



Lewes District Council

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Employment Committee

Minutes of a meeting of the **Employment Committee** held in **Room 7, Southover House, Southover Road, Lewes** on **Friday, 21 September 2012** at 9.30am.

Present:

Employer's Side:

Councillors E E J Russell (Chair), P Franklin and A X Smith

Employees' Side:

Mr N Cannan, Mr M Connolly, Mrs S Harvey and Mr G Purdye

Also Present:

Ms Jane Amos-Davidson, Interim Head of HR

Ms A Blanshard, Committee Officer

Mr S Jump, Head of Finance

Ms S McGreal, Regional Organiser, Unison

Ms J Yeates, Personnel Officer

Minutes

1 Recommendations of Employment Committee – 10 October 2011

The recommendations of those members of the Employment Committee who were present at the meeting held on 10 October 2011, as set out in Minutes 9 to 18, were agreed.

Resolved:

- 1.1** That the Interim Head of HR be requested to report to the next meeting of the Employment Committee relating to Organisational Staffing Assessment

2 Minutes

The Minutes of the meeting held on 10 October 2011 were approved as a correct record and signed by the Chair.

Action

IHHR

3 Apologies for Absence/Declaration of Substitute Members

An apology for absence had been received from Mr T Watson (Employees' Side). Councillor Franklin declared that he was substituting for Councillor Blackman who had sent an apology for absence.

4 Voluntary Severance and Early Retirement

The Committee received Report No 147/12 which sought Cabinet endorsement of a proposed Voluntary Severance and Early Retirement scheme within the scope of the Council's current policy on Early Termination of Employment (Discretionary Compensation) as shown in Appendix 1 of the Report.

The Interim Head of HR explained that the Report had been brought to the Employment Committee for discussion and to enable its members to forward any comments to Cabinet which would be considering the Report at its meeting on 1 October 2012. She informed the Committee that during the current period of organisational change the Council took its statutory responsibility to take steps to mitigate the risk of compulsory redundancies seriously. The background to the Report set out the statutory redundancy payments and the existing policy on compulsory redundancy payments.

The Interim Head of HR also explained that the proposed scheme was entirely voluntary. Any exit must be employee led, although the final decision would be wholly subject to the needs of the service and would be a management decision. She highlighted that requests may be refused by managers if efficiency savings were not clear. She added that the take up of such a scheme could not be predicted, but it would be widely advertised internally.

The Interim Head of HR advised that for the life of the scheme the Council proposed to pay less than it would if compulsory redundancies were made. The Employees' side representatives requested clarity on the meaning of the term "Voluntary Severance" as opposed to redundancy as set out in the Early Termination of Employment policy at Appendix 1. The Interim Head of HR explained that the term "severance" had been used because the officer may leave, but the role may continue.

The Employees' side stated that their own consultation had indicated that the proposed terms would be unlikely to attract sufficient staff to take up the scheme. They also stated that the proposals amounted to a fundamental change to terms and conditions of employment and that the proposal was not supported by Unison. Unison felt strongly that there was an important differentiation between voluntary severance and voluntary redundancy. The Interim Head of HR responded that the proposed scheme was within the scope of existing terms and conditions as shown in Appendix 1. The Employees' side did not share this view.

The Employees' side asked that the Council negotiate further over the terms of the proposed scheme otherwise it could fail to achieve its aims and

there would be little scope to put forward other solutions.

Members felt that the onus was on the employer to ensure that all policies were kept up to date with current employment law. Councillors suggested that policies and procedures should be reviewed and updated regularly to ensure that they were current. Both Members and Employees' side representatives agreed that clear staff policies and procedures were needed and staff should be made aware of those policies.

The Interim Head of HR explained that although not finalised, the likelihood was that the Voluntary Severance and Early Retirement policy would be put forward for either a set number of people or a set time period. The Employees' side requested that further negotiations take place on these proposals.

The Committee agreed that the points raised by the Employees' side would be considered by Cabinet and further discussions would take place.

Resolved:

4.1 That Report No 147/12 be noted; and

4.2 That Cabinet be recommended to take the above comments made by the Employment Committee into account when considering the Report at its meeting on 1 October 2012.

CO

5 Voluntary Severance and Early Retirement Draft Policy and Frequently Asked Questions

The Committee received Report No 148/12 regarding the draft policy for Voluntary Severance or Early Retirement.

The Committee had discussed Report No 148/12 simultaneously with Report No 147/12 as set out in minute 4 of this meeting.

Resolved:

5.1 That Report No 148/12 be noted.

6 Accidents Statistics

The Committee received Report No 149/12 which set out statistics for accidents reported as having taken place within the Council during the period 1 April 2011 - 31 March 2012.

The Interim Head of HR explained that the Report contained basic accident data and that, following input from the Committee and from the Corporate Management Team, she would be working with the Health and Safety Officer to create a useful set of statistics for future reports.

The Committee discussed the statistics and agreed that they were interesting, but as stand alone statistics they had not provided any useful

information. They asked that future Reports included accident blackspots, repeat accidents that might highlight a training issue and also show whether accident rates had increased or decreased.

The Employees' side explained that the staff within the Waste and Recycling department were given regular manual handling training, but it was felt that this training would benefit staff across the Council to reduce likelihood of back injuries or muscle strain from heavy lifting or carrying.

The Interim Head of HR informed the Committee that the Health and Safety Officer thoroughly investigated any serious accidents at work. She advised that there was a new Health and Safety booklet was being produced for staff

The Employees' side requested that there be quarterly health and safety reports and that these include comparator information so that trends in accidents and injuries could be spotted. They wanted the profile of health and safety raised throughout the Council. Unison proposed a joint campaign with the Council to promote health and safety and to recruit health and safety representatives throughout the Council.

The Interim Head of HR explained that the Health and Safety Officer would like to update the system of accident reporting and to include near misses, when this happened it was anticipated that the accident statistics would rise following a campaign.

Resolved:

- 6.1 That Report No 149/12 be noted; and
- 6.2 That the Interim Head of HR be requested to circulate a sample of the new Health and Safety staff booklet to the next meeting of the Employment Committee.

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7 Exclusion of the Public and Press

Resolved:

- 7.1 That, in accordance with Section 100A of the Local Government Act 1972 (as amended), the public and press be excluded from the meeting during the discussion of items 10 and 11 as there was likely to be disclosures of exempt information as defined in paragraphs 1, 2 and 4 of Part 1 of Schedule 12A of the Act.

8 Consideration of Matters Raised by the Employees' Side

The Employees' side informed the Committee that they were keen to formalise the consultation and engagement arrangements between the Council and Unison. They accepted that there were some mechanisms in place, but felt that these could be improved and made clearer. They advised that a draft policy document was being developed and would be

submitted to the Interim Head of HR in due course.

9 Future Remit of the Employment Committee

The Interim Head of HR informed the Committee that it was timely to have a review of the remit of the Employment Committee. She explained how the Employment Committee had been formed following the merging of the Joint Consultative Committee (JCC), the Safety Committee and the Employment Committee a number of years ago. The Committee were given copies of the current remit which showed that the current terms of reference were largely that of a JCC.

The Interim Head of HR suggested that the Employment Committee could be split into a JCC and an Employment Committee. The JCC would meet twice a year and comprise of Officers and Unison representatives, and would be the forum for dealing with health and safety, accident reporting and for dealing with staffing matters that could not be dealt with departmentally. The Employment Committee would become a forum for discussing matters including pay and conditions, and would be called as and when necessary. The Employees' side did not agree with the idea that the elected Members should be removed from the process of hearing appeals. In Unison's view, Member appeal panels provided a useful, objective and independent stage in hearing a case.

The Committee agreed that the purpose of the Employment Committee should be reviewed and re-defined. Members wanted to know how Unison representatives and management engaged and suggested that Unison should be provided with a suitable vehicle for consultation. The Employees' side agreed that there should be more opportunities for timely and meaningful consultation, particularly regarding the transformation agenda and highlighted that the current lack of policy for dealing with change was an issue at the Council.

Members commented on the importance of having a clearly defined policy making hierarchy in order to know where policy decisions should be made. The Committee agreed that, prior to another meeting of the Employment Committee later this year, the Interim Head of HR should meet with Unison to discuss these issues further and to formulate a report to be brought to the next meeting of the Committee.

Resolved:

- 9.1** That the Interim Head of HR be requested to take following recommendations be taken to the Corporate Management Team:
- (a)** That there be a high level discussion of Human Resources policy making, including confirmation of who and/or where policy decisions were made;
 - (b)** That the purpose of the Employment Committee be defined;

(c) That there be better engagement between management and Unison; and

9.2 That the Interim Head of HR and the Employees' side be requested to report back to the Employment Committee on the proposed changes to the Remit of the Employment Committee and alternative methods of consultation between the Council and Unison.

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Employees
side

10 Date of Next Meeting

Resolved:

10.1 That the Committee Officer be requested to arrange a suitable date for the next meeting of the Employment Committee and to inform Members accordingly.

CO

The meeting ended at 11.00 am.

E E J Russell
Chair