

JOINT NEGOTIATING COMMITTEE

MONDAY 2 JUNE 2014

MINUTES OF THE MEETING

Attending:

Councillors:

Adeleke, B Chapman, G Sutton and Whitman.

Trade Union: Will Cherry (Chairman), Janet Colyer, William O’Gorman and Christopher Plested.

Officers: Anne Stunell, Human Resources Team Leader and Pat Duff, Member Support Officer (Minutes)

The meeting began at 6.30 pm

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Harden, McLean and Rance.

2. APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN

Resolved:

1. That W Cherry be appointed as Chairman until May 2015.
2. That Councillor G Sutton be appointed as Vice-Chairman until May 2015.

3. MINUTES

The minutes of the meeting held on 3 September 2012 were agreed by the members present and signed by the Chairman.

4. MATTERS ARISING

4.1 Minute 5 – Car Users Allowance.

Action – this item be put on the next agenda.

4.2 Minute 4 – Health and Safety Update

W Cherry asked, now that Helen Price had left DBC, what the position was regarding health and safety reports to JNC.

A Stunell said with the restructure, the bulk of health and safety work would be done by Regulatory Services. Paul O’Day was currently dealing with health and safety issues.

Councillor Sutton said the committee needed to be kept up to date with new and future legislation.

W Cherry said it was necessary for members and officers to know what was required of Dacorum Borough Council as an employer.

Action – A Stunell to speak to Paul O'Day about attending future meetings.

5. ABSENCE MANAGEMENT POLICY

Janet Colyer introduced the report. Some employees who were suffering work related stress were not receiving enough support from management. In some instances capability hearings were being heard by the employee's manager and in some instances this was not appropriate because the manager may be part of the stress problem.

After discussions, a word change within the Sickness Absence Policy had been suggested. If an employee was off sick with proven work related stress, the line manager may not be the appropriate person to lead that hearing. Management should also consult HR in the first instance. The Group Manager People had suggested some re-wording.

A Stunell said HR always tried to see who the best person to lead the hearing would be. The wording was agreed to say that if someone had a stress related condition, consideration would be given as to whether the line manager would be the most appropriate person to continue to manage the sickness. The Sickness Management Policy was being reviewed. Laura Buckland was training managers in mental health first aid and 35 people across the authority had been trained as mental health first aiders. This was an on going rolling programme requested by the Chief Executive. All the senior management team and group managers would be receiving training. The Council was trying to ensure stress and mental health was at the front of everybody's minds.

Councillor Sutton asked if the policy had been agreed.

A Stunell said HR had been asked to refresh policies but there had been no fundamental changes. The change suggested was not written into the current policy as the Council believed this was already being done. The Group Manager People had discussed this with the unions and this was just a 'tidying up'.

Councillor Whitman suggested that an employee suffering from stress should go to another line manager.

A Stunell said 35 people had been trained to help people in this situation.

W Cherry said the big problem was that people did not want to admit to stress. Early disclosure could help.

A Stunell said the Council wanted to take action before employees went off sick. Well being checks were being put in place and the Council was working hard to support employees as much as possible.

Councillor Sutton said it was difficult to comment without seeing the policy and asked that it be emailed to members.

Councillor B Chapman commented on paragraph 4 of the report where it suggested the 2 week reference period should be extended. Councillor Chapman said this was

too open ended. A decision should be made on the period of time to have a decision or a review on a certain date and should be based on facts.

A Stunell said the Council had to have a policy but issues were looked at on a case by case basis. Regarding the 2 week reference period, the Group Manager People felt that could give rise to less support and that was why there was no discretion in the policy. Early intervention was vital. It was written into the long term sickness procedure that employees had to be seen at certain times. There were appeals and grievance procedures. Comprehensive training had been given on the sickness policy. All new managers attended induction training on policies and procedures.

J Colyer said she was pleased managers were receiving more training. The monthly health awareness course was very good.

Councillor Adeleke said some people may not be aware of help available and asked how staff were made aware of their entitlement and where they could go to for help.

A Stunell said there were place (EAP) based options. Employees were told about occupational health and the mental health first aiders. Communications were sent through Yammer, the Review and Departmental Management Teams. Off the record discussions also took place with unions to help steer people in the right direction. The unions had been asked for suggestions. Absence figures had recently increased and this was being looked at. No great changes were being considered and working with the unions was very helpful.

The line manager was the closest to the affected person. There were cases of stress but some people used the stress card in order to slow down the grievance process.

Councillor B Chapman asked for clarification regarding the 2 week reference period and asked if it could be extended.

A Stunell said there were targets regarding short term absence but not regarding long term absence. The 2 week period was to enable the Council to make contact with them and refer them to occupational health within 4 weeks.

Councillor B Chapman asked for confirmation that it was just to see the people and give them immediate assistance.

A Stunell said the Council needed to speak to them within 2 weeks. The manager or HR would contact them to give support.

W Cherry said the 2 week period covered all long term sickness.

Councillor B Chapman said if this was extended to suit the person's need, the last sentence in that paragraph was not needed.

A Stunell said the employee also had responsibilities and had to telephone in daily.

Councillor B Chapman said he wanted to give employees quick support that was carried through as required to get the person back to work.

A Stunell said it was the line manager's responsibility to keep in touch. HR received updates on long term sickness. Managers may sometimes be scared to ring employees and HR would do it instead but with limited resources in HR the line manager and the employee had to take responsibility.

J Colyer said according to the Absence Management Policy the employee was required to ring the manager every day from day 1. The 2 week reference period would normally start the whole process of the sickness management procedure. In cases of stress that could exacerbate that stress. If an employee had been in hospital it would sometimes be obvious that employee would not be returning to work. This should be looked at on a case by case basis.

Councillor B Chapman said Dacorum Borough Council was an employer and had a responsibility to the staff. There should be early intervention to find out the problem and work with the employee to resolve that problem.

J Colyer said the manager would have full information from day 1. After that 2 week period the formal process would kick in and that could prolong the sickness by adding to the stress. Some people would not want to talk to anybody and because they would not accept help available, sometimes 2 weeks was too soon.

Action – A Stunell to email the wording in the policy to members.

6. AGREEMENT ON DISABILITY LEAVE

W Cherry advised that last year he had attended a disabled members' conference and saw this agreement. When a person had a disability more health checks were needed.

A Stunell said she had made enquiries as to what other employers did and a lot did not have separate disability leave agreements. The Council acknowledged the Equality Act. When the Equality Act was taken into consideration, sickness patterns were looked at. If somebody was covered under the Equality Act the absence targets were doubled.

The Council did incorporate equalities and had flexible working. The Council had lots of other policies to ensure people with disabilities were looked after. Paragraph 3.5 of the report showed there was great flexibility regarding disability leave and that the Council was a fair employer. If somebody needed an appointment that would not be counted towards sickness. People had flexitime.

W Cherry said he was concerned about unexpected events.

A Stunell said the Council wanted people to be healthy and fit and to go to their hospital appointments. The policy says employees needed to try and make appointments as sensibly as possible and the Council would be flexible on the need to make the time up or not. Appointments were covered in the policy. There was concern about having a separate disability policy. A lot of work had been done on equalities.

Councillor G Sutton said there was a proposed policy from the unions and suggested that both documents be considered at the next meeting.

W Cherry said he wanted to protect the rights of disabled employees as well as the Council.

Councillor G Sutton asked at what point the employee transferred from the original sickness to having a disability.

A Stunell said the person had to have experienced it for 12 months or was likely to experience it for the next 12 months. The British Medical Council defined disabilities i.e. Complete deafness was a disability. An asthma sufferer may be covered under the Equality Act. It was a difficult fine line but the Council would refer to occupational health. There was a table at the back showing impairment and what could be done for those people.

Action: A Stunell to send round a link to the policy on Sharepoint and the changed wording.

7. ANY OTHER BUSINESS/FUTURE AGENDA ITEMS

The following items to be considered at the next meeting:

- Car Users's Allowance – A Stunell
- Health and Safety Update – P O'Day
- Disability Leave – W Cherry/A Stunell

8. DATES OF FUTURE MEETINGS

Meeting Date – start time 6.30 pm	Date agenda to be circulated
Monday 8 September 2014	Monday 18 August 2014
Monday 8 December 2014	Monday 17 November 2014
Monday 2 March 2015	Monday 9 February 2015

This was agreed and noted.

The meeting ended at 7.40 pm.