

AGENDA ITEM No. 6 (b) (A)

INTERIM EXECUTIVE COMMITTEE

DIRECTOR OF ADMINISTRATION

STAFF COMMISSION DRAFT ADVICE -
SELECTION AND MATCHING OF
INDIVIDUALS TO POSTS IN NEW
COUNCILS.

25 AUGUST 1995 JOH/MMS

1. INTRODUCTION

- 1.1 Attached is copy letter of 14 July 1995 from the Local Government Staff Commission (Scotland) with which is enclosed draft copy of a further Circular which The Staff Commission propose to issue on the subject of selection and matching of individuals to posts in the new councils.
- 1.1 While comments are sought by 7 August, the Commission's letter makes it clear that (other than any posts covered by earlier advice in Circulars issued so far) the new councils should not fill any fourth tier posts (by which they mean posts below Director, Depute or Assistant Director level) before the formal staff transfer schemes are agreed between the current and incoming authorities: and when these posts come to be filled in terms of the new structures to be adopted by each of the new councils then the advice which is to be contained in the new Circular under preparation is the advice which is to be followed.
- 1.3 As a general comment it is anticipated that the Council will wish to welcome this particular interim advice.

2. NEW DRAFT CIRCULAR

- 2.1 The draft Circular on which comment is sought follows on from earlier advice (in particular that contained in Circular 4/95) and sets out a proposed set of principles for matching (and if necessary competitive matching) of posts in the new council structures.
- 2.2 As a general set of principles the advice seems appropriate with the exception of the advice in paragraph 11 (and in particular paragraph 11.1) relating to circumstances where staff mismatch relates to grade/salary level. The draft advice suggests that consideration for each level of post should be restricted to suitably qualified and experienced officers within those areas of the transfer schemes where there is a mismatch and whose present salary is on or above the salary level of the post in question. The adoption of this principle will create a potential unfairness in treatment in certain categories of officers. In respect of any particular post, there may be a number of suitably qualified and experienced officers within the relevant area of the/

the transfer scheme where there is a mismatch, all of whom are capable of performing the duties pertaining to that post. In ordinary circumstances this would be resolved by competitive interview and selection. However due to differences in salary structures employed by the present authorities there will be circumstances where there are differences in the present salaries of officers of the Regional and District Councils who are otherwise broadly equally qualified to be candidates for posts in the new authorities. The application of this advice in the draft Circular would mean that the officers currently employed in the lower paying authorities in such circumstances would be ineligible to apply for such a post. This will be a real issue given present differences in grading of officers between Regional and District Councils at certain levels. Similar considerations will apply on salary differences between the constituent Districts.

- 2.3 The consequences of this draft advice are unlikely to be assisted by the proposed requirement in paragraph 11.2 that unsuccessful officers at that level should be "matched in" at the next level down. It is not clear exactly what the Commission mean by "unsuccessful" in this connection. For instance an officer who is on a lesser salary grade may not be part of the competitive matching envisaged by paragraph 11.2 and could "lose" again in the next graded post. This will create a situation where matching is predominantly by reference to present salary grades rather than competitive selection from suitably qualified officers using appropriate job specifications.
- 2.4 In addition it might well be argued that such a practice could constitute a contravention of section 7(1) of the Local Government and Housing Act 1989 which requires that the appointment of a person to a paid office or employment under a local authority must be made on merit.
- 2.5 Paragraph 11.4 of the draft Circular proposes that staff on NJC spinal Column point 30 or below (£17,127 per annum) should be matched to the new structure in the new councils on their existing salary scale automatically, leaving new councils thereafter to refine their structures in due course. This is the equivalent of the top of AP4 in terms of the salary structure for APT&C staff.
- 2.6 While there will always be room for argument as to what level is chosen below which there will be automatic transfer of staff it is suggested that the top of AP4 is probably appropriate.

3. RESPONSE TO STAFF COMMISSION

- 3.1 As noted earlier The Staff Commission require a response to the draft Circular by 7 August and in the context that the next meeting of the Policy and Resources Committee is on 15 August, a provisional response has been given to The Staff Commission along the lines in this report.

4. RECOMMENDATION

- 4.1 That the Committee homologate the terms of the response to The Staff Commission along the lines indicated in this report.



AGENDA ITEM No. ~~6(B)(B)~~
Local Government Staff Commission (Scotland)

Chairman: R G E Peggie CBE
Secretary: E C Davison

48 Manor Place
Edinburgh EH3 7EH
Tel. 0131 220 3223
Fax 0131 220 3227

Chief Executives of new Councils

copy to
Chief Executives of Regional, Islands and District Councils
Chief Executives of new Water and Sewerage Authorities
Principal Reporter, Scottish Children's Reporter Administration
Chief Constables
Firemasters
Regional Assessors
Director General, Strathclyde Passenger Transport Executive

1 September 1995

Dear Chief Executive

MATCHING INDIVIDUALS TO POSTS IN THE NEW COUNCILS

The Chairman's letter of 14 July covered a draft of a circular on matching individuals to posts in the new councils. It drew a large and helpful response. In the light of the comments received the Commission considered that substantial redrafting was required, and has instructed me to circulate a further draft for comment before the Circular is finalised. I attach that draft here.

The Commission would be grateful if comments on this draft could be received here by close of business on Friday 15 September.

Yours sincerely,

E C Davison



CIRCULAR [...]/95

Chief Executives of new Councils

copy to Chief Executives of Regional, Islands and District Councils
 Chief Executives of new Water and Sewerage Authorities
 Principal Reporter, Scottish Children's Reporter Administration
 Chief Constables
 Firemasters
 Regional Assessors
 Director General, Strathclyde Passenger Transport Executive

September 1995

Dear Chief Executive

MATCHING INDIVIDUALS TO POSTS IN THE NEW COUNCILS

1. This circular conveys the Commission's advice on the matching of individuals to posts after transfer. It thus supplements the advice given on the filling of posts down to third tier, i.e. at Chief Officer, Depute and Assistant level (Circular 3/95), on the selection of secretarial and other staff to support the new councils during the shadow year (Circular 5/95) and on the preparation and agreement of transfer schemes (Circular 4/95).
2. It should be emphasised that the procedures set out in this circular are intended to apply only to staff in middle to senior management grades in those areas of work which will change as an immediate result of reorganisation, that is to say mainly in central service departments, in the headquarters of service departments (including DLOs and DSOs) and where there is a dual function (eg planning, economic development).
3. This circular does not apply to the following groups—
 - 3.1. Employees in an organisation or establishment which is to be transferred entire and unchanged, such as a school - in these cases all the staff will transfer with no change to their jobs.
 - 3.2. Employees whose salary scale maximum is on or below Spinal Column Point 35. The Commission envisages that any restructuring among such employees will be carried out by the new employers after transfer on 1 April 1996.
 - 3.3. Chief officers and the other senior management grades whose recruitment has been dealt with in Circular 3/95 - the procedures in that Circular continue to apply.

4. The process described below presupposes that transfers have already been agreed between the old and new authorities concerned. It does not require that the transfer scheme has been finally agreed in every particular, but only that the individuals concerned have been identified for transfer by the old authorities, and the numbers involved agreed by the new ones.

5. The procedure given here is only a skeleton. Each new council should determine for itself, in consultation with the relevant trade unions locally, the specific details of procedure appropriate to local circumstances. The details should of course be consistent with the basic procedure of this circular.

The Matching Procedure

6. In developing structures for those departments in which there is to be a new organisation, such as those mentioned in paragraph 2 above, the new councils will identify the posts which they will require at the various management grades.

7. The essence of matching is comparing these posts with the employees who are to be transferred. Councils may well find it convenient to group both posts and employees into two or three general bands, and to conduct the matching process in a top down sequence through the bands.

8. In placing a given employee in a band, the criteria to be used should be as objective as possible, so as to eliminate the risk of preferential treatment for individuals. The main criterion should be the employee's current level of responsibility (eg number of staff managed, budgetary responsibilities etc). Qualifications, skills and experience are also relevant. Present salary grade may also be taken into account as a general guide; but should not be the primary criterion.

9. To assist in this process, councils may find it convenient to ask each member of staff concerned to complete a Personal Profile. A suggested proforma is attached at Annex A.

10. Where an exact fit between posts and employees is found, no further matching is required - the persons concerned are matched one-for-one to the posts.

11. Where there is not an exact fit, the members of staff in each band should be given an outline of the posts within the relevant band (a suggested proforma Job Outline is attached at Annex B) and should be invited to indicate which posts they wish to be considered for. Selection for posts should then be conducted, by the Head of Department or a senior officer or officers designated by the Head of Department, by means of competitive interview.

12. If as a result of this process some employees are not able to be placed in an established post within the appropriate band, the new councils will have a number of options to consider, including offering those concerned the opportunity to be considered for posts in a lower band, or retaining them in temporary supernumerary posts. But these are management decisions which each council must take in the light of its own needs, policies and resources. In all cases however, councils should bear in mind the general advice which the Commission has previously issued, in Circular 4/95, on dealing with surpluses.

13. Where a post remains unfilled through the matching process the new Council may invite employees from the Band below to indicate their interest in applying for the post. Should it prove impossible to fill a post by this means, the post should be advertised more widely in local government. In "disaggregating" areas, the first step should be to offer it within the region (including any new towns within that region): elsewhere councils should advertise

posts to serving staff in local government and the new towns in Scotland.

Equal opportunities

14. Councils should be aware that there are inevitable risks of discrimination, both direct and indirect, in the transfer of such large numbers of staff. The Equal Opportunities Commission has expressed its willingness to advise individual Councils on specific matters relating to transfer and matching procedures.

Timing

15. Councils should aim to complete this whole process before 1 April 1996.

General

16. Inquiries about this circular should be addressed to the Secretary of the Commission, Mr E C Davison, at the above address.

17. Recipients of this circular are asked to draw its terms to the attention of all staff.

Yours sincerely,

R G E Peggie

[NAME OF AUTHORITY]
PERSONAL PROFILE

Name: Current post title:
Department: Date of taking up present post:
Home address: Salary grade:
Spinal column points ___ to ___
£ _____ to _____

Telephone no: home
work

Training and qualifications: Please state your academic and professional qualifications and other training with you consider relevant to your job—

Current duties: Please describe your current duties and responsibilities. Specify to which post you report, and your key areas of responsibility, including responsibility for staff, resources etc.

Previous relevant experience: briefly summarise your previous experience

Abilities, Skills, Knowledge: list key aspects of your skills, abilities and knowledge

Additional information: include any major achievements, projects you have been responsible for, or any relevant information not covered above

I declare that to the best of my knowledge the information given on this form is true and correct

Signature: Date:

Name of immediate line manager, to whom any queries on the above may be addressed:

I confirm that the above information is correct

Signature (line manager) Date:

**LOCAL GOVERNMENT REORGANISATION
MATCHING PROCEDURE
[NAME OF NEW COUNCIL]
JOB OUTLINE**

Post title:

Department or service

Workplace

Type of post to which the postholder will report

Key tasks for which the postholder will be responsible:

<p>Key tasks for which the postholder will be responsible:</p> <ol style="list-style-type: none">1)2)3)4)5)

Description of anticipated staffing resource responsibility:

Other resource responsibilities:

Relevant qualifications:

Skills/knowledge requirements:

Experience required:

Signed (head of department)

Council: