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BRISTOL CITY COUNCIL

**MINUTES OF A MEETING OF THE
HUMAN RESOURCES COMMITTEE
HELD ON 11 JULY 2013 AT 2.00 p.m.**

P Councillor Eddy
P Councillor Hance
A Councillor Langley
P Councillor Morgan
P Councillor Payne
P Councillor Wollacott

**HR
13.7/13 APOLOGIES AND SUBSTITUTIONS (agenda item 1)**

Apologies were received from Councillor Gollop

**HR
14.7/13 DECLARATIONS OF INTEREST (agenda item 2)**

There were no declarations of interest.

**HR
15.7/13 MINUTES - HUMAN RESOURCES COMMITTEE – 6 JUNE 2013
(agenda item 4)**

With reference to 11.6/13 – policy changes resultant from the agreed budget of full Council - it was confirmed that an update report had been added to work schedule for the November 2013

RESOLVED - that the minutes of the meeting of the Human Resources Committee held on 6th June 2013 be confirmed as a correct record and signed by the Chair.

**HR
16.7/13 PUBLIC FORUM (agenda item 5)**

The Chair referred to an item of public forum that had been received at full Council regarding Highways and New Improvement Works contract as submitted by GMB & UNITE to

which the Mayor was asked to respond. The Chair asked officers to share the response with the HR Committee.

Public forum items were received from UNISON, GMB and UNITE in relation to agenda items 6 and 7, copies of which can be found in the minutebook.

HR
17.7/13

USE OF COMPROMISE AGREEMENTS (agenda item 6)

The Committee considered a report of the Service Director, Human Resources highlighting the extent of the usage of Compromise Agreements in Bristol City Council.

During the presentation of the report, the following main points were highlighted:

- Information had appeared in the Telegraph and Bristol Evening Post in April following an FOI request.
- The report clarified that compromise agreements (CA) were legally bound written agreement between the council and employee.
- The BCC template had a non-derogatory legal clause, which was a confidentiality clause relating to the existence of the settlement following departure from employment..
- In response to concerns about silencing whistleblowers, officers confirmed that in the past BCC had removed that non-derogatory legal clause in order to withdraw that element. In no way therefore would it stop the statutory right to raise whistleblowing claims.
- BCC own good practice was to insist an individual sought independent legal advice before entering into an agreement.
- There had been 19 CA since 2010 which was a modest number in the context of the size of the authority.

During the ensuing discussion the following points were raised:

- Bristol had recently been ranked 2nd out of 236 councils for the number of CA however this included 96 agreements established by schools. Other local authorities may have only declared those used by the authorities themselves.
- Officers could not comment on the use of CA by schools and they were a matter for the schools governing body. Agreements made by schools were not resourced by the local authority.

- It was confirmed that payments had no effects on pensions and those in excess of £30,000 would be taxable.
- Officers were unable to comment on the value for money of individual cases, however could confirm that the agreements were pragmatically weighed up against the viability of the defence against a claim should the case be brought to tribunal.
- Officers would seek information regarding the cost of preparing for tribunal to compare with the cost of CA.
- Generally there had been approximately 5 or 6 CA each year since 2007 which based on officer experience of other large organisations was considered a reasonable number.
- It was suggested by a Member that as there continued to be FOI requests, information could be made available on the internet, however officers confirmed that this would not be possible as they dealt with individual cases. The information was available to the HR Committee within a public setting.
- It was confirmed that the Service Director for Human Resources had the overview and use required his agreement.
- Regarding patterns relating to pay bands, officers confirmed that a CA would not be paid over and above a contractual entitlement.
- It was confirmed that annual statistics could be reported to the first HR Committee meeting of each year.

**RESOLVED - (1) that the report be noted.
(2) that a report be received annually by
the HR Committee regarding
Compromise agreements of the
authority.**

HR

18.7/13

INTERIM STRATEGIC LEADERSHIP ARRANGEMENTS (agenda item 7)

The Committee considered a report of the City Director regarding the Interim Strategic Leadership arrangements.

During the presentation of the report, the following main points were highlighted:

- It had become apparent that come the end of July 2013, no Strategic Directors would be in permanent appointments, which was considered an untenable situation.
- Temporary arrangements were proposed to be established in line with Mayoral priorities, including capacity to manage large regeneration projects.

- It was important to create dedicated resource and capacity within the leadership team to prepare for the future and facilitate change.

During the ensuing discussion the following points were raised:

- The City Director confirmed that the arrangements were absolutely temporary and would not exist further to January 2014. Further detail however could not be provided until discussions about future arrangements had taken place with the HR Committee, Party Group Leaders and the individuals involved.
- Officers confirmed that the interim arrangements had been negotiated to come in within the current financial envelope. Savings had been made through the merge of posts and 'acting up' arrangements. The situation up until December 2013 would not cost more than the resources available. Members highlighted that support would be given on the basis of keeping within that financial envelope.
- In relation to the risks of the proposed structure, the City Director confirmed that the risk of not taking action outweighed the risk of bringing in interim measures. The risk of the proposals included engaging staff that did not know Bristol well, however, those people also brought experience of hitting the ground running and making quick accurate assessments of situations.
- A mixture of opportunities including external contacts, internal development and continuation of the present also helped mitigate risk.

RESOLVED - that the report be noted.

HR

19.7/13

EXCLUSION OF PRESS AND PUBLIC

RESOLVED - that under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the consideration of the following item on the grounds that it involves the likely disclosure of exempt information as defined in Part I of Schedule 12A to the Act (as amended).

HR

20.7/13 CITY DIRECTOR BRIEFING (agenda item 9)

The Committee considered a report of the City Director which outlined the future proposals for the senior leadership team structure.

RESOLVED - That the Committee support the recommendations as set out in the exempt report.

HR

21.7/13

DATE OF NEXT MEETING

RESOLVED - that it be noted that the next meeting of the Human Resources Committee be held on 12th September 2013 at 2.00 p.m.

CHAIR