

# AGENDA FOR EMPLOYMENT PANEL



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**To: All Members of Employment Panel**

**Councillors :** T Rafiq (Chair), R Bernstein, J Grimshaw,  
D Berry, C Cummins, E Moss, T Tariq, M Walsh and  
L Dean

Dear Member/Colleague

## **Employment Panel**

You are invited to attend a meeting of the Employment Panel which will be held as follows:-

<b>Date:</b>	Tuesday, 14 June 2022
<b>Place:</b>	Mirosoft Teams
<b>Time:</b>	7.00 pm
<b>Briefing Facilities:</b>	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.
<b>Notes:</b>	

## **AGENDA**

### **1 APOLOGIES FOR ABSENCE**

### **2 DECLARATIONS OF INTEREST**

### **3 MINUTES OF THE PREVIOUS MEETING** *(Pages 3 - 6)*

The minutes of the meeting held on the 5 April 2022 are attached for approval and accuracy.

### **4 TERMS OF REFERENCE** *(Pages 7 - 8)*

A proposed amendment to the terms of reference is highlighted in red for the Employment Panel's consideration.

### **5 RECRUITMENT AND SELECTION TRAINING**

Sam McVaigh, Director of People and Inclusion to provide a recruitment and selection training session.

### **6 GRIEVANCE AND DISCIPLINARY APPEALS TRAINING**

Caroline Schofield, Head of Corporate HR Services/ Simon Bagley, Head of Human Resources to provide a training session on appeal hearings.

### **7 URGENT BUSINESS**

**Minutes of:** EMPLOYMENT PANEL

**Date of Meeting:** 5 April 2022

**Present:** Councillor T Rafiq (in the Chair)  
Councillors R Bernstein, R Brown, S Butler, R Gold,  
J Grimshaw and T Holt

**Also in attendance:** Sam McVaigh - Director of People and Inclusion, Geoff Little – Chief Executive, Kelly Barnett – Democratic Services

**Apologies for Absence:** Councillor T Pickstone, Councillor T Tariq

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## 1 APOLOGIES

Apologies for absence are noted above.

## 2 DECLARATIONS OF INTEREST

There were no declarations of interest made at the meeting.

## 3 PROPOSED CHANGES TO THE EMPLOYEE CODE OF CONDUCT AND OFFICER EMPLOYMENT PROCEDURE

Sam McVaigh, Director of People and Inclusion presented a report on the proposed changes to the Employee's Code of Conduct and Officer Employment Procedure.

It was explained that the Employee's Code of Conduct and Officer Employment Procedure sits within the Council Constitution which is formally reviewed annually. Sam McVaigh highlighted several changes that have been proposed in the review, which are detailed within the report.

A member welcomed that the Employee's Code of Conduct will include expectations around the handling and disclosure of personal and sensitive data. Sam McVaigh explained that there will be a relaunch of the Code of Conduct to strengthen information governance arrangements.

A member questioned the meaning of an independent person as there is no definition included within the report. Sam McVaigh agreed to include a definition of an independent person within the Council Constitution for clarity.

### **It was agreed:**

- Sam McVaigh to add a definition of an independent person to the Chief Officer Employment Procedure rules within the Council Constitution.
- The revised employees Code of Conduct and the Officer Employment Procedure rules were reviewed by the Employment Panel Members and agreement was made for these to be forwarded for onward consideration at annual Council as part of the full constitution review.
- The revision to the terms of reference was agreed.

## 4 HEALTH AND SOCIAL CARE PLACE BASED LEAD AND EXECUTIVE LEAD

Sam McVaigh, Director of People and Inclusion presented a report on the Place Based Lead for health and social care integration. It was explained that the 10 Clinical Commissioning Groups (CCGs) across Greater Manchester, will be brought together in July 2022 as one single organisation called the Greater Manchester Integrated Care System (ICS). As part of the implementation of the new arrangements, CCG staff members will transfer across to the ICS. There is a requirement that each Greater Manchester locality is required to identify a Place Based Lead, to coordinate and act on behalf of the Local Authority and an additional named Executive Lead in the Place, to support the Placed Based Lead. It has been proposed, that in Bury, the Place Based Lead is the current Chief Executive, and the Executive Lead in the Place is the current Executive Director of Strategic Commissioning for the Council and CCG, this proposal has been visited and endorsed by the Locality Board.

The Council will receive a financial sum of money to support these roles. It was noted that there will be no changes made to the post holders' grades or pay. Both individuals currently have employment with the Council and the CCG, their CCG contracts will transfer to the ICS from July 2022, which will retain their contractual relationship with the ICS. Therefore, there will be no contractual changes or implications for the Employment Panel to consider.

In response to a member's question regarding the unclear wording on page 8 of the Greater Manchester - Place Lead for Health and Care Integration Accountability Framework document, Sam McVaigh agreed to feed this information back to the Health and Social Care Partnership.

In response to a member's question regarding financial contribution to the Place Based Lead role, Sam McVaigh explained that the £150K contribution is towards the Place Based Leadership Model, there are other integrated roles across the CCG and the Council which will work in a place based way. There is some outstanding work in relation to the finer details of the overall structure. The £150K contribution will be a yearly contribution through the revenue budget allocation.

In response to a member's question around contracts of employment with the CCG which no additional remuneration is paid, Sam McVaigh explained that the contracts are minimum wage contracts, and the payment is made to the Local Authority and factored into the employees' overall salary.

**It was agreed:**

- The employment panel endorsed the recommendation of the Locality Board, that the GM ICS interim Chief Executive should be asked to agree that, in Bury, the role of Place Based Lead is combined with the Council's Chief Executive role, and that the current CCG Accountable Officer and Council Chief Executive should fill that role.
- Sam McVaigh to feed back the information regarding the unclear wording on page 8 of the Greater Manchester - Place Lead for Health and Care Integration Accountability Framework document to the Health and Social Care Partnership.

**5 EXCLUSION OF PRESS AND PUBLIC**

**It was agreed:**

1. To exclude the press and public.

**6 PERMANENT APPOINTMENT OF THE EXECUTIVE DIRECTOR OF CHILDREN & YOUNG PEOPLE**

Geoff Little, Chief Executive presented a report on the permanent appointment of the Executive Director of Children and Young People. Geoff Little explained the rationale to recruit to the post permanently and highlighted the key achievements of the current postholder.

In response to a member's question around having the support of the Cabinet Member for Children, Young People and skills for the appointment to be made permanent, Geoff Little explained that both the Cabinet Member and the Leader of the Council are in support of the recommendations outlined in the report.

**It was agreed:**

- The report and key achievements be noted.
- That the post-holder's appointment be made permanent.
- The redesignation of the post of Assistant Director - Social Care and Safeguarding to Director of Social Care Practice was agreed.

**7 REDESIGNATION OF THE POST OF DEMOCRATIC SERVICES MANAGER TO HEAD OF DEMOCRATIC SERVICES**

Sam McVaigh, Director of People and Inclusion presented a report on the redesignation of the post of Democratic Services Manager to Head of Democratic Services. Sam McVaigh explained the need for additional capacity to strengthen the Council's core legal and democratic services functions. This had been recognised by members and investment was agreed as a part of the 2022/2023 budget.

In a response to a member's question around the recommendation in the report which delegates the authority to determine whether the final version is to be implemented or returned to the committee, Sam McVaigh explained that through the consultation minor amendments may be made. If substantive changes are made, then the report will be brought back to the committee for member's consideration. Examples were given to members of minor and substantive amendments.

**It was agreed:**

- The redesignation and regrade of the Democratic Services Manager role to a new Head of Democratic Services role be approved as a basis for consultation with affected staff.
- The Employment Panel would delegate authority to the Director of Law and Governance and the Cabinet Members for Human Resources and Corporate Affairs in consultation with the Director of People and Inclusion to consider responses received from the consultation, produce a final version of the structure and to determine whether the final version is to be implemented or returned to Committee for approval prior to implementation.

**8 URGENT BUSINESS**

There was no urgent business.

**COUNCILLOR T RAFIQ**  
**Chair**

**(Note: The meeting started at 7.00 pm and ended at 7.45 pm)**

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## **EMPLOYMENT PANEL TERMS OF REFERENCE**

### **1. FUNCTION**

The Employment Panel is responsible for the employment functions as set out in the Officer Employment Procedure Rules; including;

- acting as the Investigating and Disciplinary Committee for statutory officers of the Council
- Appeals against dismissal and grievances by employees of the Council
- applications for premature retirement and
- Appointment Panel for Chief and Deputy Chief Officers.

### **2. MEMBERSHIP**

2.1 The Employment Panel will be Chaired by the Cabinet Member with responsibility for human resources. The Committee will be a politically balanced committee of the Council with nine members.

2.2 A politically balanced 3 member panel will be convened to fulfil the appeals functions.

2.3 A politically balanced 6 member panel will be convened to fulfil the employment functions, the 5<sup>th</sup>/and if necessary 6<sup>th</sup> member will be the Cabinet Member(s) with responsibility for the portfolio area under consideration **or their appointed deputy.**

2.4 Any panels convened must comprise of the 9 members appointed to the Employment Panel except in instances when a Cabinet Member is required to fulfil an employment function as detailed in point 2.3.

### **3. KEY RESPONSIBILITIES OF THE BOARD**

1. Be the appropriate body including acting as the Investigating and Disciplinary Committee.
2. To fulfil the employment functions as set out in part 4 section 8, the Officer Employment Procedure Rules in relation to: Chief Officers and Deputy Chief Officers including the Head of Paid Service (to include Returning Officer and Electoral Registration Officer functions), Deputy Chief Executive; Director for Adults and Communities, Director of Children and Families; Director of Public Health, Monitoring Officer and S151 Officer.
3. Review the annual pay policy statement and make recommendations to Council.

4. Be a consultee on all terms and conditions including policies for all staff.
5. Approve the performance and development framework for annual assessment of the Chief Executive.
6. Appeals against dismissal and grievances by employees of the council and applications for premature retirement.
7. The Chair of the Employment Panel has delegated authority to suspend the Head of Paid Service.

## **5. MEETINGS**

The Employment Panel is a Committee of the Local Authority and so as such the Access to Information provisions will apply. The Panel will meet four times a year.

The **date and timings** of the meetings will be fixed in advance by the Council, as part of the agreed schedule of meetings.

Additional meetings may be convened at the request of the Chair, and with the agreement of the Council Leader.

The meeting will be Chaired by the Cabinet Member with responsibility for the human resources function. The Chair will be appointed annually and the appointment would be ratified by Council. **In the absence of the Chair** - a replacement Chair will be elected for the duration of the meeting.

A **quorum** of three will apply for meetings.

The Director of People & Inclusion or their representative will act as the **lead officer**.

The agenda and supporting **papers** shall be in a standard format and circulated at least five clear working days in advance of meetings.

Meetings will be **clerked** by a representative of Democratic Services.

### **Public Engagement**

Agendas will be available to view by members of the public in line with Access to Information Requirements on the Councils website at <https://www.bury.gov.uk/index.aspx?articleid=10465>