

UNION / EMPLOYEE CONSULTATION COMMITTEE

Minutes of a meeting of the Union/Employee Consultation Committee of the Bolsover District Council held in Committee Room 1, Sherwood Lodge, Bolsover, on Monday 15th November, 2010 at 10.30 hours.

PRESENT:-

Councillor E. Watts - Chair

Council Representatives:-

Councillors R.J. Bowler, K. Bowman, Mrs. P.M. Bowmer, J.A. Clifton, D. McGregor, A.F. Tomlinson (left during Minute No 566) and K.F. Walker.

Unison Representatives:-

R. Farnsworth, W. Hatton, J. Woods and C. Hirst.

Unite Representatives:-

S. Sambrooks.

Officers:-

W. Lumley (Chief Executive Officer), L. Keeling (Head of Human Resources & Payroll) and A. Bluff (Democratic Services Officer).

Also in attendance at the meeting was Councillor J.E. Bennett observing.

556. APOLOGIES

Apologies for absence were received on behalf of Councillors B.R. Murray-Carr and A. Waring, P. Burrows (Unison), R. Frisby (Unison) and C. Dodsworth (Unite).

557. URGENT ITEMS

There were no urgent items of business to consider.

558. DECLARATIONS OF INTEREST

There were no declarations of interest made.

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559. MINUTES – 1st SEPTEMBER 2010

Moved by Councillor A.F. Tomlinson, seconded by Councillor E. Watts

RESOLVED that the minutes of a meeting of the Union / Employee Consultation Committee held on 1st September 2010 be approved as a correct record.

560. PUBLIC SECTOR APPRENTICESHIP PROGRAMME UPDATE; JULY TO SEPTEMBER 2010

The Head of Human Resources and Payroll presented a report which gave details of progress being made on the Public Sector Apprenticeship Programme.

Some of the figures had changed since the report was written and the Head of Human Resources and Payroll gave a verbal update to the meeting with regard to these.

The number of apprentices employed in the 16 to 18 year age group was fourteen with a final starter from 17th November 2010. This would bring the project to its total of 15 apprentices in place for that age group.

In the 18 year plus age group, 59 placements had been filled with one awaiting a start date; this would bring the project to its total of 60 apprentices for that age group.

It was noted that ten apprentices had left the programme for various reasons, and five apprentices had achieved their apprenticeship framework.

The report detailed an apprenticeship event to be held on the 15th December 2010, which the trade unions were attending to present on the role of the trade unions.

Moved by Councillor A.F. Tomlinson, seconded by E. Watts

RESOLVED that the report be received.

561. SICKNESS ABSENCE/OCCUPATIONAL HEALTH STATISTICS - JULY TO SEPTEMBER 2010

The Head of Human Resources and Payroll presented a report which gave details of the sickness absence/occupational health referral statistics for the period July to September 2010.

The sickness absence outturn figure for July to September 2010 was 1.97 days per full time employee compared to 2.65 days per full time employee for the same quarter in 2009. The target for July to September 2010 was 2.13 days per full time employee. It was noted that there had been a decrease in long term and short term sickness absence in the July to September 2010 period compared to the same period in 2009.

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A full breakdown of short term and long term sickness absence by department was included in the report.

The meeting's attention was drawn to the table in the report regarding 'outcome of occupational health referrals'; it was noted that the dates should read 2010 and 2009, and not 2009 and 2008.

A group of volunteers had been recruited to become Workplace Health Champions and all had now achieved the level 2 qualification in public health. The group would set up health promotional events and one to one sessions with staff which would complement the occupational health service, and would provide opportunities for employees and elected members to make lifestyle changes.

Unison confirmed that they would be interested in running a day with fifteen minute slots for head massages etc. This had been trialled at North East Derbyshire District Council and had been successful.

Moved by Councillor E. Watts, seconded by Councillor J.A. Clifton
RESOLVED that the report be received.

562. THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Moved by Councillor E. Watts, seconded by Councillor A.F. Tomlinson
RESOLVED that under Section 100(A)(4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following items of business on the grounds that they may involve the likely disclosure of exempt information as defined in the stated Paragraph of Part 1 of Schedule 12A of the Act and it is not in the public interest for that to be revealed.

563. DRAFT WORK EXPERIENCE PLACEMENTS POLICY EXEMPT PARAGRAPH 4

The Head of Human Resources and Payroll presented a report to consult with committee members on a new policy for work experience placements. The policy set out details of responsibilities for all participants internally and externally.

In 2010 it was decided to take a more proactive approach by determining where and when work experience placements could be offered and communicating this to schools in the area.

Consultation with management groups had taken place on the new policy.

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Moved by Councillor A.F. Tomlinson, seconded by Councillor E. Watts

RESOLVED that (1) the report be received,

RECOMMENDED that (2) the Work Experience Placements Policy be referred to Council for approval.

(Head of Human Resources and HR / Head of Democratic Services)

564. DRAFT VOLUNTEER POLICY EXEMPT PARAGRAPH 4

The Head of Human Resources and Payroll presented a report to consult with committee members on a revised Volunteer Policy.

It had been recognised that the Volunteer Policy document was too lengthy and some of the measures impractical in terms of recruiting volunteers for one off events. The Head of Human Resources and Payroll in consultation with the Head of Leisure had undertaken a review of the Policy in July 2010 and these changes were highlighted in the report.

Consultation with management groups had taken place and suggested amendments taken on board.

A short discussion took place.

Moved by Councillor E. Watts, seconded by Councillor A.F. Tomlinson

RESOLVED that (1) the report be received,

RECOMMENDED that (2) the Volunteer Policy be referred to Council for approval.

(Head of Human Resources / Head of Democratic Services)

565. DRAFT MANAGING SICKNESS ABSENCE POLICY / PROCEDURE EXEMPT PARAGRAPH 4

The Head of Human Resources and Payroll presented a report to inform committee members of changes made to the Managing Sickness Absence Policy and Procedure following feedback from six focus groups held in February/March 2010. These changes were identified through tracked changes in the Policy and Procedure which was attached to the report.

Consultation on the suggested changes had taken place with various management groups, though it was noted that the IIP Working Group had been missed off the list of groups identified in the report. A full Equality Impact Assessment had been carried out and presented to the Equality Services Development Group where no equality issues had been raised.

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The Head of Human Resources and Payroll had also attended the Equalities Working Group meeting on 5th November 2010, to give detail of the history of why the revisions to the Policy and Procedure had occurred, and to clarify each of the changes made. The Equalities Working Group had suggested a further amendment to the Procedure in terms of the checklist for conducting a return to work interview contained within paragraph 4 of the procedure. It was suggested that the following additional wording be included as the first bullet point in the checklist, "Check with the employee if the medical issues may be sensitive and provide them with an opportunity to discuss these issues with a manager of the same gender".

Unison representatives sought further clarification on changes in relation to short term sickness absence.

Lengthy debate took place regarding staff using annual leave to cover short term sickness absence and concerns were raised that this could be covering underlying medical health problems. Examples of these types of situations were given by the Head of Human Resources and Payroll.

Further discussion took place regarding referrals from GPs, occupational health, adjustments in the work life balance policy to help with appointments, and other support measures which the Council offered to its employees.

The Chair suggested an additional recommendation that, in consultation with the Unions, the Policy be reviewed in twelve months time.

Moved by Councillor D. McGregor, seconded by Councillor E. Watts
RESOLVED that (1) the report be received,

RECOMMENDED that (2) the Managing Sickness Absence Policy and Procedure be referred to Council for approval, subject to the additional wording in relation to the Return to Work checklist in the Procedure.

(3) in consultation with the Unions, the Policy be reviewed in twelve months time.

(Head of Human Resources and Payroll / Head of Democratic Services)

566. DRAFT HARASSMENT & BULLYING PROCEDURE & TRANSGENDER GUIDANCE EXEMPT PARAGRAPH 4

The Head of Human Resources and Payroll presented a report to inform committee members of revisions made to the Harassment and Bullying Procedure which also included guidance on Transgender issues as a result of the Equalities Act 2010.

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Changes had been made to the Harassment and Bullying Procedure as a result of feedback from managers and users that the document was too lengthy and difficult to use.

The meeting's attention was drawn to paragraph 8.2 of the Procedure. The Head of Human Resources and Payroll advised the meeting that in addition to the procedure she had produced and circulated a briefing note for employees and line managers on what they should do if cases of harassment, bullying or violence by service users were reported. Notices had also been drawn up and these were displayed at the contact centres, leisure centres and community houses – these notices made it clear to members of the public the standards of behaviour expected and that the Council would support its employees if these standards were breached.

Councillor Tomlinson left the meeting at this point.

Guidance on transgender issues in the work place had also been produced for managers and employers and had been put together following research of best practice. The guidance did not require Council approval as it was not a Policy or Procedure but was provided to the meeting for comments and any suggested changes, prior to it being made available on the intranet.

Moved by Councillor J.A. Clifton, seconded by Councillor E. Watts

RESOLVED that (1) the report be received,

RECOMMENDED that (2) the Harassment and Bullying Procedure be referred to Council for approval.

(Head of Human Resources and Payroll / Head of Democratic Services)

567. MOBILE WARDENS STAND-BY ALLOWANCES – PENSIONABLE PAY STATUS – UPDATE EXEMPT PARAGRAPH 4

The Head of Human Resources and Payroll presented a report to provide an update to committee members on a report of the same title, which was submitted to Union Employee Consultation Committee on 5th February 2010, regarding mobile warden stand-by allowances and that these payments should have been treated as pensionable since 1982.

Following consultation with the Trade Unions, and options provided to the affected employees, the financial liability for the Council was £29,309.36 and this had already been paid to Derbyshire County Council.

Moved by Councillor J.A. Clifton, seconded by Councillor E. Watts

RECOMMENDED that the report be referred to Council for retrospective approval for the £29,309.36 to be funded from Reserves.

(Head of Human Resources and Payroll / Head of Democratic Services)

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568. LOCAL GOVERNMENT PENSION SCHEME – CONSULTATION EXERCISE RESULTS RECOMMENDED CHANGE TO TRANSFERS-IN POLICY EXEMPT PARAGRAPH 4

The Head of Human Resources and Payroll presented a report to consult with committee members on proposed changes to the Council's policy in relation to transfers-in to the Local Government Pension Scheme following a recommendation from Derbyshire County Council that all employers in the Fund operate a common approach from 1st December 2010.

Documents received from Derbyshire County Council, which provided background and other information regarding the changes, had been made available for committee members in the Members' Rooms and also in Democratic Services.

Committee members were requested to approve an amendment to the Chief Executive Officer's delegated authority to allow him, in consultation with the section 151 Officer, to apply the discretions as covered in points 3 and 4 of the report as he/she saw fit. The Head of Human Resources and Payroll sought a further amendment to this recommendation that the consultation also include the Leader and Deputy Leader.

Moved by Councillor D. McGregor, seconded by C. Hirst

RECOMMENDED that (1) the following matters be referred to Council for approval by 1st December 2010;

1.1 Transfers-in are restricted to local authority and "Club" transfers, where reciprocal transfer arrangements operate and,

1.2 Requests for all transfers-in are restricted to the 12 month period commencing with the date a person became an active member in Derbyshire County Council's Pension Fund.

1.3 Discretion is included to allow transfers-in from non local authority and non "Club" schemes.

1.4 Discretion is included to allow transfers-in outside the 12 month period in exceptional circumstances from all schemes.

Each Scheme employer is able to determine its own view on 'exceptional circumstances' but this should not be taken a Scheme member's right to a transfer,

(2) the delegation in respect of points 1.3 and 1.4 of the policy on LGPS transfers-in be delegated to the Chief Executive Officer, in consultation with the section 151 Officer, the Leader and Deputy Leader, and referred to Standards Committee for updating the Council's Constitution,

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(3) the option form be returned to Derbyshire County Council subject to approval at Council on 1st December 2010,

(4) Human Resources and Payroll amend the Acceptance of Appointment form in line with the decision on this Policy.

(Head of Human Resources & Payroll/Head of Democratic Services (Standards Committee))

The meeting concluded at 1140 hours.