

## EMPLOYMENT CONDITIONS COMMITTEE

17 JULY 2006

Present: County Councillors Berman, Derbyshire, Jones,  
Salway, Sheppard, Stephens, Walker and Walsh

### 1 : ELECTION OF CHAIR

The Committee noted that the County Council at its Annual Meeting on 18 May 2006 had elected County Councillor Stephens as Chair of this Committee for 2006/07.

### 2 : ESTABLISHMENT OF COMMITTEE

#### (i) Membership

The Committee noted that the County Council at its Annual Meeting on 18 May 2006 had approved membership of this Committee for 2006/07 as follows:

County Councillors Berman, Derbyshire, Jones, Salway, Sheppard, Stephens, Walker and Walsh.

#### (ii) Terms of Reference

The terms of reference were noted as follows:

- (a) To consider and determine policy and issues arising from the organisation, terms and conditions of the Council's employees, and to agree the introduction of new or amended employment procedures, following consultation with trade unions or employees as appropriate.
- (b) To decide proposals for reorganisation of the Council's employee establishment which involve the creation of new posts, the delegation or regrading of existing posts and redundancies.
- (c) To decide requests for regrading of posts whether by way of appeal by an employee against a decision to refuse a regrading application or to decide applications for regrading which are supported.

### 3 : MINUTES

The minutes of the meeting held on 24 April 2006 were approved as a correct record and signed by the Chairperson.

### 4 : ADDITIONAL TRAVELLING EXPENSES

This Committee on 24 April 2006 had approved the proposed new Additional Travel Allowance Scheme, subject to confirmation from the Joint Secretaries. The Committee was advised that the Trade Unions and employer representatives had met with the Joint Secretaries on 1<sup>st</sup> June, 2006 to express their particular views.

The Joint Secretaries had acknowledged the efforts made to reach an agreement and had recommended that the NJC Technical Advisors report be examined jointly by both parties to resolve the differences.

A meeting had been held with UNISON on 13 July 2006 where it was agreed that the rate payable would be the marginal running expenses rate as calculated by the NJC Technical Advisors for band 3, (currently 14.3p) plus an allowance for depreciation, giving a combined rate of 17.8p per mile. This rate would be increased annually in accordance with the Technical Advisors Report, and the percentage increase would also be applied to the allowance for depreciation. The Committee received Mike Hayes of UNISON who commented on the discussions.

RESOLVED – That the proposed new Additional Travel Allowance Scheme be approved, as submitted to the Joint Secretaries and subject to the inclusion of the agreed combined rate of 17.8p per mile as indicated above.

### 5 : SICK PAY FOR CLEANERS: PROPOSALS FOR IMPLEMENTATION

Following representations from Trade Unions, the Council had been asked to review sick pay for cleaners. Subsequently, this Committee in April 2006 had agreed in principle to reinstate occupational sick pay for all cleaning staff employed within the Authority, and had asked for a future report to be submitted, outlining a plan and timescale for implementation.

3.

It was noted that the trading situation of 'in-house' DSU services, such as Financial Services (Venues Management) and Community Maintenance Services differed markedly from that of the Schools & Lifelong Learning Service DSU. The business risks associated with the likely increase in overall costs of cleaning services would have potentially quite different consequences in each of the affected service areas.

The Committee was advised of other consequences of the re-introduction of occupational sick pay, such as a potential increase of sickness absence level, and the need for managers to properly and consistently apply the Council's revised sickness absence policy and procedure. The Committee was also informed of potential implications which had been assessed by service areas on the re-introduction of occupational sick pay. The potential financial impact for Community Maintenance Services, Financial Services (Venues Management), and Schools & Lifelong Learning Service DSU were outlined. No budget provision had been made for the introduction of occupational sick pay and it was considered important that an agreed transitional arrangement be made.

It was proposed that those staff whose contracts currently provided for cover hours payment should be given notice of termination of their contract of employment with an offer of a new contract to take effect immediately upon termination. The new contract would be on identical terms, except for the inclusion of occupational sick pay provision.

In the case of the Schools & Lifelong Learning Service DSU there were a number of examples that currently existed where schools had chosen to self-manage their own cleaning services by taking the cleaning posts into their own staffing establishment. It was important that the ongoing job evaluation exercise ensured that Council-employed staff, undertaking the same tasks, were employed on the same terms and conditions.

When re-framing the contracts for employment for cleaning staff throughout the Council, the Committee was asked to consider a strong request that a clause, similar to that which existed in the contract terms of the voluntary-aided schools cleaners, was included for all cleaners. This clause required that all cleaning staff be prepared to cover absences of colleagues up to and including a five-day period.

RESOLVED - That

- (i) those staff whose contracts currently provide for cover hours payment be given notice of termination of their contracts of employment with an offer of a new contract to take effect immediately upon termination, the new contract to be on identical terms save for the deletion of cover hour payments and the inclusion of occupational sick pay provision, the new contracts to take effect from 1 April 2007;
- (ii) the Service Areas consult with Trade Unions and advise affected staff of those proposals and timescales for implementation, including the issue of revised contracts of employment as appropriate.

*(Councillor Walsh asked that her opposition to the above decisions be recorded in the minutes).*

6 : THE LOCAL GOVERNMENT PENSIONS SCHEME –  
DISCRETIONARY PAYMENTS

The Local Government Pension Scheme Regulations conferred upon local authorities a number of discretionary powers. The Committee was asked to review the Council's policies in respect of the 1997, 2000 and 2006 Regulations. Appendices listing the discretionary powers and recommending the policies to be adopted, were submitted with the report.

The Committee was advised of revisions to the compensation formula for redundancy and efficiency of the service, and flexible retirement. Under the Regulations the Council was required to formulate and keep under review a policy that applied in respect of exercising the Council's discretions referred to in the report. The Council was required to publish a written statement policy, and if the Council decided to amend its policy a new written statement would need to be published within a month of their decision.

Any additional costs to the Council arising from future requests for retirement or decisions on levels of compensation would be met by service areas from within available cash-limit budgets.

5.

RESOLVED – That

- (i) the recommendations contained in appendices A-C, as submitted, be adopted by the Council in respect of the Local Government Superannuation Scheme discretionary powers regulations listed in paragraph 1;
- (ii) with regard to the Redundancy Compensation Scheme, as an interim measure, the Council maintain the current maximum of 66 weeks, and the existing maximum weeks pay, but pay the number of weeks payable at age 50 whatever the age of the employee (as outlined in appendix D) and a further report be submitted to this Committee once the regulations have been confirmed;
- (iii) with regard to Flexible Retirement a further report be submitted to this Committee with detailed proposals in the future;
- (iv) all discretionary policies be kept under review and each person's case be considered on its merits;
- (v) the policies be published in accordance with the regulations;
- (vi) a report on Compensation regulations be submitted to the October meeting of this Committee;
- (vii) the reference to spouses in paragraph 10 of appendix B of the report be amended to read 'spouses/partners'.

7 : SENIOR MANAGEMENT REVIEW: UPDATE

The Assistant Chief Executive further reported on senior management arrangements as a number of developments had taken place since April 2006. The Chief Adult Services Officer had expressed a wish to retire from the Council under the 85-year Rule on 22 August 2006, subject to the approval of this Committee.

The Chief Schools & Lifelong Learning Officer had indicated a wish to retire at the end of December 2006, but no employers' consent was required. It had been agreed by this Committee on 24 April 2006 that the Assistant Chief Executive should take responsibility for Schools & Lifelong Learning in the interim prior to this responsibility in the long term resting with the Corporate Director (Opportunities, Cardiff).

The Assistant Chief Executive referred to a previous report to this Committee in which reference had been made to further rationalise proposals for the Corporate Management Team. She referred to the proposals which had been subsequently implemented, and the fact that the report made it clear that these proposals could be achieved by natural wastage and flexible allocation of functions. Reference had also been made to moving towards a fewer number of Corporate Directors whilst ensuring that the Executive portfolio areas retained ongoing, professional and high quality support.

The existing Corporate Director (Resources) had expressed a willingness to retire, at the end of August, 2006, by voluntary severance under Section 26 of the Local Government Pension Regulation Scheme on the grounds of redundancy. The post would be deleted and the functions managed by the Corporate Director (Resources) would be re-aligned elsewhere. As the post would be deleted, this Committee was asked to approve the post-holder's voluntary severance on the grounds of redundancy. Those Chief Officers who currently reported to the Corporate Director (Resources), ie. Finance and ICT, would temporarily report to the Chief Executive from 1 September, 2006.

Members expressed some concerns over the Schools & Lifelong Learning post and the need to attract the best person for this very important post. The Assistant Chief Executive confirmed that education had been a top priority of the Corporate Directors' Team, and that she was confident that the advertisement would generate a lot of interest, both inside and outside of Wales. Furthermore, she added that Neelam Bhardwaja (Corporate Director – Opportunities Cardiff) would have responsibility for schools from 1 April, 2007.

RESOLVED – That

- (i) the retirement of the Chief Adult Services Officer under Regulation 31 of the Local Government Pension Regulations be approved; the retirement as of right, of the Chief Schools & Lifelong Learning Officer be noted; and the arrangements to cover both these roles on an interim and longer-term basis be noted;
- (ii) the voluntary severance of the Corporate Director (Resources) be approved and the post be subsequently deleted;

7.

- (iii) a further report be submitted to a future meeting of this Committee, advising on the organisational arrangements to operate from April 2007.

*(Councillor Sheppard asked that his opposition to the above recommendations be recorded in the minutes).*

## 8 : REDEPLOYMENT PROGRESS

The Committee was advised that in August, 2003 the Council, as part of its ongoing Duty of Care to employees, had introduced a Redeployment Policy and Procedure.

The purpose of the Redeployment Policy was to secure the employment of those staff who were unable to continue in their substantive post for reasons such as redundancy, ill health, or where a change of post was essential for the purpose of effective service delivery.

Since its introduction, the redeployment process had achieved significant success in placing employees in alternative employment, who otherwise would have left the Council. A schedule outlining the destination of new applicants accepted onto the Redeployment Register in the last financial year was submitted.

RESOLVED – That

- (i) Appendix A of the report outlining the achievements of the Redeployment Policy be noted;
- (ii) further update reports be provided to this Committee on an annual basis.

## 9 : IN-HOUSE OCCUPATIONAL HEALTH UNIT

This Committee in April 2006 had asked that a report be submitted to this meeting, detailing progress on setting up the Council's new in-house Occupational Health Service.

The objectives of the Occupational Health Service were outlined, and in order to achieve these objectives it was noted that the service needed to be proactive in preventing ill health absence, inefficiency and low morale, as well as being reactive once absences had occurred. A number of activities would be provided by the service, although it would be necessary in some cases to refer to third party providers some sickness absence referrals, and all decisions on ill health retirement.

Whilst it was important to establish and concentrate on the initial services to be delivered the following interventions could be considered in future, which would maximise the opportunity for the proactive use of the Council's occupational health services:

- (a) the Council could fund self-referral of employees for voluntary health checks by the Occupational Health Service;
- (b) early access to physiotherapy services for employees affected by musculoskeletal injuries;
- (c) all absences due to stress, musculoskeletal disorders and accidents reportable to the Health & Safety Executive could be referred to the Occupational Health Service after five working days of absence;
- (d) the establishment within the Council of an effective contingency measure for the prevention of cost-inefficient NHS delays;
- (e) the current trigger point for referral of long-term sickness absences to the Occupational Health Service could be reduced from eight weeks to four weeks;
- (f) an opportunity to pursue a Partnership Initiative with specialist mental health services to address the psychological needs of certain staff who are affected by stress, anxiety, depression or other forms of mental illness.

The Committee was also advised of the conclusions from the York City Council Occupational Health Scheme.



9.

In addition, to endorse the initial services to be delivered by the new in-house service, the Committee was asked to support the proposal to explore a range of possibilities for future services as follows:

- access to physiotherapy services;
- access to specialist mental health services;
- a contingency initiative to address cost in-efficient NHS delays that prolong long-term sickness absence;
- expanding the availability for employees to self-refer for voluntary health assessments;
- providing routine health assessments for employees working in services areas with high incidents of sickness absence;
- the cost benefits of introducing a scheme based on the York model;
- producing guidance for managers on questions to be asked when an employee reports on the first day of sickness absence, and the development of a form to record the responses and agreed plan of action.

RESOLVED – That

- (i) the initial services to be provided by the new in-house Occupational Health Service be endorsed;
- (ii) proposals for future and costed developments for the Service be submitted to a future meeting of this Committee for consideration.

#### 10 : UPDATE ON INDIVIDUAL AND TEAM RECOGNITION EVENT, 17 MAY 2006

Following a request from the Lord Mayor that an ‘employee recognition’ event is set up, this Committee in January 2006 had approved the concept of such an event. An Event Team then developed the process which resulted in the Award Ceremony held on 17 May, 2006.

The Chief Human Resources Officer outlined the manner in which the event had been progressed, and the arrangements on the day. Sponsorship had been secured from Mitel and the trade unions.

The Committee was advised that positive feedback had been received since the event from a wide range of Chief Officers, guest-speakers, union representatives and guests, and that this feedback would be used in formulating next year's event. Members of the Committee added their own compliments of such a successful event.

It was proposed to have a number of award categories for the 2007 event which could include:

- Outstanding Achiever of the Year
- Frontline Services – Excellence in Service Delivery or Outstanding Contribution to the Community Award
- Support Services – Serving the City Award
- Strategic Services – Innovation and Progress Award
- Projects Category, eg. Sports Village, MRF, etc. Project of the Year Award
- Employee Choice Award
- Best Idea/Efficiency Saving Award

The categories would be linked to established external awards/ accreditation, thereby reducing the time and resources required to apply for external awards.

RESOLVED – That

- (i) the success of this year's 1<sup>st</sup> "Proud – Our People Awards" event be noted and the Committee's support for the establishment of an annual awards event be confirmed;
- (ii) the Chief Human Resources Officer submit a detailed report, following wider consultation, including criteria for future award categories, to the January meeting of this Committee.

11.

11 : EMPLOYEE RELATIONS MATTERS

The proceedings of the Works Council held on 14 June, 2006 were submitted for information. The following issues were discussed at that meeting:

- Trade Unions Access to Council's Intranet Site
- Sick Pay for Cleaners
- Prime Rate – Tool Allowance
- Making the Connections – Delivering Better Services for Wales
- Single Status and Job Evaluation
- Diversity Issues
- Partnership Approach – Future Plans
- Home Computing Initiative
- The Work/Life-Balance Initiative
- In-house Occupational Health Service
- Sickness Absence Policy: Absence Management Group
- Dates of Future Meetings
- Service Area Joint Committees
- Update on Creation of New Trade Union
- Telematics Regrading Agreement
- Workplace Nurseries
- Career Grades/Occupational Therapist Career Grade

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12.

- Essential Car Users Allowances

RESOLVED – That the issues discussed at the meeting of the Works Council be noted.