

Action Plan to implement KPMG and Review Working Group Recommendations

**As agreed at
Council 22nd March 2010
and
Reviewed at Audit committee;**

23rd June 2010
29th September 2010
12th January 2011

Part A - Action Plan in response to KPMG RECOMMENDATIONS

RECOMMENDATIONS			
The Role of the Borough Solicitor			
R1. Review the constitution to make clear what the Borough Solicitor can and cannot do regarding decisions to instigate and continue legal action, whether financial limits should apply to the Borough Solicitor's delegated authority, and when and from whom further sanction is required for financial expenditure above that limit.			
Recommended Action	Progress report	Due Date	Lead officer
<p>1. That the powers delegated to the Borough Solicitor will be considered as part of the review of the Constitution (including the Employee Delegation Scheme). Specific consideration will be given to the scope of delegation of decisions to instigate and continue legal action and to any financial limits which should apply and, how and from whom authority to exceed that limit is obtained.</p> <p>2. That the Borough Solicitor is tasked to undertake a comprehensive review of the Constitution and to produce a report by the 30th September 2010 for consideration by the Staff and Support Services Committee.</p>	<p>Completed.</p> <p>1. On the 13th December 2010, the Council approved revisions to the Council's Constitution which include amendments to the Employee delegation scheme and which address this recommendation.</p> <p>2. On the 11th October 2010, the Council approved a revised timetable for the comprehensive review of the Constitution and it is now intended that this be completed in time for the next municipal year in May 2011.</p>	30 th September 2010	Borough Solicitor

R2. Review the constitution for other potential instances where authority is delegated to individuals without clarity over the extent of their financial authority.

Recommended Action	Progress report	Due Date	Lead officer
<p>1. That the Employee Delegation Scheme to be reviewed by the Borough Solicitor as part of the review of the Constitution. The review will consider whether there is sufficient clarity as to the financial restrictions which should appropriately apply and how and from whom authority to exceed any limits is obtained.</p> <p>2. That the Borough Solicitor is tasked to undertake a comprehensive review of the Constitution and to produce a report by the 30th September 2010 for consideration by the Staff and Support Services Committee.</p>	<p>1. Completed see R1 above.</p> <p>2. See R1 above.</p>	30 th September 2010	Borough Solicitor

RECOMMENDATIONS			
The Role of the Borough Solicitor			
R3. Ensure that where there are alternative people or bodies who could take a lead decision making role, that all options are evaluated and the conclusion is documented clearly.			
Recommended Action	Progress report	Due Date	Lead officer
That a process, to be implemented corporately, be devised whereby, in circumstances where there are alternative officers or committees who could make a particular decision, the options for the decision making are evaluated and the conclusion clearly documented. The process is to be explained within the guidance note being prepared by the Assistant Chief Executive for the Senior Leadership Team (SLT) and Service Managers.	Completed. A guidance note has been issued and training has been undertaken with report authors so that they are aware of the process for the evaluation of decision-making options.	30 th June 2010	Assistant Chief Executive

The Role of Members			
<p>R4. Review the need for, and remit of, the S&SSC and other committees. In a Cabinet/Scrutiny model, a Council may only need regulatory committees (Licensing, Audit, Planning). Mixing decisions between Cabinet and S&SSC can be confusing. It may be possible for many operational matters to be delegated to the officers and the Chief Executive as head of paid service, perhaps supported by ad hoc Member Panels or other for a for advisory purposes.</p>			
Recommended Action	Progress report	Due Date	Lead officer
<p>1. That the need for and remit of the Staff and Support Services Committee and other Committees should be reviewed as recommended as part of the comprehensive review of the Constitution.</p> <p>2. That a Member Working Group be established to undertake the review of the remit of Committees and any other aspect of the Constitution as is deemed appropriate by the Staff and Support Services Committee.</p> <p>3. That the Borough Solicitor is tasked to undertake a comprehensive review of the Constitution and to produce a report by the 30th September 2010 for consideration by the Staff and Support Services Committee.</p>	<p>1 & 2 Completed. On 13th December 2010, the Council, having considered the Constitution Working Group's report reviewing the remit of the Staff & Support Services Committee, resolved that the S&SSC should be discontinued.</p> <p>3. On the 11th October 2010, the Council approved a revised timetable for the comprehensive review of the Constitution and it is now intended that this be completed in time for the next municipal year in May 2011.</p>	30 th September 2010	Borough Solicitor & AD Human Resources

R5. Review constitutionally whether 'key decisions' made by committees should be subject to similar procedural and notification requirements as those made by Cabinet.			
Recommended Action	Progress report	Due Date	Lead officer
<p>1. That consideration as to whether there should be procedural and notification requirements for decisions made by Committees which are similar to the procedures for "key decisions" to be included as part of the comprehensive review of the Council's Constitution.</p> <p>2. That the Borough Solicitor is tasked to undertake a comprehensive review of the Constitution and to produce a report by the 30th September 2010 for consideration by the Staff and Support Services Committee.</p>	<p>1. Completed. On 13th December 2010, the Council considered the report of the Constitution Working Group which included recommendation for changes to Article 13 (Decision Making) of the Council's Constitution. The Council approved the introduction of a definition of "Significant Decisions". In the light of the decision to discontinue the S&SSC, it was not considered it to be necessary to introduce a procedure for notification of Significant Decisions.</p> <p>2. On the 11th October 2010, the Council approved a revised timetable for the comprehensive review of the Constitution and it is now intended that this be completed in time for the next municipal year in May 2011.</p>	30 th September 2010	Borough Solicitor

RECOMMENDATIONS			
The Role of Members			
R6. When important constitutional questions are raised, then the Council should take care to answer the precise question and also to look further at the underlying implications.			
Recommended Action	Progress report	Due Date	Lead officer
<p>1. That the requirement to identify, answer and consider underlying implications of important constitutional questions should be included within the guidance note being prepared by the Assistant Chief Executive for the Senior Leadership Team (SLT) and Service Managers.</p> <p>2. That the Corporate Governance Group recommends a process / procedure to ensure that constitutional questions are identified and dealt with.</p>	<p>1 & 2 Completed. A guidance note has been issued and training has been undertaken with report authors so that they are aware of the process.</p>	30 th June 2010	Assistant Chief Executive
R7. Where decisions are made by committees or officers, ensure there is sufficient briefing of, and involvement from, the relevant Cabinet leads at appropriate stages.			
Recommended Action	Progress report	Due Date	Lead officer
<p>1. This has been implemented.</p> <p>2. That the need for timely and sufficient briefing of Cabinet Leads (and Shadow Leads as appropriate), be included within the guidance note which is being prepared for the Senior Leadership Team and Service Managers.</p>	<p>1. Implemented</p> <p>2. Completed. A guidance note has been issued and training has been undertaken with report authors so that they are aware of the need for timely and sufficient briefing of Members as appropriate.</p>	<p>Implemented</p> <p>30th June 2010</p>	Assistant Chief Executive

RECOMMENDATIONS			
Objectives and Option Appraisal			
R8. Review the process for taking forward, and reporting back on, decisions made by committees to ensure agreed actions are delivered (or explanations provided as to why they are not).			
Recommended Action	Progress report	Due Date	Lead officer
<p>1. Implement a centralised log of decisions taken with mechanisms for recording and monitoring actions taken in accordance with those decisions.</p> <p>2. Devise a mechanism whereby Committees review progress of implementation of decisions which they have made.</p>	<p>1. The new committee administration system has been implemented but the module for logging and tracking decisions is not yet fully operational. Cabinet decisions are now logged via the system but require manual update to status. Other decisions are yet to be logged this way. The new system is only available via the internet and it is proposed that it will be accessible via the intranet which will then enable officers to update progress on decisions. The delay has been caused because of reduced resources in the democratic services team and a phased approach to implementation of Modern.Gov, using internet capabilities first.</p> <p>2. Completed. A new report template has been devised which includes a section on how the recommendations will be monitored and reviewed. Training has been undertaken with report authors and the new template is to be used for the meetings in September onwards.</p>	30 th June 2010	Assistant Chief Executive

RECOMMENDATIONS			
Objectives and Option Appraisal			
R9. Ensure that all relevant options are assessed when considering crucial decisions.			
Recommended Action	Progress report	Due Date	Lead officer
<p>1. The assessment of all relevant options should be included within the reports placed before Committees and the corporate Committee report template should be revised to incorporate options evaluation.</p> <p>2. A process whereby the evaluation of options in respect of decisions taken under delegated powers should be devised and implemented.</p> <p>3. The requirements in respect of the drafting of reports and decisions made within delegated authority should be included within the guidance note which is being prepared for the Senior Leadership Team (SLT) and Service Managers.</p>	<p>1. Completed. A new report template has been devised which includes a specific section on the evaluation of all relevant options. Training has been undertaken with report authors and the new template is to be used for the meetings in September onwards</p> <p>2 & 3. Completed. A guidance note has been issued and training has been undertaken with report authors so that they are aware of the process for the evaluation of options, drafting of reports and decisions to be made in respect of decisions taken under delegated powers.</p>	30 th June 2010	Assistant Chief Executive

RECOMMENDATIONS			
Objectives and Option Appraisal			
R10. Options should be reassessed throughout decision processes. This includes revisiting the overall objective and ensuring that the strategy being followed remains appropriate for delivering the objective. The council needs to remain flexible, and be prepared to change objectives, options and decisions on a timely basis if information changes.			
Recommended Action	Progress report	Due Date	Lead officer
That the need to apply project management principles and to reassess risks during throughout a decision process should be included within the guidance note which is being prepared for the Senior Leadership Team (SLT) and Service Managers. The Project Management Principles should include defining at the outset, the period for reviewing the project, its purpose and objectives.	Completed. SLT has received a presentation on projects and risks and criteria for managing projects is being developed. The risk assessment template has been updated and identifies the need to consider risks which may impact on the delivery of the strategic outcomes. The revised report template also includes a section on how decisions will be monitored and reviewed.	30 th June 2010	Assistant Chief Executive

RECOMMENDATIONS			
Professional Advice			
R11. The Council should, in all instances, take decisions based on a balanced range of success factors including service needs, legal issues, financial implications and risk. Decisions should be informed by appropriate risk scenarios or possible outcomes.			
Recommended Action	Progress report	Due Date	Lead officer
<p>1. Revise the Council's standard report template to ensure that a balanced range of success factors, legal and financial implications and risks are required to be fully considered within each report to the Council and its Committees.</p> <p>2. Devise a procedure to ensure that the same range of factors as set out above are demonstrably considered in respect of crucial decisions taken under authority delegated to officers and implement the procedure.</p>	<p>1. Completed. A new report template has been devised which requires report owners to ensure that a balanced range of success factors, legal and financial implications and risks are fully considered within each report. Training has been undertaken with report authors and the new template is to be used for the meetings in September onwards</p> <p>2. Completed. The guidance note includes reminders to involve the appropriate officers when drafting reports, and covers delegated decisions. Training has been undertaken with report authors.</p>	30 th June 2010	Assistant Chief Executive
R12. Before starting legal proceedings that are likely to incur significant costs, estimate the potential risks and costs and revisit this analysis throughout the process, and certainly whenever there is a sea change in the case.			
Recommended Action	Progress report	Due Date	Lead officer
The action recommended is as set out above in R10 and R11.	Completed. See R10 and R11.	30 th June 2010	Assistant Chief Executive

RECOMMENDATIONS			
Crucial Decision Points			
R13. The Council should recognise that not taking an explicit decision (e.g. use of “The Committee notes”) can amount to a positive decision to continue with the existing course of action. In sensitive or important issues, officers should carefully draft recommendations so that it is clear what will happen as a result.			
Recommended Action	Progress report	Due Date	Lead officer
Include guidance to report authors to ensure careful drafting of recommendations to Committee and what Officers should seek from Members in considering those recommendations will be included in a guidance note to the Senior Leadership Team (SLT) and Service Managers.	Completed. The guidance note has been issued and includes the need for clarity as to the recommendations and decisions required. Training has been undertaken with report authors	30 th June 2010	Assistant Chief Executive

RECOMMENDATIONS			
Crucial Decision Points			
R14. The Council should apply its usual governance processes to all decisions brought to Members, in whatever committee or forum, and explain the reason for any deviation from the processes.			
Recommended Action	Progress report	Due Date	Lead officer
<p>1. Devise a process to ensure, through the Democratic Services, that all matters brought to members for a decision follows the usual governance processes, and to include specific provisions for the recording of any deviations from the standard process.</p> <p>2. That the process be incorporated within the guidance note which is being prepared for the Senior Leadership Team (SLT) and Service Managers.</p>	<p>1 & 2 Completed. The guidance note has been issued and makes it clear that the normal governance process must be followed when decisions are taken and any deviations documented. Training has been undertaken with report authors</p>	30 th June 2010	Assistant Chief Executive

Involvement of Officers Corporately			
R15. The Strategic Directors, Assistant Directors and Service Managers should immediately review all major service and corporate issues that they are individually dealing with, and check whether they are being managed properly and reported through the appropriate channels . There should be an on-going process to ensure that significant issues are escalated to the right people. (See also risk management below).			
Recommended Action	Progress report	Due Date	Lead officer
Action has already been instigated by the Chief Executive for an immediate review of all major services and corporate issues being dealt with by Strategic Directors, Assistant Directors and Service Managers to ensure the proper management and reporting. The ongoing process will be reviewed regularly through both the internal audit as part of its audit plan and the corporate governance group. The Chief Executive has issued an email to Strategic Directors, Assistant Directors and Service Managers asking them to undertake the review.	<p>Completed.</p> <p>This has been implemented. SLT have received a presentation on projects and risks and criteria for managing projects is being developed. All ADs are producing service plans for their areas and as part of this process are looking at the way in which projects and programmes are being managed.</p> <p>SLT discuss risks on a regular basis and now have a section on their agenda which enables concerns to be raised.</p> <p>The project and programme guidance has been updated to ensure that it is clear how project risks can be escalated to either programme or corporate level.</p>	Implemented with a Due Date of the 30 th April 2010 for completion of the initial reviews	Chief Executive

RECOMMENDATIONS			
Risk Management			
R16. Undertake mandatory risk management training to appropriate officers and Members. This should include Directors, Assistant Directors and Service Managers. The training should be specific to Cheltenham's own risk management process.			
Recommended Action	Progress report	Due Date	Lead officer
<ol style="list-style-type: none"> 1. Consider the needs of Members and Officers for risk management training. 2. Develop a training programme for Members and Officers. 3. Implement the training programme. 4. That risk management training be a pre-requisite for Members who serve on the Audit Committee and the Treasury Management Panel. 	<p>1 and 2 are completed: Induction for new members for 2010 has taken place, with the six new member's allocated specific senior manager "buddies" to work with them over the next 6 months regarding orientation into the council and development needs. Needs are to be recorded by individuals on the learning gateway. From this, a learning plan will be developed. Similarly, those members of specific committees will need to log their learning needs and achievements on the learning gateway. A list has been drawn up of the training each member of each committee will be expected to undertake, reminders will be issued, and information checked. Risk management training approach for relevant officers has not yet been finalised as appraisals are currently underway that will determine training needs. E-learning modules will be developed for roll-out. Recruitment is underway to help delivery capacity in the team.</p> <p>Analysis of risk training requirements from appraisals is taking place, and the support to create e-learning modules is now in place and training in the module creation process is underway.</p> <p>3. Budgets reductions mean there is no funding for any external support in current year, and for 2011-12. The e-learning module is underdevelopment in-house. Capacity for this development is therefore limited due to competing</p>	<p>1 & 2 - 30th September 2010</p> <p>3 & 4 - October 2010-March 2011</p>	AD Human Resources

priorities. Regarding Audit and Treasury management members, only one member has not yet had the risk management training; this is being addressed as an additional learning requirement. Target for completion of the e-learning risk module is end of December. It will be rolled out to ADs & service managers between January and March 2011. Module will be rolled out to members and the remaining workforce by the end of September 2011.

**4. Completed.
All members will be automatically added to risk training via the cbc learning gateway.**

RECOMMENDATIONS			
Risk Management			
R17. Immediately review all risks on the corporate and service risk registers to ensure that they are complete, appropriate and that the descriptions and risk assessments continue to reflect the current state. Any high scoring service risks should be transferred to the corporate risk register where appropriate. The updated corporate risk register should be presented to Members for consideration.			
Recommended Action	Progress report	Due Date	Lead officer
<p>1. The Corporate and Service Risk Registers have recently been reviewed by the Senior Leadership Team, Service Managers and the Corporate Governance Group.</p> <p>2. That the Corporate Risk Register is in future to be presented to the Audit Committee on a quarterly basis, commencing in June 2010.</p>	<p>Completed. SLT have reviewed the corporate risk register which was considered by Cabinet on 1 June. The Corporate Risk Register is now a standing item on the SLT agenda. The new service plan template includes a Divisional Risk Register and there is clarity that risks scoring more than 16 need to be brought to SLT for discussion and inclusion on the Corporate Risk Register. The register was considered by the Audit Committee on 23 June.</p>	<p>Review of Corporate and Service Registers completed</p> <p>June 2010</p>	<p>Assistant Chief Executive</p>

RECOMMENDATIONS			
Project Management			
R18. All legal case work should have a formally appointed Instructing Officer and a written scoping document. In practice, the Borough Solicitor or other members of the legal team should only be the Instructing Officer in rare circumstances. All legal actions and defences should continue to be channelled through the legal team.			
Recommended Action	Progress report	Due Date	Lead officer
To be Included in revised case management procedures.	Implemented.	Immediate	Borough Solicitor
R19. On any occasion where the Borough Solicitor is the Instructing Officer rather than acting on behalf of other service departments, the Council should consider the controls in place to ensure an appropriate corporate oversight is maintained.			
Recommended Action	Progress report	Due Date	Lead officer
That the Chief Executive provide a corporate oversight should the circumstances arise in which the Borough Solicitor is the Instructing Officer.	Implemented.	Immediate	Chief Executive

RECOMMENDATIONS			
R20. The Council should review its scheme of delegation to consider at what level formal project management techniques should be employed. This does not necessarily apply only to capital programmes, IT development or major change projects – but could apply (as in this legal case) to revenue activities.			
Recommended Action	Progress report	Due Date	Lead officer
Directors and Assistant Directors to <ol style="list-style-type: none"> 1. review which Officers within the organisation are responsible for implementation of projects requiring project management skills. 2. identify whether those Officers require either project management training or dedicated project management support in order to effectively implement the project. 	<p>This is being achieved alongside the development of service plans for 2010-11, where specific “projects” are being identified, with the responsible senior officer for each project (or programme) clearly identified. Guidance as to what level of project needs what degree of formal project management input, based on an assessment of risk and opportunity, is being developed to better enable an informed match of project management skills to size of project. A survey of Officers with current project management training and qualifications is also underway.</p> <p>Analysis of existing training records has been completed, However, project management training is not corporately funded, so the work is underway to create a more comprehensive list from service specific training records. A proposal for addressing skills gaps is being drafted. This will take into consideration the lack of funding available for externally provided training.</p> <p>1&2 A framework for categorisation of projects and the level of project management support has been agreed by SLT. In line with budget cuts, skills gaps for managers will be addressed by completion of the project management e-learning module and use of experienced project managers as coaches. The project management group will continue to assist all those involved in managing projects, ensuring that project management is pitched at the right level for the complexity of each project. A summary report has been prepared for Senior Leadership Team.</p>	30 th September 2010	Assistant Director of Human Resources

R21. The Council should review the project management skills base within its workforce, and seek to train more people if necessary, or to find ways of sharing the resource among different projects.

Recommended Action	Progress report	Due Date	Lead officer
<ol style="list-style-type: none"> 1. Draw up a list of those officers with project management qualifications. 2. Prepare a report on the project management resource available to specifically include details of external spend. 3. Prepare a forward plan as to how the project management skills will be utilised. 4. Identify whether there are any deficiencies in project management resource. 5. Report on proposals as to how any deficiencies may be addressed. 	<p>1. Completed. 2 & 3 Completed – survey of project management resource has been completed including the external support. All future requests are to be considered in line with “nil recruitment” position and budget restraints on business case basis. Project management capacity is now being reviewed on a continuing basis as part of the “resource management” at Commissioning Programme Board.</p> <p>4 & 5. In line with budget cuts, skills gaps for managers will be addressed by completion of the project management e-learning module and use of experienced project managers as coaches. The project management group will continue to assist all those involved in managing projects, ensuring that project management is pitched at the right level for the complexity of each project. A summary report has been prepared for Senior Leadership Team.</p>	<ol style="list-style-type: none"> 1. 30th June 2010 2. 30th September 2010 3. 31st December 2010 4. 30th September 2010 5. 31st January 2011 	<p>Assistant Director of Human Resources / Assistant Director Customer Access and Service Transformation</p>

RECOMMENDATIONS			
R22. Significant legal casework should be supported by a budget and monitored accordingly. If further budget provision then becomes necessary, this should be considered through established virement processes.			
Recommended Action	Progress report	Due Date	Lead officer
<p>1. Implementation of recommended actions specified in recommendations 10, 11 and 12 above.</p> <p>2. That a requirement that the financial implications of any significant legal casework which is proposed to be commenced should be fully assessed, that any financial restrictions on the exercise of authority complied with and that the necessary budget is available to be included in the guidance note which is being prepared for the Senior Leadership Team (SLT) and Service Managers.</p> <p>3. Implementation of recommendations 11 & 12 will ensure that the financial implications are reviewed in accordance with sound project and risk management principles.</p>	<p>1, 2 and 3 Completed.</p> <p>Recommendations 10, 11 and 12 have been implemented and therefore have addressed the actions required. The guidance note has been issued and together with the revisions to the standard report template, ensures that the financial and budgetary implications are fully assessed when decisions are taken.</p>	30 th June 2010	Assistant Chief Executive

RECOMMENDATIONS			
Pre-Meeting Briefings			
R23. Ensure Chairs and Vice Chairs of committee meetings are always briefed sufficiently on crucial matters such as those concerning significant legal cases, to allow them to manage the debate at committee and facilitate appropriate challenge by Members.			
Recommended Action	Progress report	Due Date	Lead officer
1. Already implemented. 2. Procedures for ensuring that Chairs and Vice-Chairs of Committee meetings are sufficiently briefed on crucial matters to be set out in the guidance note which is being prepared for the Senior Leadership Team (SLT) and Service Managers.	1. Implemented. 2. Completed - chair's briefings do take place and democratic services are present. The guidance note includes reference to the need to ensure that chairs are fully briefed and training has been undertaken with report authors	Immediate 30 th June 2010	Assistant Chief Executive

Format of Member Reporting			
R24. Ensure that written reports to committee meetings are clear on what decision is required of Members. Noting update briefings may often be appropriate but where decisions are required, or officers are seeking endorsement or support for decisions, specific recommendations should be made.			
Recommended Action	Progress report	Due Date	Lead officer
That the requirement for clarity as to the decision being sought from a Committee or Council be included within the guidance note being prepared for the Senior Leadership Team (SLT) and Service Managers.	Completed. SLT is already ensuring that there is clarity on recommendations and the guidance note reinforces this requirement for clarity.	30 th June 2010	Assistant Chief Executive

RECOMMENDATIONS			
R25. Exempt minutes must record the names of those attending the meeting and include sufficient detail to record discussions and decisions fully.			
Recommended Action	Progress report	Due Date	Lead officer
Ensure that all exempt minutes record the names of those attending the meeting and include sufficient discussion to enable full understanding of the decision and the reason for it.	Implemented.	Immediate	Assistant Chief Executive

R26. Develop guidance on the circumstances when it may be appropriate to record the number of people voting for, against and abstaining. This might apply in sensitive matters, and exempt proceedings might be expected to be sensitive.			
Recommended Action	Progress report	Due Date	Lead officer
As part of the review of the Constitution, develop guidance on the circumstances in which it might be appropriate to record the names of those Members voting for, against or abstaining from the decision on any item of business.	Completed. On 13th December 2010, the Council approved revisions to its Constitution which include amendments to the Rules of Procedure to require that, except where decisions are taken by affirmation, the numbers of votes for, against or abstaining, shall be recorded in the minutes of the meeting.	30 th September 2010	Borough Solicitor

Part B - ACTION PLAN - IMPLEMENTATION OF REVIEW WORKING GROUP RECOMMENDATIONS

RECOMMENDATIONS			
A. Recommended changes to Council's pre-appointment processes			
<p><u>Recommendation 1</u> That the Council adopts a Recruitment Protocol for Chief Officers to include the Council's intentions as to how it will:-</p> <ul style="list-style-type: none"> • Manage the recruitment process for Chief Officer / Statutory Officers and in particular <ul style="list-style-type: none"> ○ Whether external agencies will be engaged to manage the recruitment process ○ How advertising for the vacancy will take place ○ How the feedback to successful and unsuccessful candidates (both internal and external) will take place ○ Guidelines for making conditional offers of employment ○ Timescale for making written offer of employment ○ Timescale for issue of contract of employment • Include in the final selection process significant Councillor involvement as well as involvement from partners and employees • The process which will be undertaken to obtain medical clearance for the employment of the successful candidate • Induction processes as appropriate to a senior position 			
Recommended Action	Progress report	Due Date	Lead Officer
Introduce a Cheltenham Borough Council Recruitment Protocol.	Completed. Best practice in recruitment research has been introduced, including recommended process, stakeholder engagement, timing, competency basis. A report with the findings and recommendations was presented to and agreed by Staff and Support Services Committee on 29 th July 2010.	30 th September 2010	Assistant Director Human Resources

<u>Recommendation 2</u> The Council includes, as part of the recruitment process for Chief Officers / Statutory Officers / Assistant Directors, a requirement for the candidates for the post to undertake relevant job related competency based person profiling (e.g. leadership / personality profiling)			
Recommended Action	Progress report	Due Date	Lead Officer
Devise a competency based recruitment process for the Council's senior appointments.	Completed. As 1 above.	30 th September 2010	Assistant Director Human Resources
<u>Recommendation 3</u> When commencing a recruitment process for a Chief Officer / Statutory Officer, careful consideration should be given to the timing of the process and the date for the Council meeting to make the appointment to avoid dates where there are likely to be significant member absences due to holiday (e.g. avoid Christmas / New Year period).			
Recommended Action	Progress report	Due Date	Lead Officer
Ensure that the timing of any recruitment process for posts which require to be appointed by the Council take into account statutory holiday periods.	Completed.	Immediate	Assistant Director Human Resources
B. Recommended changes to Council's appointment processes			
<u>Recommendation 4</u> That the Council sets up an Appointments Committee to make recommendations to the Council on appointments to posts which are required to be made by the Council with Terms of Reference which include recommending a preferred candidate to Council for approval following a full interview and assessment process being carried out by the Appointments Committee.			
Recommended Action	Progress report	Due Date	Lead Officer
Report on this recommendation to be prepared for consideration by the Staff and Support Services Committee	Completed. On 13th December 2010, the Council approved revisions to its Constitution which include the establishment of an Appointments Committee.	30 th September 2010	Assistant Director Human Resources

<u>Recommendation 5</u> That the Council amends the Council Rules of Procedure to require that the appointment of any Statutory Officer (Head of Paid Service, Section 151 Officer and Monitoring Officer) should be approved by 2/3rds of the Members who are present at the meeting and voting.			
Recommended Action	Progress report	Due Date	Lead Officer
Report on this recommendation to be prepared for consideration by the Staff and Support Services Committee	Completed. On 13 th December 2010, the Council approved revisions to its Constitution which include amendments to the Rules of Procedure on voting to reflect this recommendation.	30 th September 2010	Assistant Director Human Resources / Borough Solicitor
<u>Recommendation 6</u> That the Council sets a target of 28 days, from the date of the acceptance by the employee of the offer of employment, for the issue of an employee's Statement of Particulars of Employment.			
Recommended Action	Progress report	Due Date	Lead Officer
Issue Statements of Particulars of Employment to new employees within a target of 28 days from acceptance by the employee of the Council's offer of employment.	Completed.	Immediate	Assistant Director Human Resources
<u>Recommendation 7</u> That the Council's appointment / recruitment / absence management and dispute resolutions policies be reviewed regularly to ensure that they continue to be up to date, robust and fit for purpose.			
Recommended Action	Progress report	Due Date	Lead Officer
Include within the Human Resources Policy Review Timetable the regular review of the Council's appointment, recruitment, absence management and dispute resolution policies to ensure that they continue to be up to date, robust and fit for purpose.	Completed. The timetable for review of key policies has been reviewed and key policies due for review included in Corporate Governance arrangements with timescale for review (e.g. Whistleblowing, Code of Conduct due for review 2010-11).	30 th April 2010	Assistant Director Human Resources

C. Recommended changes to Council's procedures to ensure that disputes are resolved efficiently and effectively			
<u>Recommendation 8</u> That the Council reviews the membership and functions of the JNC Disciplinary Committee to ensure that they are consistent with the guidance in the 2009 version of the JNC for Local Authority Chief Executives (National Salary Framework and Conditions of Service).			
Recommended Action	Progress report	Due Date	Lead Officer
Include, within the report of the review of the Council's Constitution, recommended revisions to the membership and functions of the JNC Disciplinary Committee to reflect the 2009 version of the JNC for Local Authority Chief Executives (National Salary Framework and Conditions of Service).	Completed. On 13th December 2010, the Council approved revisions to its Constitution which include amendments to the JNC Disciplinary Committee and the introduction of a JNC Appeals Committee which address this recommendation.	30 th September 2010	Borough Solicitor
<u>Recommendation 9</u> That the Council explores the possibility and appropriateness of incorporating within the conditions of contract of Officers, an ongoing requirement for the Council (by instructing an occupational health practitioner) to have access to medical records, subject to safeguards and clarity as to what event would trigger that consent being used and subject also to legislation relating to disclosure of medical records.			
Recommended Action	Progress report	Due Date	Lead Officer
Consider whether the Council is permitted, within the relevant employment and access to medical records legislation, to seek ongoing access to medical records from employees and, if this is permissible, to implement the necessary changes.	Completed. Advice has been received from IMASS, the new Occupational Health provider, that such a requirement would be contrary to medical practitioner guidance and data protection legislation.	30 th September 2010	Assistant Director Human Resources

Recommendation 10			
That the Council introduces a procedure whereby nominated Officers deputise for Chief Officers / Statutory Officers during any extended absence e.g. sickness, and are given full authority to act in that capacity.			
Recommended Action	Progress report	Due Date	Lead Officer
Introduce a formal procedure for the nomination of deputies to act for Chief and Statutory Officers during any extended absence and measures to ensure that the deputies are provided with the necessary authority to act in that capacity.	Nominated deputies are in place for the Chief Executive, s151 Officer and the Monitoring Officer. Regarding the necessary authority to act in the event of extended absence, this will be picked up as part of the comprehensive review of the Constitution (see R1 above).	30 th September 2010	Borough Solicitor /Assistant Director Human Resources
Recommendation 11			
That the Council amends its guidance on managing sickness absence, to ensure that:			
<ol style="list-style-type: none"> 1. employees who are certified as being unfit for work are clear about the circumstances and purposes for which they can attend the workplace 2. guidance is in place to ensure that employees who are certified as being unfit for work do not issue inappropriate instructions or requests to other employees and the guidance should be such that employees who receive inappropriate instructions or requests are clear that they are able to refer these to their manager 3. the Council include in its guidance on managing absence, nominated post(s) with responsibility for managing any absence of the Chief Executive/Head of paid Service. 			
Recommended Action	Progress report	Due Date	Lead Officer
Introduce amendments to the Council's guidance on managing sickness to satisfy items 1-3 of the recommendation.	Completed.	30 th September 2010	Assistant Director Human Resources

<u>Recommendation 12</u> That the Council makes an appropriate amendment to the Employees Code of Conduct to ensure that Officers who have an interest in any matter which would, in the case of any Member of the Council, amount to a "prejudicial interest", should not participate in or seek to influence the outcome of that matter.			
Recommended Action	Progress report	Due Date	Lead Officer
Prepare a report for the Standards Committee/Council to suggest revisions to the Employees Code of Conduct to clarify the requirements regarding personal interests, as identified in the recommendation.,	The Standards Committee has included the review of the Employees Code of Conduct within its current workplan. A revised draft of the Employee Code of Conduct has been drawn up and will now be the subject of consultation for approval by the Council in 2011.	31 st December 2010	Borough Solicitor / Assistant Director Human Resources
<u>Recommendation 13</u> That the Standards Committee be asked to undertake a review of the Protocol for Member / Officer Relations to ensure that it reflects best practice.			
Recommended Action	Progress report	Due Date	Lead Officer
Request the Standards Committee to review the Protocol for Member / Officer relations as specified in the recommendation.	Completed. A revised protocol for Member/Officer Relations was approved by the Council on 13 th December 2010.	30 th September 2010	Borough Solicitor