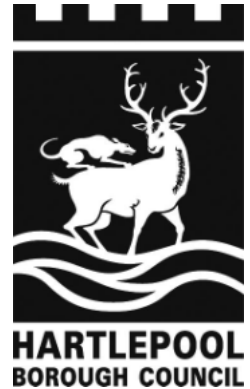


# GENERAL PURPOSES COMMITTEE AGENDA



**Monday 16 April 2012**

**at 2.00 p.m.**

**in Committee Room A,  
Civic Centre, Hartlepool.**

MEMBERS: GENERAL PURPOSES COMMITTEE:

Councillors C Akers-Belcher, S Akers-Belcher, Cook, James, Lawton, Loynes, Simmons, Thomas and Wells.

**1. APOLOGIES FOR ABSENCE**

**2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**

**3. MINUTES**

3.1 To confirm the minutes of the meeting held on 5 March 2012.

**4. ITEMS REQUIRING DECISION**

4.1 Appeals To General Purposes (Appeals and Staffing) Committee - *Chief Customer and Workforce Services Officer, Chief Solicitor and Chief Finance Officer*

4.2 Appointment of Local Authority Representatives to serve on School Governing Bodies – *Director of Child and Adult Services*

**5. ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT**

# GENERAL PURPOSES COMMITTEE

## MINUTES AND DECISION RECORD

5 March 2012

The meeting commenced at 2.00 pm in the Civic Centre, Hartlepool

**Present:**

Councillor: Rob Cook (In the Chair)

Councillors: Christopher Akers-Belcher, Stephen Akers-Belcher, Marjorie James, Trisha Lawton, Brenda Loynes, Chris Simmons and Ray Wells

Officers: Joanne Machers, Chief Customer and Workforce Services Officer  
Angela Armstrong, Principal Democratic Services Officer

#### **44. Apologies for Absence**

Apologies for absence were received from Councillor Stephen Thomas.

#### **45. Declarations of interest by Members**

None.

#### **46. Confirmation of the minutes of the meeting held on 5 December 2011**

Confirmed.

#### **47. Request for Observers to Attend Appeal Hearings** *(Chief Customer and Workforce Services Officer)*

The Chief Customer and Workforce Services Officer presented a report that requested that Council and Trade Union officers be allowed to attend General Purposes (Appeals and Staffing) Committee hearings as non-participating observers when considering employment based appeals from employees. It was noted that the Trades Unions had no objection to this request. However, it was recognised that some cases were extremely sensitive and employees and Trade Union representatives would be given the opportunity to object to an observer being present.

The Chief Customer and Workforce Services Officer explained the

benefits of an officer attending an actual live appeal hearing when there was no pressure on them to participate and officers who had previously observed such meetings had been able to develop their skills more quickly and with more confidence.

A lengthy discussion ensued and whilst some Members appreciated the benefits to be gained by officers and Trade Union representatives attending hearings as observers, there was significant concerns raised that having observers in attendance would intimidate employees in what was already a very stressful situation. Members were concerned that employees would feel pressured into accepting the attendance of an observer to avoid any prejudice against them should they refuse the request.

The Chief Customer and Workforce Services Officer commented that the experience officers and trade union representatives could gain from exposure in real time to the debate, discussions and emotions displayed within an appeal hearing would provide excellent opportunities to develop the skills of current employees at a time when resources to fund other forms of training were extremely limited.

A number of alternative solutions were discussed, including holding 'mock' hearings, utilising previous anonymised case studies with the involvement of Members as part of their training and development programme or allowing the Chair of hearings the discretion to allow observers to attend, subject to the appellant or trade union representative not having any objections.

In general, Members did not feel that 'mock' hearings would be an effective training method and they were concerned that giving the discretion to the Chair would place unnecessary additional pressure on that Chair.

A Member suggested that as the Employment Relations Advisor within the Economic Development Section already provided HR advice to the private and voluntary sector and supported the HR function of these organisations as and when necessary, this officer could develop and deliver appropriate training to officers and Trade Union representatives.

### **Decision**

- (i) The request to agree in principle to observers being allowed to attend General Purposes (Appeals and Staffing) Committee hearings was refused.
- (ii) That the development of a training programme by the Economic Development Team be explored.

#### **48. Any Other Business which the Chair considers Urgent – Registration of Employees**

A Member referred to a General Purposes (Appeals and Staffing) Committee held on 7 September 2011 during which Members had requested an update on the professional registration of the employees subject to that appeal hearing. The Chief Customer and Workforce Services Officer indicated that an update on the current situation would be forwarded to Members.

##### **Decision**

That the Chief Customer and Workforce Services Officer to forward an update to Members on the professional registration of the employees referred to above.

#### **49. Any Other Business – General Purposes (Appeals and Staffing) Committees**

Members were disappointed to note that at the Appellant's request, a meeting of the above Committee had recently been rescheduled at very short notice. In addition, Members were concerned that appeals against redundancy appeals may be considered after the termination date of the employee. The Chief Customer and Workforce Services Officer confirmed that all outstanding redundancy appeals were scheduled in advance of the termination date as previously requested by Members. However, Members were concerned that some of the appeal dates were too close to the termination date and they did not find this acceptable. It was therefore requested that future appeals against redundancy be held as far in advance of the termination date as possible. However, the Chief Customer and Workforce Services Officer highlighted that timescales were determined by the length of notice an employee was entitled to.

It was proposed by Members that where an appeal against redundancy could not be arranged prior to the termination date of the employee, their contract of employment be extended for two weeks, with the option of a further two weeks if necessary, to enable their appeal to be heard, as long as the reason for delay was not created by the employee. Any costs associated with any delays to be borne by the relevant Department.

##### **Decision**

- (i) That all General Purposes (Appeals and Staffing) Committee arranged to hear appeals against redundancy dismissals, be held as far in advance of the termination date of the employee as possible.
- (ii) That in cases where appeals against redundancy dismissal could

not be scheduled prior to the termination date of the employee, their terms of employment be extended for two weeks, with the option of a further two weeks if necessary, to enable their appeal to be heard. This was subject to the reason for delay not being the cause of the employee.

## **50. Any Other Business – General Purposes (Appeals and Staffing) Committees – Schedule of Meetings**

As Members were aware, a schedule of meetings of the General Purposes (Appeals and Staffing) Committees had recently been circulated to all Members of the Committee. Members were asked to inform Democratic Services if any of their previously identified availability for meetings had changed. A change in availability was highlighted and the schedule was amended accordingly.

### **Decision**

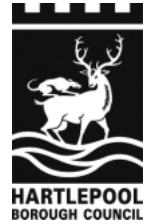
A revised schedule of meetings to be circulated to all Members of the Committee.

The meeting concluded at 2.48 pm

CHAIR

# GENERAL PURPOSES COMMITTEE

16 April 2012



**Report of: Chief Customer and Workforce Services Officer,  
Chief Solicitor and Chief Finance Officer**

**Subject: APPEALS TO GENERAL PURPOSES (APPEALS &  
STAFFING) COMMITTEE**

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## 1. PURPOSE OF THE REPORT

As a result of the 2012/13 budget agreed by Council in February a number of employees have been issued with notice of dismissal by reason of redundancy. Employees have the right to appeal against the dismissal and all appeals are considered by the General Purposes (Appeals & Staffing) Committee.

## 2. BACKGROUND

### 2.1 Scheduling of Appeal Hearings

2.2 At a meeting of the General Purposes Committee on 5 March 2012 an item was raised under Any Other Business regarding the scheduling of appeal hearings to the General Purposes (Appeals & Staffing) Committee.

2.3 Members raised concern that redundancy dismissal appeals may be heard after the appellant has left the Council's employment. Assurances were given at the meeting that all appeals received to date had been scheduled as soon as it was possible and all before the due dismissal date. Members raised new concerns that the scheduled hearing date may be too close to the dismissal date and considered this unacceptable.

2.4 Members were advised that a timetable for consulting the workforce and implementing budget decisions was prepared well in advance based on the Council's decision making processes and agreed policies and procedures with a view to minimising any on-going costs in the new financial year. What cannot be planned for is how many employees may submit an appeal against their dismissal and what their individual contractual notice entitlement may be. In some cases this may be as little as four weeks up to a maximum of 12 weeks. It has been helpful to have dates set aside for hearings which gives some certainty as to Member availability and therefore enables a clear

timescale for statements of case to be prepared by both parties and circulated as required. Where there are a number of appeals received within a short time frame officers do consult to ensure employees with the shortest notice are heard sooner. Where employees are entitled to a short notice period it can prove very difficult to schedule a hearing before the dismissal date. There is no legal or Council policy requirement which requires the hearing to be held before the dismissal date.

- 2.5 The draft minutes and decision record for the meeting show that Members decided that in cases where appeals against redundancy dismissal could not be scheduled prior to the termination date of the employee, their employment should be extended for two weeks, with the option of extending a further two weeks if necessary to enable the appeal to be heard. This would be subject to the employee not being the reason for the delay.

### **3. IMPLICATIONS OF THIS DECISION**

- 3.1 The Chief Solicitor has advised that the General Purposes Committee have no power to extend the contract of employment for an individual employee in the manner discussed and agreed on 9 March. The Chief Finance Officer also has concerns regarding the authority of the General Purposes Committee to incur additional costs outside the approved budget and policy framework, which would either need to be funded from the reserves earmarked for redundancy and early retirement costs, or from the General Fund Reserve.
- 3.2 The Committee's general concern can be noted and officers requested to operate with reference to the stated preferences of the Committee. Under the Council's Scheme of Delegations the Chief Customer & Workforce Services Officer has authority to determine matters with regard to the interpretation of terms and conditions of employment, in consultation with the Chief Solicitor and the Chief Finance Officer where there are legal and/or financial implications respectively.

### **4. RECOMMENDATION**

- 4.1 Members are asked to note the advice of the Chief Solicitor and reconsider their decision recorded as Item 49 in the Minutes and Decision Record of 5 March 2012.

### **5. CONTACT OFFICER**

Joanne Machers  
Chief Customer and Workforce Services Officer  
Level 3  
Civic Centre  
Tel: 01429 523003  
Email: [joanne.machers@hartlepool.gov.uk](mailto:joanne.machers@hartlepool.gov.uk)

## GENERAL PURPOSES COMMITTEE

16<sup>th</sup> APRIL 2012



**Report of:** Director of Child & Adult Services

**Subject:** APPOINTMENT OF LOCAL AUTHORITY REPRESENTATIVES TO SERVE ON SCHOOL GOVERNING BODIES

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### 1. PURPOSE OF REPORT

To update members of the General Purposes Committee in respect of vacancies that currently exist for Local Authority representative governors serving on school governing bodies where, interest has been expressed in the vacancies, and to request members to make recommendations to the Children's Services Portfolio Holder in respect of the appointments to school governing bodies.

### 2. BACKGROUND

Applications are invited from members of the general public, elected members and those governors whose term of office is about to expire or has expired and who are, interested in serving or wish to continue to serve as a LA representative governor on school governing bodies.

The following criteria were agreed by the Borough Council for the recruitment of LA representative governors in 2000. LA governors should be able to show:

- demonstrable interest in and commitment to education;
- a desire to support the school concerned;
- a commitment to attend regular meetings of the governing body (and committees as appropriate) and school functions generally;
- good communication/interpersonal skills;
- ability to work as part of a team;
- a clearly expressed willingness to participate in the governor training programme.



A schedule (**Appendix 1**) is attached setting out details of vacancies which currently exist for LA representative governors, where interest has been expressed in the vacancies together with applications received in respect of the vacancies (**Appendix 2**). **This item contains exempt information under Schedule 12A of the Local Government Act 1972, (as amended by the Local Government (Access to Information)(Variation) Order 2006) namely, information relating to any individual (para 1)**

### **3. RECOMMENDATIONS**

That the recommendations for the appointments set out in the confidential section of the minutes, of LA representative governors be referred to the Children's Services Portfolio Holder for approval.

**Contact Officer:**

**Ann Turner, Governor Support Officer, telephone 523766  
e.mail [ann.turner@hartlepool.gov.uk](mailto:ann.turner@hartlepool.gov.uk)**

# Child and Adult Services Department

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## VACANCIES SCHOOL GOVERNING BODIES

**APRIL 2012**

**Contact Officer: Ann Turner  
01429 523766**

## VACANCIES FOR LOCAL AUTHORITY REPRESENTATIVES ON GOVERNING BODIES

SCHOOL INCLUDING LA GOVERNORS	VACANCIES	POSSIBLE INTEREST	RECOMMENDED FOR APPOINTMENTS
<b>Clavering Primary School</b> Councilor R. Cook Mrs. I. Green Councillor J. Robinson	Mrs. I. Green Term of office expires 24 <sup>th</sup> April 2012	Mrs. I. Green	
<b>Fens Primary School</b> Councillor A. Preece	2 Vacancies	Mr. P. Hew ard Councillor A Marshall form aw aited	
<b>Rossmere Primary School</b> Councillor P. Law ton Mrs. M. Smith	1 Vacancy	Councillor Paul Thompson	
<b>Seaton Carew Nursery School</b> Councillor H. Thomas	1 Vacancy	Councillor Paul Thompson Councillor Geoff Lilley	
<b>St Bega's R.C. Primary School</b>	1 Vacancy	Mr. Stuart A. Langston	
<b>West View Primary School</b> Councillor C. Simmons Mr. D. Wise	Councillor S. Griffin Term of office expired 29 <sup>th</sup> January 2012	Councillor S. Griffin	

<b>Kingsley Primary School</b> Mrs J Brough Mr J Vale	1 Vacancy	Mrs J Hanson	
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