

## JOINT NEGOTIATING COMMITTEE

MONDAY 05 DECEMBER 2016

### MINUTES OF THE MEETING

#### Attending:

**Councillors:** Chapman (Chairman), Brown, Taylor and Whitman.

**Trade Union:** T Boggins, Dean Lloyd and Chris Plested

**Officers:** Paul O'Day, Corporate Health and Safety Officer;  
Anne Stunell, Human Resources and Organisational Development Team  
Leader, and  
M Anderson (Minutes).

The meeting began at 6.30 pm

#### 1. APOLOGIES FOR ABSENCE

None received.

#### 2. MINUTES

The notes of the meeting held on 11 July 2016 were agreed by the members present and signed by the Chairman.

#### 3. MATTERS ARISING

None.

#### 4. HR VERBAL UPDATE

A Stunell updated the group on the apprenticeship levy. A report is due to go to CMT on the 20<sup>th</sup> of December. The levy due is £80k which was to be used for training only and not for salaries. The options available were to either recruit 16 new apprentices or offer it to existing employees. The council were working closely with Herts County Council to ensure they make the most of the funds available.

The aim was to have some of the apprentices in place by May 2017, therefore there was a lot of work to be completed by then and discussions to take place with Group Managers.

Councillor Whitman asked what types of apprenticeships were being offered.

A Stunell said they were available across the council in areas where there are skills gaps. Apprenticeships can be at all different levels from NVQ to degree.

Apprenticeships have worked well at the council over the years.

Councillor Chapman asked if the council could hold on to apprenticeships once they had completed their training.

A Stunell explained that there wasn't always a vacancy at the end of the training but all options were explored when the time arose.

Councillor Taylor asked if the skills gaps were matched to the apprentice to ensure the right person is recruited.

A Stunell agreed that the apprenticeship scheme needed to benefit the community as well as the individual.

Councillor Chapman hoped that by recruiting 16 apprenticeships it would ease the pressure on existing staff.

A Stunell said the council needed to ensure all support mechanisms were in place before the process begun. In addition they needed to ensure that the levy was spent accordingly.

T Boggins had previously raised concerns over apprenticeships which had not progressed as they should have done.

A Stunell explained that apprenticeships needed to complete a structured programme which will be closely monitored. The council needed to ensure that the scheme is of value to the individual as well as the authority.

C Plested asked if employees taking up the opportunity would see an affect on their salary.

A Stunell said it should not affect their salary as there wouldn't be any incentive to do it. Tailored person specifications and job descriptions for all different levels would be produced.

Councillor Taylor reiterated that the £80k levy was to support training only and not for salaries. He asked that Audit committee be updated on a yearly basis about how many apprenticeships had taken place and whether roles were found after the apprenticeship had finished

A Stunell continued with her update and noted that the HR and Organisational Development structure was finalised in June and there was now a full team in place.

She explained that they were working with Matt Rawdon, Group Manager to develop the People strategy which looked at recruitment, training and support for all staff. She noted that the Union had been consulted and this would be going to CMT on the 20<sup>th</sup> of January. Other projects being worked on included developing a well being strategy, the TUPE of Facilities Management staff and the transfer of the agency staff contract from Comensura to Pertemps.

Councillor Chapman thanked A Stunell for the update and noted that everything was working well.

## **5. HEALTH & SAFETY UPDATE**

P O'Day noted that two further training sessions had been held for Reactech. He added that the Health & Safety Executive had recently served two notices and now interviews with staff had been carried out. The council had not yet received any feedback from this, but he would pass it on once it is received.

He explained that the DSE software had been rolled out to non civic centre sites. A few issues had arisen which were being addressed. This would be rolled out further once the move to the Forum has taken place.

P O'Day added that further fire extinguisher training had taken place. He said the random alcohol testing was continuing and 45 tests had been carried out so far. The 6 month trial ends on the 10<sup>th</sup> of January 2017 – he asked that if anyone had concerns around the process, to write to David Austin who is the chairman of the Health & Safety Committee. It was then up to that committee to decide on the way forward.

He explained that there would be a clear area policy for fire evacuation once in the Forum. This was due to the increase in home working and hot desking, therefore making it more difficult to keep a list of staff in certain areas and certain times.

C Plested asked what the council's policy was with regards to trained staff attempting to put fires out.

P O'Day explained that fire safety regulations changed in 2005, giving more ownership to organisations and therefore the use of fire extinguishes to tackle small manageable fires was permitted, however if the fire was chemical related and out of control then the advice would be to evacuate immediately.

Councillor Chapman asked how many fire exits were in the Forum and if they were signposted.

P O'Day confirmed they would be signposted and the aim was to have the fire assembly point outside the current healthcare centre. This assembly zone would change as building work progresses around the building. He acknowledged that there may be a few teething problems at the start.

Councillor Chapman asked A Stunell to provide an annual update on the apprenticeship scheme to Overview and Scrutiny, giving a breakdown of the figures showing recruitment, training and those hired at the end of their training.

## **6. THE AGEING WORKFORCE AT DBC & ITS CONSEQUENCES and THE COUNCIL'S SICKNESS ABSENCE MANAGEMENT POLICY; THE PROLIFERATION OF SICKNESS HEARINGS & REVIEW MEETINGS**

T Boggins raised concerns around the ageing workforce especially with those working at Cupid Green who were now coming under sickness review meetings. People were unsure of the purpose of these meetings and she felt that it was unfair to hold them and expect people who were off sick, to attend. The hearings can bring undue stress onto the employee. She explained that she had been informed that occupational sick pay was suspended too soon into a period of absence and sickness was monitored monthly by the Corporate Director for Finance & Operations. She disagreed with this process as this was people's personal medical information being discussed by people who were not medically trained.

The Union disagreed with the sickness absence policy and felt it was unfair and would therefore be looking for a review.

Councillor Taylor informed the group that he was the Chairman of the Audit committee and explained that he had seen and monitored the sickness absence policy and he was aware that internal audit had reviewed it. He felt it would be worthwhile for the union to put their concerns in a report to him which he could take to a future Audit Committee meeting. He noted that internal and external auditors attend the committee as do members of the CMT. He would ask if representatives from the Union could attend too, to put the case across.

Councillor Whitman agreed with T Boggins that people reviewing medical cases who do not have any medical qualifications was disconcerting and unacceptable.

Councillor Taylor said that officers were only reviewing statistical information and data trends and not medical information.

A Stunell explained that the policy was introduced in April and was due for review after 12 months and that the union were consulted. The policy was agreed at Cabinet. She added that occupational sick pay was only removed if the employee was on a warning for their sickness. Officers do review cases however she assured the group that they look only at data and statistics, for example the number of days taken off sick and the number of occasions.

A Stunell noted that Group Managers and Assistant Directors reviewed the hearings and use information provided by Occupational Health and not on specific medical information. The current sickness target is 8 days and the average was 7.8, this was compared to 11 days last year.

T Boggins said that the sickness target had been reduced to 4 days and therefore this was very easy to exceed, especially for those employees working closely with others. If someone fell under the equalities act then the target was doubled, but again this was very easy to exceed. She felt that it was unacceptable to be allowed only 4 days sickness before being under review.

A Stunell replied that the current sickness absence policy had been consulted on with the Union, and then agreed by Cabinet and CMT, who had agreed the targets set and any changes raised through the consultation.

Councillor Taylor noted that T Boggins was incorrect with her statement and explained that the 4 days target was a guide only and then support meetings would be held.

Councillor Chapman added that the review meetings were held to help those who were sick and to highlight those who were possibly abusing the system. The HR teams would then look at ways of helping those who had been sick to integrate back into the workplace. He said that if the Union were aware of cases which were not following the policy, then they should be highlighting those, with specific examples so the committee could look into it.

C Plested said that there had been cases where the council had jumped ahead and suspended sick pay.

A Stunell reiterated that occupational sick pay was only suspended once a warning had been issued and this had been the process for the past 6 years. Officers were following the agreed HR policy.

T Boggins said that other council's did not suspend sick pay so soon.

Councillor Chapman said council's had different policies to follow and if the Union felt this was something to look into, then they should provide examples and evidence of other council policies.

## **7. CONDUCT POLICY- FAIR PROCESS**

T Boggins explained her frustration with the council's conduct policy and that staff are unaware of the reasons for their hearings. She had been directed by Unison to suspend attendance at hearings from January 2017. She added that employees should be provided with a full report following an investigation and currently this did not happen.

A Stunell explained that the investigation is carried out by a manager and a HR representative and then the adjudication is carried out by a different HR representative and Assistant Director. The reason for a hearing is explained verbally and in writing setting out the allegations and the process. If the employee's case goes to a Hearing they are written to with all of the appendices to be used and they have the opportunity to submit any further information

She added that the policy did not state that a full report was needed. The employee is given all of the interview notes, witness statements and details of the process.

T Boggins said that the recent case which they were aware of did see the employee receive a full report following the investigation, before the hearing.

A Stunell stated that this was not the case as the council's policy did not state the need for a full report.

Councillor Chapman felt that the current policy was being followed. He said that if the union felt that other council's had different policies, then to provide evidence of this.

T Boggins and A Stunell would discuss this further after the meeting.

## **8. DATES OF FUTURE MEETINGS**

The dates of future meetings were agreed as follows:

| <b>Meeting Date - start time 6.30 pm</b> | <b>Date agenda to be circulated</b> |
|--|-------------------------------------|
| Monday 6 <sup>th</sup> March 2017        | 16 February 2017                    |

The meeting ended at 7.42pm.