

Employment Committee

Minutes of a meeting of the **Employment Committee** held in the **Ditchling Room, Southover House, Southover Road, Lewes** on **Monday, 21 July 2014** at 10.00am.

Present:

Employer's Side:

Councillors E C Merry (Chair), M P Chartier, S J Gauntlett, D Gray and A X Smith

Employees' Side:

Mr M Busby, Ms J Cattell, Mr M Connolly, Ms S Harvey and Mr D Stace

Also Present:

Ms B Cooke, Head of Organisational Development
Ms Z Downton, Committee Officer
Mrs H Knight, Human Resources Manager
Ms S McGreal, Regional Organiser, Unison
Ms Jill Yeates, Health and Safety Officer

Minutes

	Action
1 Committee Membership 2014/2015	
<u>Resolved:</u>	
1.1 That the appointments of Councillors Merry, Chartier and Gray onto the membership of the Employment Committee in place of Councillors R Blackman, C Butler and E E J Russell for the 2014/2015 municipal year be noted; and	
1.2 That the appointment of Councillor Merry as Chair of the Employment Committee in place of Councillor Russell for the 2014/2015 municipal year be noted.	
2 Minutes	
The Minutes of the meeting held on 13 January 2014 were approved as a correct record and signed by the Chair.	

3 Urgent Item

The Chair advised that she had agreed, in accordance with Section 100B(4)(b) of the Local Government Act 1972, that Report No 118/14 entitled 'Accidents to Staff 2013 to 2014' be considered as a matter of urgency in order that the Committee could take its decisions based on the most up to date information. The Report was taken between Agenda Items 6 and 7.

4 Accidents to Staff 2013 to 2014

The Committee received Report No 118/14 which presented the statistics on accidents reported at the Council between 1 April 2013 and 31 March 2014, and the Joint Health and Safety Forum's comments on the data.

The Health and Safety Officer explained that it was the first annual report which included graphics on accident statistics to be presented to the Employment Committee.

In response to a councillor's question, the Health and Safety Officer clarified that, under paragraph 2.3 of the Report, ergonomic issues related to factors in a person's working environment and differed from manual handling related causes. She added that the inclusion of the ergonomic issues category would allow for benchmarking across other local authorities for comparative analysis.

The Employees' Side welcomed the Report and thanked the Health and Safety Officer for her work. The Employees' Side commented that the Report would enable the Council to consider and compare statistics over a longer period of time. The Employees' Side requested that, to show trends and to ease understanding, a consistent colour or shade be allocated to each category of accident for every chart or graph in future reports.

Health and
Safety
Officer

Resolved:

- 4.1 That Report No 118/14 be noted.

5 Accidents to Staff – Quarter 1 2014-15

The Committee received Report No 109/14 which presented the statistics on accidents reported at the Council between 1 April 2014 and 30 June 2014.

The Employment Committee had previously requested that this standing item be reinstated to the Committee's agenda.

The Health and Safety Officer explained that, although the number of reported accidents was more than double when compared to the same period last year, it was likely in part due to staff being encouraged to report more, however minor the accident.

The Employees' Side welcomed the closer monitoring of accidents and highlighted that the collection of data on near misses was equally important and something that the Council could learn from. In response to a comment from the Employees' Side, the Health and Safety Officer advised that she would include the number of accidents alongside the percentage figures within the charts and graphs in future reports.

Health and
Safety
Officer

Following a discussion surrounding health and safety training and the awareness, monitoring and communication of health and safety matters, the Committee requested that managers be reminded that health and safety should be a standing item on the agenda for every team meeting across all departments of the Council.

Health and
Safety
Officer

The Committee expressed its support of encouraging staff to report accidents.

Resolved:

- 5.1** That Report No 109/14 be noted.

6 Sickness Report

The Committee received Report No 110/14 which provided an update on the Council's sickness figures for the period 1 October 2013 to 31 March 2014.

The sickness figures for the reporting period had been broken down into quarters and by departments, and were set out within the background papers to the Report.

In response to councillor's questions, the Human Resources (HR) Manager explained that in the recent quarter, the Council's sickness figures had been very comparable to other local authorities. The HR Manager confirmed that the top line total figures on page 13 of the Report referred to the number of full-time equivalent staff and the bottom total figures referred to the number of absences.

A representative of the Employees' Side commented that feedback from a member who had accessed the new Occupational Health provider, Health Management Ltd, had been very positive. The Employees' Side added that it wished to continue its discussions with management in relation to the Council's sickness absence policy.

Head of
Organisational
Development/
HR Manager

In response to comments from the Committee and the Employees' Side, the HR Manager advised that she would ensure the names and grouping of departments would be updated to reflect the Council's organisation as the restructure evolved. She added that she would also look into the presentation style of the sickness figures in order to provide simpler and clearer information to aid better understanding of the data when reporting in future.

HR
Manager

Resolved:

6.1 That Report No 110/14 be noted.

7 Joint Health and Safety Forum Update Report

The Committee received Report No 111/14 which summarised the progress and activity of the Joint Health and Safety Forum in the last nine months.

The Forum was set up to be part of the necessary safety culture change within the Council by bringing staff and management issues for discussion and agreement on action to be taken. The Forum would provide written reports to the Employment Committee for further discussion.

The Health and Safety Officer explained that the Forum had agreed a standard agenda format to keep the meetings short and appropriate, a copy of which was set out under Appendix 1 of the Report. Smaller working groups would be set up to look at specific matters in more detail, as and when required.

The Health and Safety Officer highlighted that the agenda and minutes of each meeting would be published on Infolink, the Council's intranet site, on the 'Health, Safety and Welfare' page so that all staff could see what was being considered by the Forum.

The Employees' Side welcomed the Report and added that the Forum reflected what was achievable when Unison and management worked together. The Employees' Side highlighted that the training sessions for managers and supervisors, that had been jointly delivered by management and Unison, had been well received. The Health and Safety Officer thanked Unison Branch members for their input into the training and added that it had been a very positive experience of collaborative working.

The Employees' Side brought to the Committee's attention that it was continuing discussions with management surrounding ways of monitoring work-related stress and how to reduce it. The Employees' Side had also raised concern over First Aid awareness and a First Aiders Group had subsequently been set up with its own notice board. Work was ongoing to raise awareness and improve communication procedures relating to First Aid for staff who were not office based, such as in the Waste and Recycling department.

The Employees' Side reported that the reduction in health and safety staff resourcing seemed premature and that it had raised this concern at the Forum. The HR Manager explained that the Safety Officer role used to be 18.5 hours per week and that it was increased to 37 hours last year when the majority of Council staff were being relocated into Southover House, Lewes and building work was ongoing. The Director of Service Delivery had since made the decision to reduce the hours of the Health and Safety Officer to 28 hours, partly as building work was now complete. Also, the role had been moved from Human Resources and placed within the Environmental Health department and, as other members of that team had

health and safety aspects to their roles, there was already added resilience in place.

Resolved:

20.1 That Report No 111/14 be noted.

8 Employee Assistance Provider Report – Employee Wellbeing

The Committee received Report No 112/14 which detailed statistics on the use of, and access to, the employee assistance provider for counselling, including related website information between 5 May 2013 and 4 May 2014, and the Joint Health and Safety Forum's comments on the data.

The Health and Safety Officer explained that the service had provided counselling assistance to the Council since 5 October 2012. During the reporting period, 15 staff had accessed the counselling services and two had accessed the website. As it was a confidential service, the Council would not receive detailed reports on the use, although the general themes were disclosed and were set out within the Report.

In response to a councillor's question, the Health and Safety Officer explained that the service had been known as PPC Online but was now called LiveWell and that the provider company was called Optum.

The Employees' Side welcomed the continued provision of the service, particularly in light of the ongoing and significant organisational structural changes.

Resolved:

8.1 That Report No 112/14 be noted.

9 Annual Employee Survey

The Committee considered Report No 113/14 relating to the proposed Annual Staff Survey and its contents.

The HR Manager explained that the questions were generally comparable to last year's survey. A few questions had been added in response to a request from the Health and Safety Forum, and the wording of the equalities information had been reviewed in order to clarify to staff why they were being asked for that information.

The Draft Annual Staff Survey for 2014 was set out under Appendix 1 of the Report.

The Committee suggested, under the 'What is your religion?' section on page 30 of the Report, that 'Muslim' be replaced with 'Islam' and that the categories for 'Other' and 'No religion or faith group' be moved to the bottom of that question box. It was also suggested that a question be added to the survey asking whether people were aware of the Council's employee

HR
Manager

assistance counselling service.

The Employees' Side suggested that care be taken with the layout of the survey to aid ease of understanding, in particular to avoid question boxes being laid out over two pages. The Employees' Side added that Unison would encourage its branch members to respond to the survey.

The Employees' Side welcomed the inclusion of Health and Safety Executive standard questions relating to stress monitoring. Other suggestions regarding the questions were made, as follows:

- That the words 'or job chat' be deleted from question 15 on page 26.
- That an extra option be included under question 18 on page 27 that allowed staff to say that they 'could not attend a briefing session'.
- That a category be included under question 19 on page 27 that allowed staff to say that they 'had knowledge of harassment, bullying, victimisation or discrimination'.

Following a discussion regarding staff understanding of the differences between bullying and victimisation, the Committee requested that all staff should be made aware of the Council's Dignity at Work policy and have the opportunity to receive training on the policy, where appropriate.

HR
Manager

In response to further suggestions made by the Employees' Side relating to the standard equalities section, the HR Manager explained that she would consider modifying the categories under the Department/Service question on page 30 of the Report, to reflect the recent changes to the Council's service areas. She also added that she would seek further guidance from the Council's Equalities Officer over the wording and categories under the marital status section on page 31 of the Report.

HR
Manager/
Equalities
Officer

Ms McGreal, Unison's Regional Organiser, stated that it was important that colleagues in the Waste and Recycling department were given access in order to complete the survey, whether that be by computer or paper copy, and also that they received the results of the survey in an accessible format. The HR Manager responded that the Communications team would be providing hard copies of the survey to those who did not have access to computers, or who wished to complete the survey by hand. She added that she would follow up on the concerns raised regarding the IT and computer training needs of staff in the Waste and Recycling department.

HR
Manager

The Committee requested that care should be taken not to make too many changes to the questions which might lessen the ability to collate year on year comparative data.

Resolved:

- 9.1** That the Draft Annual Staff Survey for 2014, as set out in Appendix 1 of Report No 113/14, be agreed subject to minor amendments arising from comments made by the Employment

HR
Manager

Committee and Unison; and

9.2 That Report No 113/14 be noted.

10 Redundancy and Redeployment Procedure

The Committee considered Report No 114/14 which provided an update on the Council's Redundancy and Redeployment Procedure.

The Council sought to review its existing Human Resources (HR) policies regularly to ensure they were up to date, fit for purpose and in line with current employment law. Those revisions were undertaken with consideration to ACAS (Advisory, Conciliation and Arbitration Service) good practice guidance, the needs of the Council and comments from Unison.

The Head of Organisational Development explained that the Council's current Redundancy and Redeployment Procedure had last been updated in November 2007 and urgently needed to be reviewed. She explained further that HR had received helpful feedback and comments from Unison on the revisions and many of those suggestions had been incorporated into the final versions. The most notable changes to the Procedure were set out under section 3 of the Report. The draft Procedure and its associated appendices were set out under Appendix 1 of the Report.

Ms McGreal, Unison's Regional Organiser, read out a statement on behalf of the Unison Branch members. Although the Branch recognised the need to improve and update the Policy, Ms McGreal explained it was important to note that the Branch regarded the changes to the Redundancy Multiplier and Pay Protection to have been imposed without the agreement of Unison. In respect of Pay Protection arrangements, the Branch had been extremely disappointed that councillors had made the decision to impose the 3 year tiers of protection rather than listen to the views of its members. In addition, the Branch felt that the changes to the 'Status of the Procedure', as set out on page 9 of Appendix 1 of the Report, were significant and that it could not accept those changes as the original wording should be maintained. The Employees' Side welcomed the inclusion of the 'Staff Assessment' which the Branch had sought for some time, and the introduction of a Voluntary Redundancy Procedure.

In response, the Committee expressed that it appreciated the comments of the Employees' Side. The Committee stated, however, that the concerns raised regarding changes to the Redundancy Multiplier and Pay Protection arrangements related to changes already agreed by the Employment Committee at its meeting on 16 December 2013, and that the Committee was being asked to consider revisions made to the procedure after that time.

There followed a discussion in relation to whether the procedure was non-contractual or contractual. Ms McGreal explained that Unison had received legal advice that the Policy was contractual and there was the potential for breach of contract claims for staff, who it felt would become subjected to the

imposed Redundancy Payments and Pay Protection. The Head of Organisational Development clarified that the procedure was non-contractual but recognised that Unison did not agree and thus discussions were ongoing with Unison and HR on the matter.

The Committee was assured that dialogue would continue between Unison and the Head of Organisational Development and advised that it sought to work with the Employees' Side on such matters. The Committee understood that the updated Policy could be revised again at any point in the future. The Committee explained that it would make its decision based on the information presented to councillors at the meeting.

The Employees' Side sought collective agreement on the Procedure; however there were elements of the revised Procedure that it could not accept in principle. The Employees' Side's position was that there would not be collective agreement should the Committee be minded to implement the procedure as set out in the Report.

Resolved:

10.1 That implementation of the Council's revised Redundancy and Redeployment Procedure, as set out under Appendix 1 of Report No 114/14, be agreed; and

10.2 That Report No 114/14 be noted.

(Note: Councillors requested that their votes for Recommendation 10.1 above be recorded as follows:

For Recommendation 10.1: Councillors M P Chartier, S J Gauntlett, E C Merry and A X Smith

Against Recommendation 10.1: Councillor D Gray)

11 Revised HR Policies 1

The Committee considered Report No 115/14 which sought to update the Council's Human Resources (HR) policies in relation to Dignity at Work, Agile Working and Age Discrimination.

Some legislative changes had occurred which had been incorporated into the revised policies. Unison had been consulted regarding the revised policies and their comments had been incorporated, as well as those of the Council's Health and Safety Forum regarding the Agile Working Policy which it had been consulted on, where appropriate.

The draft Dignity at Work Policy, Agile Working Policy and revised Age Discrimination Policy were set out under Appendices 1, 2 and 3 respectively of the Report.

Head of
Organisational
Development /
HR
Manager

The Employees' Side made the following further suggestions to the Agile Working Policy, for clarity purposes:

- That the words 'in writing' be added to the end of paragraph 11.1, on page 65.
- That the word 'sufficient' be replaced with 'clear', under paragraph 11.5, on page 65.
- That the term 'fixed desk workspace', under paragraphs 13.7 and 13.9 on page 67, be replaced with wording more in line with the actual working environment, such as 'hot desk workspace'.
- That the third line of paragraph 14.2 on page 68 be changed to read '...should be submitted to your line manager *prior to the move*'.
- That the words 'for the Council' be inserted to paragraphs 21.3 and 21.5 on page 72 after reference to 'working from home'; and
- That the top line of paragraph 22.2 on page 72 be clarified, in particular the use of terms 'home workers' and 'agiley'.

Resolved:

11.1 That, subject to the minor text amendments being made to the Agile Working Policy arising from comments by Unison, implementation of the Council's revised policies on Dignity at Work, Agile Working, and Age Discrimination, as set out under Appendices 1, 2 and 3 respectively of Report No 115/14, be agreed; and

11.2 That Report No 115/14 be noted.

12 Revised HR Policies 2

The Committee considered Report No 116/14 which sought to update the Council's Human Resources (HR) policies in relation to Flexible Retirement and Stress Management.

The HR Manager explained that Unison had provided comments on the Flexible Retirement Policy which had been considered and would be incorporated. She added that she was awaiting comments from Unison relating to the Stress Management Policy.

The revised policies relating to Flexible Retirement and Stress Management were set out under Appendices 1 and 2 respectively of the Report.

The Committee stated that, in light of recent changes to the Local Government Pension Scheme, it would be appropriate for the HR Manager to seek advice from the Finance department on the financial implications to the Council in relation to the Flexible Retirement Policy, as the Report

HR
Manager

HR
Manager

indicated that there would be no such implications.

The Employees' Side welcomed the policy on Stress Management, as it had previously raised concerns over how the organisation was seeking to monitor levels of stress among staff. The Employees' Side wished to emphasise the need for managers to receive continued support, training and awareness to gain a better understanding of their role in responding to and managing stress appropriately.

The Employees' Side explained that the Unison branch were very keen to organise stress workshops for its members. It also wished to bring to the Committee's attention that discussions were underway with the Health and Safety Officer to arrange a similar event to the Well-being Week which was held last year for all staff.

Resolved:

- 12.1** That, subject to minor amendments arising from comments made by Unison, implementation of the Council's revised policies on Flexible Retirement and Stress Management, as set out under Appendices 1 and 2 respectively of Report No 116/14, be agreed; and
- 12.2** That Report No 116/14 be noted.

HR
Manager

13 Exclusion of the Public and Press

Resolved:

- 13.1** That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the public and press be excluded from the meeting during the discussion of items 15 and 16 on the Agenda 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.

14 Consideration of Matters Raised by the Employees' Side

There were no additional matters raised by the Employees' Side over and above those which had been recorded in the Minutes of the meeting of the Employment Committee.

15 Consideration of Health and Safety Matters Raised by the Employees' Side

There were no additional matters raised by the Employees' Side over and above those which had been recorded in the Minutes of the meeting of the Employment Committee.

16 Thanks and Date of Next Meeting

The Chair thanked all those present for attending the meeting and for their input, and it was

Resolved:

- 16.1** That the next meeting of the Committee scheduled to be held on Monday, 6 October 2014 at 10.00am in the Ditchling Room, Southover House, Lewes be noted.

All to note

The meeting ended at 11.40am.

E C Merry
Chair