



NOTICE OF MEETING

EMPLOYMENT COMMITTEE

TUESDAY, 18 JUNE 2013 AT 12.15 PM

THE EXECUTIVE MEETING ROOM - THIRD FLOOR, THE GUILDHALL

Telephone enquiries to Vicki Plytas
Email: vicki.plytas@portsmouthcc.gov.uk

Membership

Councillor Steven Wylie (Chair)
Councillor Gerald Vernon-Jackson (Chair)
Councillor Donna Jones
Councillor Leo Madden
Councillor Luke Stubbs
Councillor Rob Wood

Standing Deputies

Councillor Lee Hunt
Councillor Hugh Mason
Councillor Robert New
Councillor Steve Wemyss

(NB This agenda should be retained for future reference with the Minutes of this meeting.)
Please note that the agenda, minutes and non-exempt reports are available to view online on the Portsmouth City Council website: www.portsmouth.gov.uk

Deputations by members of the public may be made on any item where a decision is going to be taken. The request should be made in writing to the contact officer (above) by 12 noon of the working day before the meeting, and must include the purpose of the deputation (for example, for or against the recommendation). Email requests are accepted.

AGENDA

- 1 Apologies for Absence

2 Declarations of Interests

3 Minutes - 19 February (and exempt appendix) and 15 April 2013

RECOMMENDED 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.

(Please note that if any discussion is needed on the exempt appendix this will have to be in exempt session)

4 Health and Safety Annual Report 1/04/2012 - 31/03/2013 (Pages 1 - 10)

The purpose of the report is to update the Employment Committee on Portsmouth City Council's (PCC) health and safety (H&S) performance for the period 1 April 2012 - 31 March 2013.

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

5 Alcohol and Substance Misuse Policy - (Pages 11 - 32)

The purpose of the report is to highlight the need for the Substance Misuse Policy in Part 6, Section 2 of the Manager's HR Handbook to be updated.

RECOMMENDED that the Committee

(1) Adopt a no alcohol policy for all Council employees during the working day (including lunchtimes and breaks). The draft policy is attached at Appendix 1.

(2) Agree that the section relating to staff drinking alcohol at resident celebratory occasions in the Adult Social Care - Substance Misuse - Drugs, Smoking and Alcohol policy is removed in order to comply with the no alcohol policy.

6 Career Break Policy (Pages 33 - 42)

The purpose of the report is to recommend the removal of the recently revised Career Break Policy and to reinstate the original Career Break Policy.

RECOMMENDED that Employment Committee agree to reinstate the original policy but with a more robust authorisation process for career breaks.

7 Report on Q4 Sickness Scorecard for Members (Pages 43 - 48)

This report is designed to provide an overall analysis of sickness absence within each service and Portsmouth City Council overall. This report excludes

schools, internal agency and all casuals.

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

8 Long Service Award (Pages 49 - 52)

The purpose of the report is to provide the Employment Committee with an alternative option to the current Long Service Award, in order to reduce administration and cost for Portsmouth City Council.

RECOMMENDED that the Employment Committee:

(i) Review its previous decision to remove the monetary long service award, in light of informal feedback from managers

(ii) Replace the current £255 Long Service Award and Certificate with a Gift Card for a value to be determined by the Employment Committee.

9 Senior Management Structure (to follow) (Pages 53 - 64)

Update report.

10 Standby Allowance Payments (Pages 65 - 74)

The purpose of this report is to provide the Employment Committee with further information relating to Standby Allowance payments that are currently used throughout the Authority and to recommend a revised Standby Allowance payment scheme.

RECOMMENDED that:

(1) A revised Standby Allowance payment scheme is implemented 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 are funded from existing, approved budgets.

(Please note that if any discussion is needed on the exempt appendix this will have to be in exempt session).

11 Date of Next Employment Committee Meeting

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

12 Exclusion of Press and Public

That in view of the contents of the following items on the agenda the

Committee is RECOMMENDED to adopt the following motion:

“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 following item(s) on the grounds that the report(s) contain information defined as exempt in section 100I and by reference Part 1 of Schedule 12A to the Local Government Act, 1972”.

Although there is a public interest favouring public access to local authority meetings, given the legally privileged and commercially sensitive information contained in the report, the public interest in maintaining the exemption outweighs the public interest in disclosing the (exempt) information.

(NB The exempt/confidential committee papers on the agenda will contain information which is commercially, legally or personally sensitive and should not be divulged to third parties. Members are reminded of standing order restrictions on the disclosure of exempt information and are invited to return their exempt documentation to the Democratic Support Officer at the conclusion of the meeting for shredding.)

<u>Item</u>	<u>Exemption Para No.*</u>
13	4
14	3, 4 and 5

***Paragraph Exemption Nos:**

3.Information relating to the financial or business affairs of any particular person (including the authority holding that information)

4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between Portsmouth City Council and employees and

5.Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings

13 Exempt appendix to minutes

14 Exempt appendix - (Standby Allowance Payments) Legal Advice

Background list of documents: Section 100D Local government Act 1972 – None, other than where mentioned at the end of individual reports.

Agenda Item 4

Agenda item:

4

Decision maker: Employment Committee

Subject: Health and Safety Annual Report: 1/04/2012 – 31/03/2013

Report by: Jon Bell – Head of Human Resources, Legal & Performance

Wards affected: All

Key decision (over £250k): No

1. Purpose of report

To update the Employment Committee on Portsmouth City Council's (PCC) health and safety (H&S) performance for the period 1 April 2012 - 31 March 2013.

2. Recommendations

2.1 It is recommended that:

- (i) The 2013/14 H&S action plan be agreed and endorsed by the Employment Committee.

3. Health and safety report

3.1 Introduction:

3.1.1 The corporate health and safety (H&S) management system is maintained and monitored by the H&S Unit, who are accountable to the Strategic Directors Board (SDB) via the Head of Human Resources, Legal & Performance (HHR). The H&S team is directly employed by the council and their role is to provide advice, guidance and support to members, managers and employees to enable them to fulfil their legal/moral H&S responsibilities and comply with the corporate H&S policy and UK legislation.

3.1.2 HSE involvement with PCC continues to be pro-active and there were no formal prohibition/improvement notices served on the council in 2012/13. An intervention relating to a particular asbestos management incident was initially declared as rechargeable under the HSE's 'fee for intervention cost recovery scheme' but cooperation between the HSE inspector and the H&S manager resulted in no formal action being taken, subject to a review of the council's Corporate Asbestos Management Policy being undertaken and service-specific asbestos management plans being reviewed.

3.1.3 The Health and Safety (Fees) Regulations 2012, which became law on 1st October 2012, introduces a new and 'real' threat of the Council receiving financial penalties where H&S management failings are identified by the Health and Safety Executive (HSE). This new legislation directs the HSE to recharge the council for all their costs relating to an intervention, where a material breach is identified (no prosecution/notice necessary).

3.1.4 Following contact in August and subsequent consultation with The Health Protection Agency (working in partnership with the HSE) the H&S Manager was directed to provide a 'Radon management' report to M Lawther for submission at informal cabinet. The report and associated

recommendations were approved and Housing and Property Services (formally AMS) are taking the lead in producing and implementing a corporate management strategy to ensure Portsmouth City Council complies with its legal duties to manage and monitor radon throughout the Council's building portfolio.

3.1.5 Information relating to specific work undertaken by the H&S Unit during this reporting period is detailed in the remainder of this report. The proposed 2013/14 H&S Unit action plan is attached as Appendix 1 and progress regarding the 2012/13 action plan is detailed at Appendix 2.

3.2 Communication channels:

3.2.1 The Joint Health Safety and Wellbeing Forum (JHSWF) continues as the corporate committee for reviewing and addressing H&S management issues and communicating H&S related policy and procedural changes council-wide. The forum's membership remains constant and meetings are well attended and the associated e-newsletter (Making your Workplace Safer) is proving a popular means of ensuring important information discussed by the forum is cascaded council-wide on a quarterly basis (issue 8 circulated in March 2013).

3.2.3 The H&S Unit webpage on IntraLINK continues to be maintained with corporate health and safety information relevant to all council services and schools. Policy and guidance documents accessible through the webpage are continually subject to review by the H&S team and are replaced or updated as necessary.

3.2.4 A 'schools H&S Unit webpage' (mirroring the content of the corporate H&S webpage) was developed and launched by the H&S Unit in December and is hosted on the Local Authority schools 'Google-based' website. This allows corporate and school-specific policies and other information produced by the H&S Unit to be accessed by all school staff via the internet, overcoming historical barriers including limited access to corporate policies and reliance on IntraLINK for accessing H&S Unit H&S advice/information.

3.3 Health and safety training:

3.3.1 The revised H&S Unit training strategy which commenced in April 2011 continues to increase statutory H&S training uptake council-wide (including schools) in a more cost-effective manner.

3.3.2 Continuing last year's successful transition, the upward trend continued in this reporting year with **3,538** members of staff receiving statutory cost effective training facilitated by the Council's H&S Unit and 'People Handling and Back Care Advisor'.

3.3.3 Statutory H&S training is being delivered predominantly by e-learning with courses designed and created by the H&S Unit at minimal financial cost to the council. Classroom based training is still being delivered to staff groups where e-learning is not a viable option and the recently appointed Fire Safety Advisor introduced face-to-face training courses for fire safety wardens in December 2012 (included in the statistics below).

3.3.4 The corporate Managed Learning Environment (MLE) software was upgraded in January to facilitate Local Authority School's e-learning training statistics being included in future corporate training statistics presented at the JHSW forum and included in future annual H&S reports.

3.3.5 A breakdown of training facilitated by the H&S Unit and 'People Handling and Back Care Advisor' (PHBCA) in 2012/13 is as follows:

H&S E-learning courses

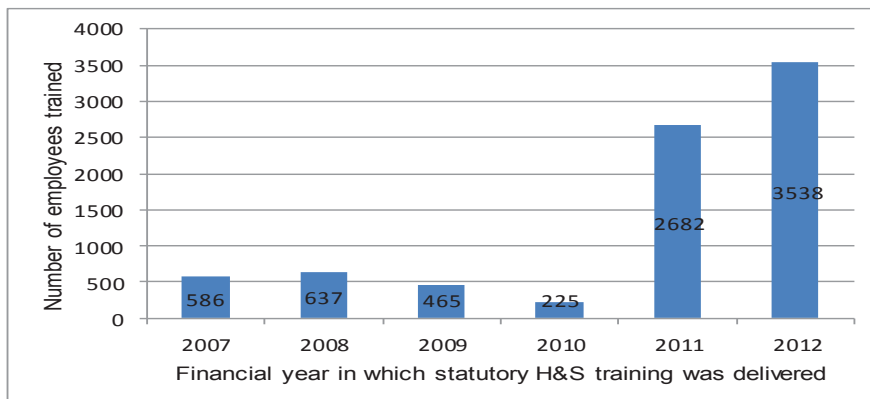
- H&S Induction 456
- H&S Induction for Members 41
- Using computers and DSE safely 560
- Manual handling 287
- Incident reporting and Investigation for managers 139
- Legionella awareness 41
- Asbestos awareness 67
- Fire safety awareness 715
- 2306 (total)**

Stand-alone H&S Unit training kit

- H&S induction briefing 52
- Fire safety awareness briefing 36
- 88 (total)**

Classroom based courses:

- Practical load handling 91
- Practical 'people handling' (delivered by PHBCA) 856
- H&S foundation for staff 23
- Control of substances hazardous to health 100
- Risk assessment 33
- Fire safety warden training (delivered by Fire Advisor) 41
- 1144 (total) combined total = 3538**

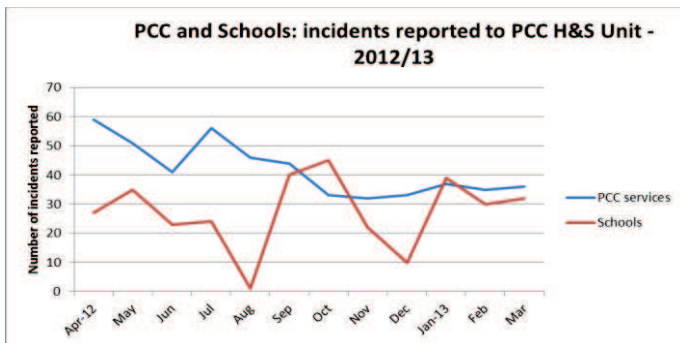


Data taken from H&S records and MLE system on 3rd April 2013

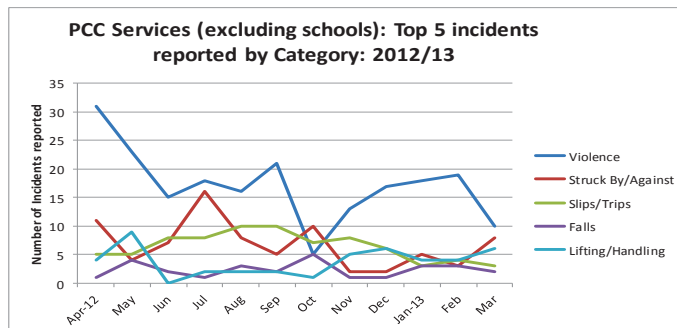
3.4 Incident reporting statistics for 2012/2013:

3.4.1 No fatalities or serious incidents involving council employees associated with work activities and/or infrastructure were reported to PCC H&S Unit in this reporting year. Overall incidents reported were 20% fewer than in the previous year and RIDDOR reports reduced by 40%. PCC incident statistics for 2012/13 reflect a pro-active reporting culture and highlighted no negative trends in health and safety management by council employees.

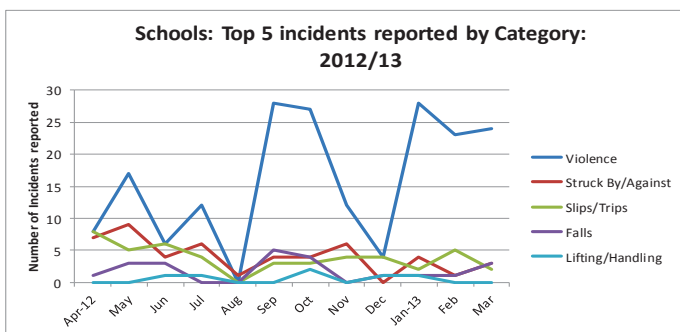
3.4.2 The total number of incidents reported (accidents and violent incidents) reported to the H&S Unit in 2012/13 was 831 (503 PCC services + 328 schools), compared with 1036 in 2011/12 (619 PCC services + 417 schools). The majority of the incidents reported for this year relate to minor injuries, non-injury events and precautionary hospital visits for school children involved in accidents at school.



Data taken from H&S Unit corporate databases on 8th May 2013



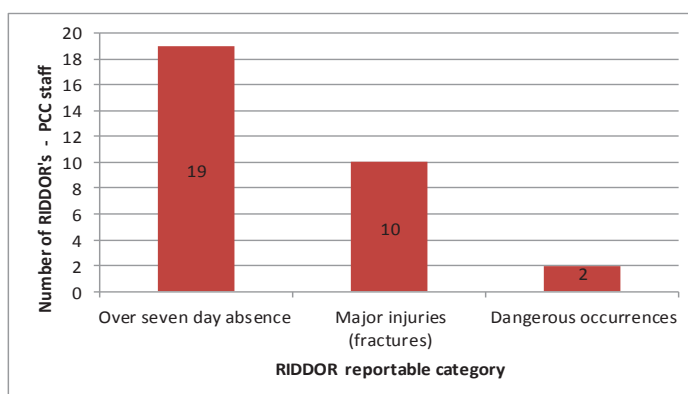
Data taken from H&S Unit corporate databases on 8th May 2013



Data taken from H&S Unit corporate databases on 8th May 2013

3.4.3 RIDDOR reports accounted for 87 of the total number of incidents reported (37 PCC services + 50 schools), compared with 145 in the previous year (63 PCC services + 82 schools). Of the 87 reports, 31 involved staff (predominantly 'work related absence') and 56 involved members of the public (mainly school children taken to hospital for precautionary checks).

RIDDOR - a legal requirement to report specified incidents to the Health and Safety Executive (*The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995*)

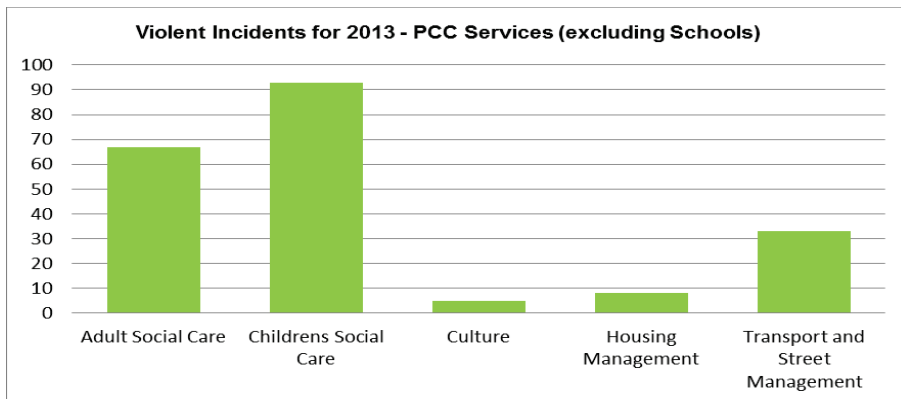


Data taken from H&S Unit corporate databases on 10th June 2013

3.4.4 The significant reduction in RIDDOR reports over the past two years (40% and 25% respectively) is attributable to a better understanding of the reporting requirements within the H&S Unit and the wider PCC community and this downward trend is also expected to continue in next year's statistics.

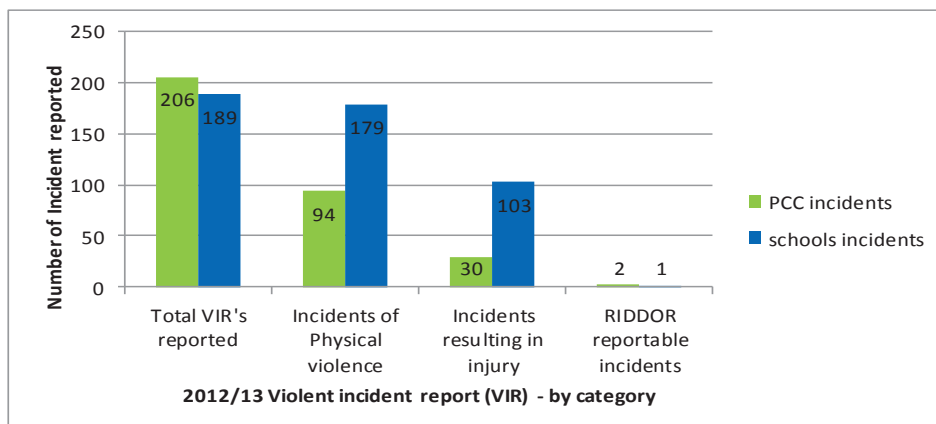
3.4.5 Violent incident reports (VIRs) - accounted for 395 (206 PCC services + 189 Schools) of the 831 incidents reported to the H&S Unit in 2012/13, compared with 442 VIRs reported in the previous year (225 PCC Services + 217 Schools). 273 of the violent incidents reported involved

physical violence (94 PCC + 179 schools) but only 133 resulted in physical injury, mostly minor (30 PCC + 103 Schools). Only 3 x violent incident were RIDDOR reportable (all due to the members of staff involved being off work for more than 7 days with minor injuries).



Data taken from H&S Unit Corporate databases on 13th May 2013

3.4.6 The majority of violent incidents against 'PCC services' employees (excluding schools) relate to social care staff interacting with their clients, (accountable for 160 of the 206 incidents reported, including 2 x RIDDOR reports). Civil Enforcement Officers were involved in 31 incidents whilst on duty, involving members of the public.



Data taken from H&S Unit corporate databases on 10th May 2013

3.5 Policy reviews

3.5.1 The following corporate policies and guidance documents were produced and/or reviewed by the H&S Unit in this reporting year:

Policies

- Corporate Health and Safety Policy (3rd edition): April 2012
- Health and Safety - The Procurement of Contractors, Suppliers, and Partner Organisation Policy (3rd edition): June 2012
- Fire Policy (2nd edition): July 2012
- Driving for Work Policy: August 2012
- Fire Policy (3rd edition): February 2013
- Policy for Managing Violence against School Employees: January 2013

Guidance documents

- Legionella Management for Schools - Responsibilities Explained: May 2012

- Fire Prevention Checklists for Fire Warden (2nd edition): July 2012
- Fire Safety in Buildings Guide (2nd edition): July 2012
- Stress Management Guidance (2nd edition): July 2012
- Stress Risk Assessment Guidance (2nd edition): July 2012
- Fire Safety PEEP plan for Individuals: August 2012
- Fire Safety Handbook: February 2013
- Work Activity Risk Assessment Guidance: April 2013

3.5.2 The following policies are currently undergoing council-wide consultation:

- Corporate Accident Reporting Policy
- Corporate Asbestos Management Policy (2nd edition)
- Corporate Legionella Management Policy

3.6 H&S Unit Service Level Agreement (SLA) for Schools:

3.6.1 The SLA introduced in April 2011 expired on 31st March 2013 and 2 x revised SLA's were produced by the H&S Manager (in consultation with HR management and finance) and offered to LA Schools and Academy Schools for financial year 2013/14. The income generated from the SLA in this reporting period offset partial cost of the H&S provision to schools provided by the H&S Unit. The pricing structure in the new SLA's has been revised to ensure a fair contribution by schools signing up and to assist in ensuring this service can remain sustainable.

3.6.2 Feedback from schools focal points/forums, including Joint Executives, Primary Head Teachers, Secondary Head Teachers, Teachers Liaison Panel and the Governors Forum, continues to be positive and no negative feedback has been registered. The formulation and introduction of the new 'Policy for Managing Violence against School Employees' was a joint effort involving close collaboration between schools management teams and the H&S Unit and implementation is proving successful since the policy went live in January 2013.

3.6.3 At time of writing this report the number of schools opting in to the SLA was positive, with **58** out of **59** LA schools signed up for year 2013/2014. The SLA is also being offered to 'Academy' schools within Portsmouth City.

3.7 Corporate H&S Unit Action Plans

3.7.1 The 2012/13 H&S Unit action plan, submitted for approval, is attached at Appendix 1.

3.7.2 The 2011/12 H&S Unit action plan has been reviewed and is attached as Appendix 2. The action to produce a corporate audit and inspection programme is still deferred until 2013 as a result of unexpected work demands on the H&S Unit over the past 12 months, the HR Service review and the need to finalise outstanding corporate policies prior to introducing the corporate audit/inspection process. The H&S Unit advisors will continue to complete site-specific H&S inspections (Health Checks) until the audit/inspection policy is produced and goes live.

4. Reasons for recommendations

4.1 These recommendations are put forward for approval to assist the council in complying with UK H&S legislation, PCC H&S policies and to strive for continual improvement of the corporate H&S management system

5. Equality impact assessment (EIA)

5.1 This report has undergone an effective Equality Impact Assessment

Signed Date

Jon Bell, Head of Human Resources, Legal & Performance

6. Legal Implications

There are no legal implications in this report and it ensures that the council meets its statutory duties and also supports the council’s policies on H&S.

7. Head of finance’s comments

7.1 There are no additional financial costs arising from the recommendations in this report.

Appendices:

Appendix 1: H&S Unit Corporate Action plan for 2013/14

Appendix 2: Update of H&S Unit Corporate Action Plan 2012/13

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

Signed by:

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Portsmouth City Council: H&S UNIT Corporate Action Plan 2013/14

Action	Objective	Target date	Lead person	Update/ outcome
1. Annual review of the corporate H&S policy and statement of intent	To ensure compliance with H&S legislation and council policies and strategies	28/02/14	H&S Manager	
2. Produce/implement a corporate H&S audit and inspection policy	To provide corporate assurance and verify service/ workplace specific compliance with corporate H&S policy	31/12/13	H&S Manager	
3. Draft and implement a revised corporate violence management policy, report form and associated database	To provide meaningful data and corporate direction to assist managers in capturing information for use in reviewing work processes, managing litigation claims and complying with law (RIDDOR 1995)	31/1/14	H&S Manager	
4. Draft and implement a corporate accident reporting policy	To introduce 1 x user-friendly report form, a new database to provide meaningful data and corporate direction - to assist managers in capturing information for use in reviewing work processes, managing litigation claims and complying with law (RIDDOR 1995)	01/07/13	H&S Manager	
5. Produce a corporate H&S Risk Assessment e-learning course and review face-to-face training course	To assist managers and staff in understanding corporate H&S risk assessment requirements and give practical experience in completing 'task specific' risk assessments	31/10/13	H&S Manager	
6. Produce and implement corporate legionella policy	To ensure compliance with H&S legislation and be able to clearly demonstrate Corporate and service-specific compliance to the Health and Safety Executive	31/08/13	H&S Manager	
7. Review and implement the Corporate Asbestos Management Policy	To ensure compliance with H&S legislation and be able to clearly demonstrate Corporate and service-specific compliance to the Health and Safety Executive	31/07/13	H&S Manager	
8. H&S Unit staff review	Consider restructuring in light of HR service review, customer/corporate H&S needs, School's SLA income and an H&S Advisor retiring.	31/10/13	Head of HR	
9. Deliver schools services in accordance with the SLA	To ensure compliance with H&S policy/legislation and generate income to support the H&S Advisor post	31/03/14	H&S Manager	
10. Further develop and maintain the corporate and schools H&S webpages	To continue to provide a one-stop location for corporate H&S policies and H&S information relevant to Council work activities	31/03/14	H&S Manager	
11. Produce the annual report for employment committee	For compliance with corporate H&S policy	30/05/14	H&S Manager	

Update: H&S UNIT Corporate Action Plan 2012/13

Action	Objective	Target date	Lead person	Update/ outcome
1. Annually review of the corporate H&S policy and statement of intent	To ensure compliance with H&S legislation and council policies and strategies	28/02/13	H&S Manager	Action Complete
2. Produce/implement a corporate H&S audit and inspection policy	To provide corporate assurance and verify service/ workplace specific compliance with corporate H&S policy	31/03/13	H&S Manager	Incomplete (see note 1 below)
3. Develop the H&S website on IntraLINK	Provide a one-stop location for corporate H&S information	31/03/13	H&S Manager	Action complete
4. Draft and implement a schools violence management policy and associated database	To provide schools management teams and HR with direction on managing violent incidents against staff and producing meaningful data for trend analysis. Also to ensure compliance with RIDDOR Regulations 1995	31/7/12	H&S Manager	Action complete
5. Draft/implement a corporate driving for work policy	Requirement identified by PCC Fleet Manager	31/05/12	Fleet Manager	Action complete
6. Draft/implement a corporate accident and incident reporting policy	To provide user friendly forms and a new database to ensure meaningful data is collated and secure. Also to ensure compliance with RIDDOR Regulations 1995	31/12/12	H&S Manager	Incomplete (see note 2 below)
7. Review the corporate H&S risk assessment guidance	To provide auditable trail for non-documented risk assessments and clear guidance for managers/staff, to include e-learning course	31/01/13	H&S Manager	Incomplete (see note 3 below)
8. Review the corporate H&S e-learning courses	Task identified by L&D (transfer courses from 'seminar' to 'learning pool' software)	30/11/12	H&S Manager	Action complete
9. Deliver schools services in accordance with the SLA	To ensure compliance with H&S policy and legislation and generate income to support H&S Advisor post	31/03/13	H&S Advisor for schools	Action complete
10. Produce the annual report for employment committee	For compliance with corporate H&S policy	30/05/13	H&S Manager	Action complete

Notes:

- Action deferred until December 2013 due to unexpected demands on the H&S Unit in this reporting year and to the need to introduce final elements into the H&S management system to facilitate meaningful audits. The unexpected demands included the development and review of corporate policies (Asbestos, Legionella and Fire) and the need to create a schools LA H&S Unit website.
- The Corporate Accident Reporting Policy has been drafted and the consultation process has been completed. The associated database is being produced in-house by HR but not yet finalised. The revised target date for introducing the policy is 1st July 2013, to coincide with quarterly statistical report requirements.
- The 'Risk Assessment: A Guide for Managers and Staff' document has been completed and published but this project identified a need to review the corporate face-to-face H&S risk assessment training course and introduce a 'non-mandatory' risk assessment e-learning course. Work is progressing at time of writing this report and the revised target date for completion of this project is October 2013.



Agenda item:

5

Title of meeting: Employment Committee

Date of meeting: 18 June 2013

Subject: Alcohol and Substance Misuse Policy

Report by: Head of HR, Legal and Performance

Wards affected: N/A

Key decision: No

Full Council decision: No

1. Purpose of report

The purpose of the report is to highlight the need for the Substance Misuse Policy in Part 6, Section 2 of the Manager's HR Handbook to be updated.

This report applies to Council employees and does not include Members.

2. Recommendations

It is recommended that Employment Committee;

- i. Adopt a no alcohol policy for all Council employees during the working day (including lunchtimes and breaks). The draft policy is attached at Appendix 1.
- ii. Agree that the section relating to staff drinking alcohol at resident celebratory occasions in the Adult Social Care - Substance Misuse - Drugs, Smoking and Alcohol policy is removed in order to comply with the no alcohol policy.

3. Background

- 3.1. The current policy (attached as Appendix 2) has not been reviewed since January 2001. The current policy states that;

For jobs which involve contact with the public or other external bodies you should not drink during work time to the extent that it would be evident. This includes the smell of alcohol on breath.

Departments will identify posts where there is additional sensitivity surrounding substance misuse e.g working with children and devise appropriate policy locally.

Being under the influence of substances at work to the extent that it could affect performance, colleagues, the public or the reputation of the city council will be regarded as misconduct and dealt with under the Disciplinary Procedure. This may include compulsory leave of absence.

- 3.2. The current policy does not meet the needs of the Organisation for the following reasons;
- The policy is unclear, which makes it difficult for managers to determine what level of alcohol consumption is acceptable.
 - It does not support the City Council's promotion of the importance of health and safety, employee wellbeing and a healthy lifestyle.
 - It does not support the standard of customer service required through-out the City Council.

- 3.3. The proposed draft policy (attached as Appendix 1) states that Portsmouth City Council operates a no alcohol policy for all Council employees during the working day (including lunchtimes and breaks). An employee should not attend for work under the influence of alcohol or substances.

The policy title will change from "Substance Misuse Policy" to "Alcohol and Substance Misuse Policy".

- 3.4. The section relating to staff drinking alcohol at resident celebratory occasions in section 7 of the Adult Social Care - Substance Misuse - Drugs, Smoking and Alcohol policy (attached as Appendix 3) should also be removed in order to comply with the no alcohol policy.

The Adult Social Care policy states:

"The consumption of alcohol at work will only be acceptable at celebratory occasions (eg Christmas, Birthday Parties, Residents' celebrations and specific parties). Such celebratory occasions must be approved by a unit manager or team manager. Arrangements of such celebratory occasions should be considerate of the time of day or staff rota. Alcohol should only be consumed in view of clients when they are themselves participating in the occasion. This should be limited to one drink only (1 unit). Staff must remain mindful of the possible effect of any alcohol consumed on their ability to undertake their job and other activities (eg driving)".

The Adult Social Care policy is published on IntraLINK but section 7 is rarely used. The Head of Adult Social Care has been consulted and is in agreement with the section being removed from their additional policy in order to comply with a 'no alcohol' policy.

- 3.5. The issue of drinking alcohol during the working day has been raised previously. The Health Overview and Scrutiny Panel in their Review of Alcohol-Related Hospital Admissions (January 2011) recommended prohibiting alcohol consumption during the working day.

3.6. The draft policy has been considered by the Health, Safety and Wellbeing Forum and agreed at the Strategic Directors Board.

4. Equality impact assessment (EIA)

A preliminary EIA has been completed and a full EIA is not required.

5. Legal implications

The City Solicitor is satisfied there are no legal implications arising from the report.

6. Finance comments

There are no financial implications arising from the recommendations of this report.

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Signed by:

Appendices:

- Appendix 1 - Draft Alcohol and Substance Misuse Policy
- Appendix 2 - Current Substance Misuse Policy
- Appendix 3 - Adult Social Care - Substance Misuse - Drugs, Smoking and Alcohol

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Health Overview and Scrutiny Panel - Review of Alcohol-Related Hospital Admissions	http://www.portsmouth.gov.uk/media/hosp20110127r7_2.pdf

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Contents:

Introduction
Scope
Policy Statement
Framework

Substances
Prescribed/Self medicated drugs
Dependency
Conduct outside of work
Support

ID	HR Policy – Alcohol and Substance Misuse Policy P6S02 v 1.0 - Draft
Last Review Date	Draft June 2013
Next Review Date	
Approval	Head of Service
Policy Owner	Head of Service
Policy Author	Anna Buxcey
Advice & Guidance	Please contact the HR Employee Relations Team
Location	HR Policies - Wellbeing Part 6, Section 02 http://intranet/PortsmouthCityCouncil/PoliciesStrategies/7960.html
Related Documents	
Applicability	This policy applies to all employees in the City Council, except those in schools

1. INTRODUCTION

- 1.1. The policy sets out the Councils approach to issues arising from alcohol and substance misuse. It outlines the support that can be offered.
- 1.2. Portsmouth City Council has a public duty to optimise performance. It must also ensure that it complies with the law, upholds its reputation and has regard for the health and wellbeing of its staff. It recognises however that a small minority of employees may for a variety of reasons use alcohol and substances to the extent that their performance, health or wellbeing suffer.
- 1.3. Portsmouth City Council has a general duty under the Health and Safety at Work etc Act 1974 to ensure, so far as reasonably practicable, the health, safety and welfare of its employees. Should it knowingly allow an employee under the influence of substances including alcohol to continue to work where this places the employee or others at risk, it may be prosecuted.
- 1.4. As with any other health-related problem, alcohol and substance misuse problems will be treated with appropriate confidentiality.

2. SCOPE

This policy applies to all employees in the City Council, except those in schools.

3. POLICY STATEMENT

- 3.1. Portsmouth City Council operates a no alcohol policy for all Council employees during the working day (including lunchtimes and breaks).
- 3.2. An employee should not attend for work under the influence of alcohol or substances.
- 3.3. Being under the influence of alcohol or substances at work may result in disciplinary action up to and including dismissal.
- 3.4. The possession or use of any illegal substances at work will result in disciplinary action up to and including dismissal. As with any potential criminal offence at work, the matter will also be reported to the police.
- 3.5. Employees have a duty to take reasonable care of themselves and others who could be affected by what they do. Work colleagues are required to highlight any suspected alcohol or substance misuse problems to an appropriate manager. All employees have a responsibility to take steps to ensure that the reputation of the city council is not brought into disrepute.

4. FRAMEWORK

4.1. Substances

The substances referred to in this policy are those which have 'psycho-active' (i.e. mind altering) properties. They fall broadly into the following categories

- Controlled drugs
- Alcohol
- Other intoxicating substances, for example, glue, lighter fuel, solvent, cleaning fluid and spray paint.

4.2. Prescribed/self medicated drugs

Employees should be aware of the potential effects of some prescribed or self medicated drugs and should clarify the potential side effects with their doctor or pharmacist. Side effects should be brought to the attention of their manager and a risk assessment will be undertaken where necessary.

4.3. Dependency

- 4.3.1. An employee or manager may contact the Employee Assistance Programme for support. Further details are provided in 4.5 below.
- 4.3.2. Any employee suffering from alcohol or substance dependency should declare such dependency to their manager and Portsmouth City Council will subsequently provide reasonable support and assistance. This will include referral to the Occupational Health Team for further advice (as appropriate).
- 4.3.3. Managers will discuss any instances of possible alcohol or substance misuse with the individual concerned in a sensitive and confidential manner. However, they should not be involved in counselling or therapy. If counselling is deemed appropriate, the employee should be referred to the Employee Assistance Programme
- 4.3.4. A manager may use the Managing Absence Policy or Formal Action Policy where an employee does not accept help or treatment, does not continue treatment or where there continues to be a cause for concern.
- 4.3.5. If at any time an employee is concerned about the health or well-being of a colleague, or suspects that a colleague's performance is being adversely affected by alcohol or substance misuse, they should speak to their manager or the HR Employee Relations Team. The discussion will be treated in confidence.

4.4. Conduct outside of work

Conduct outside of work may result in disciplinary action if it affects an employee's work. For example, offences relating to alcohol or substance misuse such as drink driving or the possession of controlled drugs could constitute such conduct.

4.5. Support

- 4.5.1. Further support can be provided to employees and managers through the Employee Assistance Programme. This service is independent and completely confidential and the help lines are open 24 hours a day every day of the year. Further details are available on IntraLINK or from the HR Employee Relations Team.
- 4.5.2. Further details of agencies providing support for drug or alcohol misuse can be obtained by contacting the Employee Assistance Programme.

Appendix 2 - Current policy

**PART SIX
WELLBEING**

**SECTION 02
DATE: JANUARY 2001**

SUBSTANCE MISUSE POLICY

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SUBSTANCE MISUSE POLICY

COUNCIL POLICY

- This policy applies in its entirety to all staff other than those in schools.

1. INTRODUCTION

The council has a public duty to optimise performance. It must also ensure that it complies with the law, upholds its reputation and has regard for the health and wellbeing of its staff. It recognises however that a small minority of employees may for a variety of reasons use substances to the extent that their performance, health or well-being suffer. This policy sets out the council's approach should these circumstances arise and the support that it will provide. The policy applies to all staff with the exception of those in schools. However governing bodies are encouraged to adopt similar policies for school staff.

2. THE POLICY

Poor performance as a result of a substance misuse will not be tolerated. Dealing with this is first and foremost the responsibility of the individual and employees are expected to take steps to address the problem if they suspect that their performance is suffering as a result of their substance misuse. Managers also have a responsibility to address performance problems and where they suspect these may be due to substance misuse they must use the procedures described below. Work colleagues are likewise required to highlight any suspected substance misuse problems to an appropriate manager. All employees have a responsibility to take steps to ensure that the reputation of the city council is not brought into disrepute.

3. LEGISLATION

The council has a general duty under the Health and Safety at Work Act 1974 to ensure, so far as is reasonably practicable, the health, safety and welfare of its employees. Should it knowingly allow an employee under the influence of substances including alcohol to continue working where this places the employee or others at risk, it may be prosecuted. Similarly, employees also have a duty to take reasonable care of themselves and others who could be affected by what they do.

4. DEFINITIONS

The substances referred to in this policy are those which have 'psycho-active' (i.e mind-altering) properties. They fall broadly into four categories as follows.

Appendix 2 - Current policy

PART SIX WELLBEING

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DATE: JANUARY 2001**

SUBSTANCE MISUSE POLICY

4.1 Controlled drugs

The possession of these drugs without prescription is illegal. The Misuse of Drugs Act 1971 lists them according to their perceived danger as follows:

Class A heroin, opium derivatives, cocaine, LSD

Class B barbiturates, cannabis, oral amphetamines

Class C tranquillisers, sleeping pills, other amphetamines

4.2 Prescribed drugs

Prescribed medication taken in accordance with a GP's instructions would not fall within the scope of this policy. However if an individual is concerned about the effects of prescribed medication upon their performance/conduct/attendance, they should discuss with their manager or Human Resources Officer at the earliest opportunity.

4.3 Alcohol

4.4 Other intoxicating substances

Many other substances can be misused although they are not illegal. These include for example glue, lighter fuel, solvent, cleaning fluid and spray paint.

5. SCREENING

The object of health screening is to establish whether a candidate is fit to adequately perform the duties of the post and it is council policy that potential employees are requested to supply information regarding drugs/alcohol use as part of the usual pre-employment screening process. Potential and existing employees will not be required to undergo random or blanket tests to identify drugs or alcohol misuse. If however a substance misuse problem is suspected, they may be referred to the Occupational Health Advisor (see Section 6.2.2).

As with all information supplied in the pre-employment health questionnaire, details of drug/alcohol use will be treated with appropriate confidentiality.

6. THE PROCEDURE

6.1 Voluntary approach

Should an employee feel at any time that their performance, conduct or health is being adversely affected by the use of substances as described above, they are

SUBSTANCE MISUSE POLICY

strongly encouraged to seek assistance voluntarily, either through the council's confidential counselling service or through any agency of the employee's own choice. A list of external agencies and other related services is attached at the end of this policy.

Employees are also encouraged to discuss the matter with their line manager or Human Resources Officer so that assistance such as referral to the council's Occupational Health Advisor can be offered.

6.2 Management approach

Deteriorating performance, poor attendance or inappropriate conduct can be indicators of a health-related problem which may include the misuse of alcohol or other substances. When an employee has any such work-related difficulties, the manager has a responsibility to discuss them with the employee as part of the normal management process. If a substance misuse problem is suspected, the manager must explore this with the employee. The following outcomes may result from this meeting.

- 6.2.1 If the employee believes that their performance problems may be related to a misuse of substances, they are strongly encouraged to inform the manager at this stage. This will enable discussion of a mutually agreed strategy to resolve the problem, and appropriate assistance or support to be offered by the council. Support may for example include referral to the council's Occupational Health service on a voluntary basis.
- 6.2.2 If the employee is not aware of the cause of the work problem or does not volunteer any information which might assist in its identification, the manager will refer the employee to the council's Occupational Health Service as they would with any suspected health problem which is affecting performance. The testing for substance misuse at this stage will be at the discretion of the Occupational Health Advisor. (See Managing Sickness Absence & Incapability due to Ill Health Policy.)
- 6.2.3 Should substance misuse be identified by the Occupational Health Service as a potential cause for the performance problem, the manager (with advice from the Occupational Health Service) will discuss and agree with the individual a strategy for dealing with the problem so that performance can be brought up to the required standard. Wherever practical, support and assistance will be offered by the council. The strategy will usually include timescales and review periods during which time performance/conduct/attendance will be monitored.

SUBSTANCE MISUSE POLICY

6.2.4 Where substance misuse has been identified as a cause of deteriorating performance/conduct/attendance and the individual accepts and takes appropriate action to remedy the problem, the council will offer as much support and assistance as is reasonably possible. Action under the council's other procedures (i.e Disciplinary Procedure, Capability Procedure and Managing Sickness Absence & Incapability due to Ill-Health) will only be taken as a last resort where for example:

- a) performance/conduct/attendance is of an unacceptable standard and the individual fails to accept the reason for the problem
- b) performance/conduct/attendance is of an unacceptable standard and the individual accepts the reason for the problem but refuses or fails to take appropriate remedial action
- c) the problem is recognised by both parties and remedial action is or has been taken but little or no improvement in performance/ conduct/ attendance has been achieved after a period of time.

6.2.5 Managers are expected to discuss any instances of possible substance misuse with the individual concerned in a sensitive and confidential manner. However they should not get involved in counselling or therapy. If this is deemed appropriate, the employee should be referred to one of the services listed at the end of this policy.

6.3 If you are concerned about a colleague

If at any time you are seriously concerned about the health or well-being of a colleague, or you suspect that a colleague's performance is being adversely affected by substance misuse, you should speak to your manager or Human Resources Officer. Your discussion will be treated in confidence.

7. CONFIDENTIALITY

As with any other health-related problem, substance misuse problems will be treated with appropriate confidentiality.

8. ACTIVITIES DURING WORK TIME/RELATED TO WORK

8.1 The possession or use of any illegal substances at work will be regarded as misconduct and dealt with through the Disciplinary Procedure. As with any potential criminal offence at work, the matter may also be reported to the police.

Appendix 2 - Current policy

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SUBSTANCE MISUSE POLICY

- 8.2 For jobs which involve contact with the public or other external bodies you should not drink during work time to the extent that it would be evident. This includes the smell of alcohol on breath.
- 8.3 Departments will identify posts where there is additional sensitivity surrounding substance misuse e.g working with children and devise appropriate policy locally.
- 8.4 Being under the influence of substances at work to the extent that it could affect performance, colleagues, the public or the reputation of the city council will be regarded as misconduct and dealt with under the Disciplinary Procedure. This may include compulsory leave of absence.
- 8.5 At all workplace social events, non or low-alcohol drinks should always be made available.

9. ACTIVITIES OUTSIDE OF WORK

In accordance with the council's Code of Conduct, conduct outside of work may result in disciplinary action if it directly affects the performance of your work or the reputation of the city council. Offences relating to substance misuse such as drink driving or the possession of controlled drugs could constitute such conduct.

10. SUPPORT

Support available within the city council includes the following:

Counselling service

This can be accessed directly by individuals and provides a confidential counselling service which offers help with any problems experienced by employees. Check noticeboards for details.

Occupational Health service

The council uses an external Occupational Health doctor for advice on health-related work issues. This service can be accessed via your manager.

External services

Outside of the city council, the following organisations offer support and assistance:

Avalon (community drug team Fareham and Gosport) - 01329 281186
Kingsway House (community drug team Portsmouth) - 023 9229 1607
Orion Centre (community drug team Havant and Petersfield) - 023 9245 1500
Social Services substance misuse team Portsmouth - 023 92291607
Social Services substance misuse team Fareham and Gosport - 01329 825922

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SUBSTANCE MISUSE POLICY

Social Services substance misuse team Havant and Petersfield - 023 9247 1644
Alcohol Advisory Service - 023 9229 6467
Narcotics Anonymous - 0800 214274
Alcoholics Anonymous - 023 9258 0776
National Drugs Helpline - 0800 776600

If someone has a problem with their drug or alcohol use they should contact in the first instance one of the community drug teams listed above. All services are totally confidential.

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PORTSMOUTH CITY COUNCIL
SOCIAL SERVICES DEPARTMENT

*****POLICY*****

YOU SHOULD ENSURE THAT

- You read, understand and, where appropriate, act on this information.
- All people in your workplace who need to know see this policy.
- This document is properly filed in a place to which all staff members in the workplace have access.

Procedure Number:	00/01/AL
Title:	Substance Misuse (Drugs, Smoking and Alcohol)
Date of Issue:	January 2000
Effective Date:	Immediate
Sector:	All Staff
Issued By:	Personnel & Training Sector
Contact Name:	Pete Owen
Distribution:	All Staff
Remarks:	Applies to Portsmouth Social Services
Signed:	
Designation	Personnel and Training Manager

PORTSMOUTH CITY COUNCIL
SOCIAL SERVICES DEPARTMENT
POLICY ON SUBSTANCE MISUSE
(Drugs, Smoking and Alcohol)

INTRODUCTION

Substance Misuse policies are already in existence within the Department specifically relating to smoking and alcohol.

In view of the requirements of Health and Safety legislation and the need to undertake risk assessments it is necessary to look more broadly at substance misuse so that drugs both medication and recreational drugs are included.

1. DRUGS

Most drugs taken by staff are legal and prescribed or legal and self medicated. In the majority of cases there is no need to take any action. However, staff should always be aware of the potential affects of taking some medicines and should therefore clarify with their General Practitioner or pharmacist as to whether the medication they take is likely to have any detrimental side affects on any aspect of their work duties. There are a number of possible side affect such as impaired balance, judgement or nausea. Such side affects could be dangerous and damaging in relation to some jobs eg driver.

If staff members are in any doubt about the medication they are taking and their possible side effects, then they should inform their supervisor/line manager and evaluate the risk. The manager may for example advise a temporary change of duties or pattern of working in order to reduce risks

The taking of 'illegal drugs' can seriously impair judgement as well as being illegal. Any staff found to be under the influence of such drugs will be subject to the disciplinary process and may be reported to the Police.

Managers should be aware of the possible impact of the various forms of drug misuse and look for indicators in staff behaviour such as :

- Changeable or erratic behaviour/moods
- Poor discipline/performance
- Absenteeism
- Lateness

Appendix 3 - Substance Misuse - Policy on Drugs, Smoking and Alcohol

Please see Appendix 3 regarding local sources of information for staff seeking assistance.

SMOKING POLICY

2. WHY HAVE A SMOKING POLICY

Smoking and passive smoking can have a damaging effect on health and life expectancy. The Health and Safety at Work Act (1974) places a duty on us as the employer to provide and maintain a working environment that is safe and without risk to health. Given the general health hazard posed by smoking, Social Services as a department have the responsibility to act in order to protect the health of its employees.

As a department we do not challenge the right to smoke, but seek to influence where this takes place.

3. POLICY

The department promotes a smoke free environment which prohibits smoking within work areas in the interest of health, hygiene and fire avoidance.

3.1 Health Promotion

The Department, as a provider of service, has the responsibility for promoting health care for the people receiving that service. As a result, the Department will not support the sale of tobacco products on its premises.

Equally, staff would be expected not to smoke when they are working with non-smoking service users or young people under sixteen years of age.

3.2 Visitors and Public

Visitors and members of the public will be expected to comply with this Policy and will not be allowed to smoke in no smoking areas. Local managers are responsible for taking reasonable steps to publicise this policy in such a way as to fit in with the service delivery philosophy of the unit.

4. OPERATION OF THE POLICY

The emphasis of the policy is on the avoidance of tobacco smoke in the workplace and each employee's right not to have to be in a position where they are exposed to tobacco smoke by colleagues. This means that no smoking will be allowed in any meetings, supervision sessions, training sessions and the like. Neither should staff be avoidably exposed to tobacco smoke in the working environment.

4.1 Recruitment

A statement that, "Social Services Department operates a policy on smoking at work" should be made clear in the recruitment information. This will be included in the recruitment pack.

4.2 The Policy is effective across the whole of the Social Services Department.

5. PRINCIPLES

5.1 Rights

Staff have the right not to be exposed to tobacco smoke by a colleague.

Staff who wish to smoke have the right to do so whilst at work, in a designated area. The provision of a designated area is at the discretion of local management operation.

5.2 Time off for Smoking Breaks

Reasonable time off will be allowed for smoking breaks. Where workplace practices allow for breaks staff who wish to smoke should limit their smoking to these occasions. The provision of time for smoking breaks can become a matter of dispute amongst staff groups, therefore where reasonable time for smoking breaks is to be agreed, this should be done as a staff group and subject to the discretion of the manager and operational requirements.

Appendix 3 - Substance Misuse - Policy on Drugs, Smoking and Alcohol

5.3 Residential and Children's Services

The term workplace used in this Policy is deemed to cover work areas in residential and day services. However, additional guidance on the Smoking Policy can be found on Appendix 1 and 2.

Appendix 1

WORKING WITH ADULTS - "Information and Advice for Staff"

CMG has adopted the following policy for smoking in residential establishments :

1. Staff in units should not do or say anything which could be interpreted as encouraging smoking by service users.
2. Tobacco products should never be used by staff as part of a reward system for good behaviour, nor their denial for punitive reasons.
3. All prospective residents, prior to admission, should be informed of the Department's wish to discourage smoking in its establishments.
4. It is recognised, however, that for many older people, smoking is an established habit. In many cases therefore, it is to be recognised that the resident is most unlikely to stop. In such cases staff should make sure that the resident receives proper advice about safety precautions such as the safe disposal of cigarette ends and the proper use of ashtrays.
5. Smoking in bedrooms is not permitted in any residential homes. Where residents wish to smoke at night, staff should make arrangements for adequate supervision for smoking in the designated areas.
6. It is not the Department's Policy to forbid smoking by residents, since such an embargo is unlikely to be observed in a great many cases and might also be seen as an infringement of the rights of the residents in what is after all their home. A total embargo would also inevitably lead to surreptitious smoking by residents which would aggravate the risk.
7. Visitors should be made aware of this policy, especially the smoking practices within the premises. Visitors should be informed of the areas where they may smoke, if any.
8. Every establishment should have at least one clearly designated smoking area for service users. Generally the remaining areas of the building should be non smoking areas and, where appropriate, sympathetic and polite no smoking signs should be exhibited.

Appendix 2

WORKING WITH YOUNG PEOPLE - Information and advice for staff

1. In keeping with the philosophy and the principles of The Children Act, young people, particularly in residential care should be encouraged to adopt healthy lifestyles. Staff should therefore work to encourage young people who are already smokers on admission to give the habit up, and strongly discourage those who are not smokers from starting.
2. The City Council policy on smoking at work asks all staff to refrain from smoking in front of service users. In respect of children's services, guidance on smoking and alcohol consumption in children's residential care, issued by the Department of Health, states specifically that staff should not smoke in front of children in their care. Children's homes managers must actively encourage staff compliance with this policy.
3. The requirement not to smoke in front of looked after children/young people also applies to field social workers, YOT and other City Council employees who visit children's homes or work with looked after children.
4. No child under 16 should be permitted to smoke in a children's home. Where a child under 16 is admitted to the home and already has a smoking habit, the child should be engaged in a programme to help them give up. This programme should form part of the health care element of

Appendix 3 - Substance Misuse - Policy on Drugs, Smoking and Alcohol

this child's individual care plan agreed in partnership with the child and her/his parents or others with parental responsibility. In the case of the health care element of the care plan, this should involve medical advice as appropriate. The programme to help the child give up smoking should be aimed at enabling the child to give up smoking in the home within two weeks from the date of admission.

5. Children who smoke should be given advice and information on the health and safety aspects of smoking, with particular reference to the dangers of smoking in bed. There is a rule in all children's Units that smoking in bedrooms is forbidden and that smoking materials, in particular matches and lighters, must not be in bedrooms.

6. Staff should be aware of the impact that their own behaviour and attitudes can have on the behaviour and attitudes of young people in their care and should not take any action which could be perceived as encouraging children/young people of any age to smoke. Such action would include purchasing tobacco products for young people or accepting gifts of cigarettes from them.

7. Tobacco products must never be used as rewards, prizes or incentives for good behaviour for any young person. Smoking should never be seen as a privilege and should not be part of the sanctioning system in a Unit.

8. If smoking is to be allowed in the home, this must be confined to designated smoking areas established in accordance with City Council policy. If facilities in the home are sufficient, there should be separate designated smoking areas, managers should ensure that the departmental policy on smoking at work for staff is followed and that the final decision on designated smoking areas takes into account the possible impact on the overall image of the home.

Other restrictions on smoking such as times when smoking is permitted should apply equally to staff as they do to young people in the home. Some homes have already agreed and implemented a total ban on smoking in the home.

9. Visitors to the home should be made aware of any restrictions on smoking that apply in the home and be politely requested to adhere to them.

10. These guidelines must be drawn to the attention of all staff. It would be good practice to ensure that all applicants for jobs in the home were made aware of the City Council, Departmental and individual homes' policies on smoking prior to interview. Young people and their parents, or others with parental responsibility, should also have the guidelines drawn to their attention as part of the general information they receive about the home, preferably prior to placement.

ALCOHOL POLICY

6. WHY HAVE AN ALCOHOL POLICY?

Alcohol abuse is one of the biggest threats to Health and Safety at work. It causes loss of working days, accidents and loss of productivity.

As a Department it is important that we are aware of the impression we create when dealing with people outside the Department by telephone or face to face and the responsibility we hold.

7. POLICY

The Department will not allow the drinking of alcohol by employees when they are working unless permission has been given by a unit manager or team manager (ie celebratory occasion).

7.1 Celebratory Occasions

The consumption of alcohol at work will only be acceptable at celebratory occasions (eg Christmas, Birthday Parties, Residents' celebrations and specific parties). Such celebratory occasions must be approved by a unit manager or team manager. Arrangements of such celebratory occasions should be considerate of the time of day or staff rota. Alcohol should only be consumed in view of clients when they are themselves participating in the occasion. This should be limited to one drink only (1 unit). Staff must remain mindful of the possible effect of any alcohol consumed as their ability to undertake their job and other activities (eg driving).

Appendix 3 - Substance Misuse - Policy on Drugs, Smoking and Alcohol

7.2 Alcohol at Work

Employees found consuming alcohol at work for any other reason than a celebratory occasion, or employees unfit to carry out their duties as a result of them being under the influence of alcohol, regardless of the social event, may be subject to disciplinary action (this includes official duties which are outside the normal work place such as accompanying service users on holiday/visits etc).

It is an infringement of this policy to consume alcohol at work on any other basis.

7.3 Under the Influence of Alcohol at Work

The Department recognises the health risks associated with drinking. The department does not permit any employee within Social Services to consume alcohol during their lunch breaks (unless an organised celebratory occasion). As such, any staff found to be in breach of this, may be subject to disciplinary action.

7.4 Driving Responsibilities

Any staff who have driving responsibilities within the Department must not consume alcohol at all during their working hours or breaks. Staff must ensure that they pay due attention to the requirement of the drink driving legislation and should not be in breach of this when reporting to work.

8. COUNSELLING/SUPPORT FOR STAFF

The Department will actively support any employee seeking assistance through appropriate agencies to deal with alcohol/drug related problems and those wishing to quit smoking. Relevant contact numbers and address can be found in Appendix 3.

Appendix 3

LOCAL SOURCES OF INFORMATION FOR STAFF SEEKING ASSISTANCE

ALCOHOL AND DRUGS

(a) Drug and Alcohol Services

Kingsway House 130 Elm Grove Southsea
Telephone number - 01705 291607

(b) Mayflower Outreach Service (information and support for drug users, their partners and friends, free and confidential advice on HIV AIDS and needles and syringe exchange).

Telephone Number - 01705 611711

(c) Alcoholics Anonymous

24 hours service

Telephone number - Link Line 0345 697555

(d) Alcohol Advisory

11 Stanley Street Southsea

Telephone number - 0 1 705 296467

(e) Narcotics Anonymous

Telephone number - 0171 351 6749/6066

HELP IN QUITTING SMOKING

(a) Your own GP is able to offer information and advice on giving up smoking.

(b) Pharmacists and Health Food Shops are able to advise on a range of products to stop smoking.

(c) Smokers Quitline offer help in stopping smoking and information on local services Telephone number - 0171 487 3000

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Agenda item:

6

Title of meeting:	Employment Committee
Date of meeting:	18 th June 2013
Subject:	Career Break Policy
Report by:	Jon Bell - Head of HR, Legal and Performance
Wards affected:	N/A
Key decision:	No
Full Council decision:	No

1. Purpose of report

The purpose of the report is to recommend the removal of the recently revised Career Break Policy and to reinstate the original Career Break Policy.

2. Recommendations

It is recommended that Employment Committee agree to:

- (i) reinstate the original policy but with a more robust authorisation process for career breaks

3. Background

- 3.1 The Career Break Policy was reviewed at Employment Committee in October 2012 due to the difficulties in operating the policy in the current economic climate. It was agreed that the policy be amended to state that employees would be required to resign from their posts and that, when wishing to return to employment, 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.
- 3.2 The Trade Unions have expressed their dissatisfaction with the revised policy in that it is no longer a "career break" in its true form as the employee is forced to resign. This effectively means that there is no benefit to the employee to take a career break. The Trade Unions have requested that the original policy is reinstated and suspended until the economic climate becomes more stable.
- 3.3 Having consulted with a number of managers, it is clear that the Career Break Policy is highly valued by some managers who wish to release employees for a short period of time, where the employee is a high performing valued member of

the team. In certain circumstances, it has given the Authority the opportunity to retain key members of staff whom otherwise would have resigned.

4. Cost to the Authority

4.1 Annual Leave

When an employee takes a career break, they continue to accrue statutory annual leave entitlements in accordance with the Working Time Regulations 1998 (5.6 weeks per annum). Part time employees receive a pro-rata entitlement.

- 4.1.2 Annual leave is accrued and taken during the career break and as such, is paid to the employee at a cost to the authority. However, 5 days of the accrued annual leave can be carried forward into the following leave year.

4.2 Pension Contributions

Employees have the option to pay LGPS contributions during their career break. If employee contributions are paid, the Authority is required to continue to pay Employer Contributions throughout the career break.

4.3 Organisational Change

Organisational change and redundancies are often complicated and difficult to manage for employees on career breaks as it can be difficult to contact the employee to undertake a proper consultation. The Organisational Change & Redundancy Policy will be applied and the Council will take all reasonable steps to include the employee in the consultation process.

5. Reasons for Recommendations

- 5.1 It is proposed that the City Council reinstate the original Career Break policy, allowing employees to take an unpaid career break of up to a maximum of 1 year. This must be authorised by the Head of Service, who should make a decision having given due regard to budget restrictions, imminent organisational change, etc. In addition, it is required that the employee leave forwarding contact details to enable the manager to consult with the employee whilst on the career break, should their post be included in an organisational restructure.

This will enable managers to continue to retain key members of their team whilst also ensuring that the Authority meets its legal obligations to consult employees whose posts are affected by organisational change and may be at risk of redundancy.

The policy can be found in Appendix A.

6. Equality impact assessment (EIA)

A preliminary Equality Impact Assessment has been undertaken.

7. Legal implications

The City Solicitor is satisfied there are no legal implications arising from this report.

8. Finance comments

Any additional costs arising from allowing an employee to take a career break will have to be met from existing approved budgets.

.....
Signed by:

Appendices:

Appendix A: Career Break Policy

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

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Contents:

- Introduction
- Scope
- Policy Statement
- Framework
 - Eligibility
 - Application procedure
 - Obligations of the City Council and the Employee during the Career Break
 - Terms and Conditions of Employment
 - Local Government Pension Scheme
 - Appeal
- Appendix 1 - Career Break Scheme Application Form
- Appendix 2 - Career Break Scheme Agreement Form

ID	HR Policy – Career Break Scheme P4S08 v 2.0
Last Review Date	Draft June 2013
Next Review Date	
Approval	Head of Service
Policy Owner	Head of Service
Policy Author	Anna Buxcey
Advice & Guidance	Please contact an HR Officer - HR Employee Relations
Location	Part 4, Section 08 http://intranlink/PoliciesStrategies/7958.html
Related Documents	Appendix 1 – Application Form Appendix 2 - Agreement
Applicability	This scheme applies to all employees in the City Council who have 2 years' service with PCC, except those in schools.

1. INTRODUCTION

- 1.1. This document provides information to managers and employees regarding the career break scheme and how to apply.
- 1.2. The aim of the career break scheme is to enable employees to take a break from work to pursue other interests, thereby reducing the loss of competent, trained and skilled employees from the City Council.
- 1.3. Managers may need to consider reduced cover in these circumstances. It may also present a situation for secondment opportunities.

2. SCOPE

The scheme applies to all employees in the City Council who have 2 years' service with PCC, except those in schools.

3. POLICY STATEMENT

- 3.1. The career break scheme is a mutually agreed period of extended unpaid absence from work between one month and up to the maximum of one year.
- 3.2. The scheme is available at the discretion of the manager, for employee's who are in the opinion of their manager performing at a satisfactory level. For approval to occur, an application and written business case must be considered by the Head of Service in accordance with the framework below.
- 3.3. The employee's attention should be drawn to the fact that superannuation and NI contributions will be affected during unpaid leave.

4. FRAMEWORK

4.1. Eligibility

An employee can make an application for a career break if they;

- have 2 year's continuous service with the City Council.
- are in the opinion of their manager performing at a satisfactory level.

Managers have an operational right to refuse an application for a career break, but must give objectively justified reasons for doing so.

4.2. Application procedure

- Employees must apply to their manager for a career break using the career break application form (Appendix 1).

- In order for all implications to be considered, employees are encouraged to apply as early as possible before the proposed start date of a break; this would normally be at least 13 weeks beforehand, unless there are exceptional circumstances.
- For approval to occur, the manager must put forward a written business case to support the application.
- The application and written business case will then be considered by the Head of Service.
- The operational and financial implications of the career break must be considered. Prior to approval, the possibility of whether organisational change/restructure is likely to occur during the break and what impact this could have on the employee must be considered. Any implications must be discussed with the employee to ensure they have a full understanding.
- A written response must be given to the employee as soon as possible, but no later than 28 days from receipt of the request.
- Where an application has not been approved, a written explanation must be provided to the employee. The manager should email a pdf copy of any non approval letter to the HR People Centre so that it can be filed on the employee's personal file.
- Where the application is approved, a Career Break Scheme Agreement (Appendix 2) must be signed by the applicant, Head of.
- The career break application form and agreement should be retained on the employee's personal file.
- If, due to unforeseen circumstances, the employee needs to alter the dates of their career break, they can do so with the agreement of their manager and Head of Service. However, the career break cannot be extended beyond the 1 year maximum.

4.3. Obligations of the City Council and the employee during the career break

- Contact between the employee and manager must be discussed and agreed prior to the career break commencing. This must include the employee providing a contact name and number that the manager may contact if organisational change (that may impact on the employee) occurs during the career break, for consultation purposes.
- Where necessary, occasional meetings during the career break should be organised by the manager, to keep the employee up-to-date on service and organisational issues. Where this is not possible, e-mail or telephone contact must be used.

- Relevant information should be forwarded to the employee during their career break.
- During the career break, the employee will remain in service and as such will still be required to uphold the Portsmouth City Council Employee Code of Conduct.
- The manager should contact the employee approximately 4 weeks prior to their return to discuss and agree arrangements.
- Although a return date is agreed at the time the career break is approved, sometimes an individual's circumstances may change during the break. If an employee wishes to change the return date, this may be done with the approval of the manager and Head of Service but must not extend the career break past the one year maximum. This would require an employee to give at least 4 weeks written notice.
- A return to work 'induction' should take place to identify any training needs.

4.4. Terms & conditions of employment

4.4.1. Continuity of service

Continuity of service will be maintained throughout the break. If an employee decides to resign during their break, their continuity of service will be maintained until their last day of employment, i.e. the last day of their contractual notice period. The employee would need to resign in writing, but their notice period would be unpaid in accordance with the Employment Rights Act 1996, Part IX, section 91(1).

4.4.2. Organisational change

Where organisational change or redundancies are proposed when an employee is absent on a career break and such change may affect the employee's substantive post, the Council will take all reasonable steps to include the employee in the consultation process in accordance with the Organisational Change and Redundancy Policy. Where it is impossible to make contact despite using the contact details given prior to the career break, decisions may need to be made without consulting the employee, in which case the employee will be informed at the earliest opportunity. Employees must provide contact details of someone who could forward messages in case such circumstances arise.

4.4.3. Other issues

Any loans including salary sacrifice schemes should normally be repaid before the start of the career break. Other benefits will be suspended for the time of the career break.

If an employee has received training and has signed a Training Agreement to repay the costs if they leave within two years, that two year period is suspended during the time of the career break.

Employees may use a career break to take up alternative employment provided there is no conflict of interest with their existing job. Each case will be considered on its merit. Any new employment should be declared in accordance with the Code of Conduct. Employees who already hold secondary employment prior to their career break can continue with this work during a career break if they so wish.

4.4.4. Return to Work

On return to work, the employee will be re-employed in the same, or in a similar post with no less favourable terms and conditions of employment, but where for example a restructure or reorganisation has taken place, the Organisational Change and Redundancy Policy will apply.

4.4.5. Pay

Career breaks will be unpaid. On return to work employees will receive the salary and increments to salary they would have received had they not been absent. This would include any changes resulting from Job Evaluation and annual cost of living increases (where applicable).

4.4.6. Annual Leave

During a career break, employees will not accrue contractual annual leave, but will be entitled to paid statutory leave under the Working Time Regulations (5.6 weeks paid leave per year). Part time employees will receive a pro-rata entitlement based upon the hours they worked prior to the commencement of the career break.

This annual leave will be taken as part of the career break and the normal carry forward rules will apply (i.e. 5 days may be taken forward to the next leave year).

On return to work, the employee will accrue paid annual leave as per their normal contractual entitlement, from the date of their return to work.

4.5. Local Government Pension Scheme (LGPS)

Managers will need to be aware of the potential financial implications if the employee continues their pension payments during the career break, as the employer would, in these cases, be required to continue employer contribution. This must not, however, be used as a reason for refusal of any application.

Under the provisions of the Local Government Pension Scheme (LGPS), for the first 30 days of an unpaid career break, contributions will be payable. These will be automatically deducted from pay on return to work and the period of leave will count for pension calculation purposes.

After that first 30 days, employees have the option to pay LGPS contributions on the remainder of the break. If not paid, then this period will not count as service for pension calculation purposes. If contributions are paid then these will be based upon the contributions the employee would have made had they remained in paid employment.

The length of a career break will only count as pensionable membership in the LGPS if employee contributions are paid to cover the respective period.

Employer contributions will only be paid if the employee elects to pay their own contributions for the period of the break.

The Pensions Team will contact the employee at the appropriate time, setting out the options to either make monthly contributions during the term of the career break, or in one or two payments at the end.

4.6. Appeal

A career break may be denied or postponed, because, for example, the eligibility criteria are not satisfied, or due to operational difficulties it may cause.

Where this happens, an employee may appeal against the decision by putting this in writing to their Head of Service within 14 days.

For an appeal against a decision made by the manager. The appeal will be heard by the Head of Service (or their representative), a senior officer and HR.

Both sides will have the opportunity to put forward their case and a final written decision will be conveyed to the employee without unreasonable delay.

There is no further right of appeal, however, the employee remains eligible to re-apply for a career break in the future.

Agenda Item 7



Decision maker: Employment Committee
Subject: Sickness Scorecard for Members
Date of decision: 18 June 2013
Report by: Jon Bell - Head of HR, Legal and Performance
Wards affected: n/a
Key decision (over £250k): n/a

1. Purpose of report

This report is designed to provide an overall analysis of sickness absence within each service and Portsmouth City Council overall. This report excludes schools, internal agency and all casuals.

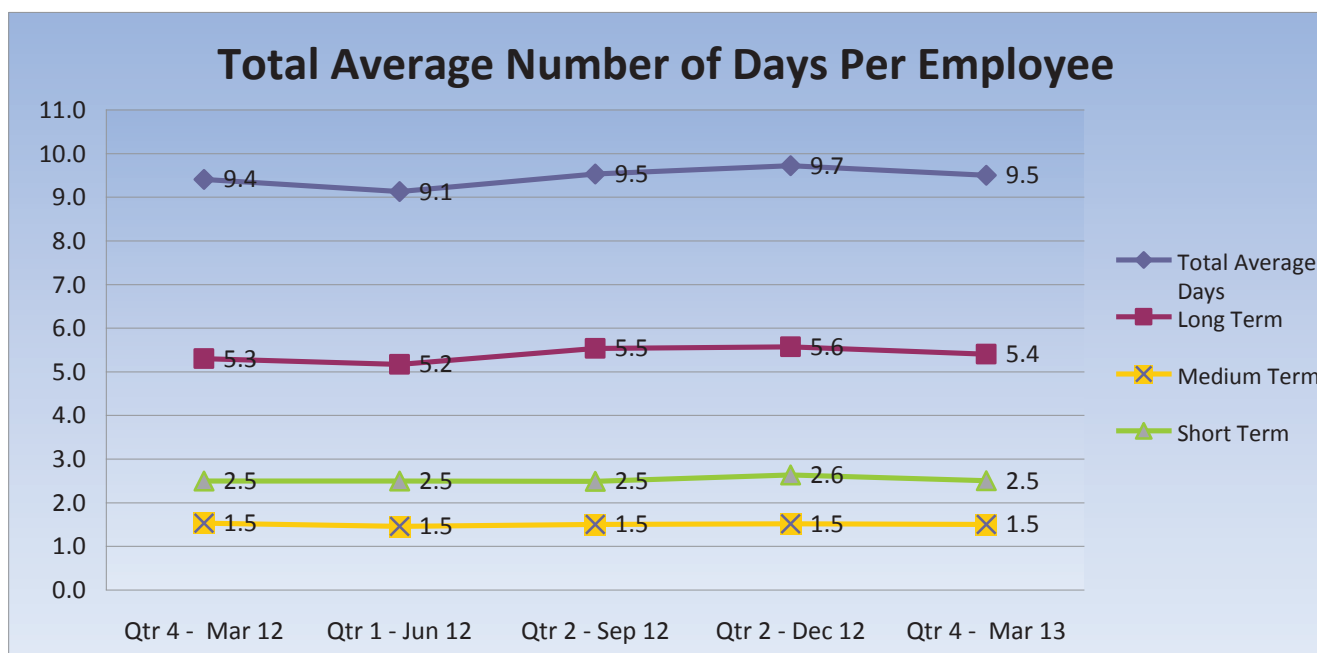
2. Recommendations

It is recommended that:

- The sickness absence figures continue to be reviewed on a regular basis

3. Average number of sickness absence days per employee

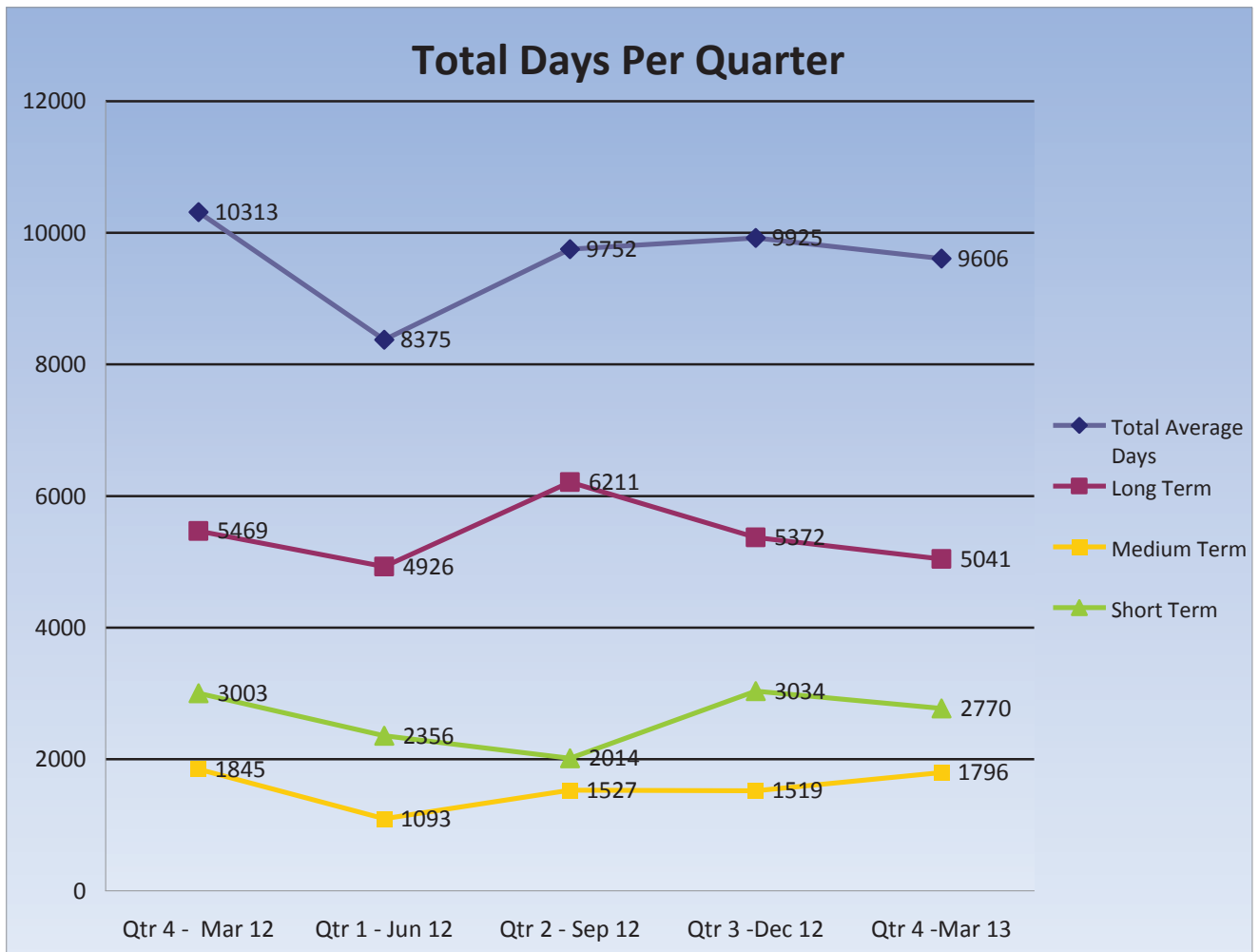
3.1 The current sickness absence data is showing that there has been a decrease in the average number of sickness days per employee from 9.7 days in the previous quarter to 9.5 days in this quarter. This average is an increase from the previous comparable quarter at 9.4 days.



Long Term 21 days or more Medium Term 9-20 days Short Term Up to 8 days

4. Total number of sickness absence days lost in the quarter (Excluding Schools)

4.1 The current sickness absence data is showing that there has been a downward turn in the number of sickness days taken in quarter 4 from 9925 days in the previous quarter to 9606, a decrease of 319 days. This is also 707 days less than the comparable quarter in 2012 .



Long Term 21 days or more Medium Term 9-20 days Short Term Up to 8 days

5. Sickness Scorecard - Sickness absence broken down into service Quarter 4

Service	Headcount	Average Number of Days Rolling Year				Total Number of days per Quarter				Long Term incidences	% of working days lost				Top Reason for Sickness		
		Overall Days	Long	Medium	Short	Overall Days	Long	Medium	Short		Overall Days	Long Term	Medium Term	Short Term	Reason	Days	%
Adults Social Care	852	11.7	7.3	1.8	2.6	2302	1195	476	631	56	4.2%	2.2%	0.9%	1.2%	Virus (inc colds, coughs and influenza)	415	18.0%
Children's Social Care	390	10.5	6.1	1.9	2.5	1038	496	273	268	22	4.2%	2.0%	1.1%	1.1%	Stress anxiety, and mental health	251	24.1%
City Development and Culture	243	5.8	3.3	0.7	1.7	427	293	10	125	12	2.7%	1.9%	0.1%	0.8%	Stress anxiety, and mental health	155	36.4%
Community Housing and Regeneration	175	8.3	4.7	1.3	2.3	277	94	62	122	4	2.5%	0.8%	0.6%	1.1%	Virus (inc colds, coughs and influenza)	75.4	27.2%
Customer and Democratic Service	141	7.2	3.8	1.3	2.0	325	197	43	85	8	3.6%	2.2%	0.5%	0.9%	Cancer	63	19.4%
Education	258	7.9	5.2	0.9	1.8	526	346	68	112	13	3.2%	2.1%	0.4%	1.6%	Stomach, Liver, Kidney, digestion	131	24.8%
Financial Services	191	6.9	3.3	0.8	2.6	385	218	49	118	8	3.1%	1.8%	0.4%	1.0%	Virus (inc colds, coughs and influenza)	111	28.8%
HIDs, Community Safety and Licensing	117	8.8	4.6	1.3	2.9	311	145	66	100	3	4.1%	1.9%	0.9%	1.3%	Other Musculoskeletal	84	27.0%
Housing Management	692	10.6	5.3	2.0	3.3	2259	1167	466	626	44	5.1%	2.6%	1.1%	1.4%	Other Musculoskeletal	458	20.3%
HR, Legal and Performance Improvement	154	6.3	3.8	0.7	1.8	198	103	25	71	5	2.0%	1.0%	0.3%	0.7%	Other	69	34.8%
Information Solutions	124	9.8	6.2	1.1	2.5	199	110	17	72	3	2.5%	1.4%	0.2%	0.9%	Virus (inc colds, coughs and influenza)	105	52.7%
Port	92	12.7	7.8	2.1	2.8	200	113	36	51	4	3.4%	1.9%	0.6%	0.9%	Accident	61	30.5%
Revenues & Benefits	158	12.0	5.6	2.0	4.4	505	178	121	207	7	5.0%	1.8%	1.2%	2.0%	Virus (inc colds, coughs and influenza)	112	22.1%
Transport and Environment	338	7.2	4.1	1.1	1.9	653	385	85	184	22	3.0%	1.8%	0.4%	0.9%	Other Musculoskeletal	214	32.8%
PCC Total (Excluding Schools)	3925	9.5	5.4	1.5	2.5	9606	5041	1796	2770	371	3.8%	2.0%	0.7%	1.1%	Virus (inc colds, coughs and influenza)	3540	36.8%

Sickness Score Card Key

Column	Description
Headcount	The headcount of all employees and how this is distributed across the services.
Total Days Lost	The number of days taken within that service broken further down into long, medium and short term absences
Average Days	The average number of days per employee taken again broken down into each service area - Please note a breakdown cannot be produced for individual services due to the recent changes to PCC's overall structure. This will be provided in the next report.
Long Term Incidences	The number of incidences contributing to long term sickness absence
% of Working Days lost	Out of the days that could have been worked the percentage to which was lost to sickness absence
Top Reason for Sickness	The top reason for sickness in each service it also calculates the percentage of sickness days lost due to this reason.

6. Sickness Scorecard Summary

- 6.1 The top reason for sickness across PCC was Virus including colds, coughs and influenza losing 3540 days. This quarter covers the winter months where historically this reason is the highest.
- 6.2 PCC current percentage of working time lost due to sickness absence is 3.8% which is the same as quarter 3.
- 6.3 The area where the highest percentage of sickness lost was the Housing Management losing 5.1 % of working time to sickness absence. The service that had the lowest working time lost was HR, Legal and Performance currently at losing 2.0% of working time to sickness absence.

7. Equality Impact Assessment (EIA)

This report has undergone an effective Equality Impact Assessment

8. Legal Implications

There are no immediate legal implications arising from this report

9. Head of Finance's comments

There are no additional financial costs arising from the recommendations in this report.

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Signed by:

Appendices: None

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Quarterly Sickness Absence Bulletin	HHR File

The recommendation(s) set out above were approved/ approved as amended/ deferred/

rejected by on

Signed by:

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Agenda item: 8

Title of meeting:	Employment Committee
Date of meeting:	18 th June 2013
Subject:	Long Service Award
Report by:	Jon Bell - Head of HR, Legal and Performance
Wards affected:	N/A
Key decision:	No
Full Council decision:	No

1. Purpose of report

The purpose of this report is to provide the Employment Committee with further options to consider for rewarding long service, in order to reduce administration and cost for Portsmouth City Council.

2. Recommendations

It is recommended that the Employment Committee:

- (i) Review its previous decision to remove the monetary long service award, in light of informal feedback from managers

- (ii) Replace the current £255 Long Service Award and Certificate with a Gift Card for a value to be determined by the Employment Committee.

3. Background

3.1 The Long Service Award forms part of the wider Pay and Benefits package available to employees to aid with recruitment and retention.

3.2 At present, a Long Service Award to the value of £255 is presented to employees who achieve 25 years of service with Portsmouth City Council. This amounts to an average annual cost of £15,000 to the authority. The current value is reviewed in line with pay increases and has therefore not increased in recent years due to the public sector pay restraint.

3.3 The existing scheme provides the employee with a £255 PCC Voucher which can be presented to any high street retailer/supplier to purchase goods. However, many retailers no longer accept the voucher as they do not recognise

it. As a result, it is becoming increasingly difficult for the employee to redeem their voucher. When an employee finds a retailer who will accept the voucher, the retailer should provide a VAT invoice to Portsmouth City Council (if the supply is VATable) who then makes settlement to the supplier and claim back the VAT from HMRC. When applicable the VAT element of the award at 20% amounts to £42.50 which effectively reducing the cost of the Long Service Award to the authority to £212.50.

- 3.4 In addition to the voucher, the employee also receives a certificate which has a wax seal and is signed by the Chief Executive and the Lord Mayor. The administration process to organise the wax seal and both signatures is time consuming and causes delays in getting the certificate and voucher to the employee at the time of their 25 year anniversary.
- 3.5 In January 2013, the Employment Committee requested that an alternative recognition arrangement is explored whereby employees achieving 25 years' service are invited to a lunch reception with the Lord Mayor.
- 3.6 Based on the number of employees achieving 25 years' service within a one year period, it was agreed with the Lord Mayor's office that it would be most appropriate to hold the event on a quarterly basis, with approximately 15 employees attending each event.
- 3.7 While the cost to the Authority for such an event is low compared to that of the existing scheme, the administration to organise quarterly lunch receptions would be much higher. In addition, informal soundings received from managers across the organisation give a sense that to remove the monetary award would not give the appropriate sense of recognition and that this would be a significant loss to the employee.

4. Reasons for recommendations

- 4.1 It is proposed that the Long Service Award administration process is streamlined and voucher system updated by using an external provider to send out gift certificates of a nominated value, which the employee can spend in the high street, on-line or use to purchase an experience (i.e. red letter day).
- 4.2 This will significantly reduce the amount of administration of the Long Service Award, saving time. In addition, it will give the employee more options in redeeming their voucher.
- 4.3 Portsmouth City Council would have to undertake a procurement process to choose an external supplier. However, it is likely the authority would receive a discount on the voucher purchased of between 2% - 10% depending on how many vouchers are purchased within a specified time frame and which provider we use.

- 4.4 However, using an external provider will mean that the City Council is no longer able to claim back any VAT spent on the gift, as the purchase would be for the voucher only, whether the gift purchased is a VATable or non-VATable item.
- 4.5 The cost to the Council of the current scheme and the proposed scheme is shown in the table below, using an illustrative example of £255, but Employment Committee may determine a lower amount.

Scenario	Amount of Award	Less: VAT reclaimed	Plus: Admin Charge	Less: Discount (assume 5%)	Cost to City Council (per award)
Existing scheme (gift purchased is VATable)	£255.00	£42.50	£20.00	N/A	£232.50
Existing scheme (gift purchased is not VATable)	£255.00	£0	£20.00	N/A	£275.00
External Provider (current award value)	*£255.00 "Example Amount"	N/A	N/A	£12.75	£242.25

There would only be an additional cost to the Council through the proposed new scheme compared to VATable purchases under the old scheme of £9.75 per award.

5. Equality impact assessment (EIA)

A preliminary Equality Impact Assessment has been undertaken.

6. Legal implications

The City Solicitor is satisfied there are no legal implications arising from this report.

7. Finance comments

The financial implications arising from this proposal are minimal and only increase when compared to VATable supplies purchased under the existing scheme.

Long Service Awards are funded from existing approved service budgets and therefore the financial implications set out in this report would have to be contained within these budgets.

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Signed by:

Appendices:

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

Agenda Item 9

Agenda Item 9

Decision maker:	Employment Committee
Subject:	Senior Management Structure
Date of Decision:	18 th June 2013
Report by:	Chief Executive
Wards affected:	All
Key decisions (over £250k):	No

1. Purpose of Report

The purpose of the report is to update Members on the progress being made to implement the senior management structure, as agreed by this committee on 15th April 2013.

2. Recommendations

Members are recommended to:

- (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) Recommend to Full Council that approval be given to offer an appointment within Band 19, currently equating to a salary in the range £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 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.

3. Background

On 15th April 2013 Members considered a report setting out proposed changes to the senior management structure. This was informed by:

- The decision by one of the Council's Strategic Directors (Margaret Geary) to retire

- The requirement to appoint a Director of Public Health, following the existing interim arrangements
- The on-going requirement to make significant budget savings, including at senior management level

Members agreed the proposed structure, including the creating of a dedicated Director of Public Health (DPH) role for Portsmouth, and the merging of two existing strategic director roles into a new role, described in that report as Director of People Services.

These roles are of critical importance to the Council and the city, and are also subject to a considerable amount of statutory requirement and central government guidance. Therefore, the process of filling the roles is somewhat complex and lengthy.

4. Designation of New Strategic Director Post

Members previously expressed a dislike for the proposed title of "Director of People Services", believing that this did not adequately describe the nature of the role. I have considered a number of variations and now propose that the role should be designated "Director of Children's and Adults' Services".

5. Grading of Director of Public Health Role

The DPH role has been independently evaluated using the Council's job evaluation scheme and as a result has been placed into Band 19. This is consistent with other director-level posts and currently equates to a salary in the range £99,007 to £109,430. Following the Council resolution of 19 March 2013, it will be necessary for any proposal to offer an appointment on these terms to be referred to Full Council for approval before any such offer is made to a particular candidate.

6. Proposed Arrangements for Recruiting Director of Public Health

At the Employment Committee on 15th April 2013, Members were provided with guidance provided by the Secretary of State for Health on the appointment of DPHs. Taking account of this guidance, and learning from the experience of other Councils, the proposed approach to appointing the DPH for Portsmouth is as follows:

- (i) Appointment to be made by an appointment panel made up of a politically-balanced number of Elected members
- (ii) The Appointment Panel will be advised by an Advisory Appointments Committee. This committee to comprise of (at least):
 - Chair of Health & Wellbeing Board (Cllr Leo Madden)
 - Chief Executive of the Council

- Chair of the Clinical Commissioning Group
 - A representative from Public Health England
 - A representative from the NHS Wessex Local Area Team
 - A professional member (possibly from the University)
- (iii) Due to the seniority of the role and its specialised nature, it is proposed that an executive search company be used to assist in identifying and screening suitable candidates. A suitably experienced company will be selected in accordance with the Council's procurement rules.
- (iv) The job description to be informed by the Faculty of Public Health, and approved in advance by Public Health England
- (v) The Advisory Appointment Panel will be convened as soon as possible.

7. Role of Director of Children's Services

There are currently 54 DCS roles across the country whose roles also encompass the broader 'people' remit. That represents at least a third of Councils with those responsibilities. Our statistical/unitary neighbours such as Medway, Bournemouth, Swindon, Poole have all gone down this road, therefore there is not only precedence but peer support available.

As advised at Employment Committee on 14th April 2013, the Council is required, when attaching additional responsibilities to the DCS, to obtain assurance that the DCS is still able to discharge his education and social care functions effectively. In particular, assurance must be gained that the outcomes for children and young people will not be diluted or weakened as a result of adding other responsibilities. In order to maintain assurance into the future, I have attached a draft structure to support the Council in regularly reviewing that the DCS is able to adequately discharge the education and social care functions effectively. A copy of this assurance framework is attached at Appendix A. This is based on the work undertaken by some of the other Councils that have merged these roles and will be developed with the experience of the operation of the new role in practice. I would recommend that the Committee asks for an up-date of this framework and an assessment against it in 12 months' time.

In the light of the Committee's decision at the April meeting a copy of the response of the Independent Chair of Portsmouth Safeguarding Children Board is attached at Appendix B. The Independent Chair notes "*. . .the need to take account of the significant impact of the financial climate on local authorities. The rationale underpinning the proposal has some obvious attractions in terms of the reality of the situation facing local authorities*".

He goes on to say that: *"Inevitably there will be potential risks arising from the breadth and scale of the Director's responsibilities which could result in a loss of focus on key children's issues. From my perspective, one of the strengths of the existing structure is the clarity of focus which exists from the DCS and the senior management team. . . I am concerned that the span of control proposed in the future would not be conducive to maintaining that focus. At one level I can understand and appreciate the rationale underpinning the proposals as outlined. From a 'safeguarding' perspective I would wish to sound a note of caution in terms of the span of responsibility for the new Strategic Director role."*

Members will note that he goes on to endorse the intention to undertake a test of assurance but remains concerned that a re-alignment of this magnitude will not be helpful in maintaining the focus on safeguarding and children's issues.

Members will recall that in my report to the Committee in April, I explained that bringing together the adults' and children's social care and education under the oversight of a single director was clearly a significant change and will mean that the director is unable to give the same degree of attention to all areas as has historically been the case. However, it does bring benefits in terms of the interdependencies across adults' and children's services and the whole family approach. This will be enhanced through the expansion of the remit of the integrated commissioning unit. Further, the Council must weigh the merger and the savings achieved against the need to make significant cuts in expenditure - setting aside Members' desire to further reduce senior management, the opportunity cost of maintaining the existing structure would be an equivalent cut in service elsewhere in the Council's operations.

Through the budget process, Members have determined that they consider that the loss of service to customers would be greater were any other course of action taken. Whilst this shows great confidence in the remaining senior management, Members must appreciate that senior management is now significantly reduced compared to just a few years ago; that there is no obvious reduction in the ambition of the Council; and that the cuts in local government combined with the radical changes in many areas of its activity have led to heightened work pressures.

Whilst the Council has seen significant improvements in both educational attainment and in children's social care practice over the last three years, this has been from a low base, and the Council cannot be complacent about maintaining this achievement. Similarly, whilst in adults' services the Council has made great improvements in the design and commissioning of services, in enhancing independent living and enablement etc., the demographic and financial pressures in this area are enormous.

8. Conclusions

Following Members' decision to adopt a new senior management structure on 15th April 2013, progress is being made to implement the structure, having full regard to the statutory provisions, guidance and organisational requirements that apply.

9. Equality Impact Assessment

An EIA has been undertaken.

10. Legal Implications

Legal implications are embodied within this report.

11. Head of Financial Services' Comments

Funding for the post of the Director of Public Health will be met from (and can be afforded by) the Public Health Grant.

The reduction of a Strategic Director post was made as part of the 2013/14 budget process and a consequent saving of £150,000 was approved by the City Council at its Annual Budget Meeting. With the recent departure of one of the Council's Strategic Directors, this financial saving has now been made. The report sets out the difficult challenge of providing an appropriate level of focus to Children's Services whilst continuing to deliver other services to customers at a time of considerable reductions in funding. If the risks associated with reduced capacity set out in this report were to materialise, whilst un-quantified, they could also have financial consequences. All such risks alongside all other financial risks facing the Council have been fully considered in setting the Council's overall budget, central contingency and its levels of general reserves.

Signed

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Chief Executive

Assurance & Risk Management Review of the integration of the roles of Director of Children's Services and the role of Director of Adult Services and the associated services and functions into a new Directorate.

Guidance regarding Director of Adult services (DASS) is covered by the guidance issued by the Department of Health in 2006. The local authority shall take steps to ensure that the post holder is given the necessary authority, is enabled/given the necessary resources to provide professional leadership (including delivering workforce planning) in social care and deliver the cultural change necessary to implement person-centred services and to promote partnership working, and such other responsibilities as the local authority determines. Local authorities may extend the DASS's responsibilities to cover other local authority services and responsibilities. It is for local authorities themselves to determine whether to utilise/make use of these provisions given their particular circumstances. There are seven key aspects to be included in the DASS's remit:
 (i) Accountability for assessing local needs and ensuring availability and delivery of a full range of adult social services (ii) Professional leadership, including workforce planning (iii) Leading the implementation of standards (iv) Managing cultural change (v) Promoting local access and ownership and driving partnership working (vi) Delivering an integrated whole systems approach to supporting communities (vii) Promoting social inclusion and wellbeing. These are integrated into the Leadership and Managerial considerations.

Statutory Guidance on the Roles and Responsibilities of the Director of Children's Services [DCS] DfE 2009 - It is for each local authority to determine the precise nature of its own assurance process and how to provide transparency for local communities about which individuals are fulfilling the statutory role of DCS, taking account of local circumstances. However, in doing so, the following elements are likely to be essential in assuring that effective arrangements are in place:

Leadership & Managerial Considerations	Children's Guidance	Action - to address capacity and accountability requirements	Responsible for Review	Target Date	Done?
Appropriate balance of responsibilities in relation to 'reports' and corporate colleagues.	Seniority of and breadth of responsibilities allocated to individual post holders and how this impacts on their ability to undertake those responsibilities (especially	- Review of the 2 nd Tier in the new Directorate has led to the creation of a new Head of People Commissioning to provide greater integration of commissioning across adults, children's and	CX - Agreed by Employment Committee	May 2013	✓

	where a local authority is considering allocating any additional functions to the DCS and LMCS posts)	health and additional senior management capacity.			
		- Precise responsibilities of the new commissioning unit are subject to review.	Strategic Directors (Children & Adults and Public Health)	July 2013	
		- Review of 3 rd Tier in key services.	Strategic Director (Children & Adults)	underway	
		- Review of how other services support the combined role and directorate.	Strategic Directors Board	October 2013	
Leadership and management arrangements of PCC services delivering secure outcomes for local people.	Clarity about how senior management arrangements ensure that the safety and the educational, social and emotional needs of children and young people are given due priority and how they enable staff to help the local authority discharge its statutory duties in an integrated and coherent way	- Review of performance management arrangements.	Strategic Director (Children & Adults)	August 2013	
Public Scrutiny and Challenge	Clarity about how the local authority intends to discharge its children's	Political: Council; Cabinet/ Portfolio; Scrutiny. Professional: CEO; DCS; Heads	CX	Annual Council	✓

	services functions and be held accountable for them from political, professional, legal and corporate perspectives (including where, for example, services are commissioned from external providers or mutualised in an arms-length body)	of Service, including Integrated Commissioning Unit. Multi agency: Children's Trust Board; Children's Safeguarding Board; Integrated Commissioning Board; Schools' Strategy Board; Schools' Forum; Heads' Conference; Youth Offending Team; Health and Wellbeing Board; Local Family Justice Board; Corporate Parenting Board			
		- To introduce the role of Independent Chair of the Adult Safeguarding Board	Head of Adult Social Care	Dec 2013	
		Peer Review of Adult Safeguarding (ADASS sector-led improvement initiative)			
Service Users' Participation arrangements	The involvement and experiences of children and young people in relation to local services	Peer Challenge of Children's Safeguarding	Head of Children's Social Care & Safeguarding		
		Education Peer challenge	Head of Education	June 2012	✓
		14-19 Peer Challenge	Head of Education	June 2013	
		Strengthened relationship with Youth Parliament	Strategic Director (Children &	Aug 2013	

			Adults)		
		Strengthened relationship with Children in Care Council	Head of Children's Social Care & Safeguarding		
		Enhanced feedback mechanisms for children and young people in need via Social Work Matters Programme	Head of Children's Social Care & Safeguarding		
Safeguarding	Clarity about child protection systems, ensuring that professional leadership and practice is robust and can be challenged on a regular basis, including an appropriate focus on offering early help and working with other agencies in doing so.	QA arrangements	Head of Children's Social Care & Safeguarding		
		Clarity of responsibility	Head of Children's Social Care & Safeguarding		
		Review of the respective roles of the JAT Steering Group and Portsmouth Safeguarding Children Scrutiny and Practice Committees to lead and challenge around multi-agency early help and safeguarding practice	Strategic Director (Children & Adults)	August 2013	

Partnership Structures	The adequacy and effectiveness of local partnership arrangements (e.g. the local authority's relationship with schools, the Local Safeguarding Children Board (LSCB), the courts, children's trust co-operation arrangements, Community Safety Partnership, Health and Wellbeing Board, Youth Offending Team, police, probation, Multi-Agency Public Protection Arrangements and Multi-Agency Risk Assessment Conferences) and their respective accountabilities.	Development of new Children's Trust Plan 2014 onwards and associate structures across local authority, Children's Trust and Safeguarding Children Board to deliver	Strategic Director (Children & Adults)/Chair of Children's Trust	Jan 2014	
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23 May 2013

David Williams
Chief Executive Officer
Portsmouth City Council

Dear David

Consultation re: Senior Management Structure

Thank you for providing me with a copy of your report to the Employment Committee regarding the Senior Management Structure in Portsmouth City Council 15 April 2013.

Whilst I appreciate that the Council has agreed a potential approach to the Senior Management Structure, I would like to submit some brief comments for your consideration in my capacity as Independent Chair of Portsmouth Safeguarding Children Board. Given my particular role, I will confine my comments to the issues from that perspective and specifically the proposal to create a 'People's Services Directorate'.

I have read the Employment Committee Report and considered the proposal to create a People's Services Directorate. I have noted the points that the Council has been moving towards a reduction in the number of directorates and the need to take account of the significant impact of the financial climate on local authorities. The rationale underpinning the proposal has some obvious attractions in terms of the reality of the situation facing local authorities.

It is evident from the proposals that this would mean a 'significant change' in terms of the DCS role. You highlight in your report the 'significant improvements in both educational attainment and children's social care practice over the last three years' and you emphasise the importance of not being complacent in sustaining this improvement. I would certainly concur with these comments.

The last Inspection of Safeguarding & Looked after Children's Services 2011, together with the LGA Peer Review 2012 and indeed our latest Serious Case Review identified areas for continuing work to sustain improvement in services.

In your report you have helpfully highlighted the guidance [18(7) Children Act 2004] pertaining to the Director of Children's Services which refers to 'the breadth and importance of children's services functions' and that local Authorities should give due consideration to protecting the discrete roles of the DCS and LMCS before allocating additional functions to individuals performing these roles. The guidance also refers to the local authority carrying out 'effective assurance checks' in ensuring that their structures enable them to carry out their statutory duties effectively. I know from our discussion that it your intention to ensure that an assurance test is undertaken in relation to this proposed structure change.

The nub of my concern centres on one of the concluding comments in your report which refers to 'a significant reduction in senior management capacity at a time of great strain'. Inevitably there will be potential risks arising from the breadth and scale of the Director's responsibilities which could result in a loss of focus on key children's issues.

From my perspective, one of the strengths of the existing structure is the clarity of focus which exists from the DCS and the senior management team. This has been a considerable benefit in supporting and strengthening safeguarding arrangements within the city. I am concerned that the span of control proposed in the future would not be conducive to maintaining that focus.

At one level I can understand and appreciate the rationale underpinning the proposals as outlined. From a 'safeguarding' perspective I would wish to sound a note of caution in terms of the span of responsibility for the new Strategic Director role. I endorse the intention to undertake a test of assurance but I remain concerned that a re-alignment of this magnitude will not be helpful in maintaining the focus on safeguarding and children's issues referred to above.

These comments reflect my personal views as Independent Chair of the Safeguarding Children Board. They are not submitted on behalf of the Board. Should you wish to have the opportunity to consult directly with the Board I would be pleased to make the necessary arrangements.

Yours sincerely

Jimmy Doyle
Independent Chair, Portsmouth Safeguarding Children Board



Agenda item: **10**

Title of meeting: Employment Committee
Date of meeting: 18th June 2013
Subject: Standby Allowance Payments
Report by: Jon Bell - Head of HR, Legal and Performance
Wards affected: N/A
Key decision: No
Full Council decision: No

1. Purpose of report

The purpose of this report is to provide Employment Committee with further information relating to Standby Allowance payments that are currently used throughout the Authority and to recommend a revised Standby Allowance payment scheme.

2. Recommendations

It is recommended that:

- (i) A revised Standby Allowance payment scheme is implemented which takes account of the number of times a person is disturbed and the potential emotional impact of the disturbance.
- (ii) Any additional costs arising from amendments to standby allowances are funded from existing, approved budgets.

3. Background

- 3.1 Standby Allowance is paid to employees that are required to respond to work related matters whilst not on duty at their place of work. The response may be a telephone call where the matter can be resolved quickly; it may require the employee to dial in to the computer system and respond from home, or the employee may be required to leave home and attend a place of work.
- 3.2 Call Out Payments are made to employees who are required to respond when on standby. The employee is paid a minimum of 1 hours pay if responding from home and 2 hours pay if they are required to leave home and attend site. The rate of pay for the post and relevant time of day is paid (this may be at time or time and a half depending on the time of day).

- 3.3 The Standby Allowance and Call Out Payment policy state that this is applicable for employees on Band 7 and below. However, in exceptional circumstances, the payments can be made to those above Band 7 with approval from Head of Hr. As such, Standby and Call Out payments are in place for a number of employees who are above Band 7.
- 3.4 The current standby allowance rate was negotiated at the time of LPR and is currently £15.15 Monday to Saturday and £22.73 Sunday/Bank or Public Holidays.
- The value is not linked to a spinal point.
- The value is the same for all employees, based on the principle that everybody's spare time is of equal value.
- 3.5 The lack of flexibility in the current Standby Allowance policy is causing difficulties in two service areas a) Adult Social Care and b) Children's Social Care. Subsequently these areas are at risk of being unable to provide their core business and/or statutory duties, because they are unable to provide 24 hour cover.
- 3.6 On 15th April 2013 at the Employment Committee, it was agreed that a special arrangement be implemented for the Adult Mental Health Practitioners to receive a higher rate of standby allowance (£50 per standby), to allow the team to continue to provide a 24 hour cover and fulfil its statutory obligations. This was agreed as a temporary measure whilst a full review of the Standby Allowance payments was undertaken across the whole Authority.

4.0 Review of Standby Allowance Usage

4.1 Standby Allowance Review

- 4.1.1. A review has 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 was to be changed or removed. The outcomes of the review are detailed in Appendix 1.
- 4.1.2. There are 8 services that currently utilise the Standby Allowance policy with a small number of employees receiving the allowance in each area. Based on the payments made in the 2012/13 financial year, just over 100 employees received the payment.

4.2 Conclusions of Review

The existing standby allowance meets the needs of most of the services. However, there are some service areas where the standby allowance rate is causing difficulties. The first is in Adult Mental Health Practitioner team, where Portsmouth City Council is competing with Hampshire County Council's rate of

Standby Allowance. The Fostering Team are also experiencing problems in getting staff to agree to be on standby rota at the current rate, due to the nature of the problems they are likely to deal with if disturbed. The Civil Contingencies Contact Officers are aware that the Standby Allowance paid at other Local Authorities within the region is higher than that of Portsmouth City Council.

5.0 Options for an alternative Standby Allowance payment:

5.1 Option 1 - Maintain the existing Standby Allowance payments and to allow a greater flexibility to apply different rates where a service is having difficulty in covering standby shifts, similar to the market supplement policy:

5.1.1 It is recognised following the review of Standby Allowance payments that a large percentage of services needs are being met with the existing arrangement. However, there are areas (Adult Mental Health and Fostering Team) where the existing Standby Allowance is not sufficient. Option 1 would allow the service areas to present a business case to Pay Steering Group, to agree an alternative payment, based on the needs of the service and market value. This would be reviewed bi-annually to ensure that the rate agreed is still appropriate and could be increased or decreased dependent upon the external market rates.

5.1.2 This would resolve the needs of the service areas, whilst ensuring that the Standby Allowance payments across the authority are not inflated unnecessarily.

5.1.3 However, this would create pay differentials that are not transparently applied across the organisation.

5.2 Option 2 – Different Categories of Standby Allowance payments dependent upon the number of disturbances and the emotional impact.

5.2.1 To allow greater flexibility than the existing Standby Allowance payment, a three tier payment scheme could be introduced, reflecting the levels of disruption and emotional impact encountered whilst on standby.

Similar schemes currently operate within two Local Authorities within the South East Region.

5.2.2 Example:

Category A - Minimal disruption (i.e. less than 2 per standby shift) with low emotional impact

Rate: £15.15 (for each 24 hour period) Monday to Saturday
£22.73 (for each 24 hour period) Sunday/Bank/Public Holiday

Category B – Medium disruption i.e. 3 calls per shift and/or high emotional impact

Rate: £26.50 (for each 24 hour period) Monday to Saturday
£39.75 (for each 24 hour period) Sunday/Bank/Public Holiday

Category C – High disruption and emotional impact

Rate: £50* (for each 24 hour period) Monday to Saturday
£75* (for each 24 hour period) Sunday/Bank/Public Holiday

*No call out payment for the first hour of call out.

5.2.3 It is proposed that "Emotional Impact" is measured as follows:

Category A: The contacted person is not likely to experience emotionally charged situations

Category B: The contacted person may experience emotionally charged situations and the disturbance will involve concern for others who are socially, mentally or physically disadvantaged. There is also potential exposure to abuse.

Category C: The contacted person is highly likely to experience emotionally charged situations, and the disturbance will involve concern for others that are socially, mentally or physically disadvantaged and there may be a risk of physical violence.

It is proposed that a scoring matrix is completed for each service that is applying for Category B and Category C payments, which will be endorsed by HR, to ensure consistency of application.

5.2.4 From the review of Standby Allowances, it has been identified which services are likely to fall in to which category. The positive aspect of this option is that we would not inflate the payments for those who are satisfied with the existing arrangements. However, it would meet the needs of those service areas that are having difficulty. In addition, the payment structure is transparent and applied dependent upon the needs of the service.

5.2.5. If this payment scheme was introduced, the manager would need to ensure that the right payments were being paid and would therefore need to regularly review the arrangements and make adjustments accordingly.

5.3 Option 3 – Link Standby Allowance payment to Spinal Point:

5.3.1 A number of Local Authorities in the South East region operate a Standby Allowance payment scheme based on a Fixed Spinal Point, or actual spinal point if the employee is paid above the fixed spinal point. To remain in line with the current Standby Allowance rate, it is suggested that the Fixed Spinal Point is Spinal Point 34 (mid Band 9) @ £15.15.

5.3.2. If Portsmouth City Council were to introduce this scheme, there would be an increase in Standby Allowances as 55% of those receiving Standby Allowances are graded above Band 9. It would mean increasing the Standby Allowance rates for those who are satisfied that the existing rates are meeting the business needs. In addition, this increase will not resolve the operational issues within the

Adult Mental Health team, as the rate would not compete with that paid by Hampshire County Council.

6. Reasons for recommendations

- 6.1 It is recommended that Employment Committee agree to introduce Option 2 which has a three tiered Standby Allowance payment structure. This reflects the levels of disruption encountered whilst on Standby, as well as recognising the emotional impact that the disruption may have on the employee. By implementing Option 2, the operational issues that are currently being experienced within Adult Social Care and Children's Services Social Care and Safeguarding will be resolved. Whilst solving these operational issues, it also means that the Standby Allowances for those services where the current rate is meeting the needs of the service will not be unnecessarily inflated.

7. Equality impact assessment (EIA)

A preliminary Equality Impact Assessment has been undertaken.

8. Legal implications

Exempt (see Exempt Appendix 1)

9. Finance comments

Based on the latest data from the 2012/13 financial year the financial impact of the options suggested above is as follows:

Service	Current Cost (2012/13 actuals)	Option 1 Increase / (Decrease) on 2012/13	Option 2 Increase / (Decrease) on 2012/13	Option 3 Increase / (Decrease) on 2012/13
Adult Social Care	£10,000	Subject to individual business case presentations to Pay Steering Group based on the needs of the service and market value	£21,400	£4,300
Childrens Social Care and Safeguarding	£4,900		£3,800	£1,300
City Development and Cultural Services	£7,800		No change	£700
Community Safety (Civil Contingencies)	£6,300		£5,400	£1,900
Housing and Property Services	£13,900		No change	£500
Information Services	£40,500		No change	£3,200
Port	£26,600		No change	£8,700
Transport and	£15,300		No change	£200

Environment				
Totals	£125,300		£30,600	£20,800

Notes:

It has been assessed that under option B only three services would move away from the current arrangements (Category A) with Adult Social Care staff falling into Category C and Children’s Social Care & Safeguarding and Civil Contingencies Contact Officers falling into Category B.

For option 3 only those staff above spinal point 34 would receive an additional payment.

The figures in the table above will change according to the grade of staff on standby duty, the number of occasions they are on duty and the number of hours they are called out on any particular occasion.

Any additional costs arising from amendments to standby allowances would need to be funded from existing, approved budgets.

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 Signed by:

Appendices:

- Appendix 1: Exempt Legal Comments
- Appendix 2: Standby Allowance Review

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

STANDBY ALLOWANCE PAYMENT REPORT FOR EMPLOYMENT COMMITTEE

Standby Allowance Payment Review

A review has been undertaken across the whole of the Authority to ascertain which posts receive standby allowance and for what purpose. It has also been established whether the existing standby allowance meets the needs of the service area and what the implications would be if the Standby Allowance was to be changed or removed. The outcomes of the review are detailed below.

There are 8 service areas that currently utilise the Standby Allowance policy with a small number of employees receiving the allowance in each area. Based on the payments made in 2012/13 financial year, just over 100 employees received the payment at a total cost of £125,000 for the entire year.

Outcomes of the Standby Allowance Payment Review:

Adult Social Care

There are two teams in Adult Social Care who receive Standby Allowance. Adult Mental Health Practitioners are required to be on standby on a rota basis, seven days a week to provide a statutory service. Standby shifts are operated between 2.00am and 8.00am.

The Assessment, Care Management and Social Work team provide standby cover to Queen Alexandra hospital, for weekend and bank/public holiday cover and when the hospital is under considerable pressure.

It is essential that the standby arrangement continues for both teams. If the standby allowance was removed, the staff would be scheduled to work these additional hours which would incur costs both from needing additional staff as well as attracting a shift allowance.

Children's Social Care and Safeguarding

The Fostering Team are required to be on Standby to provide advice and support to Foster Carers out of office hours. If the Standby Allowance was removed, additional staff would be employed to cover out of hours, resulting in an increase in costs from needing additional staff as well as attracting a shift allowance. Portsmouth City Council Foster Service has a very good reputation for the service and support provided to foster carers. To remove the Standby Allowance payment and therefore disrupt the service provision, will cause damage to the reputation of Portsmouth City Council.

City Development and Culture

There are two employees receiving a Standby Allowance in this service. Two members of staff are paid standby to attend alarm call outs to the Libraries and Museums. If we were to remove the Standby Allowance, we would need to contract a Security Callout Service. This option has been investigated recently and would result in an increase cost to the authority.

Civil Contingencies

The Authority has a legal obligation to respond to civil emergencies. We have 15 employees across the authority that are Contact Officers in the event of a civil emergency and are scheduled to work one week standby on a voluntary rota basis.

When there is a civil emergency, the Contact Officer is required to make decisions on behalf of the Authority whilst working with the Emergency Services.

It would be difficult to get employees to volunteer to be on standby if the payment was reduced or removed. This would leave the Authority at risk in cases of civil emergencies. The Standby Allowance received by the Contact Officers is lower than that of other Local Authorities within the region.

Housing and Property Management

The Housing and Property Management service have two teams who work on standby rotas, Out of Hours Mobile Controller and Maintenance Technicians. To reduce or remove Standby Allowance would reduce the flexibility in attending buildings to rectify safety, electrical, heating and/or plumbing maintenance issues.

Information Services

There are 20 employees in IS who receive Standby Allowance. Employees are required to maintain the ICT systems and infrastructures which provide key services to all areas of Portsmouth City Council. If the Standby Allowance was reduced or removed, IS would be unable to ensure the continuous provision of vital ICT services.

Port

There are two teams within the Port that receive Standby Allowance. The IS team (3 employees) are required to provide the same service as the IS team to the Port and MMDDS. The Technical Services group (8 employees) are required to provide assistance in the event of an electrical or mechanical breakdown at the Port.

Transport and Environment

Transport and Environment have a number of teams who currently work on Standby including Contract Supervisors (Parks and Recreation), Maintenance Technicians,

Engineers, Parking Technicians and Kennel Assistants. If the Standby Allowance was reduced or removed, there could be significant risks to the service provision. For example, the Contract Supervisors in Parks and Recreation are called out at weekends for maintenance purposes if equipment is damaged or broken in a children's play area. The Health and Safety risks of removing standby rotas would be significant.

Conclusions of Review:

The existing Standby Allowance meets the needs of most of the services. However, there are some service areas where the Standby Allowance rate is causing operational difficulties. The first is in Adult Mental Health Practitioner team, where Portsmouth City Council is competing with Hampshire County Council's rate of Standby Allowance. The Fostering Team are also experiencing problems in getting staff to volunteer to be on a standby rota at the current rate, due to the nature of the problems they are likely to deal with if called, for example, a missing child. The Civil Contingencies Contact Officers are aware that the Standby Allowance paid at other Local Authorities within the region is higher than that of Portsmouth City Council.

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