

CABINET
12 MAY 2020
RECRUITMENT FREEZE

Portfolio Holder: Councillor Alan Jarrett, Leader

Report from: Neil Davies, Chief Executive

Author: Samantha Beck-Farley, Head of HR

Summary

This report brings forward 3 posts to be considered for approval.

The report also brings forward a proposal for a revised process for authorisation of recruitment to vacant posts.

1. Budget and Policy Framework

1.1 Whilst the appointment of staff and the determination of their terms and conditions are functions which cannot be the responsibility of a Local Authority's Executive, it is the responsibility of the Leader and Cabinet to manage income and expenditure to remain within the budget approved by Council.

2. Background

2.1 At Cabinet on 7 January 2003 a process was agreed by which directors could request Cabinet to approve recruitment to vacant posts that were not on the list of posts exempted from the recruitment freeze (as agreed by Cabinet on 10 December 2002). This process was introduced at a time of high concern about overspending as one measure to assist budgetary control and has been in place ever since.

2.2 The posts requiring approval to fill are being presented to this Cabinet with the following information:

- Details of the post including directorate and section, post title, grade and location.
- Length of time post has been vacant.
- Impact on service if the post is not filled with particular reference to services to the public.
- Numbers of posts of this type within the function.

- Realisable savings including any proposals to provide the service in alternative ways, which could also lead to savings.
- Comments from the relevant portfolio holder.

3. Details of the post requiring approval

- 3.1 The following posts are coming forward for approval, the details of which are shown at Appendix 1: -

Business Support:

Political Assistant to the Labour and Co-operative Group

Regeneration, Culture and Environment

Outreach Team Leader

Asst Sports Development Officer

- 3.2 The forms attached are email copies and the signed copy, job profile and structure chart is held in HR Services.

4 Review of Recruitment Freeze process

- 4.1 The recruitment freeze and the current process for authorising recruitment to vacant posts which are not exempt from the freeze has been in place since January 2003. Since then there has been a considerable reduction in the size of the Council's workforce and the Leader is now of the view that delays in recruitment to posts arising from the requirement to seek approval from Cabinet first can be detrimental to some areas of service delivery.
- 4.2 The Leader is therefore proposing that the recruitment freeze should remain in place without the requirement for consideration and approval of unfreezing of posts at Cabinet Meetings. Therefore, it is proposed that the Leader and relevant Portfolio Holder in each case shall be responsible for the consideration and determination of any requests to unfreeze vacant posts which are not exempted from the Recruitment Freeze following consultation with the relevant service area and HR. This will minimise delay in process but preserve the rigour of close scrutiny of the need for recruitment in the context of prevailing budget pressures and Council priorities.

5. Risk Management

- 5.1 In order to assess the potential impact of posts upon the Council's ability to achieve its strategic objectives, the attached forms include details of the likely impact on the service should the posts not be filled.
- 5.2 The proposed revision to the process for authorising recruitment to vacant posts is considered appropriate to minimise unnecessary delay in filling vacancies where it is considered that recruitment should proceed in the interests of maintaining service standards, to achieve the Council's priorities or in order to meet statutory obligations.

6. Financial and legal implications

- 6.1 The recruitment freeze was instigated to support the realisation of savings against the background of a forecast of a significant overspending. It remains important to ensure that where possible the drive to pursue savings continues. It is important that no cover is taken on to fill any posts which have not been identified as exceptions or been given formal approval to be filled.
- 6.2 The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 stipulate that the power to appoint staff and to determine the terms and conditions on which they hold office (including procedures for their dismissal) are functions which cannot be the responsibility of a Local Authority's Executive. However, the Executive (Cabinet) does have responsibility for managing income and expenditure to remain within the budget approved by Council. It is considered that the unfreezing of any individual posts would not constitute a key decision as defined in the Constitution (paragraph 12.3 of Article 12 refers). Therefore, any such decisions taken by the Leader and relevant Portfolio Holder will be categorised as non-key decisions.
- 6.3 The posts listed in paragraph 3.1 will be filled in accordance with the Council's recruitment policies.

7. Recommendations

- 7.1 The Cabinet is asked to agree to unfreeze the posts as set out in Appendix 1 to enable officers to commence the recruitment process.
- 7.2 The Cabinet is asked to agree to maintain a recruitment freeze for all vacant posts, and to agree that the Leader and the relevant Portfolio Holder in each case shall be responsible for the consideration and determination of any requests to unfreeze vacant posts which are not exempted from the Recruitment Freeze following consultation with the relevant service area and HR with immediate effect.

8. Suggested reason for decision

- 8.1 The posts presented to Cabinet will support the efficient running of the Council.
- 8.2 Revisions to the recruitment freeze process will result in a more streamlined approach whilst preserving the rigour of close scrutiny of the need for recruitment in the context of prevailing budget pressures and Council priorities.

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Appendices:

Appendix 1 – Recruitment Freeze Forms

Background papers:

Cabinet report 10 December 2002

<http://democracy.medway.gov.uk/ieListDocuments.aspx?CId=115&MId=1834&Ver=4>

Cabinet report 7 January 2003

<http://democracy.medway.gov.uk/ieListDocuments.aspx?CId=115&MId=1835&Ver=4>

CABINET APPROVAL FOR RECRUITMENT TO VACANCIES

JOB REFERENCE NUMBER	BS054RS
CASE NUMBER	ATR000124
RECRUITING MANAGER	Jane Ringham
DIRECTORATE	Business Support
DIVISION	Legal
SERVICE	Member Services and Elections
SERVICE MANAGER	Jane Ringham
ASSISTANT DIRECTOR	Perry Homes
DIRECTOR	Neil Davies
PORTFOLIO	Business Management
PORTFOLIO HOLDER	Councillor Rupert Turpin

POST DETAILS

TEAM	Member Services
POST TITLE	Political Assistant to the Labour and Co-operative Group
PAY RANGE	Medpay Range 4
POST NUMBER	0004031
NEW POST TO THE ORGANISATION?	No
POST CURRENTLY FILLED?	Yes
CURRENT POST HOLDER	
DATE POST WILL BECOME VACANT	10/04/2020
PREVIOUS POST HOLDER	

RECRUITMENT DETAILS

Type of recruitment	Permanent
Date from	
Date to	
Is the recruitment via an agency?	No
Name of agency	

SERVICE IMPACT

Team structure information

Information on the structure within this function indicating the number of posts of the same type and how many corresponding vacancies

The two largest Political groups on the Council have been allocated a Political Assistant by Full Council in accordance with section 9 of the Local Government and Housing Act 1989. Post holders are engaged on a fixed-term contract for the 4 year period of the Administration. The current post holder of the Labour & Co-operative Group Political Assistant post is leaving with the effect from 10 April 2020.

Under the Act, a group qualifies for a political assistant post if (a) the membership of that group comprises at least one-tenth of the membership of the authority; and (b) the number of the other groups which are larger than that group does not exceed two.

Service reorganisation

Is this request to recruit as a result of a reorganisation within the service or directorate?	No
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Impact upon the service if this post is not filled

The impact on the service if this post is not filled is that the Labour & Co-operative Group would not receive the research and other support they require individually and collectively to enable them to discharge their functions as Members of the Council.

BUDGET ISSUES

Savings that would be realised if this post remained vacant until the end of the financial year

Savings in the order of £24,200 would be realised if the post is not filled at all during 2020-21.

Savings that could be achieved by providing the service in alternative ways

Due to the statutory framework for the allocation of these posts and the political nature of their role, it is not feasible for alternative ways of providing the service.

Funding for this post

Funding source for this post	Internally funded
Describe how this post is funded	Specific revenue allocation in salaries budget attached to 4C222.

For externally funded posts

Salary amount allocated to this post	
Reserves allocated in case of redundancy	

SUPPORTING COMMENTS

Service Manager comments	
Human Resources team comments	
Chief People Officer comments (where applicable)	Statutory post
Assistant Director comments	I approve this replacement of a colleague who has handed in their notice
Director comments	
Portfolio Holder comments	Approved
Leader comments	The request is not clear that the post is not full time 37.5 hours

CABINET APPROVAL FOR RECRUITMENT TO VACANCIES

JOB REFERENCE NUMBER	RCET253KS
CASE NUMBER	ATR000111
RECRUITING MANAGER	Chris Giles
DIRECTORATE	Regeneration, Culture and Environment
DIVISION	Physical and Cultural Regeneration
SERVICE	Housing - Strategic Housing
SERVICE MANAGER	Mark Breathwick
ASSISTANT DIRECTOR	Dawn Hudd
DIRECTOR	Richard Hicks
PORTFOLIO	Housing and Community Services
PORTFOLIO HOLDER	Councillor Howard Doe

POST DETAILS

TEAM	Rough Sleeping Initiative
POST TITLE	Outreach Team Leader
PAY RANGE	Medpay Range 4
POST NUMBER	14789
NEW POST TO THE ORGANISATION?	No
POST CURRENTLY FILLED?	Yes
CURRENT POST HOLDER	
DATE POST WILL BECOME VACANT	31/03/2020
PREVIOUS POST HOLDER	

RECRUITMENT DETAILS

Type of recruitment	Temporary
Date from	01/04/2020
Date to	31/03/2021
Is the recruitment via an agency?	No
Name of agency	

SERVICE IMPACT

Team structure information

Information on the structure within this function indicating the number of posts of the same type and how many corresponding vacancies

To extend the current 12 month contract for the current post holder move her on to Medpay (currently on TUPE T&Cs).

Service reorganisation

Is this request to recruit as a result of a reorganisation within the service or directorate?	No
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Impact upon the service if this post is not filled

Rough Sleeper Outreach service will be unable to be delivered and will fail in strategic aims. Funding would be withdrawn for this post.

BUDGET ISSUES

Savings that would be realised if this post remained vacant until the end of the financial year

None - funding is received for this post based on it being filled

Savings that could be achieved by providing the service in alternative ways

None

Funding for this post

Funding source for this post	Externally funded
Describe how this post is funded	MHCLG rough sleeping initiative funding 2020-21

For externally funded posts

Salary amount allocated to this post	£27,500
Reserves allocated in case of redundancy	£20,000

SUPPORTING COMMENTS

Service Manager comments	Post is fully funded by the rough sleeping initiative and will be integral to the delivery of outcomes in line with Medways bid for funding.
Human Resources team comments	
Chief People Officer comments (where applicable)	Externally funded
Assistant Director comments	Approved - this post is fully externally funded.
Director comments	Approved - This post is externally funded and funding is only provided based on the post being filled.
Portfolio Holder comments	
Leader comments	

CABINET APPROVAL FOR RECRUITMENT TO VACANCIES

JOB REFERENCE NUMBER	RCET229RS
CASE NUMBER	ATR000125
RECRUITING MANAGER	Tina Spry
DIRECTORATE	Regeneration, Culture and Environment
DIVISION	Physical and Cultural Regeneration
SERVICE	Sports, Leisure, Tourism and Heritage
SERVICE MANAGER	Bob Dimond
ASSISTANT DIRECTOR	Dawn Hudd
DIRECTOR	Richard Hicks
PORTFOLIO	Housing and Community Services
PORTFOLIO HOLDER	Councillor Howard Doe

POST DETAILS

TEAM	Medway Sport
POST TITLE	Asst Sports Development Officer (F)
PAY RANGE	Medpay Range 3
POST NUMBER	14693
NEW POST TO THE ORGANISATION?	No
POST CURRENTLY FILLED?	Yes
CURRENT POST HOLDER	
DATE POST WILL BECOME VACANT	01/04/2020
PREVIOUS POST HOLDER	

RECRUITMENT DETAILS

Type of recruitment	Temporary
Date from	01/04/2020
Date to	30/03/2021
Is the recruitment via an agency?	No
Name of agency	

SERVICE IMPACT

Team structure information

Information on the structure within this function indicating the number of posts of the same type and how many corresponding vacancies

This post provides PE and Schools primary school PE deliverers. It is an annual contract and will be subject to funding received annually from schools to pay for services

A copy of the structure chart is attached.

Service reorganisation

Is this request to recruit as a result of a reorganisation within the service or directorate?	No
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Impact upon the service if this post is not filled

This is an income generating initiative for Sport and Leisure

BUDGET ISSUES

Savings that would be realised if this post remained vacant until the end of the financial year

None as no funding will come in without services being delivered

Savings that could be achieved by providing the service in alternative ways

None

Funding for this post

Funding source for this post	Externally funded
Describe how this post is funded	Schools pay directly into Sport and Leisure, and agree levels of delivery from qualified sports coaches

For externally funded posts

Salary amount allocated to this post	Range 3
Reserves allocated in case of redundancy	Not required

SUPPORTING COMMENTS

Service Manager comments	
Human Resources team comments	
Chief People Officer comments (where applicable)	Income this post generates is greater than the cost of the post
Assistant Director comments	Approved externally funded by schools
Director comments	Approved - This post is externally funded by Schools.
Portfolio Holder comments	
Leader comments	