

## **EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES**

**Committee:** Directorate Restructuring Panel                      **Date:** Tuesday, 19 November 2013

**Place:** Chief Executive's Office                                      **Time:** 6.30 - 7.35 am

**Members Present:** Councillors C Whitbread (Chairman), Ms S Stavrou (Vice-Chairman), J Hart, G Waller, K Angold-Stephens, J Knapman and J M Whitehouse

**Other Councillors:**

**Apologies:**

**Officers Present:** G. Chipp (Chief Executive), P. Maginnis (Assistant director Human Resources), I. Willett (Assistant to the Chief Executive)

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### **17. Apologies for Absence**

Councillor W Breare-Hall – (Deputy)

Councillor C. Whitbread (Chairman) had given apologies for lateness in joining the meeting.

### **18. Chairman**

In the absence of the Chairman of the Panel (Councillor C. Whitbread) at the commencement of the meeting, the Vice chairman (Councillor S. Stavrou chaired the meeting until his arrival, whereupon he presided until the conclusion of the meeting.

### **19. Reserve Members**

The Panel noted that the following Councillors had been appointed at the Council meeting on 30 July 2013 as Deputies for Members of this Panel:

Conservative Group (5):        W Breare-Hall, J Philip, B Rolfe, A Watts, J Wyatt

Liberal Democrats Group:    J H Whitehouse

Loughton Residents' Association Group: C. Pond

### **20. Declarations of Interest**

I Willett made a declaration of interest concerning the draft report of the Head of Paid Service and the report on voluntary redundancies under item 8 of this meeting in the private section of the agenda. He also gave a general declaration of interest in connection with the reports by the Chief Executive concerning the new Directorate structure and a specific declaration of interest in relation to the position of the Returning Officer.

He indicated to the Panel that he would withdraw from the meeting at the conclusion of the public session business and that P Maginnis would keep a record of

discussions in private session which would then be formulated into a minute at that part of the meeting.

P Maginnis made a declaration of interest concerning the draft report of the Head of Paid Service but remained in the meeting as advisor to the Panel as her post was not the subject of any changes in the current proposal.

**21. Minutes**

**RESOLVED:**

That the minutes of the meeting held on 22 October 2013 be confirmed and signed by the Chairman as a correct record.

**22. Head of Paid Service Report - Content Summary**

The Chief Executive presented a report which responded to the issues raised at the last Panel meeting when members were asked to comment on the proposed Directorate structure. The Panel noted that the Chief Executive had undertaken to consider and report to this meeting on the issues which arose from consultation, including points raised at the last meeting and to report further on any subsequent developments.

The Chief Executive explained that this was a final opportunity for members to comment on his proposals before he finalised his Head of Paid Service report for submission to the Council meeting on 17 December 2013.

The Chief Executive then outlined the key features of the proposed report:

**(a) Draft Recommendations**

The current report set out draft recommendations which would be included in the Head of Paid Service report when published.

**(b) Four Directorate Structure**

The report contained an appendix indicating a revised four Directorate structure as the preferred model for the restructuring proposals. This followed discussions at the last meeting when the Panel had expressed a view that a four Directorate structure would assist the Council in the transition to new working arrangements in a period of financial restrictions.

He went on to explain the key changes to the Directorate structure shown in that Appendix as follows:

**(c) Statutory Officers**

The Panel noted that these designations were now shown as part of the duties of the relevant postholders in the new structure. In the case of the Chief Financial Officer this was included in the Job Description for the Director of Resources whilst the role of Monitoring Officer was included in the Job Description for the Director of Governance. There were therefore to be no separate Job Descriptions for these roles.

**(d) Deputy Chief Executive**

The Panel noted that the designation of “Deputy Chief Executive” had been incorporated in the job description for the Director of Neighbourhoods (formerly “Place”).

**(e) Directorate Titles**

The report set out a revised title for the Directorate formerly known as “Place” which was now proposed to be called “Neighbourhoods”. The former Directorate of Governance and Law now omitted “Law” from its title and no change was proposed in respect of the Directorate for Communities. The Panel’s members noted the preference of the Chief Executive for the proposed titles although one member expressed reservations about the proposal for “Neighbourhoods” instead of “Place”.

**(f) Overview and Scrutiny – Lead Officer**

Responsibility as Lead Officer for Overview and Scrutiny had now been shown in the responsibilities for the Director of Neighbourhoods/Deputy Chief Executive. The Panel noted that this reflected the current situation where the officer concerned was leading on Overview and Scrutiny matters.

**(g) Assistant Director Designations**

The Panel was advised that only one change is being made namely in respect of the Assistant Director of Neighbourhoods which had been retitled “Assistant Director Neighbourhood Services” so as to distinguish it from the post title of the Director

**(h) Economic Development**

The Chief Executive explained that there was a substantive post (“Assistant Director Forward Planning and Economic Development”) which had specific responsibilities for this and related functions.

He pointed out that the postholder concerned was currently on maternity leave and that therefore he was proposing in his Head of Paid Service report to cover the duties of this post by creating an Acting Assistant Director position for a period of 12 months (fixed term) from 1 April 2014 so as to manage these duties until the postholder returns to work.

**(i) Assistant Director (Governance and Performance Management)**

The Chief Executive indicated this post had been reviewed as to the responsibilities to be included in the Job Description and was to be discussed further in private session.

**(j) Returning Officer/Registration Officer**

The Chief Executive went on to explain the arrangements which been made in respect of the Returning Officer.

He confirmed that he would be assuming this role following the May 2014 election. So as to achieve a smooth handover of functions, it would be proposed that the present Returning Officer would continue in post until 14 June 2014 so that the Chief Executive could shadow the present Returning Officer. The final date for the outgoing Returning Officer was 14 June 2014 because that date was the conclusion of the 21 day statutory period during which an election petition could be brought in respect of the results of the elections on May 22nd 2014.

The Panel also noted that a similar deferral was proposed in respect of one of the Deputy Returning Officers (namely the Assistant Director for Democratic Services) whose retirement date would also be 14 June 2014. He pointed out that this particular post was subject to further discussion in private session.

**(k) Director of Environment and Street Scene**

The Chief Executive advised the Panel that he would be proposing a deferred retirement date of 31 May 2014 for the current holder of this post in order to recognise current work on the current Waste Management Contract Procurement.

**(l) Retirement/Redundancy/Salary Levels**

The Panel noted that these were to be dealt with in a separate report to be considered in private session.

**(m) Assimilation Arrangements**

The Chief Executive explained that, all potential applicants for Director posts had been asked to confirm their preferred positions in the new structure. Likewise those Directors and Assistant Directors whose current post would disappear from the structure had been asked for confirmation of their previous wish to accept voluntary redundancy should such an offer be confirmed by the Council.

He reported that the four remaining Directors had all specified the posts within the new structure which they intended to apply for and that this created a situation where it was no longer necessary to hold competitive interviews to fill those positions. The Chief Executive also reported that the Directors and Assistant Directors concerned who had been willing to consider voluntary redundancy, all had confirmed their wish to pursue that option. One application had been turned down, however, as no redundancy existed.

The Chief Executive therefore asked the Panel to confirm that, at Director level, all posts could be filled by assimilating existing Council employees and that all Assistant Director positions except two could be dealt with in the same way. He stated that one of the two exceptions would be dealt with by way of internal advertisement in first instance and the other by ring fenced interviews.

**(n) Financial Profile/Payback Period for New Structure**

The Chief Executive indicated that there was a full financial appraisal of the proposed four Directorates structure which was included in a report in private session because it revealed some personal data about existing post holders.

**RESOLVED:**

**(1) That the proposals outlined in the Chief Executive's report to this meeting for inclusion in the Head of Paid Service report to the December Council meeting be supported; and**

**(2) That, wherever possible, the filling of Director and Assistant Director positions in the new structure be dealt with by assimilating existing postholders into the appropriate positions; and**

**(3) That the two Assistant Director positions which could not be dealt with by means of assimilation, be dealt with by competitive recruitment on an internal basis in the first instance.**

### **23. Exclusion of Public and Press**

#### **RESOLVED:**

That, under Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the items of business set out below on grounds that they would involve the likely disclosure of exempt information as defined in the following paragraphs of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2).

<b>Agenda Item Number</b>	<b>Subject</b>	<b>Exempt Information and Paragraph Number</b>
6	Applications for Voluntary Redundancy	1 and 2 – Information relating to an individual or which is likely to reveal the identity of an individual

The Panel had considered whether maintaining the exemption listed above outweighed the potential public interest in disclosing the information and concluded that the Proper Officer was right to place the remaining item on the Agenda in Private Session in view of the sensitive personal information contained therein concerning postholders currently employed by the Council.

### **24. Top Management Structure - Salary Proposals and Voluntary Redundancies**

The Chief Executive presented a report on voluntary redundancies, at Director and Assistant Director level, proposals to appoint a Proper Officer in order to carry out the functions of notification to the Cabinet Members under the Employment Rules Procedure in respect of the new structure, a financial appraisal of the cost of implementing the proposed four Director structure including the costs of retirement/redundancies and the main duties and responsibilities of Directors and Assistant Directors within the Council under the new arrangements.

The Panel supported the recommendations set out in the report concerning voluntary redundancies and noted that the Council would not be required to make any compulsory redundancies as part of the process.

On the question of salaries, the Chief Executive stated that the previous view of the Panel had been to recommend salary levels for Directors and Assistant Directors and he had based calculations contained in the report based on a 15% increase for Directors and a 5% increase for Assistant Directors.

The Chief Executive went on to explain that the existing structure would cost approximate £1.5 million and the new structure was estimated to cost £1.2 million thereby achieving savings overall of £300,000. Various severance cost amounting to £370,000 would be offset within a period of approximately 15.5 months. The Panel received comparative data on salaries at a similar level in other Essex authorities and in particular Uttlesford District Council and noted that the comparison was based on the proposed increases for salaries at this Council of 15% and 5% as set out above.

The Panel felt that comparisons in respect of Uttlesford District Council and some other Councils were not reliable guides as the populations of those Authorities were lower than the this authority. In discussion the Panel acknowledged that the new Director roles had significantly changed and this justified the higher level of increase proposed for those positions. They acknowledged also that Assistant Director roles would also change but not to the same extent as Directors, leading to a smaller percentage increase in those cases.

The Chairman of the Panel concluded the debate by asking each member to confirm their support for the proposed restructuring and the various measures outlined to bring it into operation. All Panel members confirmed their support for the Chief executive's report going forward to the Council as described.

**RESOLVED:**

(1) That the following proposals of the Chief Executive for inclusion in his forthcoming Head of Paid Service report be supported, namely, approval of voluntary redundancy of post holders in the following existing posts:

Director of Environment and Street Scene  
Director of Planning and Economic Development  
Assistant to the Chief Executive  
Assistant Director (Democratic Services)  
Assistant Director (Facilities Management and Emergency Planning)

(2) That the provisional financial appraisal of the cost of the new four Directorate structure achieving savings of £300,000, with severance costs being offset within a period of 15.5 months be accepted;

(3) That salary levels in respect of Director positions in the new structure be increased by 15% over their current remuneration;

(4) That salary levels in respect of Assistant Directors be increased by 5% in comparison with the levels operating in the current structure; and

(5) That the Assistant to the Chief Executive act as Proper Officer for the purpose of notifying the Cabinet Members of the proposals to be included in the Head of Paid Services report to the Council.

**CHAIRMAN**