

Minutes of a meeting of the Employment Committee held at County Hall, Glenfield on Thursday, 12 June 2014.

PRESENT

(in the Chair)

Mrs. J. Fox CC
Mr. D. Jennings CC
Mr. J. Kaufman CC
Mr. J. B. Rhodes CC

Mr. R. J. Shepherd CC
Mr. E. D. Snartt CC
Mr. G. Welsh CC

1. Appointment of Chairman.

That Mr. J. B. Rhodes CC be appointed Chairman of the Employment Committee for the period ending with the date of the Annual Meeting of the County Council in 2015

(Mr. J. B. Rhodes CC - in the Chair)

2. Election of Deputy Chairman.

That Mr. R. J. Shepherd CC be elected Deputy Chairman of the Employment Committee for the period ending with the date of the Annual Meeting of the County Council in 2015.

3. Minutes.

The minutes of the meeting held on 12 March 2014 were taken as read, confirmed and signed.

4. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 35.

5. Questions asked by members under Standing Order 7(3) and 7(5).

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

6. Urgent Items.

There were no urgent items for consideration.

7. Declarations of interest.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

The following members each declared a personal interest in the item entitled 'Discretionary elements of the Pension Scheme' as they were part of the County Council's Pension Scheme:

Mrs. J. Fox CC
 Mr. D. Jennings CC
 Mr. J. Kaufman CC

8. Employee Code of Conduct.

The Committee considered a report of the Director of Corporate Resources which sought the Employment Committee's approval for the submission of the revised Employee Code of Conduct to the next meeting of the County Council. A copy of the report marked 'Agenda Item 8' is filed with these minutes.

A copy of the minute extract of the Corporate Governance Committee from its meeting on 12 May where it considered the Employee Code of Conduct was circulated to the Committee.

The County Solicitor explained that as a result of concerns raised by the Committee at its previous meeting, particularly in respect of rules around relationships between staff, the Employee Code of Conduct had been amended accordingly. A number of documents had been produced to support the Employee Code of Conduct which were of particular relevance to concerns previously expressed by the Committee and were attached as appendices to the report.

Arising from discussion the following points were raised:-

- (i) It was intended that awareness raising of the new Employee Code of Conduct would be included in induction programmes for new staff, and that existing staff would also receive mandatory training/awareness raising;
- (ii) The Code of Conduct would form part of staff contracts of employment;
- (iii) There had been a lack of awareness amongst staff of the previous version of the Code of Conduct. The guidance document that had been developed for staff was designed to make the Code of Conduct more accessible and to give staff a better understanding of how it applied to their role within the County Council. The Employee Code of Conduct along with all relevant supporting policy was published online and staff needed to be aware of all policies relevant to their role, including where they might need to register any declarations of interest;
- (iv) It was explained that under the Employee Code of Conduct staff did not have to declare their membership of any particular organisations. Issues relating to freedom of speech under the Human Rights Act and rules relating to politically restricted posts were relevant. However, if as a result of the membership of any organisation a member of staff was found to have acted inappropriately then this would be dealt with as a Code of Conduct issue. The actions of staff would be used as key criteria in any Code of Conduct issue as opposed to personal beliefs. The Committee requested that further consideration be given to the inclusion within the Policy on declaration of interests of appropriate references to membership of organisations.

RESOLVED:

- (a) That the revised Employee Code of Conduct for submission to the County Council meeting on 2 July 2014 be approved;
- (b) That further consideration be given to the inclusion within the Policy on declaration of interests of appropriate references to membership of organisations.

9. Use of County Council Vehicles Policy

The Committee considered a report of the Director of Corporate Resources which sought the Employment Committee's approval to the introduction of a Policy on the use of Leicestershire County Council vehicles, specifically concerning the installation of vehicle tracking devices. A copy of the report marked 'Agenda Item 9' is filed with these minutes.

Arising from discussion the following points were raised:-

- (i) The purpose of the Policy was to outline the restrictions in place in relation to the personal use of County Council vehicles and to highlight the possibility that vehicle tracking devices might be installed into any vehicle provided by the County Council and how data gathered by these devices could be used. It was suggested that the title of the Policy be amended to clarify its purpose;
- (ii) In light of the fact that this Policy only dealt with vehicle tracking devices, the Committee requested that it received information on the County Council's overarching vehicle policy at its next meeting;
- (iii) Installing tracking devices on vehicles would enable the County Council to gather a range of information, including where vehicles were parked overnight if required. They also often led to reduced insurance premiums.

RESOLVED:

- (a) That the introduction of a Policy for the use of County Council vehicles be approved subject to the title of the Policy being amended to clarify its purpose;
- (b) That the Committee receive information concerning the Council's overarching vehicle policy.

10. Flexible Working Policy

The Committee considered a report of the Director of Corporate Resources which sought the Employment Committee's approval for the introduction of a revised Flexible Working Policy and Procedure. A copy of the reported marked 'Agenda Item 10' is filed with these minutes.

It was explained that as of 30 June 2014, the Flexible Working Regulations would be amended to extend the statutory right to request flexible working to all employees after 26 weeks' service. Trade Unions had been notified of this change and continually monitor the Flexible Working Policy.

RESOLVED:

That the introduction of the revised Flexible Working Policy and Procedure be approved for implementation from 30 June 2014.

11. National Pay Position

The Committee received a report of the Director of Corporate Resources which updated the Committee on the current position regarding the national negotiations for the 2014 pay awards for local government employees, chief officers and chief executives. A copy of the report marked 'Agenda Item 11' is filed with these minutes

The Committee was advised that the National Joint Council (NJC) had put forward a final pay offer on 20 March 2014 which had been rejected by the trade unions. As a result, industrial action ballots took place in May and June 2014. In the event of the ballots returning a 'yes' vote, the unions had advised that they would hold a one day strike on Thursday 10 July 2014.

With regard to chief officers and chief executives, a pay claim was submitted by the Association of Local Authority Chief Executives on 19 March 2014. A response on this claim was currently awaited from the NJC.

RESOLVED:

That the National Pay Position be noted.

12. Discretionary elements of the Pension Scheme

The Committee received a report of the Director of Corporate Resources which sought the Employment Committee's approval of the policy decisions afforded to the County Council as a scheme employer under the provisions of the Local Government Pension Scheme. A copy of the report marked 'Agenda Item 12' is filed with these minutes.

It was explained that pension regulations required the County Council to publish and keep under review its policies in certain discretionary areas of the Scheme.

It was clarified in relation to 'LGPS Regulations 2013 – (paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014): Switching on rule of 85' that where an employee had ceased employment with the County Council they would be able to access their pension at the age of 55. The Committee suggested that the wording in this regulation be amended to better clarify this point.

RESOLVED:

That the Policy decisions as set out in paragraphs five and six of the report be approved for immediate implementation.

13. Managing Sickness.

The Committee considered a report of the Director of Corporate Resources which provided an update on the overall County Council and departmental performance in relation to sickness absence for the financial year 2013/14. A copy of the report marked 'Agenda Item 13' is filed with these minutes.

Arising from discussion the following points were raised:-

- (i) The Committee noted that there was disparity between departments' sickness levels, with the Adults and Communities Department consistently having the highest rates of sickness, currently at 11.61 days per annum. It was explained that high sickness levels had been a long standing issue within the Adults and Communities Department and that sickness levels within the Department had previously been much higher than at present. High sickness levels within Adult Social Care Services was a national trend, with the County Council having lower sickness levels in this area when compared to the majority of other local authorities;
- (ii) High sickness levels amongst care staff accounted for the large majority of absences in the Adults and Communities Department. It was explained that sickness levels had historically been high in this area due to the nature of the role. For example, where carers provided one-to-one support, any viral infection presented a risk to service users. Also, in some roles, carers undertook a high degree of physical activity which, even when managed through training and assessment, could lead to long term chronic health problems;
- (iii) It was explained that carers undertook a comprehensive manual handling training programme and that as a result physical injuries were low. Stress levels in the Adults and Communities Department were comparable to other departments and the Department was acutely aware of the importance of mental health issues and undertook a lot of activity in relation to the Council's mental health first aid programme. It was noted that two thirds of County Council mental health first aiders were located within the Adults and Communities Department;
- (iv) In comparing Adult Social Care sickness levels with comparative NHS services it was noted that in 2012/13 NHS nursing, midwifery and health visiting staff nationally had an average of 10.6 days sickness absence;
- (v) The effect of stress on staff sickness levels was raised. It was explained that where a large number of staffing changes and efficiency savings were being undertaken within a departmental section, this could lead to an increased number of absences due to stress related issues. The Health, Safety and Wellbeing Team was carrying out targeted work on stress and, where appropriate, stress surveys were undertaken. Where a stress survey had been completed a follow up would be undertaken two months later to gauge whether stress levels had decreased due to actions taken;
- (vi) It was noted that long term sickness could significantly distort departmental sickness trends. It was explained that long term sickness was classified as a period of absence above 20 days. There were a number of trigger points put in place where the County Council would take action when a person was absent;

- (vii) There was a need to identify trends in sickness absence and to breakdown sickness absence levels by individual sections in departments, including details of long term and short term absences to gain a better understanding of sickness levels with a view to reducing them. It was suggested that the Council's Corporate Management Team should undertake work in relation to this and be requested to report back to the Committee at its next meeting.

RESOLVED:

- (a) That the Council's performance in relation to sickness absence for the financial year 2013/14 be noted;
- (b) That it be noted that the Council will continue to ensure that managers maintain a focus on managing attendance and that poor attendance be proactively tackled and addressed;
- (c) That the Council's Corporate Management Team be requested to identify trends in sickness absence and provide to the Committee at its next meeting a breakdown of sickness absence levels by individual sections in departments, including details of long term and short term absences.

14. Organisational Change Policy: Summary of Action Plans.

The Committee considered a report of the Chief Executive which presented a summary of current Action Plans which contained provision for compulsory redundancy and details of progress in their implementation. A copy of the report marked 'Agenda Item 14' is filed with these minutes.

It was explained that the role of the Employment Committee in looking at Action Plans was to ensure that they complied with the County Council's Employment Policy and Procedure. Scrutiny of the overreaching policies that had resulted in the Action Plans was a matter for the relevant scrutiny body and the Cabinet.

It was noted that Ms Loydall had submitted queries in relation to the draft Action Plan for the Review of Staffing at Waterlees Supported Living and Carlton Drive Short Breaks Service which had been responded to directly by the Director of Adults and Communities outside of the meeting.

RESOLVED:

That the report be noted.

15. Date of Next Meeting.

It was noted that the next meeting of the Committee would be held on Tuesday 21 October at 10.00am.