

EMPLOYMENT CONDITIONS COMMITTEE

16 OCTOBER 2006

Present: County Councillor Stephens (Chairperson)
County Councillors Berman, Jones, Salway,
Sheppard, Walker and Walsh

Apology: County Councillor Derbyshire

12 : MINUTES

The minutes of the meeting held on 17 July 2006 were approved as a correct record and signed by the Chairperson.

13 : WORK LIFE BALANCE: UPDATE

The Committee received a presentation by Hayley Dunne, Business Development Manager, Chwarae Teg, which demonstrated the progress of the Work Life Balance (WLB) Agenda in Wales, examined the pilot projects in Wrexham, Bridgend and Neath Port Talbot and outlined the next steps in Cardiff Council.

In 2000 the Government reviewed options to support parents and employers, with the aim of making it easier for parents in work to balance their home and work responsibilities.

In Wales, the Assembly Government wanted to promote flexible working in as broad a way as possible and to facilitate this engaged Chwarae Teg and the Welsh Development Agency. One of the key objectives in the Chwarae Teg WLB Strategy 2005-2008 was to work with Local Authorities, raising awareness of Work Life Balance/Flexible Working Initiatives.

The Committee was advised that Chwarae Teg had worked recently with Bridgend CBC, Neath Port Talbot and Wrexham and that some of the tangible benefits to accrue from WLB within these Authorities included examples of a reduction in sickness absence, up to date inspection programmes, a reduction in outstanding Social Services caseloads and reductions in staff turnover.

Progress in Cardiff Council had been achieved by raising awareness of WLB through presentations to Trade Unions, Corporate Directors, Works Council, Human Resources Development Group and Service Area Management Teams.

A Steering Group to guide the Project and take strategic decisions and a Working Group to undertake the practical work required would be established by the end of October to comprise Trade Unions and Service area representatives to take this matter forward within the Council. Pilot Projects would be established to review the current Flexible Working Hours Schemes in the light of other schemes and how they were operating. Further areas to be looked at would include home working and hot desking as well as revisiting some of the current family friendly policies to ensure continued fitness for purpose.

RESOLVED – That

- (i) the preliminary work already undertaken to start Work Life Balance discussions be noted
- (ii) appropriate forums be identified so that awareness raising involving Members can take place
- (iii) a progress report be submitted to a future meeting of this Committee

14 : EMPLOYMENT EQUALITY (AGE) REGULATIONS 2006

The Committee was advised that following the introduction of the Employment Equality (Age) Regulations 2006 it was illegal from 1 October for employers to discriminate against employees or jobseekers on the grounds of age. The legislation had now given individuals important new rights, extended existing rights and removed traditional barriers. Members were provided with an overview of the legislation and its implications for the Council as an employer and were advised that the work that was either completed or already underway to ensure compliance with this new law.

The Council had made a number of preparations in readiness for this new regulation. The regulations applied to all employers, private and public

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sector vocational training providers, Trade Unions, professional organisations and employer organisations. The employment policies affected included:

- (a) Recruitment, Selection, Promotion, Secondments and Re-deployment;
- (b) Training and Development;
- (c) Pay, Benefits and other conditions;
- (d) Bullying and Harassment;
- (e) Retirement and Redundancy.

The Council already had a number of equality policies in place, including a policy for employees who wished to work beyond the age of 65. Additionally, the Council's Employment Policies either had or were in the process of being age-proofed.

The Council was committed to the removal of age discrimination in employment as it was wasteful of talent and harmful to both individuals and the organisation. The Trade Unions welcomed the introduction of these Regulations and supported the Council's approach to ensuring full compliance with law.

RESOLVED – That

- (i) progress with implementing the Employment Equality (Age) Regulations be noted;
- (ii) the programme to raise awareness and understanding within the organisation of age discrimination be endorsed;
- (iii) Members of this Committee and the Works Council be provided with the opportunity to attend a briefing session;
- (iv) the new Age Diversity Policy be submitted to this Committee in January 2007 for consideration.

15 : DISABILITY EQUALITY DUTY 2007-10

The Committee was advised that a new public sector Disability Equality Duty would come into effect on 4 December 2006. The Duty had implications for the Council, both as a service provider and as an employer.

The key actions required to comply with the Employment Duty were to:

- Involve disabled employees in identifying priorities for improvements in our disability equality as an employer.
- Involve Council customers in identifying the key barriers to seeking and gaining employment with the Council.
- Benchmarking the Council's current performance on Disability Equality in Employment.
- Upgrading the current Equal Opportunities Monitoring Form.
- Upgrading the existing Employee Monitoring Scheme.
- Reviewing Human Resources Functions and Policies for their impact on disabled people.
- Equality Impact Assessing Human Resources Functions and Policies for their impact on disabled people.
- Raise awareness amongst Council employees of the requirements and opportunities of the new Duty.
- Train employees in Disability Awareness.
- Ensure that Council contractors show good practice in Disability Equality as part of their recruitment, employee relations and HR activity.

RESOLVED – That

- (i) the Council's Equalities Team works with and through the new

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Disabled Employees Group to identify disabled employees' priorities for the Council to improve its performance on disability equality as an employer;

- (ii) the Council's Equalities Team works with Cardiff and Vale Coalition of Disabled People to identify the key barriers experienced by Council customers in seeking and gaining employment with the Council;
- (iii) the Council's Equalities Team undertakes research to benchmark the Council's current performance on disability equality in employment;
- (iv) the Council amends the current Equal Opportunities Monitoring Form to incorporate a new set of disability categories advised by the Disability Rights Commission;
- (v) the Council upgrades the existing employee monitoring scheme to enable the capture of the new categories referred to in recommendation (iv) above;
- (vi) the Putting Equalities into Practice (PEP) Group and Human Resources review employment and policies and procedures for their impact on disabled people;
- (vii) the Council agrees a course of action, training and implementation to embed equality impact assessment of its employment policies for their impact on disabled people;
- (viii) the Council cascades awareness of the requirements and opportunities of the new Duty to all appropriate employees and Members;
- (ix) the Council considers the allocation of additional resources to manage disability awareness training for all appropriate Council employees and Members as part of 2007/08 budget process;
- (x) the Council designs and implements guidelines to ensure that its contractors show good practice in disability equality.

16 : EMPLOYEE RELATIONS MATTERS

The proceedings of the Works Council held on 13 September 2006 were submitted for information. The following issues were discussed at that meeting:

- Sick Pay for Cleaners.
- Work Life Balance Strategy.
- Making the Connections – Delivering better Services for Wales.
- Single Status and Job Evaluation Update.
- In-house Occupational Health Service.
- Sickness Absence Policy: Absence Management Group.
- Service Area Joint Committees.
- Childcare Survey.
- Partnership Working with Trade Unions.
- Budget Update.
- Prime Rate.
- Essential Car Users Allowances.

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

17 : ADULT SERVICES – BUDGETARY IMPLICATIONS

The Committee was advised that at the Executive Business meeting on 12 October 2006 received a report on Adult Services – Financial Matters from the Corporate Director, Opportunities Cardiff. The Executive had considered a range of further measures to manage the Adult Services budget position, which was currently projecting an overspend of £7

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million. The Committee received a report which highlighted the potential employment implications of those measures and recommended that a more detailed report on full proposals be considered by this Committee in November 2006.

The current projected overspend would have serious implications for the overall budget of the Council with three areas being specifically affected within Adult Services:

(a) Direct Services

The projected overspend on this budget provision (in excess of £2.2 million) was for Council run residential homes and related mainly to expenditure on employees and was the result of the Care Standards Act which had led to a significant increase in the use of agency staff.

(b) Commissioned Services

The overspend in Learning Disabilities was due to a higher cost number of cases in the first quarter of this year and had added significant cost to an area which was already spending well in excess of budget (projected overspend £2.3 million).

(c) Direct Payments

In addition, there was a projected overspend of £600,000 on the budget for Direct Payments for clients to organise their own care arrangements.

The Executive had considered four proposals, all of which would have some degree of impact on existing staff resources:

- Reconfigured Day Care Services.
- Increased Charge for Domiciliary Care.
- Reconfiguration of In-house Home Care Service.
- Iorwerth Jones Residential Home.

The Committee welcomed the input of the Unions to the issues, which needed further investigation. Specific reference was made by Members to the levels of sickness within Adult Services and, whereas it was not considered to be the answer to all the problems, it was felt that an improvement in this area would be significant.

In order to address absence issues in Adult Services, a number of options were being considered, including the York City Council model whereby staff, who were sick, were required to contact the Occupational Health provider in the first instance.

The Chief Human Resources Officer stated that the Council had also looked at a similar model operated in Carmarthen.

Whereas the Council had enquired about the outcome of these models it was suggested that the Unions could also obtain feedback on the success of these models from their colleagues within these Authorities.

RESOLVED – That

- (i) this Committee notes the proposal of exploring more effective and different ways of delivering a responsive and flexible Home Care service to clients;
- (ii) Trade Unions and staff be consulted on with proposals concerning structures and revised terms and conditions of employment for the reconfigured Home Care Service;
- (iii) consideration be given to a number of measures including the option of piloting the York City model of dealing with absence in an appropriate area within Adult Services and that a costed proposal of implementing this or other options be submitted to this meeting in January 2007;
- (iv) a Task and Finish Working Group be established and be made up of senior managers and trade unions to address the position relating to Adult Services with a view to identifying effective arrangements for contributing to managing budgetary overspends through achieving cost reductions;

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- (v) a further report, providing detailed proposals and recommendations and including comments and views of Trade Unions and staff, be submitted to an additional Employment Conditions Committee meeting in November 2006 to address any employment matters.