

POLICY REVIEW AND PERFORMANCE SCRUTINY COMMITTEE

3 NOVEMBER 2015

Present: County Councillor Howells(Chairperson)
County Councillors Hunt, McKerlich, White and Murphy

(These minutes were amended at the meeting of the Policy Review & Performance Scrutiny Committee 1 December 2015. The amendment appears in bold italics)

45 : APOLOGIES FOR ABSENCE

Councillors **Goodway** Sanders and Huw Thomas

46 : DECLARATIONS OF INTEREST

The Chairperson advised Members that they had a responsibility under Article 16 of the Members' Code of Conduct to declare any interests.

47 : MINUTES

The Committee AGREED that the minutes of the 8 September 2015 and 6 October 2015 by approved as a correct record.

48 : REVIEW OF THE NON OPERATIONAL INVESTMENT PROPERTY ESTATE

The Chairperson welcomed the following to the meeting:

- Councillor Phil Bale, Leader of the Council
- Neil Hanratty, Director of Economic Development
- Helen Jones, Corporate Property and Estates Manager
- Steve Watkins, Strategic Estates
- Paul Tarling, Jones, Lang, Lasalle

The Chairperson advised Members that they had an opportunity to consider the Council's proposed strategy for managing its Non-Operational Property portfolio and to offer our observations prior to consideration by the Cabinet. Members may recall there was a longstanding interest in the management of the Council's estate, receiving a presentation of the JLL review in January 2015. The Council's draft proposals had now been developed and this was an opportunity to offer comments to help shape the proposed strategy.

The Chairperson invited Councillor Bale to make a statement.

Councillor Bale explained it was essential for the Council to invest in the estate, subsequent to the recommendations provided by the Wales Audit Office. The Asset Management Programme was developing along with establishment of new governance arrangements to deal with the efficient management of the Investment Estate. Key findings were provided by JLL highlighting the Council's failure to reinvest in some areas of its estate. The Corporate Assessment outlined the need

for change in this area following sale of assets with little or no return. The Change in direction would ensure the Council receive a good rate of return and a robust set of arrangements was being developed to support this.

The Committee received a presentation which outlined the following:

- Council's mixture of assets
- Proposed Approach
- Initial actions by Strategic Estates.

The Chairperson thanked officers for the presentation and invited the Committee to ask questions.

Members of the Committee were concerned the Council was seen to be selling its assets off at a lower price than expected and asked what investment was taking place to achieve capital gain.

The Committee was advised that properties that generated very little income were highlighted for sale as a result of their low performance. This included rationalising the estate by selling low yielding management investment properties and to reinvest the capital by acquiring better yielding assets. The maintenance of these properties was over £2M and focus was being directed towards generating a better return.

The Committee was provided with information on the dynamics between the capital and revenue. It was essential to identify and dispose of poor performing assets in term of yield; re-gearing of some existing arrangements and investment in properties that had the potential to generate further income along with purchase of properties that would deliver a better yield.

Some of the key principles was to ensure that monies were ring fenced from the disposal of assets to be reinvested in the estate. The properties list would be further refined and therefore easier to manage and move forward to create further rewarding investment. The Investment Portfolio was designed to generate income, including identifying capital to create additional revenue.

The Committee discussed the potential properties highlighted for sale and noted that sale of car parks to private run companies had created income for the Council. The market was being carefully monitored to identify a range of potential investment opportunities and all capital receipts would be marked to reinvest in projects that generated income.

The Committee was assured the new Investment Board had a recognised framework supporting disposal and investment. Decisions would be reported quarterly to Asset Management Board and subsequently Cabinet.

The Investment Board would undertake an Annual Review addressing performance over a year. Community Assets will now be managed as part of the operational estate and subject to the same level of member engagement as operational assets.

Members were provided with information on current process to deal with items close to being disposed of. Freeholders were provided with information on the specifics of the sale and the Council would establish possible monies to be realised.

The Committee made reference to the dynamics of the city centre and were slightly concerned with the number of buildings being developed for student accommodation. The quality of design was crucial in this matter along with the wellbeing of the city and it was important to recognise the character and heritage of the city centre when developing future sites.

Members highlighted the need for additional hotels in the city and asked if unused buildings take on the roll for the much needed hotel space. In response Officers acknowledged this need but advised the process was costly.

The Members discussed the issues of older pubs being converted into shops and flats in community areas. The Committee was also concerned with the future of Celsa Steel and what the Council were doing to support this. In response the Committee was assured the Council were in contact with Celsa Steel.

The Committee welcomed the fact that the Council had signed up to the Charter for Sustainable Steel.

Members were provided with timelines for developing these processes including the establishment of the Investment Board. The process was ongoing and it was hoped to make the overall programme more transparent by developing the Asset Management Plan.

RESOLVED: The Committee AGREED that the Chairperson writes on behalf of the Committee to the Cabinet Member to convey their comments and observations (see attached)

49 : REVIEW OF DISCIPLINARY POLICY, INCLUDING GRIEVANCE, BULLYING & HARASSMENT

The Chairperson welcomed the following:

- Councillor Graham Hinchey, Cabinet Member for Corporate Services and Performance
- Lynne David, Operational Manager, Centre of Expertise
- Chris Synan, Operational Manager

The Chairperson advised Members that they had an opportunity to consider proposed changes to the Disciplinary Policy and new comprehensive guidance notes and a new Resolution Policy (formerly Grievance and Bullying and Harassment policies) and contribute to pre-decision policy development, prior to Cabinet's consideration of the proposed recommended changes. CS had undertaken a review of 260 disciplinary investigations over an eighteen month period had resulted in a Report in March 2015 with recommendations for change. It was these recommendations which were the basis for proposed changes.

The Chairperson invited Councillor Hinchey to make a statement.

Councillor Hinchey explained that one of the Council's key objectives was to reduce the sickness absence rates and it was hoped the new Policy would contribute to this. This was a much more streamlined Policy and more user friendly for both managers and employees. The Policy included new Guidance information for all

roles involved in any aspects of the Disciplinary process. This new draft was designed to empower managers to support and assist their staff in a more sensitive way, and encourage engagement in the workplace. This was the initial draft and a consultation process was currently underway, involving Directorates, Trade Unions and Equality Network representatives. .

The Committee were provided with a presentation which outlined the following:

- Study of Workplace Investigations
- Key Principles for Future Workplace Investigations
- Key Policy Changes
- New Resolution Policy
- Policy Consultation programme
- Way forward.

The Chairperson thanked Officers for the information and invited Members to ask questions.

The Committee was pleased with the fact that the new Policy dealt with both minor and major incidents appropriately and proportionally. An incident termed “minor misconduct r” could be dealt with under a new Fast Track process which would be introduced which would mean that such matters could be dealt with more quickly and efficiently .. The more serious matters, termed” gross misconduct” would not be eligible for this process but would be dealt with in a more streamlined way. Members were provided with information on how incidents would be dealt with. An initial assessment into an allegation would take place before making decisions on how best to proceed. Support would be provided to managers on the process and this included input from Occupational Health, where required.

The Committee was provided with information on the new Employee Assistance Programme being introduced this month. Through the National Procurement Framework, CareFirst would be providing 24/7 telephone counselling and support in addition to access to advice services. It was reiterated that this would not replace the current in-house employee counselling service but would enhance the provision, providing an out of hours telephone advice service plus a one-stop-shop approach to information services available.

The Committee was concerned with the number of suspensions and time taken to resolve a number of disciplinary and grievance matters and asked if trends had been recorded to monitor these figures. In response Officers explained that the changes being proposed were designed to streamline the process and hopefully create a resolution culture of problem solving rather than defaulting to the traditional grievance/complaint approach. The new Resolution policy included reference to an expanded mediation service which would assist in some circumstances to find an agreed way forward. It was also noted that a number of the investigations taking place did not result in disciplinary sanctions and that the time taken to complete the process in these circumstances should be improved.

Members of the Committee were of the view that managers required training in this area not simply guidance and suggested that compulsory training sessions on the Policy be developed.

The Committee noted that the majority of decisions were put to the Chief Executive for confirmation, causing potential further delays in the procedure. As a result of this, it was proposed that the policy be amended to give Operational Managers the power to initiate and deal with the disciplinary process. In depth investigation on how disciplinary cases resulted in suspension had taken place and a recommendation was provided on the reporting mechanism of the process. The provision of additional management information to establish compliance with the new procedures from 1 April 2016 would be important as this would help reinforce accountability and responsibilities. Such matters should also be a standing item on every Directorate and Senior Management Team agenda.

The Committee was assured that managers were not acting on these processes in isolation and support was provided by HR. PPDR's would also contribute towards the change in approach and culture along with the Council's proposed Health & Wellbeing Strategy.

Members of the Committee were concerned at the number of employees subject to the current disciplinary process and confirmed that the:

- Number of disciplinary proceedings was too high.
- Number of grievances was higher
- Length of time taken for resolution (in one extreme example of 194 weeks) was not acceptable.

The overall process was not satisfactory and further attention was required in order to reduce the current figures. Positive targets should be set, along with the streamlining of paperwork and processes.

The Committee was assured that the new Policy would support and reduce the number of current disciplinary cases in the system. The new Employee Assistance Programme would also contribute to the improvements in sickness absence levels as there was often correlation between investigatory processes and sickness absence. Once the new Policy was agreed and implemented a robust monitoring process would commence to observe the impact it would have on such matters. .

Members of the Committee were advised that the Council did have the staffing expertise to support this Policy and Directors would be involved when the case reached a certain level.

The Committee asked that the Policy be adhered to in schools.

RESOLVED: The Committee AGREED that the Chairperson writes on behalf of the Committee to the Cabinet Member to convey their comments and observations (see attached)

50 : CORRESPONDENCE UPDATE

The Committee noted the content of the report and appendices.

51 : DATE OF NEXT MEETING

Tuesday 1 December 2015.