

Report to: Leader and Lead Member for Strategic Management and Economic Development

Date of meeting: 4 December 2020

By: Assistant Chief Executive

Title: Delegations to Officers

Purpose: To seek the Leader of the Council's agreement to update one of the delegations to officers.

RECOMMENDATIONS:

The Leader is recommended to agree the proposed updated wording of the delegation as set out in paragraph 3.4.

1 Background

1.1 In the interests of good governance, delegations to officers are regularly reviewed to ensure that they remain up to date and appropriate.

2 Supporting Information

2.1 The officer scheme of delegation delegates to the Chief Operating Officer authority 'To agree, in consultation with the relevant Director, individual compensation settlements arising from references to the ACAS Conciliation Officer in Employment Tribunal cases.'

2.2 Resolving workplace disputes at the earliest possible opportunity is in all parties' interests and it is therefore proposed that the current delegation is broadened to provide for individual compensation settlements to be agreed in broader circumstances, without the requirement for ACAS involvement or an ET claim having been lodged.

2.3 The Council has in place a well established 'business case process' which requires any decision relating to the payment of compensation in the settlement of claims to either a current, or previous employee, that incurs a cost to be authorised by the Chief Finance Officer and the Head of Human Resources & Organisational Development, in consultation with the relevant departmental Chief Officer (or school Headteacher), and in certain circumstances the agreement of the Chief Executive must also be obtained.

2.4 This business case process has served the Council well, ensuring that any such decisions are robustly considered including the undertaking of an appropriate cost/benefit analysis, an assessment of the specific circumstances involved and the potential for establishing any future precedent.

3. Conclusion and Recommendations

3.1 Agreeing a settlement can be a pragmatic way of resolving a dispute and through the use of the business case process as detailed above, the Council is always able to ensure that such an approach is only undertaken where this represents the best interests of the Council and provides value for money.

3.2 In order to ensure that disputes can be resolved in a timely manner and in broader circumstances, without the need for employees to have recourse to ACAS or an ET claim, it is proposed that the delegation is reworded to: 'To agree, in consultation with the relevant Director,

and Chief Executive as appropriate, individual compensation settlements.’ It is also proposed to broaden the delegation to include the Assistant Chief Executive to ensure operational resilience, and consistency with other delegations such as the authority to settle claims.

3.3 In making this proposal, it is not intended to change any of the other, relevant policy provisions, for example, those set out in the Pay Policy Statement.

3.4 The Leader is recommended to agree to delegate to the Chief Operating Officer and Assistant Chief Executive authority: ‘To agree, in consultation with the relevant Director and Chief Executive as appropriate, individual compensation settlements.’

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LOCAL MEMBERS: All

BACKGROUND DOCUMENTS: None