

To: Council
Date: 28 November 2022
Report of: Head of Paid Service (Chief Executive)
Title of Report: Decisions taken under Part 9.3(b) of the Constitution

Summary and recommendations	
Purpose of report:	Council is asked to note the decision taken by the Head of Paid Service using the urgency powers delegated in Part 9.3(b) of the Constitution.
Recommendation: That Council resolves to:	
1. Note the decision taken as set out in the report.	

Appendices	
None	

Introduction and background

1. This report updates Council on a decision taken by the Head of Paid Service (Chief Executive) using the urgency powers delegated in Part 9.3(b) of the Council's Constitution.
2. Where urgency powers are used the Constitution requires the Head of Paid Service to report, in writing, as soon as practicable to the body which would otherwise have been required to give the necessary authority to act.

9.3 Role of Head of Paid Service

...

(b) The Head of Paid Service is authorised to take any urgent action necessary to protect the Council's interests and assets where time is of the essence and it is impracticable to secure authority to act where such authority would otherwise be required.

The Head of Paid Service, in so acting, will be guided by budget and the policy framework, will consult the other Statutory Officers before acting and will report, in writing, as soon as practicable to the body which would otherwise have been required to give the necessary authority to act.

Key decision procedures and call in procedures (Parts 15 & 17) will apply to any key decisions taken under this authorisation.

Decisions taken using urgency powers

3. The following decision has been taken using urgency powers for which Council would otherwise have been required to give the necessary authority to act. Council is responsible for terms and conditions of employment for all staff and agreeing the budget. Council is asked to note the decision.
4. This report does not include decisions taken using urgency or emergency powers that have previously been reported to Council.

ITEM 1	COST OF LIVING PAYMENT FOR OXFORD CITY COUNCIL STAFF
Approval of expenditure of c £400,000 from the Council's financial reserves to make a one-off ex-gratia payment of £500 to Oxford City Council staff to reflect the cost of living crisis.	
Date of decision:	25 October 2022
Decision taker	Head of Paid Service (Chief Executive) Decision taken in consultation with: <ul style="list-style-type: none"> • Councillor Susan Brown, Leader of the Council • Councillor Dr Christopher Snowton, Leader of the Liberal Democrat Group • Councillor Chris Jarvis, Leader of the Green Group • Tom Hook, Executive Director (Corporate Resources) • Nigel Kennedy, Head of Financial Services • Susan Sale, Head of Law and Governance
Was the decision taken under emergency or urgency rules?	Constitution 9.3(b): <i>The Head of Paid Service is authorised to take any urgent action necessary to protect the Council's interests and assets where time is of the essence and it is impracticable to secure authority to act where such authority would otherwise be required.</i> <i>The Head of Paid Service, in so acting, will be guided by budget and the policy framework, will consult the other Statutory Officers before acting and will report, in writing, as soon as practicable to the body which would otherwise have been required to give the necessary authority to act.</i>
Is this a Key Decision?	Yes - it is significant in terms of its effect on communities living or working in an area comprising two or more wards [Constitution 15.14]
Reasons for decision	The Council's staff resource is an asset of the Council. The one-off payment will allow the Council to provide support for its staff in the difficult financial climate. As the support is needed urgently, and to allow payment to be made in a timely way, the decision has been made by the Chief Executive (Head of Paid Service) using authority contained at Part 9.3(b) of the Constitution. The decision has been made in consultation with senior Council staff; the Leader of the Council; and other Group Leaders, and will be reported to Council in due course.

Alternative options considered:	Not to make a one-off ex-gratia payment. This option was rejected as it would not allow support to be provided to staff.
Wards significantly affected	None

Financial issues

5. The decision was made in recognition of the severe impact of the financial pressures facing staff, aiming to provide support in the difficult financial climate.
6. The expenditure of c£400,000 was not anticipated in the budget agreed by Council on 16 February 2022 and will be met from reserves.

Legal issues

7. Council responsibilities are set out in Part 3.2 of the Council’s Constitution. The urgency and emergency powers of the Head of Paid Service are set out in Part 9.3 of the Council’s Constitution. The responsibilities for budget decisions are set out in Part 18.8 of the Council’s Constitution.

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Background Papers: None

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