AGENDA

MEMBER AND EMPLOYMENT AND DEVELOPMENT PANEL MEETING



Date: Thursday 31 May 2012

Time: 6.30 pm

Venue: Town Hall, High Street,

Maidstone

Membership:

Councillors Burton, Daley, Garland, Greer,

Hotson, Lusty, McKay, Moriarty, Moss, Robertson, J.A. Wilson and Mrs Wilson

Page No.

- 1. Apologies for Absence
- 2. Notification of Substitute Members
- 3. Notification of Visiting Members
- 4. Election of Chairman
- 5. Election of Vice Chairman
- 6. Disclosures by Members and Officers

Continued Over/:

Issued on 23 May 2012

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact JANET BARNES on 01622 602242.** To find out more about the work of the Committee, please visit www.maidstone.gov.uk

Alisan Brown

Alison Broom, Chief Executive, Maidstone Borough Council, Maidstone House, King Street, Maidstone, Kent ME15 6JQ

7. Disclosures of Lobbying 8. To consider whether any items should be taken in private because of the possible disclosure of exempt information. 9. Minutes of the Meeting held on 23 January 2012 1 - 3 10. Appointment of Political Group Spokespersons 11. Report of the Head of Democratic Services - Appointment of 4 - 7 **Sub Committees** 12. Report of the Head of HR Shared Service - Member 8 - 20 Development Budget 2012_13 **PART II** To move that the public be excluded for the items set out in Part II of the Agenda because of the likely disclosure of exempt information for the reasons specified having applied the Public Interest Test. Head of Schedule 12 A

13. Report of the Head of HR Shared 4 = Labour Relations

Service - Car Allowances

and brief description

21 - 26

MEMBER AND EMPLOYMENT AND DEVELOPMENT PANEL

MINUTES OF THE MEETING HELD ON 23 JANUARY 2012

Present: Councillor Lusty (Chairman), and

Councillors Burton, Chittenden, Daley, English,

Garland, Greer, Hotson, Paine, Robertson, J.A. Wilson

and Mrs Wilson

17. APOLOGIES FOR ABSENCE

There were no apologies for absence.

18. NOTIFICATION OF SUBSTITUTE MEMBERS

There were no Substitute Members.

19. NOTIFICATION OF VISITING MEMBERS

There were no Visiting Members.

20. <u>DISCLOSURES BY MEMBERS AND OFFICERS</u>

The Head of HR Shared Services declared a personal interest on behalf of Officers present in Agenda Item 9 – review of Pay Scales 2012.

21. <u>DISCLOSURES OF LOBBYING</u>

There were no disclosures of lobbying.

22. EXEMPT ITEMS

<u>RESOLVED</u>: That the items on Part II of the Agenda be taken in private as proposed.

23. MINUTES

<u>RESOLVED</u>: That the Minutes of the Meeting held on 4 July 2011 be approved as a correct record and signed.

24. PAY POLICY STATEMENT

The Panel considered the report of the Chief Executive regarding a requirement of the Localism Act 2011 which requires English and Welsh local authorities to produce a pay policy statement for 2012/13 and for each financial year after that.

The Head of HR Shared Service informed the Panel that there are some areas, e.g. the pay multiplier, where clarification is still being sought and, therefore, minor changes may need to be made to the Pay Policy Statement before it is published.

The Panel asked a number of questions regarding, inter alia, definition of earnings, car allowances/mileage rates, market supplements and training of current staff.

The Head of HR Shared Service circulated amendments to the following areas of the Pay Policy Statement:-

- Pay multiplier (page 15)
- Car allowances and Bonuses (page 13)
- National Information (Appendix D)
- Explanation of information published (Appendix I(H))

The Panel felt that as there was currently no member of staff receiving a market supplement, then the Pay Policy Statement should say just that.

RESOLVED:

- 1. That Council be recommended to:
 - i) approve the Pay Policy Statement, as amended by the Head of HR Shared Service and subject to the following amendments:-
 - Page 11, 3.2 Market Supplements delete all wording, except for the last sentence "Currently there are no employees in receipt of Market Supplements within the Council."
 - Page 13, 3.5 Car Allowances include the mileage rates paid for the two levels of car allowance.
 - ii) That the Chief Executive, in consultation with the Chairman and Political Group Spokespersons, be given delegated authority to make minor amendments to the Pay Policy Statement, if required, prior to publication, including any amendments required following the negotiations with trade unions on the annual pay review.
- 2. That a further analysis of the car allowances figures and mileage rates be undertaken by Officers and reported back to this Panel.

25. EXCLUSION OF THE PUBLIC FROM THE MEETING

<u>RESOLVED</u>: That the public be excluded from the meeting for the following items of business because of the likely disclosure of exempt information for the reasons specified, having applied the Public Interest Test:-

Head of Schedule 12A and Brief Description

Review of Pay Scales 2012

4 = Labour Relations

26. REVIEW OF PAY SCALES 2012

The Panel considered the report of the Chief Executive regarding a review of the current pay scales.

RESOLVED: That the recommendations be approved.

27. <u>DURATION OF MEETING</u>

6.30 p.m. to 8.50 p.m.

MEMBER AND EMPLOYMENT AND DEVELOPMENT PANEL

31 MAY 2012

REPORT OF THE HEAD OF DEMOCRATIC SERVICES

Report prepared by Neil Harris

1. APPOINTMENT OF SUB COMMITTEES

- 1.1 Issue for Decision
- 1.1.1 To consider the appointment of the Panel's various Sub Committees.
- 1.2 Recommendation of the Head of Democratic Services
- 1.2.1 That the Panel appoint the following Sub Committees:-
 - Performance Sub Committee
 - Appeals Sub Committee
 - Chief Officers Appeals Sub Committee
 - Investigatory Sub Committee
 - Joint Consultative Sub Committee

1.3 Reasons for Recommendation

1.3.1 Set out below are the various Sub Committees that the Panel need to appoint including their terms of reference, membership and political balance requirements. It is possible to appoint a Sub Committee which is not politically balanced, and the arrangements for such appointment are set out in paragraph 1.3.7 below.

1.3.2 Performance Sub Committee

Terms of Reference: To review annually the performance of the

Chief Executive and Directors, to agree targets for the coming financial year, and agree any corrective action which may be required relating to the previous financial

year.

Membership: 5 x Members

Political Balance: 3 x Conservative, 2 x Liberal Democrat

1.3.3 Appeals Sub Committee

Terms of Reference: To hear and determine appeals against

decisions taken by the Chief Executive under the disciplinary or capability procedures or to hear grievances raised against the Chief Executive under the grievance procedure.

Membership: 3 x Members

Political Balance: 2 x Conservative, 1 x Liberal Democrat

1.3.4 Chief Officers Appeals Sub Committee

Terms of Reference: To hear and determine appeals under the

disciplinary procedures for staff on the JNC Conditions of Service for Chief Officers of

Local Authorities.

Membership: 5 x Members (including at least 1 Member of

the Executive)

Political Balance: 3 x Conservative, 2 x Liberal Democrat

1.3.5 <u>Investigatory Sub Committee</u>

Terms of Reference: To act as an investigatory committee in

disciplinary matters for staff on JC Conditions of Service for Chief Officers of

Local Authorities.

Membership: 5 x Members (including at least 1 Member of

the Executive)

Note: Members of this Sub Committee must be different to those appointed to serve on the Chief Officers Appeals Sub Committee

Political Balance: 3 x Conservative, 2 x Liberal Democrat

1.3.6 <u>Joint Consultative Sub Committee</u>

Terms of Reference: A consultative forum for views to be

expressed between both parties on the Committee regarding the following issues relating to the employment of staff by the Council but excluding individual cases:
- Health and Safety Issues at Work

- Changes in Staff Structures

- Terms of Conditions of Employment Such views are referred to the appropriate

Council Decision Making Body.

Membership: 8 x Members

Political Balance: 4 x Conservative, 3 x Liberal Democrat,

1 x Independent

- 1.3.7 Section 17 of the Local Government and Housing Act 1989 provides for exceptions to the Political balance requirements. In essence, the Committee can amend the political balance of a Sub Committee provided that notice of the intention to give such consideration has been given to all Members of the Sub Committee and when the alternative arrangements are put to the vote at the Committee, no members of the Committee votes against them.
- 1.4 Alternative Action and why not Recommended
- 1.4.1 An alternative would be to not appoint to any of all of the Sub Committees but this is not recommended as it would be going against the decision of Council as set out in the Constitution.
- 1.5 Impact on Corporate Objectives
- 1.5.1 None
- 1.6 Risk Management
- 1.6.1 To fail to appoint a Committee could create difficulties to the Council in undertaking the delegations set out for these Sub Committees.
- 1.7 Other Implications

6.

1.7.1

1. Financial

2. Staffing

3. Legal

4. Equality Impact Needs Assessment

5. Environmental/Sustainable Development

Community Safety

	7.	Human Rights Act	
	8.	Procurement	
	9.	Asset Management	
1.8	Relevant Doo	<u>cuments</u>	

IS THIS A KEY DECISION REPORT?				
Yes No X				
If yes, when did it first appear in the Forward Plan?				
This is a Key Decision because:				
Wards/Parishes affected:				

1.8.1 Appendices

None

1.8.2 Background Documents

Council Constitution

MEMBER AND EMPLOYMENT AND DEVELOPMENT PANEL

31st May 2012

REPORT OF HEAD OF HUMAN RESOURCES SHARED SERVICE

Report prepared by Tina Edwards, Learning & Development
Shared Service Manager

1. Members Development Budget

- 1.1 Issue for Decision
- 1.1.1 To review the programme for Member Development for 2012/13 based on the arrangements agreed last year by the Member & Employment & Development Panel, including additional new needs.
- 1.2 Recommendation of Head of Human Resources
- 1.2.1 That the Group agrees the recommended programme and approach for Member Development for 2012/13.
- 1.3 Reasons for Recommendation

1.3.1 Member Development Budget

- 1.3.2 The Head of Human Resources Shared Service has delegated responsibility for decisions relating to all corporate training both Officer and Member.
- 1.3.3 Member Learning & Development activities are planned by the Learning & Development Shared Service Manager in consultation with Members and Key Officers. Due to the nature of the council and the way that the elections take place, many of the same learning activities, including conferences need to be provided each year.
- 1.3.4 This being said there are many more learning activities that are required in line with the needs identified by Members themselves, legislation, central government and those that arise from our commitment to partnership working and our desire to learn from each other and best practice.

The plan aims to address as many learning needs as possible, for example:

- Individual skills building, e.g. IT coaching, accelerated reading
- Legislative requirements, e.g. the impact of the new Localism Bill
- Role related, e.g. committee specific planning, licensing and internal audit
- Corporate requirements, e.g. understanding the priorities and how they can be delivered
- Networking & keeping up to date, e.g. conferences and the seminar series
- Knowledge & future focus, e.g. Leadership Academy and personal development planning
- 1.3.5 It is important that we ensure that an effective planning process is in place for all learning activities and that this planning process involves Members. With a continued commitment to provide value for money in all aspects of our work at the council it is imperative that careful thought is given to how the member budget is spent to ensure that maximum value from each activity is achieved.
 - The responsibility for ensuring value for money rests with all of us and it is vital that all learning is shared effectively with all members and disseminated widely.
- 1.3.6 Due to the impact of the Localism Bill and the continued importance of Community Leadership and Engagement, a member perspective on what support is required is vital to ensure that the changes becoming apparent are met as they emerge. A small member working group has been formed headed up by Cllr Hotson, Portfolio Holder for Corporate Services to help in identifying the way forward.
- 1.3.7 Initially it is planned that a number of members will be interviewed to explore what Community Leadership and Engagement looks like and what learning needs there may be for members coming from the Localism Agenda. This will be followed by a member workshop to share the data and to gain the wider perspective.
- 1.3.8 In addition to the working group, a number of workshops have been carried out to keep members informed on the parts of the Localism Bill that have been agreed and how these areas affect member roles. Learning needs have also been identified at these workshops and will form part of the points for discussion at the interviews.
- 1.3.9 A survey was also carried out to help us understand how informed, engaged and effective current communication stands and the

outcomes of this survey will also form part of the discussion points for the interviews.

- 1.3.10 Due to the changing nature of member roles and the emerging needs that will continue to come out of the Localism Agenda, it is recommended that part of the budget remains 'unallocated' until the planned interviews and workshops have been held with members and also to accommodate any other needs that arise throughout the year.
- 1.3.11 It is recommended that the training needs as outlined on the attached plan at Appendix 1 is agreed, allowing the annual committee required training and conferences to take place.
- 1.3.12 It is further recommended that as additional needs are identified and funding is required, requests for funding are made using the application form within the Member Development Policy and agreed by the Cabinet Member for Corporate Services and the Learning & Development Shared Services Manager (see form at Appendix 2).
- 1.3.13 This report and the approach to Member Development is based on a number of assumptions, as follows:
- 1.3.13.1 Member Development is driven by members for members;
- 1.3.13.2 We will utilise partnership working as far as possible to arrange joint briefings/training for members so that networking and best practice opportunities are maximized;
- 1.3.13.3 Any training that is attended by members from other council's; will be cross charged accordingly to the appropriate council;
- 1.3.13.4 Any funds not utilised will be kept in the budget for any 'ad-hoc' and emerging training requirements;
- 1.3.13.5 Members take responsibility for sharing and disseminating learning to fellow members and colleagues.
- 1.4 Alternative Action and why not Recommended
- 1.4.1 Only booking activities and events on an 'ad hoc' first come first served basis.

This is not recommended as this will eliminate the possibility for taking a 'big picture' view. It is necessary to take a wider view in order that we can establish which conferences/learning activities will have the

biggest impact on either the effective performance of members in their role and/or the widest impact to all members.

This is especially important with the reduced and limited funds available. Careful thought and consideration about the activities that will have the most impact will deliver more value for money.

1.4.2 Plan the whole year ahead and the budget as we have for previous years. This is not recommended as the needs that will become apparent from the Localism Bill, changes to Standards and Scrutiny will not be provided for. Also it takes time for members and officers to understand and interpret current changes and this will lead to new learning needs as we progress throughout the year.

1.5 Impact on Corporate Objectives

- 1.5.1 Corporate and Customer excellence Better service delivery to Members as there will be clarity around what is available for development. Questions around the budget and the forecasting process can be more readily answered.
- 1.5.2 Effective use of Officer and Member time as activities can be planned well in advance (as far as possible) and maximizing the budget that we have.

1.6 Risk Management

1.6.1 The council has made an ongoing commitment to provide members with the required tools and development to effectively equip them to perform in their roles. This part planned and part emergent approach gives reassurance that member learning needs are being identified and met. Thus resulting in better delivery of the services to constituents. Adapting to the changes faced by members and planning for some aspects of learning to be done in a more emergent way, means that we are limiting the risk of 'getting it wrong' by training on areas that are not yet fully clear.

1.7 Other Implications

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1. Financial

2. Staffing

3. Legal

4. Equality Impact Needs Assessment

X

- 5. Environmental/Sustainable Development
 6. Community Safety
 7. Human Rights Act
 8. Procurement
 9. Asset Management
- 1.7.2 Financial impact on the Member's Budget and the forecasting for following years, creating a more efficient use of resources.
- 1.7.3 There is an impact on Officers in that they are involved in planning and designing the sessions. As much of this is repeated annually, the time spent on this each year is reduced as the bulk of the work has been done and previous materials and experience can be utilised. Although this year time will need to managed very effectively in order to meet new needs that will arise rapidly and with shorter lead in times. Wherever possible resources will be shared with partners and sought from the National Agencies, who will provide guidance and training materials.

There are also advantages in utilizing the skills and experience of officers as it builds their own skills further and helps form strong and open relationships with members.

- 1.8 Relevant Documents
- 1.8.1 Appendices
- 1.8.2 Appendix 1 Members Development Budget Plan 2012/13
- 1.8.3 Appendix 2- Request for funding for Training / Conferences

IS THIS A KEY DECISION REPORT?				
Yes No X				
If yes, when did it first appear in the Forward Plan?				
This is a Key Decision because:				
Wards/Parishes affected:				

REPORT OF THE HEAD OF HUMAN RESOURCES

MEMBERS DEVELOPMENT BUDGET

Recommendations agreed from previous years and ongoing commitments (costs are approximate)

Activity	No's	Reason	Cost	Total
		Planning		
Planning Summer School	3	Those to attend to be agreed at Planning Spokespersons meeting –each member to attend a different mobile workshop so that the fullest learning opportunity is taken advantage of. Upon return, members to disseminate all relevant information and learning points to members utilising the mechanisms as highlighted in the Member Development Policy.	£760.00 pp approx (With multi buy and early bird discount)	£2100.00
General Ranning Committee Training	New members only	Basic Planning awareness for all new members done in 3 modules by internal officers.	Officer time only	£0.00
	All committee members and open to all members Parish members will be invited to some sessions *	When new legislation is introduced our internal officers will ensure that all members of the committee are kept up to date and will carry out briefings/workshops as necessary with the support of Learning and Development. 2012 requirements already known are: National Planning Policy Framework Gypsies – new Governance Guidance Neighbourhood Planning Enforcement (From the Localism perspective) CiL and S106 *		

Planning Tour	Committee, Subs, Cabinet	This is a tour of local planning sites and is used as a learning tool through observation and discussion. The tour of planning sites is part of the MBC Constitution's Planning Code (Section 13). The Planning Code states that this tour has to be arranged at least annually.	Cost only related to expenses	£0.00
Localism in relation to planning	All members/ Parishes	The areas from the Localism Bill that impact on Planning will be shared with members as and when they emerge. Sessions will be developed with officers and members of the planning committee as appropriate	Officer/member time only	£0.00
		Standards		
Standards	New members	Any new members to the Standards committee to attend training on the basics which will be run internally.	Officer time only	£0.00
15	All committee members	Emerging needs will be identified and acted on accordingly, until such times as we know what the nature of Standards will be, training will be given as necessary. Any important topics or changes that arise, a briefing will be carried out by our internal officers; this will ensure that all members of the committee are kept up to date.		
	All members	Ethical Governance training is required for all members from time to time as a refresher.		
		Overview & Scrutiny		
Overview & Scrutiny	3	Members Scrutiny Academy (annual conference). We recommend that the 3 Chairpersons attend the conference as agreed by the O&S Manager and committee.	£149.00 PP	£447.00
	New members (2 new members, McLoughlin &	New members of any Scrutiny committee will attend training on General Scrutiny skills, run by internal officers.	Officer time only	£0.00

	Munford)			
	Open to all members	Awareness and refreshers will be provided to all committee members as needed - internally. Scrutiny Surgeries will be available during the day and in the evenings.	Officer time only	£0.00
		In addition formal training will take place on:		
	All O&S committee members and open to all members	Making an Impact (questioning and making recommendations)	Officer time only	£0.00
	All O&S committee members and open to all members, MBC, TW & SBC	Localism and Scrutiny – this session is being set up hopefully to run with Tunbridge Wells	External trainer/facilitator supported by Internal officers	£1000.00
16				
		Licensing		
Licensing Training	All committee Members & subs	Ongoing requirement to update committee on legislation, often also complimented by briefings by officers. This training will be done on the days that the committee meeting falls and will be no longer than 2 hours. This will cover all key topics, e.g. Gambling, Licensed premises, hackney Carriage and Private Hire etc	Officer time only	£0.00
National Training Event (ex Conference)	1	One Spokesperson of Licensing to attend the annual conference for Licensing which updates on new legislation and best practice. Upon return disseminate all relevant information and learning points to members utilising the mechanisms as highlighted in the Member Development Policy. Any additional members to attend will be funded by Democratic Services.	£219.00 (based on last years prices as this years not yet out)	£219.00

Audit				
Audit Committee Training	Audit committee members and subs	Audit committee will require training. A report regarding Internal Audit training and the approach that members would like to take for this went to the Audit committee and was approved. Audit training will be on a rolling basis and will cover all core skill and knowledge areas. Training for new members will be conducted prior to the first meeting.	Officer time only	£0.00
		From this discussion the learning needs and approach can be detailed specifically. It is likely that some external training will be needed, thus some funds have been set aside for this. If all or part of these funds are not utilised then these funds will be maintained in the budget for 'ad hoc' general training needs that may arise over the coming year.	£1000.00	£1000.00
		Housing		
Housing 17	Open to all members	A number of briefings/workshops were run last year covering all manner of Housing areas, e.g. Allocation Scheme and Choice Based Lettings, Homelessness and Housing Advice, Housing Standards and Management (to include responsibilities of the Landlord) and Affordable Housing and Tenure Strategy. At the first meeting of the Housing Consultative Board in 2012 training will be on the agenda for discussion and planning purposes.	Officer time only	£0.00
	,	Conferences		
LGA Conference	Leader	The Leader to attend this conference, if the Leader is unable to attend then 1 member from the Cabinet	£495.00 PP	£495.00
English Heritage	1	Last year the Heritage Champion attended – it is not know yet if there will be one this year	tbc	tbc
LGA Rural Assembly	1	Last year one member attended there was no Urban Assembly	£250.00	£250.00

	General			
Cabinet Away Days	Cabinet	There are a number of Cabinet away-days throughout the year focusing on various priorities, these are set up and run with members by CLT with input from Senior Managers as appropriate.	Officer time only	£0.00
IDeA Leadership Academy	1 councillor	One Member to attend this training and upon return disseminate all relevant information and learning points to members utilising the mechanisms as highlighted in the Member Development Policy.	£1000.00 (reduced from last year by £500.00)	£0.00
Inductions for new members	All new members	We run 2 inductions for members 1 internally and 1 in conjunction with SEE covering regional topics. This is then supported as per the Member Development Policy by Group Leader support.	Officer time only and some expenses	£0.00
General Training →	Offered to all members	Due to the changing nature and the planned approach to understanding member learning needs this year; we anticipate that some of the topics below will be needed. These needs have been identified through the Member workshops and the Member Survey that has been carried out and in discussion with members. This is not an exhaustive list and will be added to once the outcomes of the interviews and workshops have been completed. Community Leadership / Localism Social media – facebook/twitter etc Negotiation skills Influencing skills Community Right to Buy and Challenge Supporting the community with Business Case creation Planning in respect to Localism Community engagement / Local Leadership		

	General IT 1 to 1 Chairman skills Meeting Etiquette & Protocols Speaking with Impact 7 Habits of Highly Effective People	
	Member Personal Development Planning sessions are also on offer to any member delivered by the Learning & Development Shared Service Manager In addition - other training sessions that are included on the Corporate Training Calendar are also on offer to members. For example Accelerated Reading, report writing etc – there is not normally a charge for this if the course is well subscribed	
_	Total currently allocated	£5511.00
9	Budget for 12/13 Variance to be held in budget for emerging needs	£11,100.00 £5589.00

Appendix 2 Request for funding for Member Training and/or attendance at a Conference / Seminar

Name:	Role (Committee etc):
Training:	
Conference / Seminar title:	Duration:
Cost of event:	Estimated costs of extras e.g. travel etc:
1. What are the main aims / objectives	s of the training / conference / seminar? (please list)
2. How has the learning needs been ide	entified?
3. How will this training / conference/s	eminar improve your/the ability to perform in your role?
4. How will this learning and the knowle	dge gained be shared?
Sign: Applicant:	Date:
Sign: Cabinet Member for Corporate Se	ervices Date:
Sign: L&D Shared Service Manager	Date:

Agenda Item 13

By virtue of paragraph(s) 4 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted