



**WOKINGHAM
BOROUGH COUNCIL**

A Meeting of the **PERSONNEL BOARD** will be held in
Board Room - Civic Offices on **WEDNESDAY 31
OCTOBER 2018 AT 6.30 PM**

Published on 23 October 2018



WOKINGHAM BOROUGH COUNCIL

Our Vision

A great place to live, an even better place to do business

Our Priorities

Improve educational attainment and focus on every child achieving their potential

Invest in regenerating towns and villages, support social and economic prosperity, whilst encouraging business growth

Ensure strong sustainable communities that are vibrant and supported by well designed development

Tackle traffic congestion in specific areas of the Borough

Improve the customer experience when accessing Council services

The Underpinning Principles

Offer excellent value for your Council Tax

Provide affordable homes

Look after the vulnerable

Improve health, wellbeing and quality of life

Maintain and improve the waste collection, recycling and fuel efficiency

Deliver quality in all that we do

MEMBERSHIP OF THE PERSONNEL BOARD

Councillors

Alistair Auty (Chairman)	Stuart Munro (Vice-Chairman)	UllaKarin Clark
Lindsay Ferris Charles Margetts	Charlotte Haitham Taylor	Pauline Helliar-Symons

ITEM NO.	WARD	SUBJECT	PAGE NO.
46.		APOLOGIES To receive any apologies for absence	
47.		MINUTES OF PREVIOUS MEETING To confirm the Minutes of the Meeting held on 5 September 2018 and the Minutes of the Extraordinary meetings held on 6 September and 4 October 2018.	5 - 12
48.		DECLARATION OF INTEREST To receive any declarations of interest	
49.		PUBLIC QUESTION TIME To answer any public questions A period of 30 minutes will be allowed for members of the public to ask questions submitted under notice. The Council welcomes questions from members of the public about the work of this committee. Subject to meeting certain timescales, questions can relate to general issues concerned with the work of the Committee or an item which is on the Agenda for this meeting. For full details of the procedure for submitting questions please contact the Democratic Services Section on the numbers given below or go to www.wokingham.gov.uk/publicquestions	
50.		MEMBER QUESTION TIME To answer any member questions	
51.	None Specific	EXCLUSION OF THE PUBLIC That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act (as amended) as appropriate.	

52. None Specific **EXERCISING OF PENSION DISCRETIONS** **13 - 20**

To receive a report requesting the exercise of Pension Discretions.

Any other items which the Chairman decides are urgent

A Supplementary Agenda will be issued if there are any other items to consider under this heading.

CONTACT OFFICER

Madeleine Shopland Democratic & Electoral Services Specialist
Tel 0118 974 6319
Email madeleine.shopland@wokingham.gov.uk
Postal Address Civic Offices, Shute End, Wokingham, RG40 1BN

Agenda Item 47.

MINUTES OF A MEETING OF THE PERSONNEL BOARD HELD ON 5 SEPTEMBER 2018 FROM 7.35 PM TO 8.40 PM

Committee Members Present

Councillors: Alistair Auty (Chairman), Stuart Munro (Vice-Chairman), UllaKarin Clark, Charlotte Haitham Taylor and Charles Margetts

Officers Present

Anne Hunter, Democratic and Electoral Services Lead Specialist
Andrew Moulton, Assistant Director Governance
Sarah Swindley, Lead Specialist HR

38. APOLOGIES

Apologies for absence were submitted from Councillors Lindsay Ferris and Pauline Helliar-Symons.

39. MINUTES OF PREVIOUS MEETINGS

The Minutes of the meeting of the Personnel Board held on 9 July 2018 and the Minutes of the Extraordinary Meetings held on 26 July, 2 August and 14 August 2018 were confirmed as correct records and signed by the Chairman.

40. DECLARATION OF INTEREST

There were no declarations of interest received.

41. PUBLIC QUESTION TIME

There were no public questions submitted.

42. MEMBER QUESTION TIME

There were no Member questions submitted.

43. SETTING UP OF AN INVESTIGATING AND DISCIPLINARY COMMITTEE (IDC)

The Board considered a report proposing the setting up of an Investigating and Disciplinary Committee (IDC) to deal with disciplinary matters relating to the three statutory Officers i.e. Head of Paid Service, Section 151 Officer and Monitoring Officer.

Andrew Moulton went through the report and advised that the process being proposed was in line with the Model Disciplinary Procedure and Guidance and drew Members attention to the Model Procedure Flow Diagram which set out the process that would be followed.

Andrew tabled a revised Terms of Reference and advised that because the IDC was being set up as a committee of the Personnel Board its membership must be drawn from those Members who had been appointed to Personnel Board, including substitute Members, and therefore the first sentence of section 2 had been amended to read: "The Investigating and Disciplinary Committee shall consist of three Members drawn from the membership of the Personnel Board, including substitute Members." Andrew further confirmed that the membership must be politically balanced and include at least one member of the Executive.

Members discussed the Terms of Reference in detail and in order to be open and transparent put forward that Personnel Board itself should agree the membership of the

IDC and not the Group Leaders. Members were also unhappy that the IDC was only now being set up when the Model Guidance had been in existence for some time.

In line with the other bodies that were included in the Model Procedure Flow Diagram Sarah Swindley tabled a draft Terms of Reference for a Personnel Board Appeals Sub-Committee which would consist of five Members. The Board was unhappy with the proposal that Members could sit on more than one body to hear the same matter and asked that the last sentence of section 2 be deleted from the TOR.

With regard to the Appeals Sub-Committee Terms of Reference Members again felt that the selection process was not as open and transparent as it could be. Following consideration of alternative selection methods it was agreed that eligible Members would be contacted by Democratic Services about their availability and from those that responded the Lead Specialist HR, in the presence of a Democratic Services Officer, would by anonymised ballot randomly pick the membership of the Sub-Committee. A substitute member for each category outlined in section 2 would also be picked. Any Member selected through this process would need to confirm in writing that they had no conflicts that would prohibit them sitting on the Sub-Committee. The Personnel Board asked that this selection process also be replicated in the IDC Terms of Reference.

It was agreed that Officers would amend the Terms of Reference for the IDC and the Appeals Sub-Committee, taking into account the comments made at the meeting, and circulate them to Personnel Board members for approval

RESOLVED that:

- 1) an Investigating and Disciplinary Committee be established and authority be delegated to the Committee to deal with disciplinary matters relating to relevant senior Officers i.e. Head of Paid Service, Section 151 Officer and Monitoring Officer;
- 2) the Investigating and Disciplinary Committee consist of three Members drawn from the membership of the Personnel Board, including substitute Members, with seats allocated, as and when the Committee is required to sit, in accordance with the proportionality rules and appointments made in accordance with the process set out in the revised Terms of Reference;
- 3) taking account of comments made at the meeting Officers amend the Terms of Reference of the Investigating and Disciplinary Committee, as set out in Appendix 1 of the report, and circulate them to members of the Personnel Board for final agreement;
- 4) a Personnel Board Appeals Sub-Committee be established and authority be delegated to the Sub-Committee to deal with appeals against disciplinary and grievance matters relating to relevant senior Officers i.e. Head of Paid Service, Section 151 Officer and Monitoring Officer;
- 5) the Personnel Board Appeals Sub-Committee consist of five Members drawn from the membership of the Personnel Board, including substitute Members, with seats allocated, as and when the Committee is required to sit, in accordance with the proportionality rules and appointments made in accordance with the process set out in the revised Terms of Reference;

- 6) taking account of comments made at the meeting Officers amend the Terms of Reference of the Personnel Board Appeals Sub-Committee as tabled, and circulate them to members of the Personnel Board for final agreement;
- 7) training be provided to members of the Investigating and Disciplinary Committee and the Personnel Board Appeals Sub-Committee prior to them attending their first meeting;
- 8) in line with the changes brought about by The Local Authorities (Standing Orders)(England)(Amendment) Regulations 2015 Officers be asked to draft detailed procedures relating to disciplinary matters involving relevant Officers for subsequent inclusion in Section 11.5 of the Constitution.

Appendix to Minutes - terms of reference

44. CHIEF EXECUTIVE JOB DESCRIPTION

The Board considered a revised job description for the permanent recruitment of a Chief Executive.

Sarah Swindley highlighted the changes that had been made to the job description previously viewed by the Personnel Board, which had come about following feedback from Members, and advised that the role was due to be advertised tomorrow.

RESOLVED: That the job description, as attached at Appendix 1 to the report, be approved for the permanent recruitment of the Chief Executive.

45. ANNUAL EQUALITY MONITORING WORKFORCE REPORT

The Board considered the Annual Equality Monitoring Workforce report for 2018-2019.

Sarah Swindley when introducing the report highlighted that one of the main issues was encouraging staff to include their data on the system so that the Council had an accurate picture of its workforce. It was noted that the workforce was actually more diverse than the population it served. Sarah drew Members' attention to the action plan and specifically that a biennial equal opportunities refresh was being introduced to ensure that staff were up to date and aware of their legal duties and requirements.

Members were pleased to note the increased take-up of apprenticeships and felt that more PR should be done on this as it was very positive.

RESOLVED: That the Annual Equality Monitoring Workforce report be approved.

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**MINUTES OF A MEETING OF THE
PERSONNEL BOARD
HELD ON 6 SEPTEMBER 2018 FROM 9.00 AM TO 5.20 PM**

Committee Members Present

Councillors: Stuart Munro (Chairman), David Chopping (substituting Alistair Auty), UllaKarin Clark, Lindsay Ferris and Charlotte Haitham Taylor

Officers Present

Manjeet Gill, Chief Executive
Joelle Cooper, Senior Relationship Manager
Maggie Hennessy, Penna Public Sector Executive Search

46. APOLOGIES

Apologies for absence were submitted from Councillors Alistair Auty, Pauline Helliar-Symons, and Charles Margetts.

47. DECLARATION OF INTEREST

There were no declarations of interest received.

48. RECRUITMENT OF DIRECTOR, CHILDREN'S SERVICES

The Board considered a report regarding the appointment of a Director of Children's Services.

49. EXCLUSION OF THE PUBLIC

RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act (as amended) as appropriate.

50. DIRECTOR OF CHILDREN'S SERVICES

The Board interviewed a number of applicants for the post of Director of Children's Services.

RESOLVED: That subject to there being no objections from the majority of Executive Members, it be recommended to Council that Carol Cammiss be appointed to the statutory role of Director of Children's Services on a date to be agreed.

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**MINUTES OF A MEETING OF THE
PERSONNEL BOARD
HELD ON 4 OCTOBER 2018 FROM 6.30 PM TO 7.15 PM**

Committee Members Present

Councillors: Stuart Munro (Vice-Chairman, in the Chair), UllaKarin Clark, Lindsay Ferris, Charlotte Haitham Taylor, Pauline Helliar-Symons and Charles Margetts

Officers Present

Madeleine Shopland, Democratic and Electoral Services Specialist

Sarah Swindley, Lead Specialist HR

Ben Cox, Penna

Michael Earnshaw, Penna

51. APOLOGIES

An apology for absence was submitted from Councillor Alistair Auty.

52. DECLARATION OF INTEREST

Councillor Charlotte Haitham Taylor declared a Personal Interest in Item 44 Long List for Permanent Chief Executive and Director Locality and Customer Services on the grounds that she had previously met one of the candidates. Councillor Haitham Taylor remained in the meeting during discussions and voted on the matter.

53. PUBLIC QUESTION TIME

There were no public questions.

54. MEMBER QUESTION TIME

There were no Member questions.

55. LONG LIST FOR PERMANENT CHIEF EXECUTIVE AND DIRECTOR LOCALITY AND CUSTOMER SERVICE

The Board received a report regarding the long listing of candidates for the roles of Chief Executive and the Director Locality and Customer Services.

56. EXCLUSION OF THE PUBLIC

RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act (as amended) as appropriate.

57. LONG LIST FOR PERMANENT CHIEF EXECUTIVE AND DIRECTOR LOCALITY AND CUSTOMER SERVICES

The Board received a report regarding the long listing of candidates for the roles of Chief Executive and the Director Locality and Customer Services.

RESOLVED: That:

- 1) applicants submitted by the Executive Search firm Penna be reviewed;
- 2) that 10 candidates from those classified as either 'A' or 'B', be supported to proceed to longlist interview for the role of Chief Executive and that 9 candidates from

those classified as either 'A' or 'B' be supported to longlist interview for the role of Director Locality and Customer Services;

- 3) the proposal to reject candidates classified as 'C' be accepted.

Agenda Item 52.

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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