

**WEST OXFORDSHIRE DISTRICT COUNCIL**

**COUNCIL:**

**WEDNESDAY 25 APRIL 2018**

**REVIEW OF THE HUMAN RESOURCES COMMITTEE**

**REPORT OF THE MONITORING OFFICER/HEAD OF DEMOCRATIC SERVICES**

**(Contact: Keith Butler, Tel: (01993) 861521)**

**1. PURPOSE**

To consider the possible dis-establishment of the Human Resources Committee, with effect from the annual meeting of the Council on 16 May 2018.

**2. RECOMMENDATIONS**

- (a) That the Human Resources Committee is not re-appointed with effect from the 2018/19 municipal year;
- (b) That Publica be authorised to apply any annual pay awards to those staff employed by the Council;
- (c) That the Group Manager (Legal and Property) be authorised to take any necessary decisions relating to the employment of the Legal Executive;
- (d) That the Audit and General Purposes Committee be delegated the authority to make any necessary decisions relating to the remaining posts specified under paragraph 3.4 below which are not reserved by law to Council;
- (e) That a report be presented to a future meeting of the Audit and General Purposes Committee to address the issue and explain or seek authority for the necessary procedures for the appointment or dismissal of persons from the Council retained posts, including disciplinary and grievance procedures; and
- (f) That the Monitoring Officer be authorised to make any necessary changes to the Council's constitution as a result of the changes approved pursuant to this report.

**3. BACKGROUND**

- 3.1. When considering the review of member structures and democratic costs in October 2017, the Council agreed that a report on future arrangements for the exercise of the Council's Human Resources function should be submitted to a future meeting. The matter had been raised by Councillor Cooper, and the minutes of the meeting record that he stated that the Committee had not met for some time and that the Council would have few direct employees by the end of the current municipal year; and suggested that any residual responsibilities could be exercised by the Audit and General Purposes Committee.
- 3.2. Historically, the Human Resources Committee was responsible for the Council's staffing functions, including pay structures, grading changes, the establishment generally, and the approval of policies relating to staff. The development of joint working and, in particular, the 2020 partnership and Joint Committee greatly reduced the necessity for meetings/decisions, to the extent that the Human Resources Committee (i) met on only four occasions in 2015/16, for an average of around 11 minutes per meeting; and (ii) has

not met since April 2016 (other than the procedural meetings on the days of the annual meetings of the Council in 2016 and 2017).

- 3.3. The Committee did, however, also retain a role in disciplinary matters, with an appeal to a Sub-Committee being available to staff as the final stage of any particular process. This role was exercised in 2017 for the first time for around six years, when an appeal against dismissal was considered.
- 3.4. Following the transfer of staff to Publica with effect from 1 November 2017, only four staff remain either solely employed by West Oxfordshire District Council, or jointly employed by West Oxfordshire and Cotswold District Councils, in respect of the following positions:
  - Head of the Paid Service
  - Section 151 Officer
  - Monitoring Officer, Returning Officer and Electoral Registration Officer
  - Legal Executive
- 3.5. Further, the Council agreed at its meeting on 6 September 2017 “*that officers employed either solely or partly by the Council be employed using the same terms and conditions, HR policies and procedures as Publica employees*”, meaning that its role as an employer is extremely limited, and will relate to appointing persons to the applicable posts, the approval of their pay, and any disciplinary or grievance matters which arise. Also, of the four positions referenced under 3.4 above, appointments to all but the Legal Executive post are reserved to the Council, and there are provisions relating to the dismissal of a person from certain of the statutory positions.
- 3.6. The recommendations in this report have been framed to take the above into account, and it should also be noted that staffing matters are essentially “non-executive” and not, therefore, for Cabinet decision.

#### **4. ALTERNATIVES/OPTIONS**

Council could decide to retain the Human Resources Committee, or to reserve any decisions necessary in relation to its position as an employer to itself.

#### **5. FINANCIAL IMPLICATIONS**

- 5.1. This report has no financial implications.
- 5.2. As Council is aware, the position of Chairman of the Human Resources Committee previously attracted a Special Responsibility Allowance, but that ceased on 1 April 2018 as a consequence of the Council approving the recommendations of the Independent Remuneration Panel for 2018/19.

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Background Papers:

None