

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

<b>Reference Number:</b>	2732
<b>Author:</b>	Alvin Henry
<b>Department:</b>	Communities
<b>Contact:</b>	Alvin Henry (Job Title: Waste Ops Manager, Email: alvin.henry@nottinghamcity.gov.uk, Phone: 07961480590)
<b>Subject:</b>	Waste Policy & Engagement
<b>Total Value:</b>	£110,000 (Type: Revenue)
<b>Decision Being Taken:</b>	To reduce the Waste Policy Team staffing budget from £0.172m to £0.062m (Portfolio Holder Decision) To remove 1x Team Leader, 3x Waste Advisors, 1 x Education Officer and 1.5x Waste Development Officer posts from the Waste Policy Team leaving 3 x Waste Advisors who will work alongside Neighbourhood Teams and report directly to a Waste Team Leader. (Non-Executive Officer Decision)
<b>Reasons for the Decision(s)</b>	<p>The policy team /officers underpins the polices that support the direction within the Waste environment across Nottingham. They give guidance to waste operations around the national trends and support residents behaviour in Nottingham aligned to our waste policies. It is predicted in the foreseeable future there will be very little appetite to engage with policy alterations given the current financial position.</p> <p>Any policy /service alterations will be carried out by the Waste team leaders (who have consistently engaged with any policy alterations) to accommodate the transaction into operations so they have the experience and the traits in this field.</p> <p>Also retaining the three Waste Advisors gives the service the opportunity to convey promotional campaigns and monitor all current polices and take action where appropriate directly with citizens within the Wards</p>

**Other Options Considered:** To do nothing - this is not a viable option due to budget pressures. Recycling has been rolled out to the majority of properties across Nottingham that have appropriate provision to store two bins and there is very little appetite to engage with policy alterations given the current financial position. Any National policy alteration will be fed into WISH in which NCC have representation.

WISH is a multi-party forum made up of organisations representing the waste and recycling industry. Its purpose is to provide information, identify solutions and stimulate action across the industry to ensure the health, safety and well-being of those working in the industry and those affected by its activities.

**Background Papers:** N/A

**Published Works:** The Deregulation Act 2015.

**Affected Wards:** Citywide

**Colleague / Councillor Interests:** N/A

**Any Information Exempt from publication:** Yes

**Exempt Information:**

**Description of what is exempt:** The financial and legal advice is exempt and contained within a separate appendix

An appendix (or appendices) to this decision is exempt from publication under the following paragraph(s) of Schedule 12A of the Local Government Act 1972

**2 - Information which is likely to reveal the identity of an individual** The public interest in maintaining the exemption outweighs the public interest in disclosing the information because the appendix enclosed could be used to identify individuals via the post titles.

**5 - Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.** The public interest in maintaining the exemption outweighs the public interest in disclosing the information because it allows for the relevant decision-makers to appropriately take full account of the legal implications of the proposed decision.

**Documents exempt from publication:**

**Equality Impact Assessment Street Scene and Wastev1 (with signature) (EXEMPT).pdf, Waste and Policy Engagement structure costs - Finance Comments.docx, Waste Policy & Management - Legal Advice.pdf**

**Consultations:**

**Those not consulted are not directly affected by the decision.**

**Crime and Disorder Implications:**

**The Deregulation Act 2015 has changed the processes for issuing penalties for waste receptacle offences by households under both the Environmental Protection Act 1990. In addition, under the DA the offence of failing to comply with requirements relating to household waste will be repealed and replaced with S.58 of the DA. S.58 establishes a civil regime with a fine. Within the current structure there are three officers to regulate the activities of residents that will work in partnership with Community Protection or working or taking the appropriate action against the residents.**

**Equality:**

**EIA required? The EIA has been completed and is included in the exempt appendices.**

**Relates to staffing:**

**Yes**

**Decision Type:**

**Portfolio Holder**

**Subject to Call In:**

**Yes**

**Call In Expiry date:**

**20/02/2017**

**Advice Sought:**

**Legal, Finance, Human Resources, Equality and Diversity**

**Legal Advice:**

**This advice is exempt from publication and is contained within an exempt appendix Advice provided by John Bernard-Carlin (Team Leader) on 22/12/2016.**

**Finance Advice:**

**This advice is exempt from publication and is contained within an exempt appendix**

**HR Advice:**

This proposal seeks to disestablish 4 posts (3.05 FTE) which are currently filled by Nottingham City Council employees. Should the proposal to disestablish the posts be approved, an appropriate plan following restructure principles must be in place. This process must be in line with NCC guidance and national legislation. Management must ensure a plan is in place with appropriate timelines to undertake genuine and meaningful consultation with both Trade Unions and affected individuals. If at the end of consultation, proposals remain the same, individuals must be given appropriate contractual notice to terminate their contracts on grounds of redundancy.

Management will need to ensure that guidance and legislation in relation to colleagues on Maternity leave is adhered to and noted in NCC's RESTRUCTURING PRINCIPLES AND REDUNDANCY GUIDELINES 12.6 - 12.6.6 and under regulation 10 of the Maternity and Parental Leave Regulations 1999.

Should the proposal remain unchanged following consultation, Post holders will also have access to Project People (Redeployment Register) and any costs relating to time on the register, potential work trials and pay protection must be picked up by the exporting department. If individuals are not redeployed into alternative roles prior to the termination of their contracts, there may be redundancy costs and in addition there may also be pension strain costs if the affected individuals are between the age of 55 and 60. As this proposal is part of the Budget booklet, it is noted this is an accelerated proposal and it is understood any potential redundancy payments will be paid from a corporate budget.

Appropriate support should be identified though out the process including completion of a Stress Risk Assessment, the availability of PAM assist

Andrew Griffiths  
Service Redesign Consultant  
Advice provided by Andrew Griffiths (Service Redesign Consultant) on 01/12/2016.

**Equality and Diversity Advice:**

The EIA is an exempted document and contains all the relevant equality considerations pertinent to this proposal. Advice given by Adisa Djan, Equality and Diversity Consultant.

**Signatures**

Nicola Heaton (Portfolio Holder for Community Services)
SIGNED and Dated: 13/02/2017
Andrew Vaughan (Corporate Director Commercial and Operations)
SIGNED and Dated: 10/02/2017