

**MINUTES of the meeting of General Services Committee held on 25 April 2013
at 7.00 p.m.**

Present: Councillors John Kent (Chair), Phil Anderson, Rob Gledhill (substitute for Councillor Coxshall), Steve Liddiard (substitute for Councillor Morris-Cook), Barbara Rice (substitute for Councillor Hale), Barry Palmer and Andy Smith.

Apologies: Councillors Mark Coxshall, Diana Hale and Val Morris-Cook

In attendance: Graham Farrant – Chief Executive
Barbara Brownlee – Director of Housing
David Bull – Director of Planning & Transportation (part)
Carmel Littleton – Acting Director of Children’s Services (part)
Paul Chopping – Senior Human Resources Officer
Steve Jones – Democratic Services Manager

28. MINUTES

The Minutes of the General Services Committee, held on 7 March 2013, were approved as a correct record.

29. ITEMS OF URGENT BUSINESS

The Chair informed the Committee that he had not agreed to the consideration of any items of urgent business.

30. DECLARATION OF INTERESTS

Councillor Anderson declared a non-pecuniary interest in respect of Agenda Item 6, as a member of his family currently attended the service mentioned in the report.

Councillor B Rice informed the Committee that she had visited the service that was mentioned in the report at Agenda Item 6 with another Member and that during the course of her visit, she had witnessed things that she had not been happy with and submitted a statement in respect of the individual that was mentioned in the report. Councillor B. Rice withdrew from the meeting during consideration of Agenda Item 6.

31. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

That, in accordance with Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following item(s) of business, on the grounds that they could involve the possible disclosure of exempt information as defined in paragraph(s) 2 (Information that is likely to reveal the identity of an individual) and 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)) of Schedule 12A of that Act.

Councillor B Rice withdrew from the meeting at 7.05 pm.

32. BUSINESS CASE FOR COMPROMISE AGREEMENT

The Acting Director of Children's Services introduced a report which sought agreement to engage in a compromise agreement with a member of staff employed within their Directorate.

Members considered the issues identified within the report and asked questions of the Acting Director of Children's Services.

During consideration of the item, Members indicated that they were not supportive of the recommendation contained within the report, as it was felt that a process had already been commenced with the employee concerned which ought to be completed. In addition, it was felt that a compromise agreement would send a wrong message and that the Council should not start a "pay-off culture".

It was proposed by the Chair:

"That the absence of the employee mentioned in the report be managed through the sickness absence procedure, with the attendant costs as detailed in the report."

Members indicated their agreement to the proposal.

RESOLVED:

That the absence of the employee mentioned in the report be managed through the sickness absence procedure, with the attendant costs as detailed in the report.

Councillor B Rice returned to the room.

33. BUSINESS CASE FOR REDUNDANCY

The Chief Executive introduced a report, which sought the approval of the Committee to issue redundancy notice to the Corporate Director of Finance and Corporate Governance.

Members were informed that this followed a report considered by the Cabinet at its meeting on 13 February 2013, which outlined the suggested approach to amend the Senior Management Structure following the resignation of the Director of People Services. It was noted that, the report to the Cabinet had recommended the deletion of the post of Corporate Director of Finance and Corporate Governance.

Members considered the report and asked questions of the Chief Executive.

Members raised some concern in respect of capacity issues within the Corporate Finance team, particularly in respect of the number of qualified accountants, and in light of previous issues that had been experienced with the closure of accounts.

The Chief Executive advised Members that he understood the capacity issues identified in respect of the Corporate Finance team and that this was being addressed. In addition he informed the Committee that he had spoken to both the Head of Corporate Finance and the Auditor in respect of this matter and that it was felt that the recommendation in the report would not impact upon the closure of accounts.

A Member queried where the Audit function would then sit and was informed that this would continue to report to the Section 151 Officer, as it did at present.

The Chief Executive informed Members that there would be a phased handover of Section 151, Complaints and Information, Contract Management and Asset Management functions. Members sought assurance from the Chief Executive that the officers identified to take on these functions had both the capacity and skills to do so.

The recommendations in the report were proposed by the Chair and seconded by Councillor A. Smith. Upon being put to the vote, 6 Members voted in favour and 1 voted against, whereupon the Chair declared these to be carried.

RESOLVED:

- 1. That the General Services Committee grant authorisation to proceed with issuing redundancy notice to the Director of Finance and Corporate Governance with immediate effect.**
- 2. That a report be presented to Council to approve Sean Clark, Head of Corporate Finance, to be appointed as the Section 151 Officer.**

34. TUPE CONDITIONS VOLUNTARY REDUNDANCY BUSINESS CASE

The Director of Planning and Transportation presented a report which sought approval to accept voluntary redundancy applications from three members of staff employed within their Directorate.

The business case for each of the voluntary redundancy applications was attached to the report for Members' consideration.

Members considered the report and asked questions of the Director of Planning and Transportation.

The recommendation in the report was proposed by the Chair, seconded by Councillor Gledhill and agreed by the Committee.

RESOLVED:

That the Committee authorise the Director of Planning and Transportation to accept the voluntary redundancy applications as set out in the report and therefore allow the Director of Planning and Transportation to proceed with issuing redundancy notices.

35. CORRECTION TO PREVIOUS BUSINESS CASE FOR COMPROMISE AGREEMENT

The Chief Executive introduced a report which sought to clarify the position and explain the reasoning behind a report relating to a former employee that was presented to General Services Committee in March 2013.

Members asked questions and were provided with an explanation as to why the compromise agreement had been entered into together with an acknowledgement of the mistakes that had been made in the course of bringing the original report to the Committee.

The Committee were informed that changes had since been made to the officer process surrounding Compromise Agreements.

Members were informed that whilst all Compromise Agreements already needed to go to the General Services Committee, other than those that were deemed "emergency", the Chief Executive would now personally approve any urgent or emergency Compromise Agreement before it became legally binding. It was reported that that this change would take effect immediately so that no further Compromise Agreements could be agreed without the personal agreement of the Chief Executive, or that of the General Services Committee.

Members accepted the explanation that had been provided, both in the report and following questioning during the meeting, and advised that they were glad this matter had been taken seriously. In addition, it was suggested that the measures put in place should be communicated so that officers were aware of the processes that should be followed in future to avoid a repeat of the situation.

RESOLVED:

That the Committee note the explanation provided in respect of the reasons for entering into a compromise agreement, as requested at the meeting on 7 March 2013, together with the measures that have been put in place with regard to the approvals process for both compromise agreements and redundancy business cases.

The meeting finished at 8.03 pm.

Approved as a true and correct record

CHAIRMAN

DATE

**Any queries regarding these Minutes, please contact
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or alternatively e-mail sjones@thurrock.gov.uk**