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## GENERAL PURPOSES COMMITTEE

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Special Meeting to be held in Civic Hall, Leeds, LS1 1UR on  
Thursday, 23rd September, 2010 at 9.30 am

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### MEMBERSHIP

#### Councillors

S Bentley	-	Weetwood;
A Blackburn	-	Farnley and Wortley;
J Blake	-	Middleton Park;
A Carter	-	Calverley and Farsley;
J L Carter	-	Adel and Wharfedale;
R Finnigan	-	Morley North;
S Golton	-	Rothwell;
P Gruen	-	Cross Gates and Whinmoor;
A Lowe	-	Armley;
J Procter	-	Wetherby;
N Taggart	-	Bramley and Stanningley;
K Wakefield (Chair)	-	Kippax and Methley;

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Agenda compiled by:  
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## CONFIDENTIAL AND EXEMPT ITEMS

The reason for confidentiality or exemption is stated on the agenda and on each of the reports in terms of Access to Information Procedure Rules 9.2 or 10.4(1) to (7). The number or numbers stated in the agenda and reports correspond to the reasons for exemption / confidentiality below:

### **9.0 Confidential information – requirement to exclude public access**

9.1 The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed. Likewise, public access to reports, background papers, and minutes will also be excluded.

### **9.2 Confidential information means**

- (a) information given to the Council by a Government Department on terms which forbid its public disclosure or
- (b) information the disclosure of which to the public is prohibited by or under another Act or by Court Order. Generally personal information which identifies an individual, must not be disclosed under the data protection and human rights rules.

### **10.0 Exempt information – discretion to exclude public access**

10.1 The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed provided:

- (a) the meeting resolves so to exclude the public, and that resolution identifies the proceedings or part of the proceedings to which it applies, and
- (b) that resolution states by reference to the descriptions in Schedule 12A to the Local Government Act 1972 (paragraph 10.4 below) the description of the exempt information giving rise to the exclusion of the public.
- (c) that resolution states, by reference to reasons given in a relevant report or otherwise, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

10.2 In these circumstances, public access to reports, background papers and minutes will also be excluded.

10.3 Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

10.4 Exempt information means information falling within the following categories (subject to any condition):

- 1 Information relating to any individual
- 2 Information which is likely to reveal the identity of an individual.
- 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information).
- 4 Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or officer-holders under the authority.
- 5 Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- 6 Information which reveals that the authority proposes –
  - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - (b) to 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

# A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></p> <p>To consider any appeals in accordance with Procedure Rule 25 of the Access to Information Procedure Rules (in the event of an appeal the press and public will be excluded).</p> <p>(*In accordance with Procedure Rule 25, written notice of an appeal must be received by the Chief Democratic Services Officer at least 24 hours before the meeting)</p>	
2			<p><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</b></p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p><b>RESOLVED</b> – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-</p>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
3			<p><b>DECLARATION OF INTERESTS</b></p> <p>To declare any personal/prejudicial interests for the purpose of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members' Code of Conduct.</p>	
4			<p><b>APOLOGIES FOR ABSENCE</b></p> <p>To receive any apologies for absence from the meeting.</p>	
5		10.4(4, 5)	<p><b>INTRODUCTION OF PERFORMANCE RELATED PAY SCHEMES</b></p> <p>To receive a report of the Director of Resources and Director of Environment and Neighbourhoods setting out a further analysis of the options appraisal presented in order to inform a decision in relation to the implementation of a Performance Related Pay (PRP) Scheme for the Refuse Collection Service.</p>	1 - 8



**Not for Publication**

Appendix 1 to this report is considered exempt under Access to Information Procedure Rule 10.4 (4) and (5).

**Report of the Director of Resources and the Director of Environment and Neighbourhoods**

**General Purposes Committee**

**Date: 23<sup>rd</sup> September 2010**

**Subject: Introduction of Performance Related Pay Schemes**

**Electoral Wards Affected:**

Ward Members consulted  
(referred to in report)

**Specific Implications For:**

- Equality and Diversity
- Community Cohesion
- Narrowing the Gap

**Executive Summary**

**1.0 Purpose of This Report**

1.1 Further to the report to the General Purposes Committee (GPC) on the 6<sup>th</sup> September 2010 this report sets out a further analysis of the options appraisal presented in order to inform a decision in relation to the implementation of a Performance Related Pay (PRP) Scheme for the Refuse Collection Service.

1.2 Appendix 1 to this report is considered exempt under Access to Information Procedure Rule 10.4 (4) and (5), because it contains information relating to negotiations in connection with industrial relations and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. It is considered in these circumstances that the public interest in maintaining the exemption from publication outweighs the public interest in disclosing the information.

**2.0 Background Information**

2.1 On 6<sup>th</sup> September 2010 when the GPC met and considered this issue Members resolved to:

Note that further work is being done to identify the potential introduction of PRP schemes in other areas of the Council's workforce;

Note the criteria set out at Appendix 1 to the report as the criteria by which PRP schemes considered for introduction within the Council are assessed;

Support the introduction of a PRP scheme within the Refuse Collection Service provided that it meets the criteria set out at Appendix 1 to the report and subject to consideration of further financial information to be provided by the Director of Resources.

To convene a further emergency meeting following the provision of the Director of Resources' further information to the group leaders.

### **3.0 Main Issues**

3.1 The options appraisal outlining the legal and financial implications is set out at confidential **Appendix 1**.

### **4.0 Implications For Council Policy And Governance**

4.1 Members are asked to fully consider the risks set out in the options appraisal with regard to developing the Refuse Collection Service.

### **5.0 Legal and Resource Implications**

5.1 Members will be aware of the risks associated with the Equal Pay agenda. The potential introduction of a PRP scheme carries risks with it and these have been the subject of legal advice and conference. The decision to introduce a PRP scheme in any area of the Council's workforce can carry risk of Equal Pay challenge but at the same time potential benefits in terms of better and more efficient services.

5.2 Members are aware that there are options to consider as alternatives to the introduction of a PRP scheme. These alternatives require full and proper consideration before Members reach a conclusion on the relative merits of these approaches. An analysis of the risks with relevant legal advice and financial information is set out at Appendix 1.

5.3 If approved a PRP Scheme will form part of the collective agreement with the Trade Unions, which is subject to final negotiations.

### **6.0 Conclusion**

6.1 The risks set out at Appendix 1 have to be balanced against the benefits in implementing a PRP scheme, which will provide long awaited modernisation of the Refuse Collection Service coupled with significant financial operational savings.

### **7.0 Recommendations**

7.1 Members are recommended to:-

- Agree to the introduction of a PRP scheme within the Refuse Collection service and authorise the Director of Resources to finalise negotiations with the Trade Unions in order to enter into a collective agreement to bring this into effect.

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