



Lewes District Council

Employment Committee

**Minutes of the meeting held in Warren Room - Lewes House, High Street,
Lewes on 7 October 2019 at 10.00 am**

Present:

Councillors - Councillor Isabelle Linington (Chair), Councillors Roy Burman (Vice-Chair), Nancy Bikson and Zoe Nicholson.

Staff Side: Mathew Busby and Graham Purdye

Officers in attendance: Ed Hele (Functional Lead (Quality Environment)), Becky Holloway (Specialist Advisor for Health and Safety), Helen Knight (Head of Human Resources), Oliver Dixon (Senior Lawyer and Data Protection Officer), Catherine Knight (Assistant Director of Legal and Democratic Services) and Sarah Lawrence (Senior Committee Officer).

Also in attendance:

Sarah McGreal (Regional Unison Representative)

1 Appointment of Chair

Councillor Nicolson proposed and Councillor Bikson seconded that and it was:

RESOLVED – That Councillor Linington be appointed as Chair of the Committee for the remainder of the municipal year.

2 Minutes of the meeting held on 25 March 2019

The minutes of the meeting held on 25 March 2019 were confirmed and signed as a correct record.

3 Apologies for absence/declaration of substitute members

Apologies were received from Councillor William Meyer.

4 Declarations of interest

There were none.

5 Urgent items

There were none.

6 Written questions from Councillors

There were none.

7 Health and Safety - Accident Report for Quarter 2

The Specialist Advisor Health and Safety gave a presentation to the Committee on the accident statistics for quarter 2.

She confirmed that there had been a very slight rise in incidents from 11 to 12 in Lewes this quarter; 10 of these related to the area of waste and recycling, and 4 of these were near misses. However, in the context of the huge numbers of collections and that it was a higher risk area, the numbers were still small. Actions taken in response included reminders to operatives to wear safety gloves when collecting bagged rubbish, and a media campaign to reduce the danger driving of the public near to refuse vehicles. It was noted that as part of the absence data there had been a drop in muscular / skeletal injuries as a result of switching across to wheeled bins.

A question was raised how Members could be assured that the Council's statutory responsibilities were being met in terms of its role in relation to public safety and as an employer, as this report included both incidents related to staff and the public. It was confirmed that a main part of the Specialist Advisor Health and Safety's role was to ensure that all data was collected, that all statutory notifications took place and that follow up actions were identified, and Members were assured that all these had taken place.

On an operational basis, managers reported incidents via online forms and were responsible for actions following on from these. However, the Council was due to switch across to a new software system in the new year which would enable a greater breakdown in types of incident.

A question was asked as to whether risk assessments were in place in all areas and could be reported to the Committee to see if there was a trend. It was noted that the more detailed reports in this area were usually reported to the Joint Safety Committee. The Functional Lead Quality and Environment advised that since the appointment of the new Specialist Advisor Health and Safety, additional assessments had taken place targeted at areas of the highest risk.

RESOLVED – To note the Quarter 2 accident statistics report.

8 Social Media Policy

The Head of HR and the RIPA Monitoring Officer introduced the report, which was to note a combined policy and guidelines for staff use of Social Media,

pulling together those previously held by Eastbourne and Lewes Councils. It was recognised that this policy sat alongside a more detailed policy on conducting internet and social media research into individuals, approved by both councils earlier this year.

It was confirmed that in the past the Council had had a more open approach to staff use of social media, where the IT access was unlocked but there were policies in place to govern usage. In more recent years, as staff were able to use their own personal devices to look at such sites during lunch times, it was considered appropriate that the access to social media sites on Council-owned devices was locked to staff whose use was an integral part of their jobs, and approved by managers. This was both a protection for the Council and for the officers themselves. The policy was in line with this position.

Members discussed the balance of this protection with a wish to promote a culture of trust in employees, and recognition that Officers were often best placed to promote the Council through social media. It was agreed that the policy and guidelines be supported, subject to an inclusion of a sentence in paragraph 1.2 to recognise that employees were a vital asset to the Council in this area.

RESOLVED –

- 1) To note that the Council's previously separate policies have now been aligned and updated; and
- 2) To request that the Social Media Policy and Guidelines be amended to include the following sentence at paragraph 1.2:

“It is recognised that Officers can be the greatest asset in promoting Councils' work via social media, whilst working within the confines of this policy”.

9 Proposed Joint Staff Advisory Committee

The Assistant Director – Legal and Democratic Services introduced the report to consult the Committee on arrangements for a new Joint Staff Advisory Committee and Joint Appointments Committee. This recognised that most staff worked across both Lewes District and Eastbourne Borough Councils, and there was a need for consultation and decision-making on staff matters to be made on a joint basis. This had been considered at the meeting of the Eastbourne Joint Staff Committee on 26 September, and agreed subject to any additional comments received from Unison at this meeting.

Unison representatives at the meeting highlighted three areas where they would wish to see additional changes in relation to the terms of reference for the Joint Staff Advisory Committee:

- a) It was requested that paragraph 1.2, specify that the union representatives were from Unison. In addition, it was asked that the number of its representatives be increased to 3, replacing one of the

other staff representatives, as Unison representatives stated that they believed that 75% of staff were Unison members.

- b) It was requested that the regional unison representatives and other staff representatives in training should be able to attend the meetings.
- c) It was advised that in Unison's view Member attendance on appeals against dismissal, grading and grievance should be mandatory not optional, as this was the purpose of this final appeal stage.

The Committee discussed each of these issues.

In relation to the Unison representation, HR confirmed that Unison was the only recognised union for the Council. Members agreed that the terms of reference should be amended to specify that the union representation should be 'from the recognised union', but felt the number of representatives from the union and staff, of two each, was appropriate.

In relation to the attendance of regional and other representatives, it was agreed that it was up to Unison to confirm who their two representatives were. However, holding the meeting in public, with restricted access on specific papers, would enable Unison to send other regional representatives and representatives in training as observers.

Finally, in relation to the role of the Committee in appeals, the Head of HR advised that Officers had suggested that Member involvement be at the request of the staff member, as many staff had reported they found it more intimidating for appeals to go to Members, and it often meant a longer delay in setting up such panels. The Committee agreed that two Members should be involved in the final stage of appeals as the employer, but only in relation to dismissal and grievance matters.

It was recognised that as this was different to the terms of reference approved by the Eastbourne Joint Staff Committee, there would likely need to be a delay in recommending this to each Full Council, to check that these changes could be approved by both authorities.

RESOLVED- To ask the Assistant Director HR and Transformation to put the proposals for a new 'Joint Staff Advisory Committee' and 'Joint Appointments and Appeals Committee' forward to the Full Council, subject to the following amendments to the Terms of Reference for the Joint Staff Advisory Committee, and to those being agreed by the Eastbourne Joint Staff Committee:

- a) The new Joint Staff Advisory Committee be held in public.
- b) Paragraph 1.2 of the terms of reference be amended so that the staff representatives were: '2 representatives from the recognised union and 2 staff group representatives'.
- c) Paragraph 6.5 of the terms of reference be amended to state that: 'For all appeals against staff dismissal and grievance, the Assistant Director – HR and Transformation shall invite 2 members of this Committee to be a part of the relevant appeals panel'.

10 Flexible Working Policy

The Head of HR presented the new flexible working policy, which was a combined document for both Councils. This set out the basis on which requests for flexible working arrangements by staff would be determined. This was distinct from flexi time or agile working. It was noted that the policy contained no significant changes to previous policies, but was a much clearer document for staff and managers to follow.

RESOLVED - To note and endorse the new combined Flexible Working Policy.

11 Sickness Absence Quarter 4 (2018/19) and Quarter 1 (2019/20)

The Head of HR presented the quarter 4 and quarter 2 sickness absence figures, both with and without waste services, as previously requested. This showed that against a target of 8 days sick leave per FTE, the Council had achieved in 2018/19 was 8.9 days, but this reduced to 7.93 days if waste service operatives were excluded. This compared well to the public sector average of 8.5 days and to other neighbouring authorities. The Quarter 1 figure was currently 2.20 (or 2.08 without waste services).

The Committee reviewed the levels and reasons for absence set out in the report.

It was appreciated that long term absence often had a larger effect on smaller teams. In addition, it was noted that areas of high pressure and those who worked in close-knit teams, such as the customer contact team and account managers, had higher levels of absence due to the type of work and because it was easier for seasonal colds and flu to be passed around. The Head of HR advised that the Council did have wellbeing activities in place available to all staff, and paid particular attention to supporting teams in pressurised areas.

The Committee received information on the breakdown between short and long term absence. It was clarified that the short-term absence was defined as that which was 4 weeks or less. Assurances were given that managers regularly reviewed this information with their HR Business Partners. The Head of HR agreed to send an example of the type of data managers received to the Leader of the Council for information.

A question was asked by unison representatives as to whether a question on absence had been included in the recent Employee Engagement Survey and if the results had been published. The Head of HR confirmed that the question had been included, and the results of the survey had now been published for all staff on the Hub (intranet) and an action plan made available for all managers.

Members asked on how absence was managed within tight-knit waste crews. Matthew Busby (unison representative) advised that the Lewes waste service had a floating crew of 6 operatives and 3 drivers and this was enabling a reduction in the reliance on agency staff to cover absence. It was noted that although a request had been made to account for waste services separately, the area did not have disproportionate levels of absence.

RESOLVED – To note the report.

12 Update on Joint Transformation Programme

The Head of HR advised that the Joint Transformation Programme was now complete, and that this was the last update on this matter.

She advised that a report on lessons learned from the programme had been sent to the Joint Consultative Committee, and agreed to email a copy to Members.

RESOLVED – To note the update.

13 Consideration of matters raised by the employees' side

Unison raised two matters under this item:

- a) **Removal of occupational sick pay from for the first year of new starters** – Unison expressed concern that they had not been consulted on this change. The Head of HR advised that this would impact new employees only from 1 November 2019 and the terms and conditions of no existing employees would change. This had been an operational decision, due to recent costs of occupational sick pay for new appointees, but did not affect statutory sick pay. The Head of HR agreed to brief the Leader of the Council on the details of the decision.
- b) **Request for the regional unison representative to attend branch secretary meetings with HR** - The Head of HR advised that she would need to consult with the Assistant Director HR and Transformation and would come back to unison on the matter.

14 Date of next meeting

The next meeting of the Committee was scheduled for 9 December 2019 at 10 am.

The meeting ended at 11.56 am

Councillor Isabelle Linington (Chair)