



Inshore Fisheries and
Conservation Authority

**Finance & Personnel
Sub-Committee Meeting**

To be held at:

**True's Yard, North Street,
King's Lynn, PE30 1QW**

**6th December 2012
1145 hours**

Revised Agenda

Meeting: **Finance and Personnel Sub-Committee**
Date: 6 December 2012
Time: 11.45 hours or at the end of the meeting of the Marine Protected Areas Sub-Committee, if later
Venue: Trues Yard
North Street
King's Lynn
Norfolk
PE30 1QW



"Eastern Inshore Fisheries and Conservation Authority will lead, champion and manage a sustainable marine environment and inshore fisheries, by successfully securing the right balance between social, environmental and economic benefits to ensure healthy seas, sustainable fisheries and a viable industry."

Agenda

- 1 Welcome by the Chair
- 2 Apologies for absence
- 3 Declaration of members' interests

Action Items

- 4 Minutes of the Finance & Personnel Sub-Committee meeting on 26 September 2012
- 5 Matters Arising
- 6 Employee Communication Policy
Report of Head of Human Resources
- 7 Retention of Area Inshore Fisheries and Conservation Officer posts
Report of Head of Marine Protection
- 8 To resolve that, in line with the provisions in Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for items 9 and 10 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 4 of Schedule 12A to the Act
- 9 Salary review
Report of the Head of Human Resources
- 10 Head of Marine Protection and Marine Environment Officer(GIS) probation periods
Report of Chief Executive Officer
- 11 Any other urgent business
To consider any other items which the Chair is of the opinion are matters of urgency by reason of special circumstances which must be specified

Philip Haslam
Chief Executive Officer
Date: 20 November 2012

Finance & Personnel Sub-Committee

"EIFCA will lead, champion and manage a sustainable marine environment and inshore fisheries, by successfully securing the right balance between social, environmental and economical benefits to ensure healthy seas, sustainable fisheries and a viable industry".



A meeting of the Finance & Personnel Sub-Committee took place at the EIFCA office on 26 September 2012 at 10.30 hours

Members Present:

Cllr Tony Goldson	Chair	Suffolk County Council
Cllr Stephen Williams	Vice-Chair	Lincolnshire County Council
Mr Peter Barham		Marine Management Organisation
Cllr Ken Sale		Suffolk County Council
Cllr Hilary Thompson		Norfolk County Council
Cllr Tony Turner MBE JP		Lincolnshire County Council

Eastern IFCA Officers Present:

Eden Hannam	Acting Chief Executive Officer
Julian Gregory	Head of Marine Protection
Christine Hurley	Head of Finance
Nichola Freer	Head of HR

Also Present:

Philip Haslam Eastern IFCA Chief Executive Officer Designate

Clerk:

Mary Clancy

F&P12/45 Item 1: Welcome by the Chair

The Chair welcomed the Chief Executive Officer designate, Phil Haslam, to the meeting. Mr Haslam was due to begin work on 1 October 2012.

F&P12/46 Item 2: Apologies for Absence

Apologies were received from Cllr Brian Hannah and Stephen Worrall.

F&P12/47 Item 3: Declarations of Interest

There were no declarations of interest by Members. The Clerk declared a pecuniary interest in item 15.

F&P12/48 Item 4: Minutes of the Finance and Personnel Sub-Committee meetings held on 27 June 2012 and 25 July 2012

Members agreed to accept the minutes of each meeting as a true record of proceedings.

F&P12/49 Item 5: Matters Arising

There were no matters arising from the minutes of either meeting.

F&P12/50 Item 6: Funds Management

The Head of Finance presented the report. She said that following the sale of *ESF Protector III*, the Authority had almost £1 million in funds

which were potentially available for the purchase of a replacement vessel. Traditionally, such funds were invested in a Suffolk County Council seven day savings account which currently offered an interest rate of 0.56% pa. However, from 12 October 2012, there was an opportunity to invest in a Barclays 9 month Fixed Rate Bond with an interest rate of 1.5% pa. A possible disadvantage of this account was that, during the nine month savings period, it would not be possible to get access to the money invested. The Head of Finance explained that it was not proposed to invest all of the Authority's reserves in this account and that, subject to the Sub-Committee's agreement, funds could be transferred from other reserves should they be required in connection with vessel replacement during the life of the Bond.

The Head of Marine Protection said that the Vessel Working Group was meeting later that day to begin looking at the replacement of *ESF Protector III*. Taking into account the timescale for purchasing another vessel, he thought it unlikely that any money invested in the 9 month Bond would be required during the investment period.

Cllr Tony Goldson asked whether the funds invested could be accessed at a cost and the Head of Finance advised that this would not be possible. She also reminded Members that the Authority had no power to borrow money.

Members discussed the proposal and considered that the advantage to the Authority of obtaining the higher rate of interest offered by the Bond outweighed the potential disadvantage of tying the funds up for nine months, given that the process of replacing *ESF Protector III* had not yet begun.

12 Members resolved to:

- a) note the potential for earning higher interest on a proportion of the Authority's funds, and**
- b) to agree that £1,000,000 should be invested in a Barclays 9 month Fixed Rate Bond**

Proposed: Cllr Stephen Williams

Seconded: Cllr Hilary Thompson

All Agreed

F&P12/51 Item 7: Review of the Financial Regulations

The Head of Finance presented the report. She said that the Authority's Financial Regulations were due for review in April 2013 but it had been decided to bring the review forward to coincide with the review of the Standing Orders and the proposed new Constitution. The proposed amendments updated the Regulations and included clauses which belonged in the Financial Regulations but had previously been included in the Standing Orders.

Members resolved to approve the revised Financial Regulations as set out in Appendix 1 to the report.

Proposed: Cllr Tony Turner

Seconded: Peter Barham

All Agreed

F&P12/52 Item 8: Staff Consultation Policy

The Head of HR explained that, at its last meeting, the Sub-Committee had considered a policy for communication and consultation with staff that had been drafted by her predecessor. However, members had considered that the policy should be redrafted to take into account the work that was being done by the Community Development Officer on a policy for consulting with external stakeholders and had asked officers to bring a redrafted Staff Communication and Consultation Policy to this meeting.

The Head of HR said that it had not been possible to meet this deadline because of the need to prioritise work on the Salary Review in order to meet the deadlines for completing it. (An update on progress on the Salary Review was a separate item on this agenda.) Therefore, Members were asked to defer again consideration of the Staff Communication and Consultation Policy.

Members resolved to defer consideration of the Staff Communication and Consultation Policy until the next meeting of the Finance & Personnel Sub-Committee

Proposed: Cllr Stephen Williams

Seconded: Peter Barham

All Agreed

F&P12/53 Item 9: Operational changes following implementation of the staffing structure

The Acting CEO presented the report. He said that, as the staff structure agreed by the Authority was being implemented, there was a need to make minor changes to reflect operational requirements. The current delegation of decision-making powers meant that any changes, regardless of their significance, had to be brought to the Sub-Committee. Therefore, it was proposed that the power to make minor changes to the structure should be delegated to the CEO.

Members accepted the principle of delegating operational decisions about changes to the staffing structure to the CEO but were concerned that the extent of this delegation should be defined. The Chair asked the CEO Designate for his view. The CEO Designate thought that some latitude should be included in the CEO's role but accepted the need to ensure that Members were involved where the decision was likely to result in major changes to the staffing structure; for example, consultation with the Chair of the Sub-Committee could be required for some decisions. He considered that more work was needed to set out the limits of the delegation.

Members resolved to:

- a) note that currently all delegations regarding the staffing restructure sit with the Finance & Personnel Sub-Committee;**
- b) recommend to the full Authority that, in principle, the Chief Executive Officer should have the delegated authority to make operational decisions concerning the staffing structure;**

c) request the CEO to bring forward to the Authority meeting on 31 October 2012 a framework setting out the limits of this delegation.

Proposed: Cllr Stephen Williams

Seconded: Cllr Ken Sale

All Agreed

F&P12/54 **Item 10: To consider whether under Section 100(A) of the Local Government Act 1972, the public should be excluded from the meeting for items 11 and 12 on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1, 2 and 3 of Part 1 of Schedule 12A of the Act**

The Sub-Committee was satisfied that, in all the circumstances of the case, the public interest in maintaining the exemption for these items outweighed the public interest in disclosing the information.

Members resolved to exclude the public from the meeting for items 11 and 12.

Proposed: Cllr Stephen Williams

Seconded: Cllr Hilary Thompson

All Agreed

F&P12/55 **Item 11: Review and confirmation of posts following probation**

The Acting Chief Executive introduced the report. He said that, as part of the staffing restructure, the Authority had employed a number of new staff during 2012. The Head of HR, Community Development Officer and Marine Environment Officer (Data) had now reached the end of their probationary periods and, on the basis of their performance, he had no reservations in recommending that they should be confirmed in their posts.

Members resolved to:

a) note that the Authority had had a considerable number of new starters this year;

b) confirm the appointments of the Head of HR, Community Development Officer and Marine Environment Officer (Data).

Proposed: Cllr Hilary Thompson

Seconded: Cllr Stephen Williams

All Agreed

F&P12/56 **Item 12: Additional Resource for the Constitutional Base for the Authority**

The Clerk declared a personal interest in this item. Members asked her to remain for the beginning of the discussion, after which she left the room.

The Acting CEO presented the report. He explained that work had been required to review and update the Authority's corporate governance arrangements which had not been set out in the contract for clerking services with Sound Decisions Associates Ltd which had been drawn very narrowly. This work had been identified as necessary to put the Authority's governance on a sound footing for the future. He proposed that Sound Decisions Associates Ltd should be paid separately for this

work on the same terms as under the contract for clerking services on the basis that the knowledge and skills required for the governance review were equivalent to those required under the existing contract.

The Clerk explained that the main outputs of the governance review were the Code of Conduct for Non-elected Members and a Constitution for the Authority, including comprehensive standing orders, together with related administrative arrangements. These outputs took into account the requirements of the Marine and Coastal Access Act 2009 and the Eastern Inshore Fisheries and Conservation Authority Order 2010, the Localism, Act 2011 and the Local Government Act 1972 as amended. They were required to ensure effective corporate management and clerking of the Authority and completed the organisation's transition from a Sea Fisheries Joint Committee to an IFCA. She advised Members that she expected the work to be completed by the end of October 2012.

At this point, the Clerk left the room.

After discussion, members resolved to:

- a) note that additional work not set out in the contract with Sound Decisions Associates Ltd. was required for developing constitutional governance arrangements for the Authority and that this work will provide an on-going platform for the Authority in years to come;**
- b) approve the payment to Sound Decisions Associates Ltd. for the additional work at the contracted rate amounting to £2,640.**

Proposed: Councillor Ken Sale

Seconded: Councillor Stephen Williams

All agreed

The Clerk returned to the room at this point.

F&P12/57 Item 13: Progress on the Salary Review

The Head of HR introduced the report which was for information only. She said that consultation with staff and Unison on the Terms and Conditions Review would finish on 26 October 2012 and officers intended to report the outcome of this consultation to Members at the Authority meeting on 31 October 2012. Subject to the Authority's agreement, changes would be implemented from 5 November 2012.

She explained that there were three pieces of work outstanding to complete the Salary Review. The first was to review of all 16 job descriptions using a collaborative approach with staff and line managers. She expected this to be completed by 4 October 2012.

The second was a job evaluation of the updated job descriptions. Norfolk County Council's Reward Team had been engaged to carry out the evaluation exercise which was to be completed by the end of October 2012.

The third piece of work was to put forward proposals for revised salaries/salary scales based on the results of the job evaluation exercise. The Head of HR expected that this piece of work would be

completed between mid-November and early December 2012, depending on the end of the job evaluation exercise. This would be followed by formal consultation with staff and Unison on the salary proposals, to be completed by the end of March 2013 so that the new salaries could be applied from 1 April 2013.

To meet this deadline, it was essential that the Authority agreed the salary proposals as soon as possible after the completion of the job evaluation exercise. As the Finance & Personnel Sub-Committee had delegated power to make this decision, the Head of HR advised that a further meeting of the Sub-Committee would be required at the end of November or the beginning of December.

Mr Barham asked whether other IFCA's were carrying out an equivalent salary review. The Head of HR said she understood that some of them were doing so and the Acting Chief Executive said he thought that some were using the assistance of their constituent councils as the Eastern IFCA had done. However, there was no standard approach across IFCA's. Cllr Goldson said that he understood that the Eastern IFCA was ahead of the other IFCA's in this area.

Members agreed two possible dates for the next meeting which were 21 November 2012 or 6 December 2012 at 10.30am. The Head of HR said she would confirm the date as soon as possible.

F&P12/58 Item 14: Any other urgent business

There was no other business.

The meeting was adjourned until 12.15 hours

F&P12/59 Item 15: Review of Standing Orders and advice of Lincolnshire, Norfolk and Suffolk Monitoring Officers on a draft Constitution for the Eastern IFCA

The following Members of the Regulatory & Compliance Sub-Committee joined the meeting at 12.15 hours for a joint discussion of this item: John Stipetic, Shane Bagley, Roy Brewster, Neil Lake, Ceri Morgan, Tom Pinborough. The Chair began by introducing them to the CEO Designate.

The Clerk presented the report. She reminded Members that, at its meeting in July 2012, the Authority had accepted the offer of the Lincolnshire County Council Monitoring Officer to commission legal advice on the standing orders and proposed Constitution and had decided to refer further discussion to the Finance & Personnel and Regulatory & Compliance Sub-Committees who were also asked to make recommendations for consideration at the Authority meeting on 31 October 2012.

The Clerk said that the Monitoring Officer had commissioned the Assistant Director – Legal Services Lincolnshire (who is also Monitoring Officer for some of the Lincolnshire district councils) to provide the advice. This was included as Appendix 2 to the report on this item. The Assistant Director concluded that the majority of the standing orders were prescribed by legislation and the rest seemed 'entirely sensible' and she also considered it sensible for the Eastern IFCA to have a code of conduct setting out expectations of member behaviour. She drew attention to new access to information requirements for councils, acknowledging that they did not apply to IFCA's, but

recommended that the Authority consider at some time in the future whether it would be appropriate to adopt these requirements as they would become standard practice for county council members of the Eastern IFCA.

Members then discussed the draft Constitution and standing orders. There was general acceptance of the Assistant Director's view. Turning to the proposed resolutions, Cllr Williams said that the notice period for sub-committee agendas and papers should be at least 5 clear working days as for meetings of the full Authority as Members needed enough time to consider the information fully before the meeting and seek the views of others as necessary. Mr Pinborough agreed that 3 working days did not give Members enough time to prepare properly for a meeting. There was also general acceptance of the need to review the Authority's arrangements for delegated decision-making now that the new CEO was in post.

Members resolved to recommend that, at its meeting on 31 October 2012, the Authority should:

- a) accept the advice commissioned by the Lincolnshire County Council Monitoring Officer as set out in Appendix 2;**
- b) adopt the Constitution set out in Appendix 1 including the proposed notice period for sub-committee agendas and papers of 5 clear working days;**
- c) agree that the Constitution should be published on the Eastern IFCA's website;**
- d) review the current restriction on members' eligibility for the offices of Chair and Vice-Chair of the Authority at its meeting in January 2013;**
- e) ask officers to review the applicability of the new Access to Information provisions to the Eastern IFCA's decision-making and make recommendations to a future Authority meeting;**

Members also resolved to ask officers to begin a review of delegations of function and make initial recommendations to the Authority meeting on 31 October 2012.

Proposed: Cllr Stephen Williams

Seconded: Tom Pinborough

All agreed

The meeting closed at 12.45 hours.

Vision

Inshore Fisheries and Conservation Authorities will lead, champion and manage a sustainable marine environment and inshore fisheries, by successfully securing the right balance between social, environmental and economic benefits to ensure healthy seas, sustainable fisheries and a viable industry.

6 December 2012

Item Number: 6

Employee Communication & Consultation Policy – item deferred from 26 September 2012 meeting

Issue

Throughout this year and beyond, there is significant change that the Senior Officers are required to deliver through all of the staff in order that we can embed the new staff structure and deliver DERFA's objectives. Therefore it is deemed necessary to put in place a policy to enable clarity and structure to be given to all future employee communications.

Background

At the F&PSC meeting on 26 September 2012, the Authority agreed to further defer the decision on item 8 (Staff Communication & Consultation Policy) until the next meeting due to current priority workload demands that should take precedence.

Comment and recommendation

An Employee Communications Policy has been drafted (Appendix 1 attached) that meets the needs of EIFCA and its Officers, which can be used as a framework and guidance to support Officers' understanding and involvement of any future proposed changes within the organisation and to improve on ways of communication and responsibilities for it generally.

Resolutions

Members are asked to:

- 1. Approve the draft Employee Consultation Policy for use by EIFCA Officers**

Nichola Freer
Head of HR

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

List of Back ground papers

F&PSC meeting minutes of 27 June 2012 – item 11

F&PSC meeting minutes of 26 September 2012 – item 8



Inshore Fisheries and
Conservation Authority

EMPLOYEE COMMUNICATIONS POLICY

Introduction

The Authority recognises the importance of employee communication and consultation and that its employees will only be able to perform at their best if they know their duties, obligations and rights and have an opportunity of making their views known to management on issues that affect them. This policy sets out the importance of communication as a two-way process within the Authority and gives clarity on:

1. What is meant by employee communications and consultation
2. Why communications and consultation are important
3. Responsibility for communication
4. Principles and process of communications
5. Employee consultation
6. Developing employee skills
7. Monitoring of the policy

1. What is meant by employee communications and consultation?

Employee communications means the provision and exchange of information and instructions which enable an organisation to function efficiently and employees to be properly informed about developments. It covers:

- the information to be provided
- the channels along which it passes
- the way it is communicated

Consultation is the process by which management and employees or their representatives jointly examine and discuss matters of mutual interest. It involves seeking acceptable solutions to matters through a genuine exchange of views and information. Consultation does not remove the right for managers to manage – they must still make the final decision – however it does impose an obligation that the views of employees are taken into consideration before decisions are taken. In certain circumstances consultation with recognised trade unions is a legal requirement.

2. Why communications and consultations are important

Communications and consultation are not, and should not be an end in themselves. However, when used properly they have a key role to play both in ensuring the business success of the Authority and in involving and empowering its employees. It is important that employees have a real understanding of not only what they are required to do but why.

Good employee communication can:

- **Improve organisational performance** – time spent communicating at the outset of a new project or development can minimise subsequent rumour and misunderstanding
- **Improve management performance and decision-making** – allowing its employees to express their views can help the Authority and its managers arrive at sound decisions which are more readily accepted by employees
- **Improve employees' performance and commitment** – employees will perform better if they are given regular, accurate information about their jobs such as targets, deadlines and feedback. Employee commitment is also likely to be enhanced if they know what the Authority is trying to achieve and how they, as individuals, can influence decisions
- **Help develop greater trust** – discussing issues of common interest and allowing employees an opportunity of expressing their views can bring about improved management / employee relations
- **Increase job satisfaction** – employees are more likely to be motivated if they have a good understanding of their job and how this fits into the Authority as a whole and are actively encouraged to express their views and ideas
- **Improve employee engagement** – if employees feel valued and involved in decision-making this will bring about positive behaviour and engaged employees deliver improved performance

3. Responsibility for communication

Good communications and consultation involve everyone. The Authority expects individuals to:

- Take responsibility to participate in all relevant communications and consultations
- Ensure that all relevant communications are fully understood and make it known to the Authority when they do not fully understand
- Appropriately share views during consultations
- Feedback to the Authority where communications could be improved
- Listen to and appropriately act upon any feedback given to support their development with regard to communication skills
- To deliver and receive communications respectfully at all times

In addition, the Authority expects its Line Managers to:

- Take ownership for the communications they deliver
- Ensure information is appropriately passed to both employees and Executive Managers
- Act upon appropriate matters raised to them
- Provide feedback to individuals to support their development with regard to communication skills

In addition, the Authority expects its Executive Managers to:

- Ensure the policy is put into practice
- Ensure the practice is properly maintained
- Ensure the policy and practice are periodically reviewed
- Ensure the chains of communication and methods of consultation are clearly understood and followed by all concerned

4. Principles and process of communications

The Authority has developed its communication principles. To be effective in our employee communications we will:

- Provide clear, simple and consistent communications
- Present communications objectively
- Provide communications regularly and systematically
- Ensure our communications are relevant and timely
- Be open, honest and factual
- Be open to questions being asked and answered
- Manage expectations
- Share good news
- Provide feedback
- Encourage bottom-up communications

The Authority will use a variety of communication methods appropriate to each particular need to ensure that all of its employees, inclusive of those who may work routinely away from the office, receive relevant and timely communications, that will include, but not be restricted to:

- Individual discussions
- Meetings
- Cascade networks
- Update bulletins
- Notices
- Letters
- Emails
- Presentations

5. Employee consultation

Consultation is at the heart of good decision making and strengthens the relationship between the Authority and its employees. The Authority is committed to providing and improving consultation as part of its transparent and open way of working.

Consultation can take a number of forms and is often informal. It may be a one-off exercise or extend over a period of time. The table below outlines the different types of consultation used by the Authority:

Type	How it is used	Explanation
1 – Informing	Where a decision has been taken and formal consultation is not required	Telling employees what the Authority is planning
2 – Researching	Where information is needed to help to make a decision	Gathering information from employees to inform decision-making
3 – Consulting	Where views will be taken into consideration when making a decision	Obtaining views on proposals or initiatives and taking these into account when decisions are made
4 – Involving	Where the Authority ask for ideas and encourage involvement in making a decision	Seeking out new ideas and suggestions and encouraging employees to participate in the decision-making process
5 – Partnership	Where we make or are making a decision with others	Initiating joint working and decision-making with staff and other stakeholders

Consultation does not mean that employees' views always have to be acted on, however the Authority is committed to:

- Listening to and taking account of employees views
- Explaining the reasons for rejecting any views
- Giving recognition where views have helped to improve a decision

There are some matters that require consultation with our recognised Trade Union before a decision can be reached, such as proposed changes to employees' terms and conditions of employment or pay structure. The Authority is committed to ensuring its employees are made fully aware of when such a matter will be entered into consultation with the recognised Trade Union. Furthermore, employees who are members of such Trade Union will receive communication from that Union in respect of their views regarding the decision to be made.

6. Developing employee skills

The Authority recognises the importance to provide both managers and employees with on-going development in the skills and techniques required for effective communication and consultation and is committed to:

- Supporting managers to become more aware of the importance of good communication and consultation practice
- Supporting managers to understand their roles and responsibilities as communicators
- Providing feedback to employees to support their development of good communication
- Ensuring that appropriate communication and consultation skills are reflected in its training and development programmes

7. Monitoring the policy

This policy will be monitored periodically by the Authority to assess its effectiveness and in particular to ensure that:

- Communicators know their roles
- Employees are regularly informed and consulted on matters of interest to them
- Appropriate information is made available and reaches everybody
- The information is accepted and understood
- Communications and consultations bring desired results
- Practice matches policy

Vision

Inshore Fisheries and Conservation Authorities will lead, champion and manage a sustainable marine environment and inshore fisheries, by successfully securing the right balance between social, environmental and economic benefits to ensure healthy seas, sustainable fisheries and a viable industry.

Item Number: 7

6 December 2012

Retention of Area Inshore Fisheries and Conservation Officer Posts

Proposal: That the Finance & Personnel Sub-Committee agrees to the continued retention of four Area Officers.

Problem/Issue Statement: At the full Authority meeting of 27th July 2011 a recommendation to reduce the number of Area Officers from four to three as part of the overall re-structure was rejected. Instead members resolved to retain all four posts and to review the decision in six months. As the review is only now taking place the officers concerned have experienced some level of uncertainty over their future employment for nearly 18 months.

Back ground: With the development of the Eastern Sea Fisheries Joint Committee into the Eastern IFCA and the associated new burden funding, a review of the structure of the Eastern IFCA's staff was undertaken in order to meet the new responsibilities. This was against a backdrop of making 25% savings in the base budget. Proposals put before the full Authority on 27th July 2011 included a recommendation to reduce the number of shore-based Area IFCOs from four to three, which was not accepted as a consequence of concerns about presence 'on the ground'. It was resolved to review the decision in six months when the Head of Marine Protection had been recruited and was in a position to determine the appropriate allocation of resources. It was envisaged that the original proposal would see the removal of one of the two Norfolk based posts and as a consequence those officers have experienced some uncertainty over their continued employment for some considerable time now.

It is understood that the rationale for reducing the number of posts was based, at least in part, upon the number of hours owed by the two officers at the conclusion of the financial year. Additionally, budgetary issues were a significant factor as it was necessary to implement a structure and resource level that was within constraints of a base budget reduced by 25%.

Comment and recommendations: Following unavoidable delays to the recruitment process, the Head of Marine Protection (HoMP) has been in post since June 2012, which has been sufficient time to apply professional judgement and to conclude that reducing the number of enforcement officers and in particular Area IFCOs is not appropriate at this time. In reaching this conclusion the following key factors have been considered:

Resilience - When standard abstraction rates are applied (annual leave, sickness etc.) it is not unusual to see reductions in available staff of around 20%, which in a team of 9 IFCO's leaves seven officers available for duty to provide boat crew, Area cover and to deal with any specific issues such as landings. As an illustration, the 2012 cockle season has resulted in Area cover being significantly reduced, particularly in Areas 1 & 2, and at times there have been insufficient IFCOs to meet enforcement requirements resulting in research and environment staff being

deployed alongside the enforcement team. Whilst there may be some arguments in support of this approach, the reality is that they are untrained in this role and it takes them away from their core function at a time when all indications are that their normal workload is likely to increase. In addition, despite the deployment of extra staff, both North Norfolk IFCOs are currently owed hours in TOIL reversing the situation in July 2011 and indicating that, as the Eastern IFCA increases its operational capability, both of these posts continue to be required by the Authority.

Enforcement Developments – Factors such as the sale of *ESF Protector III*, the potential introduction of Vessel Monitoring Systems (VMS) for the <12m fleet and the introduction of the post of HoMP mean that the way in which enforcement and regulation is conducted is likely to develop considerably during the next two years. Given that factors such as the type of vessel or vessels that will permanently replace *ESF Protector III* and the scope of VMS are yet to be determined, it is difficult to assess what the optimum number and role of enforcement staff is likely to be.

Fairness to Staff – The two officers in the posts affected by the July 2011 decision have experienced uncertainty about their future for nearly 18 months. Whilst this has been unavoidable in the circumstances, it is considered that prolonging the situation is not necessary and hinders the HoMP's ability to develop the roles of the Area IFCOs.

Regulatory Implications: The 2012 cockle season identified resourcing 'pinch points' and necessitated the use of other staff to support the enforcement function. In the event that there is a dredge fishery it is anticipated that resource requirements would be higher given the necessity for a presence at sea as well as on the quayside. With this in mind it is suggested that retaining four officers is necessary in order to support effective regulation.

Financial implications: Funding is in place for all four Area IFCO posts for the current financial year and retention of the fourth post would incur additional expenditure of £34,567 pa (including on-costs and subject to the salary review) in future years. This additional amount has been included in the budget forecasts up to and including 2014-15 and, as such, retaining the post is affordable and would still enable the Authority to make the required 25% savings on the base budget.

Recommendation:

Members are asked to agree to the retention of four Area Officer posts as part of the Authority's establishment for the reasons set out in this report.

Julian Gregory
Head of Marine Protection

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

List of Back ground papers

2nd Eastern IFCA 27th July 2011: Minute EIFCA11/41