

**Agenda Item No:**

**NORTH LONDON WASTE AUTHORITY**

**REPORT TITLE: AMENDMENTS TO THE STATEMENT OF ARRANGEMENTS**

**REPORT OF:**

**MANAGING DIRECTOR**

**FOR SUBMISSION TO:**

**AUTHORITY MEETING**

**DATE:**

**9<sup>th</sup> December 2009**

**SUMMARY OF REPORT:**

A Statement of Arrangements was agreed by the Authority and the Boroughs of Camden and Haringey in 1999 under which all three parties agreed the officer services that Camden and Haringey would provide in order that the Authority could properly function without any longer being a direct employer of people itself.

This report recommends that consideration be given to amending the Statement of Arrangements with the result that all permanent staff become employees of the London Borough of Camden. Such a proposal will require formal consultation with staff before a final decision is made.

**RECOMMENDATION**

It is recommended that the Authority agrees to officers continuing to do work (including formal staff and union consultations) that might lead to a transfer of Haringey staff to the employ of Camden

**Approved by the Managing Director**

**Date: 30<sup>th</sup> November 2009.**

## **1.0 BACKGROUND**

1.1 In the early 1990s, when the Authority divested itself of its operational activities as it entered a twenty-year contract for waste disposal services with LondonWaste Ltd, it became necessary to establish a team of officers to manage the contracted service. As the then Technical Adviser was Director of Engineering at Waltham Forest the team was established there. When that Technical Adviser retired he was succeeded by the Director of Environment at Haringey, and the team moved to its current employer. Subsequently, the Authority entered in to a Statement of Arrangements with both Camden and Haringey which formally established the arrangements for employment of permanent staff and the Advisors. This arrangement exists today and the Director of Urban Environment from Haringey, who is also the Technical Advisor to the Authority, is the line manager for the Head of Waste Strategy and Contracts and therefore responsible for overseeing the Waste Strategy and Contracts staff group. The arrangement has served the authority well.

## **2.0 RECENT DEVELOPMENTS**

2.1 Recent senior Authority appointments, specifically the Managing Director and the Director of Procurement, are Camden employees. The Managing Director reports directly to the Chief Executive of Camden, in her capacity as Clerk to the Authority.

2.2 The appointment of the Managing Director requires the current arrangements to be amended, not least to enable him to have direct line management responsibility for the Authority's staff. In theory there are three options for future management of the staff:

- The Authority becomes the employer
- Haringey remains the employer
- Camden becomes the employer

2.3 There is no obvious advantage in the Authority becoming the employer. Alternatively, there are distinct advantages in being part of a well established HR organisation within a borough, and having the support of the wide range of experience and established systems for the employment, training and development of staff.

2.4 Staff could in theory work for either Camden or Haringey but, on balance - and because it continues to make sense for the MD to report directly to the Clerk to the Authority - it is believed preferable that the London Borough of Camden becomes the employing authority. This would involve the transfer of approximately 13 full time employees from the London Borough of Haringey to the London Borough of Camden. It is anticipated that staff would transfer to Camden on the same terms and conditions as they enjoy with Haringey, but that all staff (including the current Camden employees) would continue to work in the current office building at Tottenham Hale for the foreseeable future.

2.5 Before the Authority makes a decision it will be necessary to formally consult staff on the proposal, so this report simply seeks an endorsement from Members that they are comfortable with further work being done (including formal staff and union consultations early in the New Year) that might lead to a transfer of Haringey staff to the employ of Camden as described above.

### **3.0 RECOMMENDATION**

3.1 It is recommended that the Authority agrees to officers continuing to do work (including formal staff and union consultations) that might lead to a transfer of Haringey staff to the employ of Camden

### **4.0 LEGAL ADVISER'S COMMENTS**

4.1 The Legal Adviser has been consulted on this report and can confirm that TUPE might apply. In relation to possible transfers of this service, Camden Council's obligations under TUPE should be fully adhered to.

### **5.0 FINANCIAL ADVISER'S COMMENTS**

5.1 The Financial Adviser has no comments to add.

### **Local Government Act 1972 – Access to information**

**Documents used:** None

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**REPORT ENDS**