

# EMPLOYEES CONSULTATIVE COMMITTEE

Monday, 24th March, 2014

**Present:**

**Councillors:** Loades, Plant, Sweeney, Taylor.J and Wemyss

**Employee Representatives:** Jackie Cicatello (Unison), Gary Morgan (GMB/Apex) and Anne-Marie Ruscoe (GMB/Apex)

**In Attendance:** Cllr Mike Stubbs (Portfolio Holder for Finance and Resources)

**Officers:** Richard Durrant (Head of Human Resources), Sarah Taylor (HR Manager), Paul Washington (Principal Solicitor), Catherine Fox (Community Safety Officer), Jayne Briscoe (Democratic Services Officer)

1. **APOLOGIES**

Apologies were received from Mr P. Bartels (GMB/Apex) and Mr P. Pickerill (GMB/Apex).

2. **DECLARATIONS OF INTEREST**

A declaration of interest was received from Cllr Sweeney in relation to his role as Chair of the Staffordshire County Council Pension Committee.

3. **TRIBUTE TO RICHARD DURRANT (HEAD OF HUMAN RESOURCES)**

The Committee gave a tribute to Richard Durrant and thanked him for his valued contributions to the Committee ahead of his forthcoming retirement.

4. **EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED:** That the press and public be excluded from the meeting during consideration of the following items because it is likely that there will be a disclosure of exempt information as defined in Paragraph 4 of Part 1 of Schedule 12A of the Local Government Act 1972.

5. **MINUTES OF LAST MEETING**

**RESOLVED:** That the minutes of the previous meeting held on 17 January 2014 be agreed as a correct record.

6. **ATTENDANCE MANAGEMENT**

A report was considered updating the Committee on progress regarding attendance management. The Head of Human Resources advised that attendance management was generally on target, with significant improvements seen in comparison to the previous year and low levels of sickness.

The Trade Unions congratulated the workforce for this achievement which was of benefit to the Council as a whole. How the Council compared to others authorities at a national level

was questioned. The Head of Human Resources advised that the Council was doing well in comparison.

**7. TIME OFF FOR DEPENDENTS POLICY AND PROCEDURE**

The Committee were advised that two employees had utilised the Time Off for Dependents Policy and Procedure. It was clarified that legislation allows reasonable time off to deal with an emergency situation without pay. A Member expressed concern that it was at the manager's discretion whether an employee could make use of the scheme, which was countered by another Member who considered that the Council should be supporting its employees. It was further clarified that the employees had not requested leave without pay.

It was felt that staff needed to be made fully aware of the Time Off for Dependents Policy and Procedure. The Head of Human Resources advised that it was rare for employees to ask for time off without pay and that they would normally come to some arrangement with their manager to either take annual leave, flexi or make the time up. All employees had been advised of the scheme through the Core Brief and Team Briefings.

The Chair suggested that the Committee look at the cost of the scheme at the next meeting in order to see a fuller picture. The important issue was that employees were able to have time off when they needed it.

**8. LOCAL GOVERNMENT PENSION SCHEME POLICY ON REVIEW OF EMPLOYEE CONTRIBUTION RATES**

A report was received seeking the Committee's views on the future approach to the reviewing of employee Local Government Pension Scheme percentage contribution rates.

From 1 April Pension Contributions will be calculated on actual pay (including overtime), with the contribution salary bands increasing from seven to nine.

It was advised that employees who regularly worked overtime would have their rates calculated after three months i.e. in July each year to determine which contribution rate should be applied.

**9. ENHANCEMENTS FOR NIGHT WORKING - REVISED PROPOSAL**

A report was received seeking the Committee's views/comments on a revised proposal on the enhanced rates of pay to be paid to employees who volunteer to work during the night.

It was noted that the Trade Unions were opposed to the proposal contained within the report. It was also noted that the Trade Unions had put forward a proposal that employees receive time and 1/3 and a day off in lieu when night work is carried out that is not part of a normal working week.

The Chair recommended the report due to this being an improved offer which is voluntary, and the Committee agreed.

**10. CAPABILITY POLICY AND PROCEDURE - APPEAL HEARING PROCEDURE**

A report was received seeking the Committee's view and comments on a proposed procedure to be followed at appeal hearings relating to capability.

The Trade Unions advised that they could support the Capability Policy and Procedure – Appeal Hearing Procedure as amended.

**RESOLVED:** That the Capability Policy and Procedure – Appeal Hearing Procedure be accepted.

11. **WORKPLACE DOMESTIC VIOLENCE POLICY**

A report was considered seeking the Committee's views/comments on a proposed Workplace Domestic Violence Policy. The Council's Community Safety Officer and domestic violence advisor was in attendance.

The draft policy was to be amended to include Councillors. Once finalised, a mini version of the policy would be attached to employee's payslips prior to the World Cup in June 2014.

The Trade Unions requested that the policy be withdrawn for consideration until the next meeting of the Committee. The Chair advised that the policy could be implemented with the opportunity to make changes to it as and when required. The Joint Trade Unions would not wish to oppose the policy but they did have some concerns.

12. **REVIEW OF EMPLOYEES CODE OF CONDUCT**

A report was considered seeking the Committee's views/comments on proposed revisions to the Employee's Code of Conduct. The section of the Code of Conduct relating to gifts and hospitality would be re-written.

Members expressed concern with regard to the Code of Conduct in relation to cash tips traditionally accepted by refuse collectors at Christmas. The Principal Solicitor advised that a policy was required to be in place having regard to the Bribery Act 2010. In so far as the refuse collectors receiving tips was concerned there might be a perception that refuse collectors were doing work in addition to normal service.

A Member considered that the Employee's Code of Conduct needed to be revisited in the future.

**RESOLVED:** That the revised Employee's Code of Conduct be agreed but that section 12 should be reviewed as and when necessary in the future having regard to any subsequent case law and that, for the time being, the gifts and hospitality section should not be applied to refuse collector's Christmas tips.

13. **PROPOSED POLICY ON RELIGIOUS OBSERVANCE DURING WORKING HOURS**

A report was considered seeking the Committee's views/comments on a proposed policy regarding arrangements for employee's in respect of religious observance during working hours.

**RESOLVED:** That the Policy on Religious Observance during Working Hours be agreed subject to a review in twelve months.

**COUNCILLOR JOHN TAYLOR**  
**Chair**