

## **ARC21 JOINT COMMITTEE**

### **Meeting No 055**

### **MINUTES**

**Thursday 25 March 2021**

#### **Members Present:**

Councillor M Goodman	Antrim and Newtownabbey Borough Council
Councillor A Bennington	Antrim and Newtownabbey Borough Council
Alderman R Gibson ( <i>Chair</i> )	Ards and North Down Borough Council
Councillor F Ferguson	Belfast City Council
Councillor M Gregg	Lisburn & Castlereagh City Council
Alderman D Drysdale	Lisburn & Castlereagh City Council
Councillor S Lee	Lisburn & Castlereagh City Council
Councillor D Reid	Mid and East Antrim Borough Council
Councillor H McKee	Newry, Mourne & Down District Council

#### **Members' Apologies:**

Councillor R Kinnear	Antrim and Newtownabbey Borough Council
Alderman A Carson	Ards & North Down Borough Council
Councillor G Walker	Ards & North Down Borough Council
Councillor P McReynolds	Belfast City Council
Councillor JJ Magee	Belfast City Council
Alderman R Cherry	Mid & East Antrim Borough Council
Councillor I Friary	Mid & East Antrim Borough Council
Councillor W Clarke ( <i>Deputy Chair</i> )	Newry, Mourne & Down District Council
Councillor K Owen	Newry, Mourne & Down District Council

#### **Officers Present:**

T Walker	arc21
G Craig ( <i>Secretary</i> )	arc21
H Campbell	arc21
J Green	arc21
K Boal	arc21
M Lavery	Antrim and Newtownabbey Borough Council
B Murray	Belfast City Council
J McConnell	Belfast City Council
W Muldrew	Lisburn & Castlereagh City Council
S Holgate	Mid & East Antrim Borough Council
J McBride	Newry, Mourne & Down District Council

#### **Officers' Apologies:**

G Girvan	Antrim & Newtownabbey Borough Council
D Lindsay	Ards & North Down Borough Council
S Toland	Belfast City Council
H Moore	Lisburn & Castlereagh Borough Council
P Thompson	Mid & East Antrim Borough Council

The Chair welcomed all to the meeting.

### **Item 1 - Conflicts of Interest Statement**

The Chair read out the Conflicts of Interest Statement. There were no conflicts noted.

**Action: Noted**

### **Item 2 - Apologies**

Apologies were noted.

**Action: Noted**

### **Item 3 - Minutes of Joint Committee Meeting 054 held on 25 February 2021**

The minutes of the Joint Committee meeting 054 held on 25 February 2021 were agreed.

**Action: Agreed**

### **Item 4 - Matters Arising**

**GVA of the RWTP** - The issue of the value of the Residual Waste Treatment Project in terms of the local economy was discussed. Mr Craig advised that he had circulated the two key reports to Members as requested which identified that the project was going to generate £205M for the NI economy during construction and £25M per annum once operational.

**Action: Noted**

### **Item 5 - Contracts and Operations Briefing Report**

Ms Boal presented an overview to the Joint Committee of the arc21 contracts and supplies orders.

She reported that services continue to run well and contractors still have COVID-19 preventative measures in place in line with applicable guidance.

She advised that the Health and Safety assessments have been re-started but arc21 site visits have not yet recommenced.

She also advised that the overall tonnages managed by arc21 had increased by 30,439 tonnes (9.8%) when compared with April to February 2019/20 tonnages.

In terms of supplies, Ms Boal reported that the delivery timescales do not appear to have been adversely affected by BREXIT. There have been some issues related to the Supplemental Declaration process which is new requirement that arc21 need to complete for each delivery. The Trader Support Service (TSS) have been contacted and have advised that some software changes are being made that hopefully will overcome these issues.

One supplier for bins has advised arc21 that they will no longer be operating in the NI market but as the supplier was seldom used it should have limited impact. Price changes in respect of the purchase of compostable kitchen caddy liners have occurred.

Ms Boal discussed the electrical and electronic recycling contracts which are in place with the 11 councils, with each authority managing their own contract. Ms Boal advised that the contract was due up in August and initial discussions had taken place with some of the other councils about collaborating and it is hoped that arc21 will be able to start running a competition to have something in place by August.

She also reported that councils were making good use of the compost so that they can flagship this in the circular economy context and demonstrate added value to arc21 councils.

The purchase of caddy liners was discussed and whether this could be sourced locally. Ms Boal highlighted the potential contract issues but advised that this was something which was being explored.

Following discussion the Joint Committee noted the report.

**Action: Noted**

### **Item 6 - Update of the Scheme of Delegation and Financial Regulations**

Mr Craig presented Members with an update of the Scheme of Delegation and Financial Regulations for approval.

He reported that our Legal Advisor, Mr Colin Campbell, recommended that the authority delegated to the Chief Executive should be enhanced to take account of circumstances in which action of an urgent nature may require contracts to be awarded directly without competition.

Also, with the UK leaving the EU, the Scheme needs to be changed so that reference to the EU Public Procurement Rules is amended to the UK Public Procurement Rules.

The appropriate proposed amendments were presented and following discussion it was agreed to endorse the recommendation to approve the updated Scheme of Delegation and Financial Regulations.

**Action: Agreed**

The Chair advised Members that the meeting would now go "In Committee", which was proposed and seconded accordingly.

### **IN COMMITTEE**

Matters of a confidential and commercially sensitive nature were discussed under these agenda items.

Following discussion on the commercially sensitive matters, the Chair advised members that the meeting would now return to the main agenda but whilst "*in committee*" there were four matters discussed as follows:

<b>Item 7 - Minutes of Joint Committee Meeting 054 held on 25 February 2021 'in committee'</b>	<b>Action: Agreed</b>
<b>Item 8 - Matters Arising</b>	<b>Action: Noted</b>
<b>Item 9 - Council Covid-19 Waste Management Financial losses</b>	<b>Action: Noted</b>
<b>Item 10 - Residual Waste Treatment Project Update</b>	<b>Action: Noted</b>

The Chair advised members that the meeting would now come out of the "in committee" process and return to the main agenda, which was agreed.

**Action: Agreed**

## **OUT OF COMMITTEE**

### **Item 11 - Pension Scheme Policy Statement and Redundancy Policy**

Mr Craig presented the Joint Committee with the updated Policy Statement on Employers Discretions, required in accordance with the Local Government Pension Scheme Regulations, as well as the updated Redundancy Policy, which is associated with the Employers Discretions, specifically in relation to the early termination of employment, for approval.

He reported that NILGOSC, the Local Government Pensions Scheme Administrator, had recently updated their Policy Statement on Employer Discretions and the opportunity had also been taken to update the arc21 Policy Statement on Employer Discretions. A copy of the Policy Statement was presented.

He noted that because there are Employers Discretions associated with the early termination of employment (Numbers 13 and 14), it was appropriate for arc21 to review and update the Redundancy Policy (see Clause 16.4.3) so that both documents align. A copy of the Draft Redundancy Policy was also provided.

Mr Craig advised that the Multiplier rate, used to enhance the number of weeks redundancy applicable, among the arc21 Councils is around 2.4 and following discussions with the Council Chief Executives, and Finance Directors, they have endorsed a Multiplier of 2.2 for arc21 to use and to be presented to the Joint Committee for consideration and approval.

He reported that going forward, should any of the other Employers Discretions become applicable at any stage in the future then separate reports, setting out the specific circumstances and cost implications, will be presented for consideration and approval to the Joint Committee, at that time.

Mr Craig recommended that the Joint Committee approve the Policy Statement on Employers Discretions and the Draft Redundancy Policy which is associated with Employers Discretions 13 and 14.

Following discussion the Joint Committee agreed to endorse the recommendations.

**Action: Agreed**

### **Item 12 - Provision of Human Resources Support Services**

Mr Craig reported that in January 2021, the Joint Committee approved a procurement for the provision of services in accordance with the thresholds set out in the scheme of delegation and financial regulations – seeking 4 written quotations (value estimated between £8,000 to £30,000). However, in preparing to go out to seek quotes it was recognised that the procurement, if opened to a wider range of potential service providers, may deliver better value for money.

Mr Craig recommended that a procurement in line with the UK Public Procurement Regulations be carried out rather than limit the competition to 4 potential service providers.

In order that the formal procurement process can get underway, Mr Craig presented Members with the main elements of the service including award criteria for consideration and approval which are replicated as follows:

- (a) *The development and maintenance of a comprehensive Human Resources Strategy to enable the organisation to be fully compliant with Legislation, Regulation and Best Practice in Human Resources matters*
- (b) *The implementation of a comprehensive Human Resources Plan that will ensure that the human resources required to deliver the Corporate Strategic Objectives, set out in the Corporate Plan 2020/24, are identified and in place*
- (c) *Review the organisation structure to make it fit-for-purpose and permit it to effectively deliver the Corporate Strategic Objectives*
- (d) *The recruitment, selection, retention and succession of staff resources*
- (e) *Training, Development and capacity building of staff including Personal Development Plans and Appraisals process that will enable each member of staff to contribute, within their roles and responsibilities, to the achievement of the Corporate Objectives*
- (f) *Maintenance of appropriate suite of Human Resources Policies and ongoing guidance and support with their implementation in a consistent manner*
- (g) *Undertaking a review of the Job Descriptions, Employee Specifications, Qualifications and Terms and Conditions of all posts, to ensure consistency and undertaking Job Evaluations ( where required)*
- (h) *Supporting management in regards to staffing matters, including Attendance and Absence Management, Disciplinary and Grievance matters and Redundancy & Compliance with Redundancy Procedures*
- (i) *General Health, Welfare and Wellbeing issues including the provision of appropriate support services (provided internally or externally)*
- (j) *An understanding of the Code of Conduct for Local Government Employees and its application in practice for the management and staff of arc21*

Award Criteria:

<i>Financial Criteria</i>	<i>60%</i>
<i>Technical Criteria (Service Provision)</i>	<i>40%</i>

*Award subject to the tenderer who submits the Most Economically Advantageous Tender (M.E.A.T.) – the highest score from a combination of both cost and service requirements*

Mr Craig also reported that the current human resources support was provided by HeadsTogether Consulting Ltd, based on a monthly retainer. This contract requires three months' notice to terminate.

To ensure that the service continues uninterrupted with HeadsTogether Consulting Ltd, in the meantime, it is recommended that the current contract be extended until the new contract is awarded, estimated to cost around £2,500. Also Mr Craig sought approval, in case of a delay in procuring the new contract, to cover any additional costs to ensure business continuity from arc21 resources without the need to seek top up contributions from constituent councils.

Mr Craig presented the following recommendations for consideration and approval:

- 1 The main elements of the HR Support Services to be procured**
- 2 The Award Criteria to be used in the procurement - M.E.A.T.**
- 3 The extension of the current HeadsTogether Consulting Ltd contract at an estimated £2,500.**
- 4 Any additional costs required to ensure continuity until the new contract is awarded and operational to be provided from arc21 resources.**

Following discussion the Joint Committee agreed to approve the recommendations noted in the report.

**Action: Agreed**

### **Item 13 - arc21 Human Resources Policies**

Mr Craig presented a report to update the Joint Committee on the review of the suite of arc21 Human Resources Policies arc21 proposes to put in place and implement as part of its requirement for managing staff and staff relations.

The new suite of HR Policies form part of delivering the Strategic Corporate Objectives, set out in the Corporate Plan 2020/24.

Mr Craig reported that arc21 engaged the services of HeadsTogether Consulting Ltd, a specialist HR Advisory Company to ensure that the updated Policies complied with the current requirements in terms of Legislation, Regulations and Best Practice.

He also reported that the process made provision for staff to be able to review the draft policies so that they could better understand the practical application of each of the policies in carrying out their day-to-day work activities.

He advised that comments from the staff consultation process are currently being considered and any additional policies or material changes to any of the policies, going forward, will also be presented to the Joint Committee. In the meantime the current list of policies would apply from April 2021.

Following discussion the Joint Committee noted the report.

**Action: Noted**

### **Item 14 - Consultation - Draft Outcomes Framework for the Programme for Government (PfG)**

Mr Walker presented a report and the proposed arc21 response to the Northern Ireland Executive's consultation on the new draft Outcomes Framework for the Programme for Government (PfG).

He reported that the PfG aims to deliver real, lasting and positive change in people's lives and the consultation is seeking opinions on the draft framework of nine Outcomes upon which the PfG will be built.

Mr Walker stepped through the proposed response which had been submitted on behalf of arc21 by the deadline of 22 March.

Mr Walker recommended that the Joint Committee consider and retrospectively approve the proposed arc21 draft response.

Following discussion the Joint Committee agreed to approve the recommendation.

**Action: Agreed**

### **Item 15 - Customer Survey 2020/21**

Ms Boal presented the results of the annual arc21 Customer Survey which had been undertaken in Feb/Mar 2021 and advised that the overall responses had been generally positive with those noting satisfied or very satisfied.

She reported that unfortunately the participation in the short survey had been low at 16% but thanked all those who had responded and advised that arc21's Senior Management Team would be considering the responses and in particular the approach to the provision of additional information.

Members and officers were encouraged to respond to future surveys as the information gathered is most beneficial.

Following discussion the Joint Committee noted the report.

**Action: Noted**

#### **Item 16 - AOB**

Mr Craig reported that the end of year accounts were currently being prepared and one thing highlighted each year by the Local Government Auditor was the Declaration of Members Interests forms. He reported that these would be circulated to Members and asked if they could be completed and returned as quickly as possible, bearing in mind the annual audit process would be getting underway shortly.

**Action: Mr Craig**

Mr Craig also reported that the next meeting of the Audit Committee would be held on Friday 26 March and a copy of the executive summary would be presented to the Joint Committee at its next meeting for information.

**Action: Mr Craig**

#### **Item 17 - Next Meeting**

The Chair advised that the next scheduled meeting of the Joint Committee is due to be held on Thursday 29 April 2021 at 10 30am.

**Action: Noted**

(Officers and arc21 staff left the meeting)

#### **Item 18 - Personnel Matters**

Members in Attendance Cllr D Reid (MEABC), Cllr A Bennington (ANBC), Ald D Drysdale (LCCC), Cllr S Lee (LCCC), Ald R Gibson (ANDBC), Cllr H McKee (NMDDC)

Mr Walker provided background to an ongoing personnel issue and, as per the report submitted earlier in the year, he was taking both legal and HR advice. At the time of reporting, it had been hoped that the matter was resolved but further matters had arisen which required additional legal costs of around £2,500 to address. Members will be kept apprised of developments should there be further stages in this case.

In many regards, this and other situations in arc21 have arisen from the temporary arrangements introduced following the retirement of the Chief Executive in 2018. These were partially designed to facilitate the ongoing review of regional waste management arrangements requested by the councils' chief executives following local government reform which is considering whether and on what items collaboration between councils could be furthered. Mr Walker highlighted that the HR Strategy outlined in the Corporate Plan, and approved for tender at this meeting, will review arc21's organisational structure.

Mr Walker also highlighted that, regarding his own position, in which he had been in post for just over eighteen months and according to his contract had six months remaining. He highlighted that there was scope for an extension.

Following a discussion amongst the Members, they agreed to approve the additional expenditure outlined above, noted the content of the HR strategy and considered the position of the Acting Chief Executive. Questions were raised regarding the approach adopted after which it was proposed by Cllr McKee that the Chair should write to the arc21 constituent councils' chief executives seeking clarification on this matter. This was seconded by Cllr Lee.

**Action: Ald Gibson**

**Date:** \_\_\_\_\_

**Chairman:** \_\_\_\_\_