

EMPLOYMENT COMMITTEE

MINUTES OF THE MEETING of the Employment Committee held on Tuesday, 26 June 2018 at 12.15 pm in The Executive Meeting Room - Third Floor, The Guildhall

Present

Councillor Gerald Vernon-Jackson CBE (in the chair)
Councillor Donna Jones (Vice-Chair)
Councillor Yahiya Chowdhury
Councillor Darren Sanders

Officers Present

Michael Lawther, Deputy Chief Executive
Jon Bell, Director of HR, Legal and Performance
Roland Bryant, Learning & Development Business Partner
Sue Page, Finance Manager
Mark Tutton, Building Services and Support Manager
Kate Brady, Apprenticeship and Work Placement Officer
Helen Kane, Assistant Director of HR

7. Apologies for Absence (AI 1)

The Chair of the Committee, Councillor Gerald Vernon-Jackson welcomed everyone to the meeting and gave details of the evacuation procedure. He then advised that the meeting today was being livestreamed.

Introductions were then made round the table.

Apologies for absence were received on behalf of Councillor Luke Stubbs, Councillor James Fleming, David Williams, Chief Executive, Chris Ward, Finance Director and Section 151 Officer and Frank Regan, Health & Safety Manager.

8. Declarations of Members' Interests (AI 2)

There were no declarations of members' interests.

9. Minutes of the Meeting held on 27 February 2018 (AI 3)

RESOLVED that the minutes of the meeting held on 27 February 2018 be confirmed and signed by the chair as a correct record.

**10. Health & Safety Annual Report (for period 1 April 2017 - 31 March 2018)
(AI 4)**

(TAKE IN REPORT)

Mark Tutton, Building Services and Support Manager introduced the report which updates the committee on Portsmouth City Council's health and safety performance between 1 April 2017 - 31 March 2018.

He drew members' attention to paragraph 3.1.2 of the report which summarises the council's performance which is very positive. No members of staff or the public were killed or seriously injured as a result of council work activities or infrastructure and RIDDOR reportable incidents are at an all-time low for the second consecutive year.

The Committee was pleased to receive this very positive report and found the outcomes very encouraging.

RESOLVED that the Employment Committee endorsed the 2018/19 Health & Safety Unit corporate action plan.

11. Trade Union Facility Reporting (AI 5)

(TAKE IN REPORT)

A deputation was made on this item by Richard White of UNITE. The full content of the deputation can be viewed at the following link

<https://livestream.com/accounts/14063785/Employment-26Jun2018>

The Chair thanked Mr White for his deputation.

Jon Bell, Director of HR, Legal and Performance, introduced this item which reports the outcomes of the Trade Union Facility Time Report 2018, ensuring the Council can fulfil its statutory obligations in respect of the Trade Union (Facility Time Publication Requirements) 2017.

These regulations place a legislative requirement on "relevant public sector employers " to collate and publish, on an annual basis, a range of data on the amount and cost of facility time within the Council.

The first report must be published by 31 July 2018 on the employer's website, a Government maintained central website and, where the employer publishes an annual report, it must be included in that report.

Jon Bell drew Members' attention to the difference between trade union "duties" and "activities".

Duties are mainly functions relating to supporting employees such as attending disciplinary hearings etc.

Activities are for example trade union meetings that the union representatives attend. An employer is required to provide paid time off for union duties, but unpaid time off for union activities.

The Council has had to base the report on what is known. The prime vehicle for recording facilities time is via the EBS system. Where EBS is not available, recording mechanisms are in place, but may not be totally accurate. This is

the first year that recording and reporting has been required and it is expected that the reliability of data will improve for future years.

In response to matters raised by members concerning the deputation

- Mr Bell said that it was not possible to use the ORACLE system to compare the time booked onto the system before the funding reduction introduced last year and now, in order to assess the impact of the cut to funding in terms of whether or not it was really a "cost shunt".
- Members agreed with the suggestion made in the deputation that managers should share responsibility for recording facilities time as they had to agree to release the union representatives.

It was agreed that 4.1 of the report would be amended and uploaded to the website to include all the unions and professional associations for Education function staff represented in schools ie Unison, Unite, GMB, NEU, NASUWT, ATL and NAHT.

Mr Bell said that the council is not able to compel individual schools to fund union representatives - it is up to the union representatives to negotiate.

RESOLVED that the Committee

(1) Noted the data in Appendix 1 and the fact that the Appendix will be the report published on the PCC website , and the Government maintained website currently being developed by the Cabinet Office.

(2) Noted that the data will be included in any relevant Annual Report and Accounts that are published by PCC.

12. Sickness Absence - Quarterly Report (AI 6)

(TAKE IN REPORT)

Jon Bell introduced the report which shows the level of sickness absence has decreased marginally from 8.59 to 8.53 average days per person per year. The detail is set out in paragraph 3 of the report. He said that there were still challenges to overcome in Children's Social Care and the Port.

Mr Bell drew members' attention to Section 4 of the report about wellbeing. Officers in Human Resources and Public Health are working together to ensure that workplace health is embedded meaningfully into the daily working culture of Portsmouth City Council and into the lives of staff outside work.

Mr Bell said that future reports would include breakdown of absence by reason as had been done previously.

RESOLVED that Members continue to monitor sickness absence and ensure appropriate management action is taken to address absenteeism.

13. Apprenticeship Levy update (AI 7)
(TAKE IN REPORT)

Jon Bell and Roland Bryant introduced the report which updates the committee on progress made with regard to apprenticeships in the city council since the introduction of the apprenticeship levy in April 2017 and the rules for sharing up to 10% of PCC's levy with external organisations.

Mr Bell said that the regulations are subject to frequent change and that the committee would be kept informed.

During discussion the following points were made

- Members were pleased to receive this positive and encouraging report
- Members wanted to ensure that the apprenticeship programme assists the local labour force. Jon Bell advised that the apprenticeship programme is beneficial to the local area and to the council in upskilling the local work force.
- Members were concerned that money may have to be given back to the government if it is not all used so everything that can be done to use the money allocated is welcome. Partnership working is likely to represent a good way forward.
- Members said that contacting other authorities may be useful in order to learn from others and share experience.
- Jon Bell advised that other authorities often contact PCC to seek information and advice as PCC is considered as being very successful concerning its apprenticeships programme

RESOLVED that Employment Committee

(i) Noted the achievement made in relation to the council's apprenticeship target

(ii) Noted the continued increase and diversity of PCC apprenticeships

(iii) Gave approval to officers to undertake a feasibility study relating to the transfer of levy funds to external organisations including the option of establishing an Apprenticeship Training Agency (to be reported at the next scheduled Employment Committee).

14. Appointment to Hampshire Pension Fund Panel and Board (AI 8)

The Chair of the Committee advised that Councillor Jeanette Smith had volunteered to undertake this role and members of the committee duly agreed her appointment.

RESOLVED that Councillor Jeanette Smith be appointed to serve on the Hampshire Pension Fund Panel and Board for the rest of the Municipal Year (subject to her remaining an elected member).

15. The Living Wage (AI 9)

(TAKE IN REPORT)

Note: Following the meeting the revised report that included the changes to the figures in paragraph 8 was uploaded to the website with an explanatory note on the agenda.

Two deputations were made on this item. The full content of the deputations can be viewed at the following link

<https://livestream.com/accounts/14063785/Employment-26Jun2018/videos/176877096>

The first deputation was from Jon Woods, UNISON.

The second deputation was from Richard White, UNITE.

The Chair thanked those making deputations.

Sue Page, Finance Manager, explained that paragraph 8 of the original published report had been replaced to correct the costs which are all lower than appeared in the original report. It was agreed that the corrected report would be uploaded to the website with an explanatory note being included on the published agenda.

The Chair agreed with much that had been included in the deputations including

- Regret about the pay freeze for those receiving the lowest wages whereas those on the highest salaries had received a pay increase.
- that the Living Wage should be consolidated as it protects it for the future.

He said that not everything that he would like to introduce can be done immediately, but that he considered it to be right to re-establish paying the Foundation Living Wage as recommended in the report

During discussion the following matters were raised

- The Chair said that he would not sign up to the Living Wage Foundation Accreditation at present as not everything could be done immediately. He said that more work needs to be done first but that he hopes that a report on the matter could be brought to a future meeting.
- The Vice-Chair said a balance was needed between paying a salary that someone could live on and protecting jobs.
- It is possible that not all schools will want to sign up to the Foundation Living Wage. Although there may be the possibility of a legal challenge on equality grounds, this has not happened so far.

- The Equality Impact Assessment document included potential positive impacts of paying the Foundation Living Wage such as breaking the culture of dependency and improving sickness absence rates.

It was proposed by Councillor Vernon-Jackson, seconded by Councillor Sanders that the recommendation in the report should be amended so that applying the Foundation Living Wage would take effect from 1 September 2018.

Upon being put to the vote this was unanimously carried.

The Employment Committee

RESOLVED to apply the Foundation Living Wage with effect from 1 September 2018, consolidated into the council's pay structure, noting the costs and issues identified in the report and subject to special provisions for those employees who have transferred to PCC under TUPE regulations.

The meeting concluded at 1.35pm.

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Councillor Gerald Vernon-Jackson CBE
Chair