers, to require them to ask the leaver to complete the exit questionnaire.

Graph 1 of the report showed both the main and contributory reasons for leaving with the top three reasons being lack of career progression, seeking improved pay and benefits, and not feeling sufficiently valued. It was intended that the Council's Workforce Strategy through its action plan would focus on these to better understand the underlying reasons. It was highlighted that the leaving figures were not considered to be unusual for a public sector organisation and did not suggest any particular issues of concern. It was clarified that Exit Questionnaires were only

requested from people who left through resignation, not those whose employment was ended for any reason by the employer.

Members' comments / issues raised included:

- Seeking clarification of when exit questionnaires were sent to leavers. In response it was explained that this was normally undertaken as early as possible, preferably during their notice period. This raised concern with some Members who suggested any leavers still requiring a reference from their line manager would not necessarily provide honest feedback, which would be of more value to the organisation in helping identify any potential issues that might require further investigation. A suggestion was made to delay sending out the questionnaire until around two months after staff had left. This was recognised as a valid point and the LGSS Head of People undertook to review the guidance. **Action: M Cox**
- It was suggested in further discussion that it would be useful to receive an annual update to this Committee, to also include comparative data with other local authorities and provide a national perspective. It was suggested that those authorities performing especially well, could provide valuable lessons in helping the Council improve its own performance. **Action: M Cox**
- One Member highlighted that it had come to the attention of the Constitution and Ethics Committee that no member of staff had used the Whistle Blowing procedure in the last year. Concern was expressed that a proportion of leavers could have been the result of victimisation, bullying or discrimination. In response it was explained that such allegations would be dealt with by the Council's grievance procedures rather than under the Whistleblowing Policy, the latter being to alert suspicions of fraud and corruption.
- One Member drew attention to the figure of 60 people who had stated that a main or contributory reason for leaving was that they did not feel valued by their employer and that this required further analysis, as opposed to just showing a blanket response. It was suggested that a further line should be added offering for HR to contact them to obtain more information. In response, attention was drawn to the further comments question at the end of the form where more information could be provided. In addition, with current resource limitations follow up contact was unrealistic due to time and cost implications and a prompt to provide information was a more efficient way to do this.

It was resolved:

- a) to note the report.
- b) To receive an update in 12 months.

51. EXCLUSION OF PRESS AND PUBLIC

Councillor Bullen questioned why the public needed to be excluded from the next report on the agenda as he understood that Peterborough City Council who had originally been due to receive the same report later the same day, would not be taking it as a confidential item. As background information it was explained that as a result of local elections Peterborough City Council would not now be considering their report until after 5th May. The LGSS Director of People, Transformation and

Transactions clarified that the report for Cambridgeshire County Council included personal performance information that had data protection issues if discussed in public, and this information would not be included in the Peterborough City Council report. The City Council's report was limited to agreeing to confirm the shared Chief Executive role on a permanent basis. The current confidential report to this Committee included three options:

- a) To recommend to full Council that Gillian Beasley be confirmed in the post as Joint Chief Executive for CC and PCC
- b) to recommend advertising for a shared Chief Executive and
- c) advertising for a Chief Executive for Cambridgeshire alone.

Councillor Bullen suggested that in future a split two part report should be provided, one that could be included in public, and one containing confidential information.

The Chairman highlighted that any decision of the Committee would need to be confidential until Peterborough City Council had also considered their own report, as it would be appropriate for both Councils to publicly announce their respective decisions at the same time.

As a result of Councillor Bullen's continued objection to the proposal for the report to be held behind closed doors, a vote was taken on whether to exclude the press and public:

- a) It was resolved by a majority that the press and public be excluded from the meeting on the grounds that the agenda contained exempt information under Paragraphs 1 and 3 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended, and that it would not be in the public interest for this information to be - disclosed information relating to any individual and information relating to the financial affairs of any particular person (including the authority holding that information).

As permitted under Part 4 - Rules of Procedure, Part 4.4 - Committee and Sub-Committee Meetings, Section 18 Voting of the Council's Constitution, Councillors Bullen and Dent asked for the minutes to record them as having voted against this resolution.

- b) That as Peterborough City Council (PCC) would not be considering their report on the future Shared Chief Executive arrangements until after the Local Elections on 5th May, to embargo the official announcement of the final recommendation of this Committee until after PCC had also convened a meeting and made a final decision.

52. REVIEW OF THE SHARED CHIEF EXECUTIVE ARRANGEMENT

The purpose of this report was to review the secondment of the Chief Executive following the first six months of the shared Chief Executive arrangement as put in place in October 2015.

Chairman