

CITY COUNCIL – 4 FEBRUARY 2008

REPORT OF THE LEADER

PROPOSED CHANGES TO TERMS OF REFERENCE OF APPOINTMENTS AND CONDITIONS OF SERVICE COMMITTEE

1 SUMMARY

The purpose of this report is to recommend that Council adopt changes to the terms of reference of the Appointments and Conditions of Service Committee (“ACOS”), to consolidate their role in restructuring proposals and in setting salary levels for Corporate Directors.

2 RECOMMENDATION

IT IS RECOMMENDED that the proposed constitutional changes, set out in appendix 2 to this report, be adopted.

3 BACKGROUND

- 3.1 Following expressions of concern over their relatively minor involvement in recent restructuring exercises and in relation to Corporate Directors’ remuneration, ACOS considered their current terms of reference and options giving them a greater involvement in these matters.
- 3.2 A copy of draft minute 49 of the ACOS meeting on 6 November 2007 forms appendix 1 to this report.
- 3.3 The detailed constitutional changes necessary to give effect to the ACOS recommendations are set out in appendix 2 to this report.

4 LEGAL IMPLICATIONS

The enhancements to the role of ACOS, as proposed in appendix 2, are considered to be reasonable and lawful.

5 FINANCIAL IMPLICATIONS

None.

6 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

None.

7 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

- 7.1 “Facing the Future – Restructuring Proposals” – report to Appointments and Conditions of Service Committee 6 November 2007
- 7.2 Draft minute 49 of Appointments and Conditions of Service Committee meeting 6 November 2007.

**COUNCILLOR JON COLLINS
LEADER**

49 FACING THE FUTURE: RESTRUCTURING PROPOSALS

Further to minute 43 (1) dated 2 September 2007, consideration was given to a report of the Director (Legal and Democratic Services) and to an addendum of the Chief Executive, copies of which had been circulated.

RESOLVED

- (1) that the constitutional position in relation to recent corporate and departmental restructuring, be noted;**
- (2) that, in future, this Committee should formally approve significant restructuring proposals before commencing formal consultation with affected staff and trade unions, and that Council be requested to approve any necessary constitutional changes to achieve this;**
- (3) that, in future, this Committee should formally approve proposals, in principle, before any salary changes are made for Corporate Directors and the Deputy Chief Executive (excluding national pay awards), and that Council be requested to approve any necessary constitutional changes to achieve this;**
- (4) that, when interpreting the reference to ‘significant restructuring’ in resolution (2) above, it covered the following matters:-**
 - (i) the transfer of a significant function between Council departments, or to an external body; or**
 - (ii) the addition or deletion of a Corporate Director or Director post to or from a department.**

The effect of the above would be to require approval of this Committee, allowing the Chief Executive to make final decisions.

Councillor Culley requested that her abstention from voting on resolutions 2, 3 and 4 above be recorded.

Suggested constitutional changes to provide Appointments and Conditions of Service Committee with an approval role for significant restructuring proposals and for changes to salaries and salary ranges for Corporate Directors and the Deputy Chief Executive

1 Add to Section 5.2 of the Core Constitution

“The Chief Executive shall have power to develop and implement restructuring proposals for the City Council’s management structure, provided that he/she shall not do so, or commence formal consultation with affected staff and trade unions on significant restructuring proposals until he/she has, first, submitted the proposals to the Appointments and Conditions of Service Committee and obtained that Committee’s approval to them.

NB

“Significant restructuring” is a restructuring which involves:

- (a) the transfer of a significant function between Council departments, or to an external body, or**
- (b) the addition or deletion of a Corporate Director or Director post to or from a department.**

The Chief Executive shall set salary levels for Corporate Directors and the Deputy Chief Executive (excluding national pay awards) providing he/she has, first, submitted any proposed salary changes (including to ranges of salaries) to the Appointments and Conditions of Service Committee and obtained that Committee’s approval to them.”

- 2 Add to Appendix 6(F), Part 7 as a new “(iv)” and “(v)” and re-number:

“(iv) the development and implementation of restructuring proposals for the City Council’s management structure, provided that he/she shall not do so, or commence formal consultation with affected staff and trade unions on significant restructuring proposals until he/she has, first, submitted the proposals to the Appointments and Conditions of Service Committee and obtained that Committee’s approval to them;

(v) the setting of salary levels (and ranges of salaries) for Corporate Directors and the Deputy Chief Executive (excluding national pay awards), providing he/she has, first, submitted any proposed salary changes (including to ranges of salaries) to the Appointments and Conditions of Service Committee and obtained that Committee’s approval to them.”

NB

“Significant restructuring” is a restructuring which involves:

- (a) the transfer of a significant function between Council departments, or to an external body, or**
- (b) the addition or deletion of a Corporate Director or Director post to or from a department.**

- 3 Add to terms of reference of Appointments and Conditions of Service Committee (Appendix 6(C) Constitution):

“(j) to approve any proposals for significant restructuring of the Council’s management structure;

(k) to approve any proposals from the Chief Executive for changes to salary levels (including ranges of salaries) for Corporate Directors and the Deputy Chief Executive.”

NB

“Significant restructuring” is a restructuring which involves:

- (a) the transfer of a significant function between Council departments, or to an external body, or**
- (b) the addition or deletion of a Corporate Director or Director post to or from a department.**