

# Swindon Borough Council

## Special Committee

**Monday, 24 February 2014**

Committee Room 6, Civic Offices (Anticipated meeting room)

At 4.00 p.m.

### **Conservative Councillors**

*David Renard (Chair)*

*Fionuala Foley*

*Garry Perkins*

*Brian Mattock (Vice-Chair)*

*Mike Bawden*

**Deputies:** *All other*

*Cabinet Members*

### **Labour Councillors**

*Mark Dempsey*

*Jim Grant*

*Des Moffatt*

**Deputies:** *All other*

*Labour Shadow Cabinet*

*Members*

### **Liberal Democrat Councillors**

*Stan Pajak*

*David Wood (Deputy)*

**Deputies:** *All other Liberal*

*Democrat Members*

(Copies to all other Members of the Council – For Information)

**Committee Officer:** Ian Willcox (Telephone: 01793 463601)

email: [iwillcox@swindon.gov.uk](mailto:iwillcox@swindon.gov.uk)

Swindon Borough Council can be contacted at the Civic Offices, Euclid Street,  
Swindon, SN1 2JH (Telephone 01793 445500)

**Access Arrangements** - The venue is wheelchair accessible and an infrared receiver hearing system is provided. If you have any special requirements to enable you to attend the meeting or would like to receive any of the pages contained in this agenda in a larger print size, please contact the Committee Officer as soon as possible prior to the date of the meeting.

---

## **AGENDA**

### **PART 1 (PUBLIC ITEMS)**

**1. Apologies for Absence.**

**2. Declarations of Interest.**

Members are reminded that at the start of the meeting they should declare any known interests in any matter to be considered, and also during the meeting if it becomes apparent that they have an interest in the matters being discussed.

**3. Minutes. (Pages 1 - 2)**

To receive the minutes of the meeting held on 5<sup>th</sup> November 2013.

**4. Exempt Items - Exclusion of Press and Public**

*Certain items are expected to include the consideration of exempt information*

*and the Special Committee is, therefore, recommended to resolve "That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred to in the items listed below, on the grounds that they involve the likely disclosure of exempt information, as defined in the respective paragraph of Part 1 of Schedule 12A of the Act, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information".*

<u>Item No.</u>	<u>Paragraph No.</u>
<b>8</b>	<b>1 and 2</b>

**5. Public Question Time**

See explanatory note below. Please phone the Committee Officer whose name and number appears at the top of this agenda if you need further guidance.

**6. Adjustments to the Council's Organisational Structure. CE (Pages 3 - 12)**

**7. Employment Terms and Conditions for New Chief Officers. HPD (Pages 13 - 22)**

**PART 2 (TO BE CONSIDERED WITHOUT THE PRESS AND PUBLIC PRESENT)**

**8. Redundancy Severance. (To follow) CE, HPD**

**Date of Despatch:** 17 February 2014

**Key:**

**Officers:**

CE - Chief Executive  
DLDS - Director of Law and Democratic Services (Monitoring Officer)  
HPD - Head of People and Development

**Public Question Time** - Swindon Borough Council is committed to increasing its accountability to the public and to promoting active citizenship. Up to 15 minutes will be allowed at the start of all Council meetings for questions to the Chair from members of the public about the work of the Committee (except for confidential matters and specific planning applications). Questions must be relevant, clear and concise. Because of time constraints Public Question Time is not an opportunity to make speeches or statements. Prior notice of a question to the Director of Law and Democratic Services is desirable - particularly if detailed background information is needed.

**Special Committee - Terms of Reference**

The Special Committee shall have delegated to it the power to act for the Council on the advice of the Chief Executive on any policy decision or any particular matter that is urgent and necessary in the best interests of the Council.

The quorum of the Committee shall be three.

Deputy Members may be appointed at the Annual or any meeting of the Council.

Minutes of any proceedings of this Committee shall be submitted to the Council.

This page is intentionally left blank

## SPECIAL COMMITTEE

**TUESDAY, 5 NOVEMBER 2013**

PRESENT:- Councillors David Renard (Chair), Mark Dempsey, Fionuala Foley, Jim Grant, Garry Perkins, Brian Mattock (Vice-Chair), Des Moffatt, Mike Bawden and Ann Richards (Deputy).

An apology for absence was received from Councillor Stan Pajak.

### **12. Declarations of Interest**

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting.

### **13. Minutes**

Resolved –That the minutes of the meeting held on 6<sup>th</sup> August 2013 be confirmed and signed as a correct record.

### **14. Public Question Time**

No public questions were asked under Standing Order 28.

### **15. Chief Officers - Changes to Terms and Conditions of Employment**

The Leader of the Council and the Head of People and Development submitted a joint report concerning proposed changes in the terms and conditions of employment for existing Chief Officers. (Minute 12, 2012/13 refers.)

The Chief Executive introduced the report and explained that it attempted to resolve any ambiguity that might arise when a Chief Officer left the Council's employment. It also sought to resolve the outstanding issue of the performance related pay element within the contracts of existing chief officers where it was recognised that this was no longer realistic or affordable given the current financial constraints facing the Council.

The Head of People and Development referred to the terms and conditions that applied to Chief Officers only and circulated a revised Appendix 1, setting out a proposed matrix approach to determine the level of severance payments made to existing Chief Officers. She explained the rationale behind each element of the proposed matrix and how it would be applied.

The Chief Executive confirmed that these arrangements, if approved, would only apply to existing Chief Officers and that a further report would be submitted to the Special Committee, following discussions with political group leaders, on the proposed terms and conditions to be applied for new Chief Officer appointments. He emphasised the importance of ensuring that the Council could recruit the Chief Officers it needed to meet the challenges it faced and deliver the Council's strategic priorities.

Councillor Mike Bawden asked for clarification on the maximum payment that would be available to an existing Chief Officer under the proposed matrix arrangements. The Head of People and Development confirmed this would be nine months plus the notice period. The Director of Law and Democratic Services advised that the statutory maximum under existing terms and conditions was twenty-four months. He also confirmed that the proposals did not take into account any payments that might arise out of negotiations regarding any required compromise agreement with an employee leaving the Council.

Councillor Des Moffatt referred to his wish to see equity across the Council in terms of how those leaving the Council's employment were treated.

The Chair and Committee members expressed their appreciation for the action taken by Chief Officers in voluntarily foregoing the performance related pay element of their contracts.

Resolved – That the Special Committee, on behalf of the Council:-

(a) Approves the buy-out of the performance related pay element for existing Chief Officers by offering an increased contractual minimum employer notice period from three to six months, with the notice required by the employee remaining at three months.

(b) Agrees the implementation of a matrix approach to determine the level of severance payments made to existing Chief Officers, as set out in the revised Appendix 1 to the joint report (tabled at the meeting).

(c) Requests the Head of People and Development to undertake a separate review of terms and conditions for new Chief Officers in order that the Council's offer allows it to be competitive in the recruitment market, whilst taking account of the wider financial context that it is working in, recognising that it would be no more generous than that for existing Chief Officers, and that the outcome of this review will be submitted to the Special Committee, following discussions with political group leaders.

(d) That the changes set out in (a) and (b) above become effective from 11<sup>th</sup> November 2013.

(e) Notes that the maximum level of potential Chief Officer Severance payment for an existing Chief Officer leaving the Council's employment will be nine months and that any addition to this will be the subject of a report to the Special Committee, following discussions with political group leaders.

(f) Requests the Chief Executive and the Head of People and Development submit a report to a future meeting of the Special Committee on the terms and conditions and approach adopted to determine severance payments for staff below Chief Officer level when leaving the Council's employment.

## Adjustments to Organisational Structure

**Special Committee**

**Date: 24 February 2014**

---

Author:	Chief Executive
Wards:	All
Locality Affected:	All
Parishes Affected:	All

---

### **1. Purpose and Reasons**

- 1.1 To seek Special Committee's endorsement, on behalf of the Council, to changes to the Tier 1 and 2 structure and accountabilities within it, including continuing the development work on the proposal to create a One Swindon multi-agency Transformation Hub.
- 1.2 The Council or its Special Committee is required to approve changes to the Council's management structure which is set out in Part 7 of the Council's Constitution.

### **2. Recommendations**

The Special Committee is recommended, on behalf of the Council, to:

- 2.1 Approves the changes in accountabilities and, where appropriate, structure for the Chief Executive, Board Directors and Tier 2 posts as referred to in paragraphs 3.4 to 3.12 of the report, including the deletion of the existing Head of Public Protection and Streetsmart post.
- 2.2 Authorise that, following formal consultation with affected staff where required, the Chief Executive implement the revised, interim structure as soon as practicable.
- 2.3 Authorises the Director of Law and Democratic Services to amend the Council's Constitution accordingly.
- 2.4 Note the move towards more multi-agency ways of working referred to in the report, including exploration of a collaborative and impactful approach to volunteering, and approve the Council's participation in the development and implementation of a One Swindon Transformation Hub as described in paragraphs 3.13 to 3.14 of this report.

### **3. Detail**

- 3.1 The existing management structure was approved by Special Committee on 10 December 2012. This structure chart is shown at Appendix 1.
- 3.2 The reasons for requesting these changes are to:

---

Further information on the subject of this report can be obtained from Nicola Houwayek, Head of People & Development, 07824 550456, [nhouwayek@swindon.gov.uk](mailto:nhouwayek@swindon.gov.uk).

# Adjustments to Organisational Structure

**Special Committee**

**Date: 24 February 2014**

---

- 3.2.1 Increase the capacity and improve line of sight on safeguarding issues for the Board Director Commissioning (DCS/DASS) in line with the latest guidance from Ofsted
- 3.2.2 Reflect the re-integration of front-line and support services formerly provided by Swindon Commercial Services Limited (SCS) and in so doing improve the Borough's Streetsmart capability and capacity and recognise our management responsibilities for the physical state of the Waterside depot.
- 3.2.3 Heighten organisational capacity on growing the economy and town centre regeneration
- 3.2.4 Develop further our focus on the transformation of services for vulnerable people
- 3.2.5 Further advance the One Swindon objective to maximise the benefits for taxpayers, by further aligning partner investment in service transformation, particularly in areas of mutual interest.
- 3.3 An interim, proposed revised structure chart is shown at Appendix 2. This summarises the immediate, proposed changes outlined in paragraphs 3.4 to 3.12 below.
- 3.4 Increasingly Swindon Borough Council is working with other organisations/bodies to achieve good outcomes for Swindon. Positive movement around the One Swindon agenda means that SBC needs to ensure its governance arrangements continue to be fit for purpose and enable SBC to appropriately reflect the democratic mandate in our decision making. It is therefore proposed that the Director of Law and Democratic Services reports directly to the Chief Executive. This role will also become a formal member of Corporate Board.
- 3.5 With a key priority for the Council being to grow Swindon's economy through business expansion, retention and further inward investment, and recognising the growing importance of the Local Enterprise Partnership in this, it is proposed that the post of Head of Commissioning – Economy and Attainment report directly to the Chief Executive with a specific focus on this agenda. This role will be renamed as Head of Growing Economy and Skills. In addition, it is proposed that the Head of Property Assets role reports into this position, recognising the key role that the Council's property and land holdings can play in promoting development.
- 3.6 The post of Head of Children and Families, reporting to the Board Director Commissioning (DCS/DASS) to be renamed Head of Children's Social Care, Community Health and Family Services in order to reflect the responsibilities on the provision of community health services that it already holds.

---

Further information on the subject of this report can be obtained from Nicola Houwayek, Head of People & Development, 07824 550456, [nhouwayek@swindon.gov.uk](mailto:nhouwayek@swindon.gov.uk).



# Adjustments to Organisational Structure

**Special Committee**

**Date: 24 February 2014**

---

- 3.7 A new post of Head of Education Services to be created, reporting to the Board Director Commissioning (DCS/DASS). This role will have accountability for strategy, planning and policy development in relation to education matters, managing the Council's relationship with schools overall and will take the role of the lead education officer supporting the Schools Forum and representing the DCS. This role will also be accountable for ensuring we deliver the new SEND reforms which require Education, Health & Care Plans for 0-25 year olds, commencing from September 2014.
- 3.8 That the Board Director Service Delivery takes on permanent responsibility as Managing Director of SCS.
- 3.9 A new role of Head of Delivery Assets to be created. This role will be accountable for ensuring that the Council has a consistent approach to managing and maintaining the wide range of infrastructure assets it holds, within identified service needs. The posts of Head of Highways and Transport, Head of Housing Property and Head of Design and Architecture will report directly to this position. These three roles will retain their current responsibilities plus the relevant service delivery responsibilities formerly undertaken by SCS.
- 3.10 The existing post of Head of Public Protection and Streetsmart be deleted and its accountabilities be split between a new post of Head of Streetsmart and the existing posts of Head of Housing Services, Director of Public Health and Head of Planning. This proposal and the details below have already been consulted on with staff and the unions and so, if agreed by Special Committee, can be implemented with immediate effect.
  - 3.10.1 The Head of Planning to take on responsibility for regulatory services and be renamed Head of Planning and Regulatory Services.
  - 3.10.2 The Director of Public Health to take on responsibility for environmental services and civil protection.
  - 3.10.3 The Head of Housing Services to transfer from Service Delivery and report directly to the Board Director Commissioning (DCS/DASS) and the accountabilities be broadened to include community safety. To be renamed Head of Housing Management and Community Safety.
  - 3.10.4 A new post of Head of Streetsmart, reporting to the Board Director Service Delivery, to be responsible for both the strategic service planning and operational delivery aspects of streetsmart services.
- 3.11 The Head of Commercial Services, currently reporting to the Board Director Commissioning, to report to the Board Director Resources and the Head of Revenues and Benefits to report in to this post.

---

Further information on the subject of this report can be obtained from Nicola Houwayek, Head of People & Development, 07824 550456, [nhouwayek@swindon.gov.uk](mailto:nhouwayek@swindon.gov.uk).

# **Adjustments to Organisational Structure**

**Special Committee**

**Date: 24 February 2014**

---

- 3.12 The Head of Communications and Insight, currently reporting to the Chief Executive, to report to the Board Director Resources.

## **Multi-Agency Work**

- 3.13 Public Sector organisations nationally are clear that the public sector operating model of the future needs to look radically different in order to continue delivering sustainable services. Within that context the One Swindon Board has been focusing on how public sector partners within Swindon can work more collaborative on areas of service that touch more than one agency.
- 3.14 Building on the emerging strength of the One Swindon Partnership, an “in principle” agreement has been reached to integrate the transformation approach between the Council, Clinical Commissioning Group (CCG), Wiltshire Police and Fire and Rescue Service for areas of complex change, particularly around Adults, within a multi-agency Transformation Hub, hosted by the Council. This will be funded initially using Government grant. Once established, the intent is that partner organisations will cashflow specific work intended to deliver future years’ savings, meaning that the Hub will become self-sustaining. The Special Committee is asked to endorse the Council’s participation in the further development of the Transformation Hub

## **Localities**

- 3.15 An increasing focus for the localities team is on supporting the drive to reduce demand, by promoting and supporting citizen and community involvement and increasing volunteering. There are opportunities to coordinate this activity better both within SBC and with our One Swindon Partners (particularly CCG and Police) who also see active citizen engagement as key areas for development in their strategies. There is an opportunity to better align our respective approaches to volunteering and develop a joint model that is both more impactful and cost effective. This will be explored and a proposal developed for consideration by Members, which in turn may have an impact on the current organisational diagram.
- 3.16 This, and any material, proposed changes to SBC’s management structure as a result of consultation with affected staff on the proposals in this paper, will be brought back to a future meeting of the Special Committee.

## **Stronger Together**

- 3.17 Stronger Together has now become the way of working for the Council and is not, it itself, a programme of work. Accountability for its delivery is held by the Chief Executive and Corporate Board. How it is delivered is translated through the contributions of various senior roles across the Council. On this basis and with the focus for localities as outlined in 3.15 above, the Stronger Together

---

Further information on the subject of this report can be obtained from Nicola Houwayek, Head of People & Development, 07824 550456, [nhouwayek@swindon.gov.uk](mailto:nhouwayek@swindon.gov.uk).

# Adjustments to Organisational Structure

Special Committee

Date: 24 February 2014

---

Programme Director and Head of Localities role will be renamed Head of Localities, Community Involvement and Volunteering.

## 4. Alternative Options

- 4.1 The Council could determine not to change its Management Structure or to establish a Transformation Hub. However, it is believed the proposals in the report are the most appropriate to enable the delivery of Stronger Together and the Council's aims under One Swindon.

## 5. Implications, Diversity Impact Assessment and Risk Management

### Financial and Procurement Implications

- 5.1 The proposals set out within this report can be contained within the proposed Budget for 2014-15. A specific cost pressure was included for the new Education role and other post changes are funded within the changes from the reintegration of services formerly managed by SCS that contribute to the net £2m savings proposal included in the proposed Budget. In overall terms, there has been a net reduction in management costs as part of the reintegration exercise of around £700k.

### Legal and Human Rights Implications

- 5.2 Legal and Human Rights considerations have been taken fully into account in compiling this report. It is considered that the recommendations of this report are compatible with convention rights.

### All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.3 No other specific implications were identified in the preparation of this report.

### Links to One Swindon, Strategic Objectives, Plans and Policies

- 5.4 Having an effective Organisational structure is crucial to the successful delivery of One Swindon and the Council's strategic objectives.

### Diversity Impact Assessment

- 5.5 It was not considered necessary to undertake a full Diversity Impact Assessment in respect of this report as it does not impact directly on services provided. Equality and diversity implications have been considered in the development of this report.

### Risk Management

- 5.6 No specific, unmitigated risks were identified in the preparation of this report.

---

Further information on the subject of this report can be obtained from Nicola Houwayek, Head of People & Development, 07824 550456, [nhouwayek@swindon.gov.uk](mailto:nhouwayek@swindon.gov.uk).

# **Adjustments to Organisational Structure**

**Special Committee**

**Date: 24 February 2014**

---

## **6. Consultees**

- 6.1 The Board Director Resources (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

## **7. Background Papers**

- 7.1 None

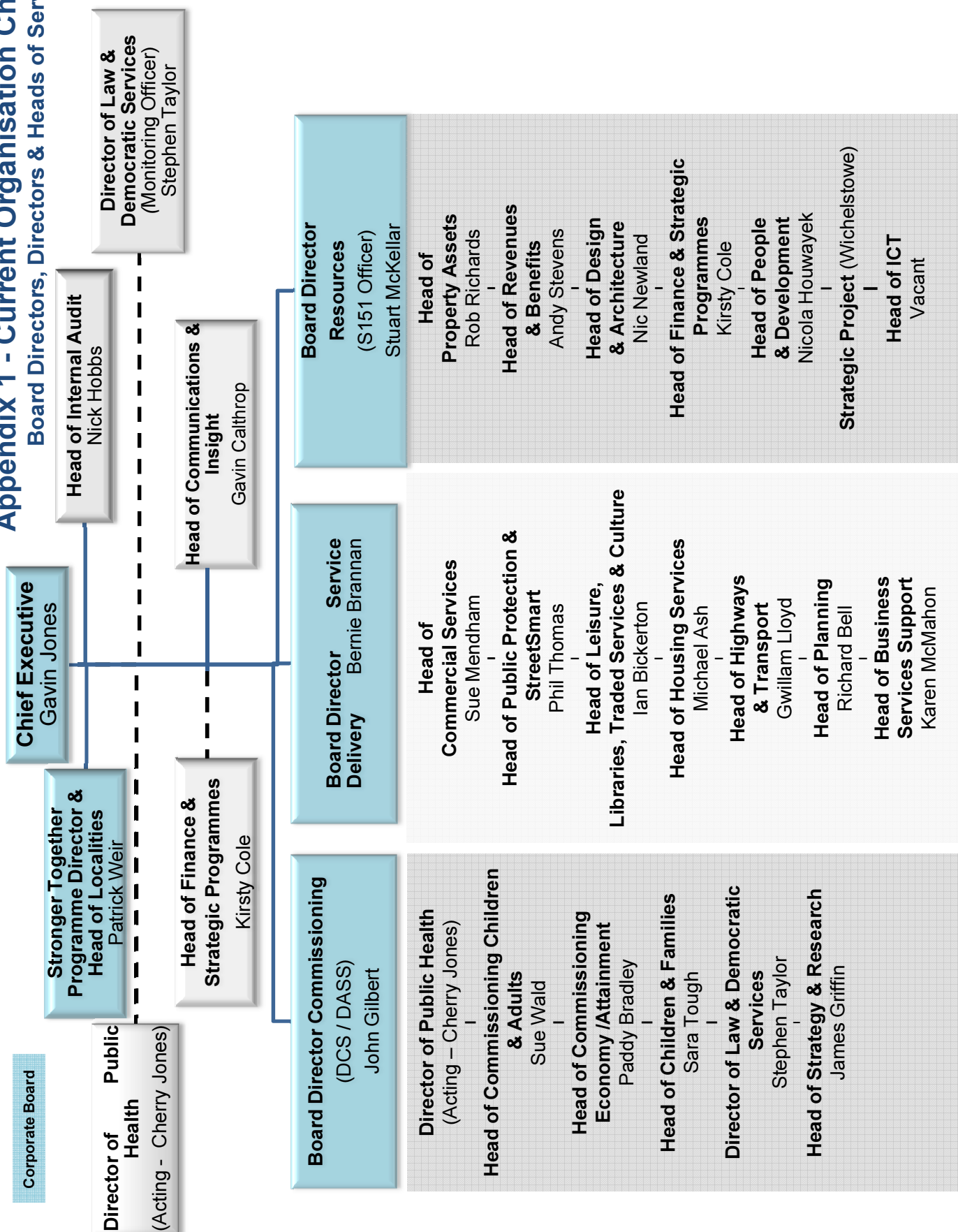
## **8. Appendices**

Appendix 1 –Current SBC Management Structure

Appendix 2 – Proposed, interim SBC Management Structure

# Appendix 1 - Current Organisation Chart

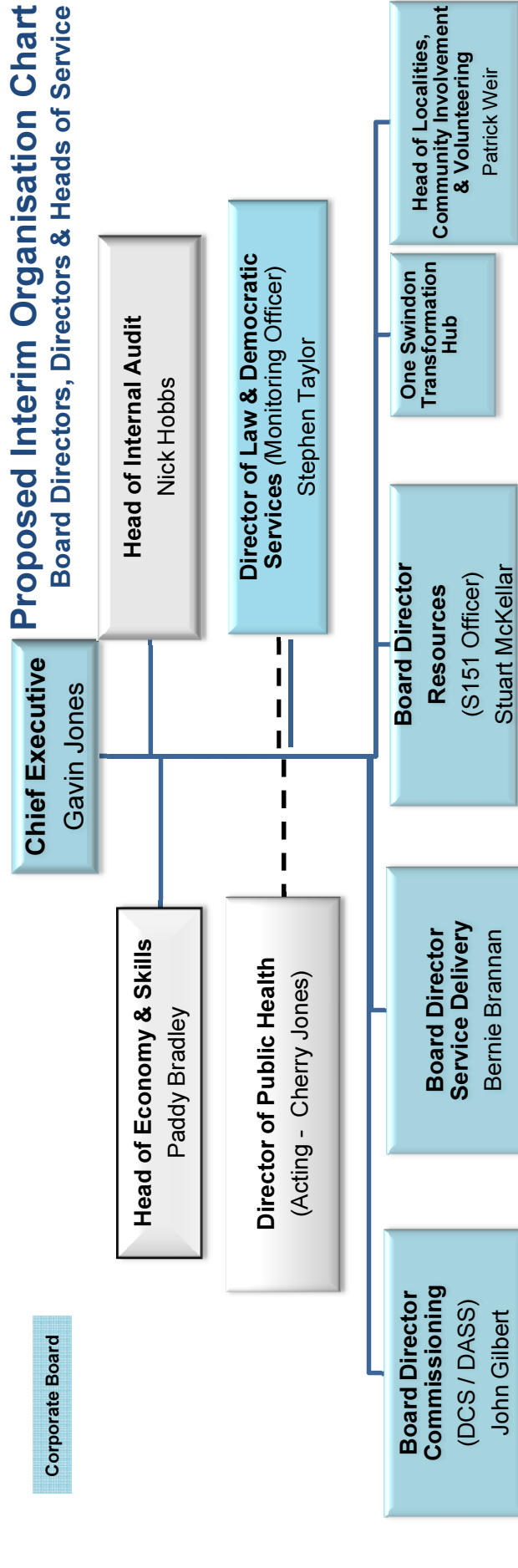
## Board Directors, Directors & Heads of Service



This page is intentionally left blank

# Proposed Interim Organisation Chart

## Board Directors, Directors & Heads of Service



**Director of Public Health**  
(Acting – Cherry Jones)

**Head of Commissioning Children & Adults**  
Sue Wald

**Head of Children’s Social Care, Community Health & Family Services**  
Vacant

**Head of Housing Management & Community Safety**  
Michael Ash

**Head of Education Services**  
New Post

**Head of Strategy & Research**  
James Griffin

**Head of StreetSmart**  
New Post

**Head of Leisure, Libraries, Traded Services & Culture**  
Ian Bickerton

**Head of Delivery Assets**  
New Post

**Head of Planning & Regulatory Services**  
Richard Bell

**Head of Business Services Support**  
Karen McMahon

**SCS**

**Head of Commercial Services**  
Sue Mendham

**Head of Finance & Strategic Programmes**  
Kirsty Cole

**Head of People & Development**  
Nicola Houwayek

**Head of ICT Strategy**  
Vacant

**Head of Communications & Insight**  
Gavin Calthrop

**Strategic Project**  
(Wichelstowe)

**To be determined**

This page is intentionally left blank



## Employment Terms and Conditions for New Chief Officers

**Special Committee**

**Date: 24<sup>th</sup> February 2014**

---

Author:	Chief Executive / Head of People and Development
Wards:	All
Locality Affected:	All
Parishes Affected:	All

---

### **1. Purpose and Reasons**

- 1.1 This reports sets out proposals for terms and conditions of employment for newly appointed Chief Officers to the Council.
- 1.2 At its meeting of 5 November 2013, the Special Committee agreed some changes to terms and conditions of employment for existing Chief Officers. The Committee requested the Head of People and Development to undertake a separate review of terms and conditions for new Chief Officers and that the outcome of this review be submitted to the Special Committee (Minute 15(c) refers).

### **2. Recommendations**

The Committee is recommended to:

- 2.1 Agree that the roles within the Council with responsibility for statutory functions, as outlined in paragraph 3.2.1 of the report, and any non-statutory Board Director posts be the only roles for which specific Chief Officer terms and conditions of employment be applied and that would be subject to appointment by elected members.
- 2.2 That these roles for which Chief Officer terms and conditions of employment be applied, receive the different terms and conditions of employment to other employees of the Council as outlined in paragraph 3.9.2 of the report
- 2.3 That the above changes be implemented with immediate effect.
- 2.4 That existing Chief Officers retain as protected rights their current terms and conditions of employment, including those agreed by way of Minute 15 of the Special Committee on 5 November 2013.

### **3. Detail**

- 3.1 The Special Committee agreed at its meeting on 5 November 2013 that a review of terms and conditions of employment for new Chief Officers was needed to ensure that the Council's employment offer allows it to be competitive in the recruitment market, whilst taking account of the wider financial context that it is working in and recognising that these terms and conditions should be no more generous than those for existing Chief Officers.

---

Further information on the subject of this report can be obtained from Nicola Houwaek, Head of People & Development, 07824 550456, [nhouwayek@swindon.gov.uk](mailto:nhouwayek@swindon.gov.uk).

# Employment Terms and Conditions for New Chief Officers

**Special Committee**

**Date: 24<sup>th</sup> February 2014**

---

3.2 The Local Government and Housing Act 1989 (and subsequent updates) and the Joint Negotiating Committee (JNC) for Chief Officers for Local Authorities, Constitution Conditions of Service Salaries, in summary, describe Chief Officers as being:

3.2.1 Statutory Chief Officers:

1. Head of Paid Service
2. Monitoring Officer
3. Section 151 Officer
4. Director of Children's Services
5. Director of Adults Social Services
6. Director of Public Health.

3.2.2 Non- Statutory Chief Officers – a person for whom the head of the authority's paid service is directly responsible for.

3.2.3 Deputy Chief Officers – a person who, as respects most of the duties of their post, is required to report directly to one or more of the statutory or non-statutory Chief Officers.

3.3 Benchmarking information has demonstrated that Local Authorities apply this definition in different ways and have adopted the following approaches to which roles are considered as Chief Officers:

1. Chief Executive, Board Directors and their direct reports or;
2. Chief Executive and Board Directors only or;
3. Chief Executive and statutory roles only or;
4. None.

3.4 Previously within the Council, Chief Officer terms and conditions were offered to those posts that fell within the Director grades and these were clearly roles that either reported to the Chief Executive or into his direct reports. However, since the implementation of the Stronger Together organisational structure, we have a wider differential in the nature of posts and the grades for our Tier 2 posts and this has led to less transparency and some inconsistency as to who does and who does not get these terms (for example our previous Director 1 and Director 2 grades are now incorporated within the Hay grades).

3.5 The JNC terms and conditions of employment for Chief Officers that differ from other employees are few:

---

Further information on the subject of this report can be obtained from Nicola Houwaek, Head of People & Development, 07824 550456, [nhouwayek@swindon.gov.uk](mailto:nhouwayek@swindon.gov.uk).

# Employment Terms and Conditions for New Chief Officers

**Special Committee**

**Date: 24<sup>th</sup> February 2014**

---

1. Holidays – a minimum of 30 days (other staff start on 24 days, move to 28 days after 5 years and 30 days after 10 years).
  2. Notice periods – 3 months (same as all our Hay graded staff).
  3. Redundancy severance – discretionary powers for permissible enhancement of benefits or redundancy payment (which we have agreed for existing Chief Officers through the application of the matrix agreed by Minute 15 of the Special Committee in November 2013).
- 3.6 Benchmarking data shows that most other local authorities do not offer any benefits or terms of conditions over and above these to their Chief Officers. There are a very small number of exceptions where regular increments, performance related pay and car allowances are paid.
- 3.7 Our salary ranges are comparative to other local authorities and enable us to compete on a level playing field.

## Summary

- 3.8 In general, the standard terms and conditions that we offer our staff will enable us to be competitive in the recruitment market for the majority of senior posts. However, there are a number of considerations which demonstrate a justification for some exceptions to this:
1. A small number of roles carry a higher risk that others due to their responsibilities for statutory functions and the independence of decision making that this requires (i.e. those outlined in paragraph 3.2.1 plus any non-statutory Board Director posts).
  2. It is to our benefit to recognise this additional risk to enable us to attract and retain the right calibre staff. As a local authority we are limited with the additional benefits that we can legitimately and need to offer. However, we know from the consultation we undertook for existing Chief Officers that, in these uncertain times, any additional, potential benefit should a redundancy situation arise, is an attractive option for potential and existing staff.
  3. Holiday allowances are also important to attract and retain senior staff. Many applicants for senior positions are already likely to have reasonable holiday entitlements and we would not wish to reduce this if they did not have 10 years local government service.
- 3.9 On this basis, it is proposed that that:
- 3.9.1 We only offer Chief Officer terms and conditions of employment to those roles who carry statutory functions (as outlined in paragraph 3.2.1 above) plus any non-statutory Board Director posts.
- 

Further information on the subject of this report can be obtained from Nicola Houwaek, Head of People & Development, 07824 550456, [nhouwayek@swindon.gov.uk](mailto:nhouwayek@swindon.gov.uk).

# Employment Terms and Conditions for New Chief Officers

**Special Committee**

**Date: 24<sup>th</sup> February 2014**

---

3.9.2 For these Chief Officer roles we offer standard terms and conditions of employment offered to all staff, with the additional benefits of:

1. 30 days holiday – irrespective of length of local government service.
2. Application of a severance matrix as agreed by Special Committee, should a redundancy situation arise (proposed matrix shown in Appendix 2).

## **4. Alternative Options**

- 4.1 That our Chief Officer roles have no additional benefits as outlined in paragraph 3.9.2, but recognising that without these, there is no additional incentive to enable effective recruitment and retention to roles with statutory responsibilities and the associated risks these bring.

## **5. Implications, Diversity Impact Assessment and Risk Management**

### Financial and Procurement Implications

- 5.1 As the proposed terms are no more beneficial than those terms for existing Chief Officers, there will be no increase in costs. Potential costs are reduced on the basis that there will be fewer staff with the additional benefits of Chief Officers if the recommendations are agreed.

### Legal and Human Rights Implications

- 5.2 Legal and Human Rights implications have been taken fully into account in the preparation of this report and it is believed its recommendations are compatible with Convention rights.

### All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.3 No other specific implications were identified in the preparation of this report.

### Links to One Swindon, Strategic Objectives, Plans and Policies

- 5.4 No specific links were identified in the preparation of this report.

### Diversity Impact Assessment

- 5.5 It was not considered necessary to undertake a full Diversity Impact Assessment in respect of this report as it does not impact on services. However, equality and diversity implications have been considered in the development of this report.

---

Further information on the subject of this report can be obtained from Nicola Houwaek, Head of People & Development, 07824 550456, [nhouwayek@swindon.gov.uk](mailto:nhouwayek@swindon.gov.uk).

# Employment Terms and Conditions for New Chief Officers

Special Committee

Date: 24<sup>th</sup> February 2014

---

## Risk Management

5.6 No specific, unmitigated risks were identified in the preparation of this report.

## **6. Consultees**

6.1 The Board Director Resources (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

## **7. Background Papers**

7.1 None

## **8. Appendices**

8.1 Appendix 1 – Severance Matrix for Existing Chief Officers

8.2 Appendix 2 – Severance Matrix for New Chief Officers

This page is intentionally left blank

### Matrix to Determine the Level of Enhancement for Existing Chief Officer Severance Payments

Criteria	Length of Time/Other Measurement	Level of Potential Payment (Time) – NB: Statutory maximum of 24 month's pay
1. Length of service in post (as a Chief Officer and/or member of Corporate Board)*	1 to 5 years	1 month
	5-10 years	2 months
	10 years plus	3 months
2. Holder of the following statutory posts - HoPS / CFO / MO / DCS or DASS and also of the post of MD SCS Ltd**	Yes	Up to 3 months depending on length of service at SBC:
	Up to 5 years	1 month
	5-10 years	2 months
	10 years plus	3 months
3. Extensive responsibility and level of risk in role***	Low	0
	Medium	1 month
	High	3 month
Where there is felt to be a need for a compromise agreement, the above will not apply and a separate arrangement will be agreed on an individual basis, taking account of the nature and potential of the risks being managed. This will continue to be submitted to members for approval.	This will depend on individual factors	Variable, depending on level of risk and size of total package on offer. Likely to be between 1-9 months

#### Key

HoPS - Head of Paid Services

CFO - Chief Finance Officer

MO - Monitoring Officer

DCS – Director, Children Services

DASS - Director of Adult Social Care  
MD SCS Ltd – Managing Director Swindon Commercial Services

\*Length of service in post, rather than length of service with the authority

\*\*Holder of a Statutory post (HoPS, CFO, MO, DCS, DASS) – the rationale for this is that the job holder has a statutory responsibility which includes holding others to account on specific issues (ie through challenge or “enforcement” if necessary) and that they will be held personally accountable, irrespective of personal performance. In addition, the MD for SCS Ltd holds specific and high risk accountability for both the commercial and operational aspects of this role, with high personal accountability linked to Health & Safety issues. When this role is held by a senior employee of SBC this risk is over and above that held within their SBC role covered by the separate criteria outlined below.

\*\*\*Extent of responsibility and level of risk in role – the rationale for having this is that all CO roles carry a level of risk due to their seniority. It also takes account of the fact that a wider breadth of responsibility creates more potential risk for an individual holding a role. That risk will be relating to varying issues, depending on the nature of the role, but will include things like public profile and exposure, the extent and breadth of working within the political arena, commercial decision making, the level and type of consequence should something go wrong in the areas they are responsible for. The expectation is that high risk would apply to the CE and Tier 1 posts, Medium risk to the majority of Tier 2 roles – potentially with a couple of exceptions but we must not double count risk that goes with a statutory position, alongside this separate consideration. The level of risk cannot be pre-determined, as it will depend on the nature of the role at the time the decision is made to terminate the contract.



**Matrix to Determine the Level of Enhancement for New Chief Officer Severance Payments**

<b>Criteria</b>	<b>Length of Time/Other Measurement</b>	<b>Level of Potential Payment (Time) – NB: Statutory maximum of 24 month's pay</b>
1. Length of service in post (as a Chief Officer in Swindon Borough Council)	1 to 5 years	1 month
	5-10 years	2 months
	10 years plus	3 months
Where there is felt to be a need for a compromise agreement, the above will not apply and a separate arrangement will be agreed on an individual basis, taking account of the nature and potential of the risks being managed. This will continue to be submitted to members for approval.	This will depend on individual factors	Variable, depending on level of risk and size of total package on offer. Likely to be between 1-9 months

This page is intentionally left blank