

**BRECKLAND COUNCIL**

**At a Special Meeting of the**

**LOCAL JOINT CONSULTATIVE COMMITTEE**

**Held on Monday, 6 December 2010 at 9.00 am in  
Norfolk Room, The Conference Suite, Elizabeth House, Dereham**

**PRESENT**

**Employers' Side**

Mr R.G. Kybird  
Mrs S.M. Matthews  
Mr D.R. Williams JP (Chairman)

**Staff Side**

Dr Z. Waterford (Vice-Chairman)  
Mrs. R. Farman  
Mrs L. Warmer  
Ms S. Smith

**Also Present**

Mr W.H.C. Smith

**In Attendance**

Julie Britton	- Senior Committee Officer
Kathryn Ralphs	- Human Resources Adviser
Roger Wilkin	- Interim Environmental Services Manager
Terry Huggins	- Chief Executive
Jane Osborne	- Committee Officer

**40/10 APOLOGIES (AGENDA ITEM 1)**

Apologies for absence were received from Mr K Martin, Mr D Wilder and Ms R Moreton.

**41/10 DECLARATION OF INTEREST (AGENDA ITEM 2)**

The Chairman declared an interest when outplacement support was being discussed by virtue of his involvement with Job Centre Plus.

**42/10 SHARED MANAGEMENT PROJECT (AGENDA ITEM 4)**

The Chief Executive presented the report which advised Members of the detail and progress of the formal consultation process on the creation of a shared management team for Breckland Council and South Holland District Council.

A short presentation was also provided.

It was emphasised that this was about shared management and not shared services; the two councils would stay very much separate and governance arrangements would not be merged.

The key drivers were around finance and it was expected that the proposed structure would deliver a minimum 35% saving in overall management costs for 2011-12. The savings would also create space for Executive Members to work within both authorities - training and development would take place for these particular Members to take this

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forward. There would be one manager for each service.

This was the first step leading to shared management and it was stressed that not every department would be going through this process.

In the course of taking this vision forward, the two authorities were proposing to build a structure based on three core functions. The first was commissioning services. Local authorities provided a range of services either directly to their own citizens or internally to support their own business. They range from street cleaning to HR services. These could be delivered in a number of ways, direct service provision, partnerships, in sourcing, outsourcing and so on. These services presented massive opportunity for joint management leading to joint commissioning with the realisation of efficiencies. Commissioning having a wide definition, covering delivery options from outsourcing, to in-house provision.

The second was organisational governance. Local authorities were led by elected members with special accountabilities to their communities and to government and had to have a high degree of transparency and accountability. This required the management of elections and serving and supporting the elected executive, scrutiny, audit and licensing and granting of planning permissions. Governance and accountability would need to be specific to each of the two authorities but there was opportunity to share management and expertise.

The final function was local government of place, in other words place shaping. A term which was not universally liked but which none the less conveyed the most important function of local government to shape the social, environmental and economic well being of its area.

A joint Project Team, consisting of officers from both councils, and led by an Independent Interim Manager, commenced the process of delivering proposals for a shared management structure in September 2010. The Project Team reported to a Project Board, the membership of which included the Leaders of both Councils, two other senior members from each Council, along with the Joint Chief Executive Officer. The two senior Members for Breckland Council were Adrian Stasiak and William Smith.

On completion of the formal consultation process the Project Team would formulate draft proposals for Shared Management to the Project Board for informal approval. However, due to the large amount of responses received over the last couple of days, proposals could not be finalised in time for the Project Board meeting on 3<sup>rd</sup> December; therefore, there was an opportunity for the Local Joint Consultative Committee Members to express their views which would be relayed by the Interim Independent Manager to the Project Board meeting which had been re-arranged for Tuesday, 7<sup>th</sup> December.

All project processes such as staff consultation, other stakeholder communications, committee meetings etc would be and had been carried out in parallel with both Councils as far as reasonably practicable in order to ensure equity and fairness. Both Councils had

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also consulted with trade unions, prior to, and throughout the consultation and subsequent restructuring process.

Members were informed of the timetable of completion, which, assuming approval from both Councils, job descriptions would be finalised following job evaluations of posts, and the final structure would be announced in January 2011.

Individual 1:1s with affected staff would commence at the beginning of January, some managers would be able to be 'slotted in' to some posts without interviews, other posts would be advertised towards the end of January and interviews would be held between the 25 January and 18 February 2011. Appointments would be announced on 21 February, the redeployment/redundancy process would come into effect from 21 February onwards and the proposed implementation of the new structure would commence from 1 April 2011.

The Chairman asked that LJCC be kept informed of the whole process.

A Member asked what the role of scrutiny would be and further asked if it would be a jointly addressed function. The Chief Executive explained that the proposal as it stood, was not to formally constitute a joint Overview & Scrutiny Commission but it could hold the management to account if there was a need for review, only then would it come together. The Cabinet Member in attendance stated that he would not be willing to set up joint meetings only if there were problems with the structure, in which case, Executive Members would investigate in the first instance; only then would it be possible to convene a joint scrutiny or audit.

The Member also asked, when determining the final structure, if there was any right of appeal. In response, Members were informed that all affected staff would have to go through the same selection process; both authorities would do all they could to find the unsuccessful applicants other jobs available within the Council. It would then be up to that person whether he/she accepted the new position, if this had been possible. There would be no protected salary if this was the case.

A question was asked about service conditions. In response, it was noted that the successful applicants would retain their host authority's terms and conditions for the time being as had the Anglia Revenues Partnership (ARP).

The Cabinet Member explained that Forest Heath, one of the partners within ARP, had retained its own staff, the only change that had happened since its formation was that a blended pay scheme had been introduced. He felt that this would probably be the first major issue to contend with. A Staff Side Member reported that there had been much fuss made over the pay scales within Forest Heath and pointed out that the indicative grades and salaries mentioned in the consultation document anticipated that the managerial posts would fall within the Breckland grade 4/5 in the absence of a grading structure for senior management posts at South Holland.

The Chief Executive explained that both authorities had adopted the

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same national job evaluation process so there was the ability to evaluate jobs from both sides. However, in the absence of a banding scheme at South Holland it made sense to use Breckland's. He assured Members once more that all successful applicants would be employed on the same terms and conditions but any new person employed would be on different ones.

The Vice-Chairman could not understand why this massive re-organisation was taking place and was not at all comfortable with the aforementioned approach as she felt that the whole pay scheme should be harmonised at the same time. She could not see how having one pay scheme for the managers and another for the remainder of the staff would work. The Chief Executive said that the harmonisation of pay terms and conditions would be a massive job and would take time. As far as the former comment was concerned, the Chairman stressed that both Councils were only proposing the restructure of senior management at this point in time, not about all staff. With regard to the pay terms everyone for the foreseeable future would be on their own terms and conditions which would be protected.

The Vice-Chairman argued the fact that both authorities required the same banding scheme otherwise unaffected staff would be on a different band to their managers. The Chairman stated that the levels were determined by the applications to the posts. A Member reminded the Committee that this was about joint management not joint working. The Interim Independent Manager pointed out that both Councils were working to the same evaluation scheme and the schemes themselves would not change. The Vice-Chairman stressed that her concerns were not about evaluation but about the bandings.

The Cabinet Member explained that the blended pay scheme would eventually be cascaded down to all staff but it was important to get the top team in first on the same terms and conditions. There would be a need eventually to introduce blended terms and conditions which obviously would go through the necessary consultation process. He went on to mention that new Directors would be employed by a joint company and that staff on Breckland or South Holland terms and conditions would be TUPEd over to this. The Vice Chairman felt that such consultation should have been carried out for the managers. She asked why TUPE had been mentioned. In response, the Chief Executive explained that nothing had been agreed as it would not have any influence on the remainder of the staff. There were 37 applicants for 18 posts which he anticipated would be filled and each would remain with their own employer on the same terms and conditions. None of these processes would affect the remaining staff.

The Chairman knew that a number of issues would appear from this process but stressed that this was not about staff below managerial level. The definition of where both Councils were going and what each was going to look like had not yet been decided. The Vice- Chairman accepted the aforementioned explanations.

A Staff Side Member was aware that there would be casualties within this process and asked what structure each Council would have in place to deal with these issues. Members were informed that there would be

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casualties but redundancies would be the last resort. Much effort would be made to find suitable alternative employment within the Council; however, their current pay would not be protected and if people decided to leave outplacement support would be provided.

The Chairman declared an interest at this point by way of his involvement in such matters with Job Centre Plus. He drew Members' attention to the fact that he had mentioned at the last LJCC meeting that he was not happy with outplacement support and had suggested other types of support available.

Referring to the proposed structure, the Chairman mentioned the finance aspect and if there would have to be two separate entities for financial approvals. The Chief executive explained that each authority had to have a S151 Officer but it had been proposed within the new structure that this would be a joint role as the Finance Team at South Holland had been outsourced.

The report and comments were otherwise noted.

**43/10 NEXT MEETING (AGENDA ITEM 5)**

The arrangements for the next meeting on 3<sup>rd</sup> February 2011 were noted.

The meeting closed at 10.05 am

CHAIRMAN

VICE-CHAIRMAN