



Belfast City Council

Report to: Strategic Policy & Resources Committee

Subject: Staffing Issues

Date: 21 June 2013

Reporting Officer: Mr Peter McNaney, Chief Executive

Contact Officer:

1	Relevant Background Information
1.1	<p>To advise the Committee of the letter received by the Council on 14 June 2013 from the Minister of the Environment, advising Councils and Voluntary Transition Committees of his intention to use open public competition to appoint the Chief Executives of the 11 new councils.</p> <p>The Committee is recommended to direct the Head of Human Resources to bring back a detailed report on this matter to its meeting in August.</p>
1.2	<p>To advise the Committee that the Assistant Chief Executive and Town Solicitor has indicated his intention to leave the service of this Council before the end of this calendar year. It is proposed that the Chief Executive bring recommendations to the Committee at its meeting in August to deal with Mr Quigley's retirement.</p>

2	Key Issues
2.1	<p>Members are aware that the Local Government Reform will lead to the present 26 district councils in Northern Ireland being reduced to 11. The Local Government Reform programme is being driven by the Minister of the Environment and the Executive have agreed for the transfer of a package of functions to local government.</p>
2.2	<p>Legislation will be required to implement these changes. The primary legislation will be a new Local Government Act which is due to be submitted to the Assembly in September. In the meantime the Minister is anxious to drive forward the Reform programme and has introduced to the Assembly a set of regulations</p>

	<p>known as The Local Government (Statutory Transition Committees) Regulations (Northern Ireland) 2013, which makes provision for the establishment of <u>statutory</u> transition committees whose duty will be to draft a corporate and business plan for the agreement of the new council, prepare a draft budget for the agreement of the new council and make an appointment to the post of Clerk and Chief Executive of the new council. The selection and appointment of the Chief Executive must be on merit, on the basis of fair and open competition and must be approved by two-thirds of the majority of the membership of the Statutory Transition Committee. The appointment must be made in accordance with the provision of Sections 40 and 41 of the 1972 Local Government Act which provides for the appointment to be made in accordance with the procedure prescribed by the Local Government Staff Commission.</p>
2.3	<p>The Minister has written to all councils by letter dated 14 June 2013, setting out the reasons why he has decided to introduce regulations to provide for open recruitment for the posts of Chief Executive for the new councils and a copy of this letter is attached as Appendix 1. The letter makes it clear that “any current Chief Executive that chooses not to apply for the new post or who is unsuccessful will continue in his/her existing post until 2015. At that stage he/she may choose to take voluntary severance.”</p>
2.4	<p>The regulations if approved by the Assembly come into effect thereafter. The Regulations provide that the first meeting of the new Statutory Transition Committee needs to take place 35 days after the Regulations are brought into force.</p>
2.5	<p>Once the Regulations are brought into force the Department will have to consult with the Local Government Staff Commission and a procedure will have to be put in place for the appointment process of the new Chief Executive. It is recommended that the Head of Human Resources is directed to liaise with the Local Government Staff Commission and the Department and to bring back a report to Committee in August updating them on the proposed arrangements.</p>

3	<u>Other posts in the new Council structure</u>
	<p>There is no proposal in the Regulations that any post other than the Chief Executive post should be recruited by way of public competition. It is proposed at this stage that Directors for new councils will be appointed subject to the creation of pools of eligible people drawn from current staff employed by the councils to avoid compulsory redundancy and provide alternative employment opportunities. Given that this process may take some time, it is unlikely that proper consideration can be given to the structure of the new council until autumn 2014.</p>

4	<u>Retirement of the existing Assistant Chief Executive and Town Solicitor</u>
	<p>The Assistant Chief Executive and Town Solicitor has indicated his intention to retire from service with this Council before the end of this calendar year. Given the provision above about the appointment of new Directors, it is proposed that interim arrangements are put in place to cover Mr Quigley's existing duties until a permanent new council officer structure is agreed. It is therefore proposed that the Chief Executive discuss the issues with the Party Group Leaders at the Budget Panel and bring back interim recommendations to the Committee at its meeting in August.</p>

5	Recommendations
5.1	To note the Minister's intention in relation to Local Government Reform and the public recruitment of new Chief Executive posts.
5.2	To authorise the Head of Human Resources to engage with the Department and the Local Government Staff Commission to determine the process which will be followed to fill these posts.
5.3	To note the intention of the Assistant Chief Executive and Town Solicitor to retire before the end of the calendar year and to authorise the Chief Executive to consult with the Budget Panel and bring forward interim proposals to the Committee at its meeting in August.

6	Documents Attached
Letter from Minister of the Environment, dated 14 June 2013	