

Strategic Policy and Resources Committee

Friday, 16th November, 2007

MEETING OF STRATEGIC POLICY AND RESOURCES COMMITTEE

Members present: Councillor D. Dodds (Chairman);
the High Sheriff (Councillor Kirkpatrick); and
Councillors Adamson, M. Browne, W. Browne, Convery,
Hanna, Hartley, Lavery, Long, A. Maskey, P. Maskey,
Newton, Rodway and Smyth.

In attendance: Mr. P. McNaney, Chief Executive;
Mr. G. Millar, Director of Improvement;
Mr. C. Quigley, Director of Legal Services;
Mr. T. Salmon, Director of Corporate Services;
Mr. L. Steele, Head of Committee and Members'
Services; and
Mr. J. Hanna, Senior Committee Administrator.

Apology

An apology for inability to attend was reported from Councillor McCann.

Minutes

The minutes of the meeting of 19th October were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 1st November.

Corporate Plan and Performance Management

Ambition, Purpose and Priorities – Council Strategy 2008 and Beyond: Away Days 29th – 30th November

The Committee noted the contents of a report providing details in relation to the agenda for the Committee's corporate planning days scheduled to be held on 29th and 30th November, which were aimed at developing the Council's strategy for 2008 and future years.

Corporate Consultation Exercise 2007

The Committee considered a report providing initial high level feedback in relation to the public consultation survey and the Elected Member and employee surveys which had been carried out during August and September by BMG Consultants.

Topline Results

The Topline Results from the surveys had been encouraging. Some key headlines from the public survey include:-

- **Increase of 9% in overall public satisfaction with the Council - 65% in 2004 to 74% in 2007**
- **96% of respondents enjoy living in Belfast compared to 92% in 2004**
- **86% of respondents considered the Council's involvement in their everyday lives to be important or very important - a significant increase on the 69% who felt this way in 2004**
- **When asked about specific areas of improvement, 63% named 'Belfast overall' as the aspect of the city that has most improved over the past three years while 62% chose recycling facilities and 60% the general appearance of the city.**

It is also clear that Members are in touch with the priorities of citizens and the issues they face as can be seen from the public's views on what the Council should be doing in the future. The key priorities emerging from our consultation with the public were that the Council should be:

- Working to make local areas safer
- Creating a clear vision for the City's future
- Promoting good relations between communities
- Working with other agencies to solve problems
- Working to make other areas cleaner and greener

The things identified as most likely to improve quality of life were:

- Cleanliness of streets
- Activities for teenagers
- Facilities for young people
- Relations between different religious groups
- Access to affordable decent housing

These are in line with many of the issues articulated by Members at their strategic planning session in August and will be explored further in greater detail at the next strategic planning session at the end of November.

Members' Survey

Members indicated high levels of satisfaction with their roles within the Council and with their relationships both among themselves and with officers. For the most part they are proud to be public representatives of the city of Belfast and the vast majority feel sufficiently engaged with the public to carry out their roles effectively.

Some key headlines from the Members' survey include:-

- **83% of Members agreed that the Council is a good leader for the city**
- **85% said that they were satisfied with their experience of being a Member of Belfast City Council**
- **80% of Members said they were happy with the relationship between Members and officers**
- **80% of Members felt that the Council provides a good service to residents.**

Employee Survey

Results from the Staff survey also show positive trends.

Some key headlines from the employee survey include:-

- **overall satisfaction among employees has risen from 59% in 2004 to 64% in 2007**
- **satisfaction with communication in the Council has more than doubled from 24% in 2004 to 50% in 2007**
- **83% of employees understand how their role contributes to the overall goals of the Council.**

The Committee noted that BMG Consultants would provide a detailed analysis of the results at the corporate planning days on 29th – 30th November, which would assist the Council in setting its future objectives and strategic priorities for the period 2008-2011.

Modernisation and Improvement

Review of Public Administration – Oral Update on Meeting with the Minister

The Chairman (Councillor D. Dodds) reminded the Committee that an All-Party Deputation had met the previous day with Arlene Foster, M.L.A., Minister with Responsibility for the Department of the Environment, to discuss the emerging findings of the Review of the Local Government aspects of the Review of Public Administration. She explained that the deputation had brought to the attention of the Minister those

issues of concern and points which had been raised by the Members at the Special Meeting of the Committee held on 9th November to discuss the Review. She stated that the meeting had been very positive, with the Minister indicating that she would draw upon the points raised by the Council during bilateral meetings with the other Ministers. The Minister had pointed out that she was committed to undertaking four public meetings regarding the Review, with a report to be submitted to the Executive by the end of January.

The Chief Executive advised the Committee that, following last week's special meeting, a number of papers had been commissioned to reflect the comments which had been made by Members in relation to the transfer of functions, youth and library services, local economic development, urban regeneration, local roads and housing. He sought the Committee's authority to submit those papers as part of the Council's overall response to the Review.

The Committee noted the comments and granted authority for the additional papers to be included within the Council's response to the Review of Public Administration Emerging Findings report.

Northern Ireland Assembly Liaison

The Committee noted the contents of a report providing an update in respect of the work which was being undertaken by the Northern Ireland Assembly.

Efficiency Programme

The Director of Corporate Services submitted for the Committee's consideration the undernoted report in relation to the efficiency programme 2008/2009 and the efficiency targets for 2009/2010 till 2011/2012:

"Purpose

Policy and Resources Committee agreed that the Council will make £3.0 million efficiency savings over the period 2006/07 – 2008/09. The Director of Corporate Services reported savings of £1.15m in 2006/07 and £1.50m in 2007/08. The purpose of this report is to propose to Committee how £1.22m cash savings for 2008/09 can be achieved and to recommend the continuation of the efficiency programme for 2009/10 onwards.

Relevant Background Information

Capturing of Savings

It is important to note that the £1.22m savings are cash savings. This means that they will be captured as part of the rate setting process which ensures that they are directly passed on to the ratepayer.

Efficiency Programme 2007/08

The table below summarises the efficiency programme for 2008/09.

Efficiency Area	£
Budgetary Efficiencies	550,000
Insurances	110,000
Retention Allowance	200,000
Land Tribunal Income	215,216
City Matters Income	140,000
Total Efficiency Savings	1,215,216

A brief description of each efficiency area is provided below.

Budgetary Efficiency

One of the key areas of financial management is budgetary control. The Director of Corporate Services has carried out an analytical review of a number of expenditure headings and subsequently has identified £550,000 cash savings which can be achieved for 2008/09.

Insurances

Insurance costs for 2008/09 have been reduced by £110,000. The savings relate to the areas of Professional Indemnity, Public Liability and Fire Insurance (Buildings and Contents). They have been achieved by:

- Taking advantage of higher levels of competition among insurers which are underwriting local authority business.
- Providing more accurate risk information to Brokers when negotiating renewal terms.
- Implementing risk improvement advice which is provided by the Council's insurers.
- Improving claims records.

Retention Allowance

As part of the Single Status agreement, the retention allowance paid to ISB staff has been removed. Consequently, the Head of ISB is recommending that the savings which amount to £200,000 is allocated to the efficiency programme rather than her service.

City Matters Advertising

Members agreed on 19 January 2007 that the November edition of City Matters would pilot paid advertising as a means of generating sufficient income to ensure that the publication could be produced on a no cost basis to the ratepayer. The Head of Corporate Communications appointed the Business Publication Company to commission the advertising. He will report to Committee in December and recommend that the scheme is extended to cover the four publications of City Matters planned for 2008/09. On this basis it is recommended that the £140,000 which this scheme will generate is included in the efficiency programme.

Land Tribunal Income

The Land Tribunal has recently made an award in favour of the Council in relation to two leases at the Balmoral Industrial Estate. The Strategic Policy and Resources Committee has already agreed to ring fence the back dated income of £1,075,000 to the City Investment Strategy. It is recommended that the increase in the annual rental income of £215,216 is allocated to the efficiency programme.

Efficiency Programme Post 2008/09

The Council Improvement Board at its meeting on 11 October 2007 indicated that the Council should continue with its efficiency programme in the context of the same targets which had been set for the period 2006/07 to 2008/09 - £3.0m for the next three years. It is therefore recommended that the Strategic Policy and Resources Committee agree an efficiency target of £1.0m per annum for the period 2009/10-2011/12.

The efficiency programme to date has been relatively non-threatening to the organisation and to individual services. The opportunities, however, for realising savings through improved budgetary control are diminishing. This means that a more strategic approach to efficiency will be required which will involve both changing how we do things today and progressively making fundamental changes to the Council's business operation. This will include potential areas such as shared services, efficiencies through the review of the centre of the organisation, process efficiencies, procurement, workplace strategies, property maintenance, ICT, and asset rationalisation.

In anticipation of the further need for efficiency savings we have already embarked on a number of projects which will potentially realise savings post 2008/09. These projects include Better Business, Reduction in the Cost of Absence, Overtime Review and a Review of Cemetery Charges.

Recommendations

1. Agree the programme of efficiencies for 2008/09 as outlined in the report.
2. Agree an efficiency target of £1.0m per annum for the period 2009/10-2011/12.
3. Note the work already underway to realise savings for 2009/10.”

After discussion, during which several Members expressed the view that they recognised the need for the Council to undertake efficiency savings but since many residents did not benefit from the full services which the Council provided any cuts in frontline services would not be acceptable, the Committee adopted the recommendations.

Democratic Services and Governance

Protocol for the Identification of Information Contained within Committee Reports to be Excluded from Publication on the Internet

The Committee was reminded that, at its meeting on 25th September, it had agreed to the publication on the internet, following each Monthly Council Meeting, of Committee Agendas and Reports, subject to a report being submitted for its consideration setting out a protocol whereby certain types of information would remain unpublished.

The Head of Committee and Members' Services explained that, under the Council's Publication Scheme, the vast majority of Committee reports were already discoverable. Therefore, the starting point in the development of the protocol had been the assumption that all reports would be published unless there were specific and clearly defined reasons for them to be withheld. The Modern.Gov system could exclude the whole of a report or any particular paragraphs of any report which might contain information not for public disclosure, so it would be a matter for decision by the appropriate Chief or Reporting Officer at the time of the writing of the particular report as to how much of the report should be excluded.

The Head of Committee and Members' Services stated that the undernoted categories of information would be omitted:

- “1. Personal information relating to any individual or any such information from which an individual could be identified, the disclosure of which would contravene the Data Protection Act 1998.**
- 2. Information which would prejudice the private financial or commercial interests of any particular person or body, including the Council.**
- 3. Information which has been provided to the Council in confidence by any other person, the disclosure of which would constitute an actionable breach of confidence.**
- 4. Information relating to any ongoing consultations or negotiations in connection with any industrial relations matter arising between the Council and its employees.**
- 5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.**
- 6. Information which reveals that the Council proposes to :**
 - (a) give under any enactment a notice imposing requirements on any person ; or**
 - (b) make an order or direction under any enactment.**
- 7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.**
- 8. Information which would endanger the health and safety of any individual.**
- 9. Information which is exempt from disclosure under the Freedom of Information Act 2000, the Environmental Information Regulations 2004 or any other enactment.**

Where appropriate, information which fell within any of the above categories would be excluded if, in all circumstances of the case, the public interest in maintaining its exclusion outweighed the public interest in disclosing the information.

Any disputes arising in relation to the exclusion of reports or parts thereof would be referred for decision to the Director of Legal Services.”

The Head of Committee and Members' Services indicated that, should the protocol be adopted by the Council, it was intended that the roll-out of the Modern.Gov system would take place as follows:

3rd December, 2007	Ratification of Protocol at Council Meeting
2nd January, 2008	Committee Services will commence the preparation of both public and private report packs for all Council Committees
5th February, 2008	Publication on the Internet of Committee Agendas and Reports for January 2008 Committee meetings
1st April, 2008	Committee Services will commence the tracking of all Committee decisions using Modern.Gov

The Committee approved the foregoing protocol on the publishing of Committee reports to the Internet.

Finance

Minutes of Meeting of Audit Panel

The Committee approved and adopted the minutes of the meeting of the Audit Panel held on 31st October.

Human Resources

(Mr. S. Black, Head of Human Resources, attended in connection with these items.)

Single Status Implementation

The Committee approved the draft Local Agreement on Pay and Grading for Craft Employees and the Shift Allowances Paper as the management-side positions for negotiations with the Trades Unions.

Arising out of discussion in the matter, the Head of Human Resources stated that following the Council's approval the draft Local Agreement would be forwarded to the Craft Employees Trade Union with a request that they ballot their membership. In addition, it was envisaged that all outstanding issues in relation to the implementation of Single Status would be resolved by March, 2008.

Noted.

**Pension Scheme Changes/Discretionary
Compensation Payments**

The Committee considered the undernoted report on the amendments to the Council's discretionary policies under the Local Government Pension Scheme and under the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations (Northern Ireland) 2007:

“Report

The Council currently has policy statements on the discretions it can exercise under the Pension Scheme and the discretions it can exercise under the Compensation Regulations when deciding the amount of compensation to pay to staff who cease employment on the grounds of redundancy or efficiency.

Changes to the Compensation Regulations, to ensure they comply with the Age Discrimination legislation, and changes to the Pension Scheme Regulations mean that the Council is now required to formulate and publish new policies.

It is a statutory requirement to have new policies in place – it is not optional.

This report considers the matters for the Council to consider when formulating the policy to be applied under the Compensation Regulations and the policy to be applied under the Pension Scheme Regulations.

Compensation Policy

When devising a new compensation policy there are two key issues for Members to consider.

Firstly, the policy needs to strike a balance between:

- the ability for the Council to effect change through early retirement on redundancy or efficiency grounds, and
- the affordability of the costs that would arise under the policy

whilst at the same time being:

- fair to ratepayers, and
- fair to staff, regardless of their position within the authority, to adequately compensate them for the loss of their employment.

Secondly, the policy will need to be compliant with the Employment Equality (Age) Regulations under which, unless otherwise objectively justified, employees should be treated equally regardless of their age.

Under its current policy on redundancy the Council does two things:

- Firstly, it bases a redundancy payment on an employee's actual week's pay where this exceeds the statutory week's pay limit of £310 per week. It is recommended that the Council continues to base redundancy pay on actual pay as this links the calculation of the redundancy payment to the level of an employee's earnings prior to redundancy and is thus fair compensation for loss. It is understood the majority of Councils in the UK are doing so.
- Secondly, the Council awarded what are known as Compensatory Added Years (CAY) to employees aged 50 or over who have 5 or more years in the Pension Scheme and who are retired on redundancy grounds. This provided a top up to their pension benefits in the form of a lump sum and an ongoing annual payment for their lifetime (and for the lifetime of any surviving spouse). The Council met the cost of the annual payment over the lifetime of the recipient – there was no up front cost.

The award of CAY clearly benefited those who met the criteria but meant that those who did not meet the criteria (e.g. those under 50 or those not in the Pension Scheme) did not get awarded any CAY.

The DoE felt that this was potentially open to challenge on discrimination grounds and so they have removed the Council's ability to award CAY.

The Council therefore has to formulate and publish a new compensation policy.

The Council could, in effect, achieve the same as under the old policy by, instead of granting CAY, simply awarding extra membership in the Pension Scheme. However, this has two major drawbacks. It would suffer from again being potentially discriminatory (as it could only be given to employees who are in the Pension Scheme) and there would be a significant up front capital cost for the Council to buy the membership in the Pension Scheme. The Council is therefore not recommended to go down this route.

Alternatively, the Council can make a one off lump sum compensation payment, being a multiple of the statutory redundancy payment which must be made.

As shown in Appendix A, there would be 'winners and losers' under such an approach compared with the current policy, but it would be fairer and more defensible and would, overall, produce a cost saving to the Council in the longer term compared to the current arrangements.

The multiplier used by the Council can be anything between 1 (i.e. just the basic redundancy payment) and 3.46 (the maximum possible to keep within the payment limit under the Compensation Regulations of 104 weeks pay).

Whatever multiplier is chosen will need to be applied in all cases in order to avoid possible challenge under the Age Discrimination legislation and to be fair to employees at all levels.

The use of a standard multiplier also has the advantage that it is easily understood by staff.

But, as mentioned earlier, in making a decision, the Council needs to strike a balance between the two extremes i.e. between a multiplier of 1 and a multiplier of 3.46.

It is important to realise that the level of award under the previous policy meant there were enough employees willing to take voluntary redundancy when the Council was seeking to effect change. The reallocation of the available pot so that there are no 'winners' or 'losers' means that in future there may not be enough employees willing to take voluntary redundancy – and so the Council would then have to contemplate compulsory redundancies.

So, the key is to agree a multiplier at an appropriate level.

Choose too small a multiplier and the Council may find it more difficult to effect change as it may be seen to be not sufficiently compensating employees for the loss of their employment.

Choose too big a multiplier and the Council could be open to criticism for its use of public money.

Historically, where a business case for redundancy has been made, the Council has granted the maximum compensation to redundant staff, but only to those who qualified i.e. those aged 50 or over who had 5 or more years' membership in the Pension Scheme. To apply a maximum multiplier to all redundant staff where a business case for redundancy had been made would be too costly.

A middle of the road approach would be to apply a multiplier of, say, 2.2 (halfway between the minimum and the maximum).

At the bottom end a 20 year old with 2 years service would thus get a compensation payment of 2.2 weeks pay (inclusive of 1 weeks redundancy pay) rising, at the top end, to a maximum of 66 weeks pay for a 61 year old with 20 or more years service (inclusive of 30 weeks redundancy pay).

It should be recognised that the discretion is simply how much the Council pays as compensation above the statutory redundancy payment (which the Council has to pay).

Few authorities in the UK are choosing a multiplier of 1 or, at the other extreme, a multiplier of 3.46 - most are plumping for a multiplier somewhere in the middle.

Actions: Members are asked to:

- (a) agree that redundancy payments should continue, as now, to be based on an employee's actual week's pay*
- (b) agree the multiplier to be applied to the redundancy payment [suggested as 2.2]*

Efficiency Retirements

Having looked at redundancy, the Council also needs to consider what, if any, compensation to pay where employment is terminated in the interests of efficiency of the service.

What is efficiency of the service?

This is where, for example an employee may have put in many years of loyal service but has not recently been able to keep up with changes to work practices or technology. It is where redeployment, dismissal on grounds of conduct, redundancy or ill health retirement would not be appropriate.

Under the current policy, the Council does not make a compensation payment in such cases (but the person does receive their pension if they are in the LGPS and are aged 50 or over).

However, there may be situations in the future where the ability to make a payment to facilitate a termination on these grounds could be useful.

It is recommended that the Council should not apply the redundancy compensation policy to terminations on the grounds of the efficiency of the service but should retain to itself the discretion to apply compensation, not exceeding the compensatory element (viz that bit of the redundancy policy above the statutory redundancy minimum) payable in the event of redundancy, in exceptional cases where to do so would be to the economic and/or operational benefit of the Council. This would mean that a maximum compensation payment of 36 weeks pay would be payable in the event of an 'efficiency' termination based on the application of a multiplier of 1.2 to the statutory redundancy tables.

Only where there is a good business case would the discretion be applied.

This goes beyond the Council's current 'no award' policy but provides the Council with flexibility in exceptional cases.

The likelihood of challenge on discrimination grounds (of not treating all efficiency retirements the same) is considered slight given:

- the limited number of cases, and
- the fact that the Council could seek to objectively justify the separate treatments given the individual nature of each efficiency retirement.
- The use of the statutory redundancy ready reckoner is, deemed to be legally defensible in determining the amount of compensation.

Action: Members are asked to agree that the Council should not apply the redundancy compensation policy to terminations on the grounds of the efficiency of the service but should retain to itself the discretion, in exceptional cases, to apply a lump sum compensation payment of up to, 36 weeks pay that being the lump sum compensation that would have been payable in the event of redundancy above the minimum statutory redundancy figure. This discretion will only be applied where there is a good business case showing that there would be an economic and/or operational benefit to the Council and would be implemented by applying a multiplier of 1.2 to the number of weeks pay due under the statutory redundancy tables.

Option to be Granted Pension Scheme Membership of
Equivalent Value

One final matter to consider is that the Council could offer those employees who are members of the Pension Scheme the choice of accepting the compensation payment as cash or (subject to the certain limits) converting the cash over and above the redundancy payment into extra years in the Pension Scheme. The redundancy payment would still be payable.

It is recommended that the Council should give employees this choice (which would be cost neutral to the Council).

Action: Members are asked to agree that an employee who would otherwise be eligible for a lump sum compensation payment may, before leaving, ask for the amount (in excess of any redundancy payment) to be granted, instead, in the form of extra membership of the Pension Scheme (provided that the extra membership so provided would not exceed the maximum set out in the Pension Scheme Regulations¹).

LGPS Discretionary Policy

The Local Government Pension Scheme Regulations (NI) 2002 require the Council to publish and keep under review a Policy Statement on certain discretions which it can exercise under the LGPS Regulations.

The Council's current Policy Statement, which was first agreed on 1 September 2003 and subsequently updated in 2005, requires amendment as a result of changes to the LGPS which were made by the Local Government Pension Scheme (Amendment) Regulations (NI) 2007.

The Council is required to have a policy in relation to five specific discretions under the Pension Scheme.

1. Whether to grant extra membership in the Pension Scheme to an active scheme member
2. Whether to grant applications for the early payment of pension benefits on or after age 50 and before age 60
3. Whether, on compassionate grounds, to waive any early payment reduction that would normally be applied to benefits which are paid before age 65

- 4. Whether to enter into a shared-cost Additional Voluntary Contribution (AVC) arrangement**
- 5. Whether to permit flexible retirement for staff aged 50 or over and, if so, whether to waive, in whole or in part, any early payment reduction which would otherwise be applied to the benefits in accordance with the Pension Regulations.**

There are a number of other discretions which the Council may exercise under the LGPS. There is, however, no requirement to have a written policy in respect of these but there is one in respect of which it would be appropriate for the Council to have a written policy, namely:

- 6. Whether to permit re-entry to the scheme where a member has opted out more than once**

The extant parts of the Council's current policy on items 1 to 4 are in line with many other authorities. It is suggested that there is no reason to change the extant parts of the Council's current policy in these areas and it is recommended that the extant parts of the Council's current policy on items 1 to 4 are used to form the new policy and, to protect the interests of the Council, a slightly amended version of the current policy on item 6 is also adopted.

However, item 5 is a new discretion and is a new provision which allows the Council to agree to flexible retirement i.e. to agree to an employee aged 50 or over reducing their hours or grade and drawing their accrued pension whilst remaining in employment and accruing additional pension rights in the ongoing employment.

It would make sense for the Council to permit flexible retirement, but only where there is a business case for doing so – for example, to retain and pass on valuable knowledge, skills and experience; avoid redundancy; facilitate medical redeployment, etc.

In many cases there would be no cost to the Council. For example, allowing an environmental health officer who might otherwise retire at 60 to draw his pension at 60 and continue working for, say, 3 days a week would not result in a direct pension cost the Council and, indeed, could save the Council money in terms of, for example, retention of valuable skills and a scarce resource, not having to advertise, etc

Although the Council has the ability to waive, in whole or in part, any actuarial reduction that might be applied to benefits paid on flexible retirement before age 65, it is recommended that the Council should not apply such a waiver unless there is a strong business case for doing so.

Actions: Members are asked to agree that:

- (a) the extant parts of the Council's current policy on items 1 to 4 are used to form the new policy
- (b) the Council will consider requests for flexible retirement on business grounds but agreement will only be given where it is in the interests of the Council to do so
- (c) the Council will not waive, in whole or in part, any actuarial reduction that might be applied to benefits paid on flexible retirement before age 65 unless there is a strong business case for doing so
- (d) where an employee has opted out of the Pension Scheme more than once, the Council will make an individual decision on whether or not to allow re-entry to the Scheme taking into account any relevant medical information and whether the individual is under notice, or impending notice, of redundancy or retirement in the interests of efficiency of the service.

Recommendation

Members are asked to agree to the individual recommendations made in order that a Council Policy Statement can be prepared; equality proofed and advised to Trade Unions and employees. Once the policy is agreed it will apply equally to all staff. In cases of reorganisation the Council's discretion will be in agreeing to the reorganisation and redundancies. Once agreed, the compensation policy will apply."

The Head of Human Resources emphasised that the recommended policy would actually cost the Council less to administer than the previous arrangements which had applied.

After a lengthy discussion the Committee accepted that the recommendations made were fair, reasonable and affordable in all respects to both ratepayers and staff and agreed to adopt the undernoted recommendations:

Compensation Arrangements

- the Council continues to base redundancy payment on actual weeks pay rather than statutory figure of £310 to link compensation to loss;
- the Council does not replace compensatory added years with added years of membership under the pension scheme given the upfront capital costs involved and potential for challenge on basis of age or sex discrimination;
- the Council agrees to pay compensation in the event of redundancy termination above the statutory minimum of 30 weeks pay in order to compensate employees and retain ability to effect change;
- that such compensation be between the statutory minimum of 30 weeks and the maximum of 104 weeks, with a median of 66 weeks being selected as the maximum compensation under the Council's scheme;
- redundancy compensation to the maximum of 66 weeks (which was the old statutory maximum) be implemented by applying a multiplier of 2.2 to the number of weeks pay due under the statutory redundancy tables which are based on the age and service of the employee concerned;
- in the event of a business case existing for termination on the grounds of business efficiency, compensation up to a maximum of 36 weeks be paid (that being the portion of the 66 weeks maximum compensation for redundancy termination above the statutory minimum);
- compensation for release on the grounds of business efficiency to the maximum of 36 weeks be implemented by applying a multiplier of 1.2 to the number of weeks pay due under the statutory redundancy tables.
- employees who are members of the Pension Scheme should be given the choice of accepting the compensation payment as cash or (subject to certain limits) converting the cash over and above the redundancy payment into extra years in the Pension Scheme. The redundancy payment would still be payable. The same provision should be available for release on the basis of efficiency.

Pension Scheme Policy

- that the Council do permit flexible retirement of staff aged 50 or over where there is a business case to do so, for example, to retain and pass on valuable knowledge, skills and

experience; avoid redundancy; facilitate medical redeployment etc provided that there is a reduction in hours of work; grade of post etc.

Standing Order 55 – Employment of Relatives

It was reported that, in accordance with Standing Order 55 and the authority delegated to him, the Director of Corporate Services had authorised the appointment of a number of staff who were related to existing officers of the Council.

The Committee noted the appointments.

Asset Management

City Hall Major Works: Project Update

The Committee considered the undernoted report providing an update in relation to the major works which would be undertaken at the City Hall:

“Relevant Background Information

The decision to enact the procurement procedures for the City Hall Major Works contract at an estimated cost of £12million (including fees and statutory charges) was approved at the December 2006 Council.

Select lists of firms for the main contract works and the specialist mechanical and electrical services elements were created following public advertisement.

Tenders received from those firms on the select list for main contractors were evaluated in accordance with the Council’s procurement procedures.

Associated tenders were invited for the Removal and Off-Site Storage of Records and the Removal and Storage of Artwork and Artefacts from the City Hall.

The decant to Adelaide Exchange has been completed and the City Hall is being cleared to enable the contractor to commence work.

The Lord Mayor and the Lord Mayor’s Unit staff have relocated to Clarendon Dock.

Key Issues

The values of various elements of the project were such that advertisements had to be placed in the Official Journal of the European Union.

Following evaluation of tenders received, a recommendation to accept the most economically advantageous tender, submitted by Graham Construction, was presented to the September meeting of the Members' City Hall Steering Group who agreed that the tender should be accepted under the authority delegated by the P&R Committee, approved at the December 2006 Council, to the Chairman of the Committee and the Chief Executive.

Following the exercise of the delegated authority and the issue of the notice of intention to award the contract, a request for detailed clarification was received from one of the firms who were unsuccessful in their application for the main contract select list; however, following a debriefing this did not progress to a formal challenge.

The Major Works contract is consequently programmed to commence on 19 November.

Following the issue of the notice of intention to award the contract for the associated specialist Records Removal/Off-Site Storage contract, a formal challenge was received from one of the contractors who were unsuccessful in their tender. This challenge proceeded to court and judgement is awaited. In the meantime a contract cannot be awarded and alternative temporary arrangements have been made for the removal and storage of records, using an existing portorage contract, to enable the works contract to proceed unhindered.

All other tenders proceeded to award without challenge.

As noted above the works commencement date is programmed for 19 November with a 90 week contract period which will be undertaken in two phases; the first phase comprises the Council Chamber, main function rooms, main entrance and main stairway is programmed for completion within 52 weeks.

Two proposed variations will be presented to the Committee in the near future:

1. the relocation of the emergency room and control room to the 2nd floor;
2. the potential provision of a smoking shelter in the courtyard;

details of which are currently being worked up.

Another more fundamental variation may be required, regarding the future use of the City Hall. A paper has been given to party representatives on the Members' City Hall Steering Group for discussion, and the outcome may impact on the contract works.

The project team consists of the following staff and consultants:

BCC Core Improvement	Michael Stanley: Capital Programme Manager Sam Graham: Project Manager
Architect	Consarc Design Group: Dawson Stelfox and John Savage
Quantity Surveyors	White Young Green
Contractor	Graham Construction
Mechanical Engineers	Mott MacDonald
Mechanical Contractor	Sharpe Mechanical Services Ltd
Electrical Engineers	Caldwell Consulting
Electrical Contractor	Rotary Services Ltd

Resource Implications

The anticipated project expenditure for the Major Works contract, based on the accepted tender, is £11,875,000.

Recommendations

It is recommended that the Committee notes this report and agrees that subsequent update reports be presented on a quarterly basis, with additional except reports as necessary."

A number of Members expressed concern at the reference to the suggestion that a Smoking Shelter be provided in the City Hall courtyard and that details in relation to this were being "worked up".

The Director of Improvement assured the Members that no decisions would be taken in relation to the relocation of the emergency and control rooms, the provision of a Smoking Shelter and the future use and occupation of the City Hall without detailed reports being submitted to the Committee for its consideration.

The Committee noted the contents of the report and agreed that subsequent update reports be submitted on a quarterly basis, with additional exceptional reports being brought as necessary.

Capital Programme Monitoring Report

The Committee noted the contents of a report which provided details in respect of the progress achieved in relation to the Council's Capital Programme. The Committee noted also that there were 113 projects included in the Programme for 2007/2008 and future years which were at various stages of development. Out of those, eight had been deleted, twenty-six had been programmed to commence in future financial years and thirty-four had been completed. With regard to the remaining projects which were programmed to progress in the current financial year, the Director of Improvement outlined those which would give some cause for concern regarding their progress.

Noted.

Request for the Provision of Hospitality

The Committee was advised that the undernoted request for the provision of hospitality had been received:

Organisation/ Body	Event/Date – Number of Delegates/Guests	Request	Comments	Recommendation
ASM Horwath, Belfast	Horwath Clark Whitehill Associates Regional Conference 15th May, 2008 (evening) Approximately 80 attending	Provision of hospitality in the form of a pre-dinner drinks reception	It is estimated that 80 delegates will be staying in accommodation in Belfast	Provision of a pre-dinner drinks reception Approximate cost £240 Approximate budget remaining £152,377

The Committee adopted the recommendation.

Good Relations and Equality

Minutes of Meeting of Good Relations Steering Panel

The Committee approved the minutes of the meeting of the Good Relations Steering Panel of 2nd November and adopted the recommendation of the Panel in relation to the attendance of representatives at the Journey of Remembering Conference scheduled to be held in Dublin on 1st December.

**Draft Policy on Dual-Language
Signage for Belfast City Council**

The Committee considered the undernoted report which had been submitted by the Director of Legal Services in relation to the preparation of a draft policy on dual-language signage for the Council:

“Purpose of the Report

This is the first of a series of reports, the purpose of which is to update Members in relation to the development of a policy on dual language signage for the Council. The report also is intended to seek direction from the Members on certain key issues in order to take the project forward.

Relevant Background Information

At its meeting on 21 September 2007, the Strategic Policy and Resources Committee agreed that the development of a Council policy in relation to the erection of dual-language signage be undertaken by the Good Relations Unit under the direction of the Director of Legal Services.

Subsequently, at its meeting on 19 October 2007, the Strategic Policy and Resources Committee agreed to adopt the following option in regard to the development of such a policy:

‘OPTION 3 – To treat it as a general policy issue on dual-language signage for the Council and to undertake the development of a policy to manage all requests for dual-language signs (i.e. English and any lesser spoken language) covering all the Council’s facilities / functions.’

It was also agreed that,

‘Once a policy is developed, the Council will need to further develop a framework for determining what criteria should be used for assessing the demand for dual-language signage at any particular facility.’

At that time, it was pointed out to Members that the statutory obligations placed on the Council to undertake consultation exercises in relation to this type of policy development would mean that the formulation of a policy would take a longer period of time than the three month period initially requested by Members. It was also pointed out that the proposed approach would have much broader implications for the Council in terms of staff resources and all of the associated costs.

The decision of the Strategic Policy and Resources Committee was ratified by Council at its meeting held on 1st November 2007.

Key Issues

Mindful of Members' initial desire to quickly advance the development of the policy, the Director of Legal Services has asked the Good Relations Unit to draw up a timeframe within which the development of the policy will be progressed.

To assist the process of policy development, and following a review of the matter, further political direction and guidance is sought from Members in regard to certain key issues emanating from the decision as stated, that is,

'To treat it as a general policy issue on dual-language signage for the Council and to undertake the development of a policy to manage all requests for dual-language signs (i.e. English and any lesser spoken language) covering all the Council's facilities / functions.'

Guidance is thus sought on the following matters:

1. Language Policy

As noted in the report to Strategic Policy and Resources Committee on 19 October 2007, Council has an existing Language Policy. In relation to the issue of signage, under 'Signage in Council Properties', that policy provides that,

'Fixed signage at and in Council properties is either pictorial, tactile or in English. A 'Welcome' sign may be provided, at a reception area or other place, in a number of languages, including Irish, Ulster-Scots and other languages e.g. Filipino/Polish to reflect Belfast's growing diversity and multi-cultural composition.'

Given that that policy dealt with 'Welcome' signs, clarification is sought from Members as to whether the new dual language policy is to be restricted to the naming of facilities, or whether it is to have any wider remit, including welcome and other signage.

2. Extent of Facilities

The scope of the policy as stated would extend to '*all the Council's facilities / functions*'. This gives rise to the question: should the policy apply to all buildings owned or managed by Council; or, rather, to those facilities managed and maintained by Council in pursuit of its statutory functions and which the public use or to which the public have access?

It is to be borne in mind that the original Committee decision (Parks and Leisure, 9th August 2007) was in the context of Falls Park and the City Cemetery.

In similar vein, should the policy refer to external signage and/or internal signage in Council facilities?

3. Dual-Language / Multi-Language

As set out above, dual-language is defined as 'English and any lesser spoken language'. Whilst clear in terms of its definitional intent, assuming Council wants facility name signage, the subsequent practical application could prove problematic where equal weight could be given to two or more requests for signage, in any given facility, in different lesser spoken languages. This raises the question: is the policy to be limited to 'dual-language' or should it allow in certain instances, greater flexibility in application, thus becoming, in effect, a 'multi-language' signage policy?

Clearly, the development of the policy raises major equality issues. Two issues arise at this point. Firstly, Council is committed to adhering rigorously to the requirements of the Equality Scheme, including the conduct, where appropriate, of a full Equality Impact Assessment.

Secondly, to adhere to the requirements of the Council's Equality Scheme, particularly with regard to consultation processes, the timeframe within which the policy can be progressed must take cognisance of the statutory requirements and principles of good practice. These include:

- Pre-consultation phase necessary to identify and test salient issues;
- Formulation of draft policy;
- An 8 – 12 week period of formal consultation;
- Final drafting of policy on receipt of consultation responses;
- Formal adoption by Council.

Accordingly, the following timeframe is set out for consideration:

15 November 2007	Interim report (1) to SP&R
Nov – Dec 2007	Initial desk research; formulation of preliminary questionnaire to identify and test salient issues; series of meetings with party groupings and other stakeholders.
January 2008	Pre-consultation identification of issues and means of implementation (via questionnaire)
February 2008	Interim report (2) to SP&R: consideration of interim findings and draft policy.
March – April	2008 Formal consultation process (minimum period allowed under Equality requirements).
May 2008	Interim report (3) to SP&R
June 2008	Target date for submission of final draft policy to SP&R.

Other considerations

Given the desire to develop a general policy, it will be necessary to commission consultants to undertake the administration of the pre-consultation questionnaire and subsequent analysis of responses and to assist the formal consultation process. It is considered that an indicative budget of £10,000 would be required. Accordingly, the approval of Members for related expenditure is sought.

Recommendations

Members are asked to:-

- 1. Consider the issues outlined above;**
- 2. Provide direction as to the clarification of the key issues outlined in relation to the formulation of a dual-language signage policy for the Council;**
- 3. Approve an indicative budget of £10,000 for the commissioning of consultants to undertake necessary consultative processes.”**

The Director of Legal Services advised the Committee that, in order to progress the matter of the dual-language policy, he required direction from the Committee in relation to a number of issues such as whether the policy was to be restricted to the naming of facilities or whether it was to have a wider remit to include welcome or other signage; was the policy to refer to external signage and/or internal signage; and the action which should be taken if there were two or more requests for signage in different languages, thus raising the question of whether it to be a multi-language signage policy.

After a lengthy discussion, during which the Director clarified that there was an existing Council policy in relation to the provision of signage, it was

Moved by Councillor Long,
Seconded by Councillor Hanna,

That the existing Language Policy in relation to the issue of signage in Council properties be extended to clearly reflect that it apply to all of the Council's facilities, that the name of the facility be in one language only, that is, English, that the signs inside Council properties be either pictorial, tactile or in English or a combination of these, but that a multi-lingual Welcome sign be provided where there is appropriate demand and that an appropriate implementation policy in this regard be developed.

At the request of a Member, the Head of Committee and Members' Services explained that Standing Order 27 provided that a decision of the Council could be changed within six months provided that such a change was brought forward as a recommendation of the Committee concerned. The proposal was therefore competent and, if it were passed by the Committee, the Council, at its meeting on 3rd December, would determine, by either ratifying or rejecting the Committee's minute, whether or not to amend its previous decision in this regard.

Recorded Vote

The Committee agreed that the proposal be determined by the means of a recorded vote.

A poll having been taken on the proposal, there voted for it seven Members, viz., the Chairman (Councillor D. Dodds); the High Sheriff (Councillor Kirkpatrick); and Councillors W. Browne, Convery, Hanna, Long and Rodway; and against it three Members, viz., Councillors M. Browne, Lavery and P. Maskey. One Member, Councillor Adamson, did not vote.

The proposal was accordingly declared carried.

Cross-Cutting Issues

Provision of Automated External Defibrillators

The Committee considered the undernoted report in relation to the provision of Automated External Defibrillators in Council-owned properties:

“Relevant Background Information

In response to a request by an Elected Member the Workplace Health Manager was tasked with exploring the potential for, and issues around, deploying Automated External Defibrillators (AED's) across Belfast City Council.

An initial report to P&R in June 2007 promised a more detailed report, summarised below from a position paper prepared by the Workplace Health Manager.

Key Issues

Whilst there are no statutory duties requiring Belfast City Council to deploy AED'S for either members of the public and/or employees 'heart attacks' remain one of the biggest killers in the United Kingdom.

It has been medically established that the speed of treatment in such circumstances is a critical factor in determining the chances of survival and/or levels of long term damage sustained and that AED'S provide the best recognised emergency response to a cardiac arrest.

Four main points were identified as needing addressing when considering the deployment of AED'S in Belfast City Council:-

1. The scale of deployment

The initial focus has been on the deployment of AED'S in Leisure Services given their high throughput; the risks associated with exercising and past experience of cardiac arrests involving leisure facility users.

However Members may wish now, or in the future, to consider deployment of AED'S in other facilities and the position paper identifies other Council locations and advocates that in such circumstances a risk assessment process be employed, based primarily on user throughput and operational practicality.

2. Training requirements and resources

Any deployment of AED's brings with it the need to ensure trained operators are available at all reasonable times, and a training programme would require to be implemented and maintained.

Whilst the modern AED is very simple to use, indeed they will not function unless they detect the appropriate irregular heart rhythm, operators also need to be trained and competent in essential first aid, including Cardio Pulmonary Resuscitation.

Persons who are First Aid at Work trained require a further half day of training and others not holding such a qualification would require a one day course. Annual refresher training would be required.

It is estimated that our 12 leisure facilities could require up to 6 trained AED operators each to cover shifts/weekends/leave etc.

The Council now has 5 qualified First Aid at Work Instructors who could be further skilled to undertake AED training along with the St. John Ambulance.

Wider deployment than leisure would bring additional training requirements.

3. Costs (initial and ongoing)

AED costs have dropped considerably in recent years and basic 'user friendly' versions can be purchased in the region of £1,500 excluding VAT plus approximately £200 per annum maintenance.

Additionally training materials would cost approximately £5,000 per annum, for training packs and training AED'S etc.

Taken together it is estimated that to deploy and maintain AED'S in leisure would cost about £23,200 initially with a recurring cost of £6,000 per annum.

4. Roles and Responsibilities

The appointment of Workplace First Aiders is on a voluntary basis, for which a nationally subscribed payment of £96 per annum is paid. Recent years have seen a decline in the number of people volunteering for this responsibility.

AED operation would also have to be on a voluntary basis and would most likely be taken up by current First Aiders.

Members will be aware that the Council already supports the use of AED'S by participating in a mobile first response scheme in North and West Belfast run by the Royal Hospital Group in conjunction with Queen's University.

Resource Implications

1. An estimate of likely costs in leisure has been provided above (and in more detail in the position paper), which would obviously need to be re-calculated, up or down, if the scale of deployment were changed.
2. There is currently no allocated budget for the procurement and maintenance of AED's, so such would have to be established, either corporately, or at relevant Section/Unit level or taken from existing budgets.
3. The training needed to ensure sufficient qualified operators were maintained as required would create a significant demand, that could be met internally or externally, but which would need resourcing.

Recommendations

This report has been prepared to assist Elected Members in considering the option of deploying AED'S within BCC, including scales and resource requirements, which the Workplace Health Unit could progress.

Given that the research thus far has primarily been desktop based our recommendation would be to scope AED deployment across Leisure Services (an area of primary risk), which could either incorporate all 12 centres, or could be limited to a smaller number i.e. 6 centres, as part of a practical feasibility study (if run across 6 centres the initial outlay would be halved to £11.6k, with an ongoing annual cost of £3k).

Key to Abbreviations

AED: Automated External Defibrillator
CPR: Cardio Pulmonary Resuscitation”

The Committee adopted the recommendation and agreed that the scheme be piloted in all twelve Centres.

**Outline of the Approach Recommended
for the Council’s Work on Older People**

The Committee noted the contents of a report which provided an update in relation to the outline of the approach recommended for the Council’s Work on Older People. The Council would adopt a twin-stranded approach, the first of which would involve a strategic medium to long-term plan covering four areas, namely, Intersectoral Working, Citizenship, Improving Council Services to Older People and Advocacy. The second strand would involve a phased short-term approach to improving existing internal Council services and delivering new services which met the needs of older people.

The Committee directed that consideration of the work on older people be included in debates on Corporate Priorities and the Corporate Programme of Work.

Chairman