

EMPLOYMENT COMMITTEE

MINUTES OF THE MEETING of the Employment Committee held on Tuesday, 18 June 2013 at 12.15 pm at the The Executive Meeting Room - Third Floor, The Guildhall

Present

Councillor Gerald Vernon-Jackson (in the chair)

Councillor Donna Jones
Councillor Jason Fazackarley (deputising for
Councillor Steven Wylie)
Councillor Luke Stubbs
Councillor Rob Wood

Officers Present

David Williams, Chief Executive
Michael Lawther, City Solicitor
Jon Bell, Head of HR, Legal & Performance
Jeanette Smith, HR Programme and Contracts Officer
Shaun Tetley, Payroll and Pensions Manager
Frank Regan, Health and Safety Manager
Ama Juss, Employment Lawyer

27. Apologies for Absence (AI 1) (AI)

Apologies for absence were received from Councillor Steven Wylie and Councillor Jason Fazackarley deputised for him at this meeting. Councillor Gerald Vernon-Jackson was elected to chair the meeting.

28. Declarations of Members' Interests (AI 2) (AI)

Councillor Rob Wood declared a personal, non-prejudicial interest in all the agenda items in that his son-in-law works at Harbour School and his step grandson works for the council.

29. Minutes of 19 February (and exempt appendix) and 15 April 2013 (AI)

RESOLVED that the minutes of the meetings of the Employment Committee held on 19 February 2013 (and exempt appendix) and 15 April 2013 be confirmed and signed by the chair as a correct record.

30. Health and Safety Annual Report 1 April 2012 to 31 March 2013 (AI)

Mr Frank Regan, Health & Safety Manager, introduced the report which updated the Employment Committee on Portsmouth City Council's (PCC) Health and Safety (H&S) performance for the period 1 April 2012 to 31 March 2013.

Mr Regan said that no fatalities or serious incidents involving council employees associated with work activities and/or infrastructure had been reported to PCC H&S unit in this reporting year. Overall, incidents reported were 20% fewer than in the previous year and RIDDOR (the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995) reports reduced by 40%. PCC incident statistics for 2012/13 reflect a proactive reporting culture and highlighted no negative trends in health and safety management by council employees. Mr Regan explained that the majority of the incidents reported for this year relate to minor injuries, non-injury events and precautionary hospital visits for schoolchildren involved in accidents at school.

RESOLVED that the 2013/14 H&S action plan be agreed and endorsed by the Employment Committee.

31. Alcohol and Substance Misuse Policy (AI 5) (AI)

Mr Jon Bell introduced the report and said that the current policy had not been reviewed since January 2001. Mr Bell said that the current policy does not meet the needs of the organisation for the reasons set out in 3.2 and proposed that the draft policy attached as Appendix 1 operates a no alcohol policy for all council employees during the working day.

Following discussion, the majority of members considered the policy already in force to be adequate and that if there were any problems there were already strategies that could be used to solve any difficulties.

RESOLVED that the recommendations in the report be rejected.

32. Career Break Policy (AI 6) (AI)

(TAKE IN REPORT)

The Head of HR, Legal and Performance introduced the report and said that its purpose was to recommend the removal of the recently revised career break policy and to reinstate the original career break policy. He said that the career break policy was reviewed at Employment Committee in October 2012 and it had been agreed that employees would be required to resign from their posts. If they then wished to return to employment they would be considered for internal vacancies at the same time as other internal applicants but would be considered after redeployees and would not be able to apply for ring-fenced posts.

The Head of HR, Legal and Performance said that the trade unions had expressed their dissatisfaction with the revised policy as in effect the employee is forced to resign. In addition having consulted with a number of managers it had become clear that the career break policy in its original form had been highly valued by some managers.

During discussion members felt that more information would be useful before they made any changes. For example how many people ask to go on career breaks and what is the cost to the authority?

RESOLVED that

- (1) the Employment Committee rejects the recommendation in the report;**
- (2) requests that a report comes back to the committee with a scheme where career breaks would be allowed and a person can come back to the original job if that is available as long as it is at zero cost to the authority.**

33. Report on Q4 Sickness Scorecard for Members (AI 7) (AI)

(TAKE IN REPORT)

The Head of HR, Legal and Performance introduced the report which was designed to provide an overall analysis of sickness absence within each service and Portsmouth City Council overall. The report excludes schools, internal agency and all casuals. He said that there had been a small decrease in sickness absence levels but that they were still too high. He said that work was being done to deal with the situation and that a working party had been set which included Councillors Donna Jones and Leo Madden as well as senior officers. He said that this group had met once and that future meetings were planned.

During discussion the following points were raised:

- Concerns were expressed by members about the accuracy of reporting of sickness absence.
- The sickness absence terms and conditions formed part of the national terms and conditions and these may need to be renegotiated.
- Members requested that actual numbers of employees off sick be given as well as percentages.

The Head of HR, Legal and Performance said that owing to the prevalence of back problems in the Housing section a back specialist had been employed to try to improve this situation. There had also been a new contract for occupational health services which was cheaper and was more responsive to managers' needs.

RESOLVED that the sickness absence figures continue to be reviewed on a regular basis.

34. Long Service Award (AI 8) (AI)

(TAKE IN REPORT)

Mr Jon Woods of Unite was invited to make his deputation. Mr Woods spoke in favour of keeping the long service award.

The Head of HR, Legal and Performance introduced the report which provided the Employment Committee with further options to consider for rewarding long service in order to reduce administration and cost for Portsmouth City Council. He said that in January 2013 the Employment Committee requested that an alternative recognition arrangement be explored whereby employees achieving 25 years' service are invited to a lunch reception with the Lord Mayor.

During discussion the following points were raised:

- Informal soundings indicated that although some employees liked the alternative proposals most preferred to keep the monetary award.

RESOLVED that the current £255 long service award and certificate be retained.

35. Senior Management Structure (AI 9) (AI)

(TAKE IN REPORT)

The Chief Executive outlined the report which was to update members on the progress being made to implement the senior management structure as agreed by this committee on 15 April 2013.

He said that he proposed that the designation of the post previously referred to as Director of People Services be changed to Children's and Adults' Services. He said that since the last meeting, the Director of Public Health post had been evaluated at Band 19. The salary for this post equated to a salary in the range of £99,007 to £109,430 and consequently this would have to be sent for approval to full council.

In response to questions the following matters were clarified:

The Chief Executive confirmed that in his view the Director of Public Health role was a full time post.

The Chief Executive recommended that members use a panel to support them in taking their decision when recruiting to this role.

The Chief Executive said that the post required a high calibre person to fulfil it.

A discussion took place about the possibility of a shared role with another authority and whether the role should be part time or full time.

RESOLVED that members

- (i) approve the designation of the post previously referred to as Director of People Services to "Director of Children's and Adults' Services";**
- (ii) note the grading of the post of Director of Public Health within the Council's pay structure as Band 19;**
- (iii) recommended to Full Council that approval be given to offer an appointment within Band 19, currently equating to a salary in the range of £99,007 to £109,430 (in accordance with the resolution passed at 19 March 2013 council meeting);**
- (iv) approve the proposed arrangements for recruiting to the role of Director of Public Health;**
- (v) note the progress being made on an assurance framework to assist the Council to maintain and review an assurance that the statutory role of Director of Children's Services can be adequately discharged within the new structure;**
- (vi) agree an up-date against the assurance framework in 12 months' time.**

36. Standby Allowance Payments (AI 10) (AI)

(TAKE IN REPORT)

It was proposed by Councillor Gerald Vernon-Jackson and seconded by Councillor Leo Madden that in view of the contents of the following items on the agenda the meeting move into exempt session.

RESOLVED that under the provisions of Section 100A of the Local Government Act 1972 as amended by the Local Government (Access to Information) Act 1985, the press and public be excluded for the consideration of the items listed on the agenda on the grounds that the reports contain information defined as exempt in section 100I and by reference Part 1 of Schedule 12A to the Local Government Act, 1972.

At this point Councillor Gerald Vernon-Jackson was obliged to leave the meeting because of other council business.

It was proposed by Councillor Jason Fazackarley and seconded by Councillor Rob Wood that Councillor Leo Madden be elected chair for the remainder of the meeting and this was agreed.

The Head of HR, Legal and Performance explained that the purpose of the report was to provide the committee with further information relating to standby allowance payments and to recommend a revised standby allowance payment scheme. He

explained that a review had been undertaken across the whole of the authority to ascertain which posts receive standby allowance and for what purpose, whether the existing standby allowance meets the needs of the service area and what the implications would be if the standby allowance were to be changed or removed.

He said that the conclusion of the review was that the existing standby allowance meets the needs of most of the services. There are two services where the standby allowance rate is causing difficulties - the first is in the Adult Mental Health Practitioner team and the second is in the Fostering team. The reasons for this are set out in 4.2 of the report. The Head of HR, Legal and Performance said that the options for an alternative standby allowance payment were set out in Section 5 of the report and that the recommended option was option 2.

There followed a discussion of the contents of the exempt appendix to the report.

In response to questions the following matters were clarified:

- Portsmouth City Council is competing with other local authorities in the region that are currently paying higher standby allowance rates than Portsmouth and exit interviews indicate that this is a factor in Portsmouth City Council losing staff in the Adult Mental Health Practitioner team and the Fostering team.
- It was confirmed that under the proposed new standby allowance, there would be a difference in the allowance paid depending on the staff called out. The payments would factor in the level of stress and the level of disruption caused to the individual.
- The City Solicitor said that it was important to monitor the situation closely and to be fair across all departments.

It was proposed by Councillor Jason Fazackarley and seconded by Councillor Donna Jones that option 2 as set out in the report in detail in Section 5.2 and this was agreed.

RESOLVED that

(1) A revised Standby Allowance payment scheme be implemented (as set out in option 2, section 5.2 of the report) which takes account of the number of times a person is disturbed and the potential emotional impact of the disturbance;

(2) Any additional costs arising from amendments to standby allowances be funded from existing, approved budgets.

37. Date of Next Employment Committee Meeting (AI)

The date of the next scheduled meeting is 1 October 2013.

The meeting concluded at 2.16 pm.

Councillor Gerald Vernon-Jackson
Chair