

UNION/EMPLOYEE CONSULTATION COMMITTEE

Minutes of a meeting of the Union/Employee Consultation Committee of the Bolsover District Council held in Chamber Suites 1 and 2, The Arc, Clowne, on Thursday 12th March 2015 at 1100 hours.

PRESENT:-

Council Representatives:-

Councillors, Mrs P.M. Bowmer, V.P. Mills, K. Reid, A.M. Syrett and A.F. Tomlinson.

Unison Representatives:-

J. Clayton, K. Shillitto and J. Wilmot.

Unite Representatives:-

S. Sambrooks, B. Elliott, D. Reeves and D. Provines.

Officers:-

P. Hackett (Executive Director – Transformation), A. Wylie (Principal Solicitor), T. Morrell (Senior HR Advisor), S. Gordon (HR and Payroll Operations Manager) and A. Bluff (Governance Officer).

J. Clayton (Unison) in the Chair

0907. APOLOGIES

Apologies for absence were received on behalf of Councillors E. Watts, A. Grundy (Assistant Director Human Resources) and W. Edge (Unison).

0908. URGENT ITEMS OF BUSINESS

There were no urgent items of business to consider.

0909. DECLARATIONS OF INTEREST

There were no declarations of interest made.

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0910. MINUTES – 9TH OCTOBER 2014

Moved by Councillor K. Reid, seconded by J. Clayton

RESOLVED that the Minutes of a Union/Employee Consultation Committee held on 9th October 2014 be approved as a true record.

0911. EQUALITY MONITORING – JULY 2014 TO SEPTEMBER 2014 AND OCTOBER 2014 TO DECEMBER 2014

Committee considered two reports in relation to equality monitoring for the periods July 2014 to September 2014 and October 2014 to December 2014 respectively.

Moved by Councillor A.F. Tomlinson and seconded by Councillor A. M. Syrett
RESOLVED that (1) the report be noted.

(Assistant Director Human Resources/Governance Manager)

0912. SICKNESS ABSENCE/OCCUPATIONAL HEALTH STATISTICS – OCTOBER 2014 TO DECEMBER 2014

Committee was advised that sickness absence/occupational health statistics for the period July 2014 to September 2014 would be presented as part of the annual sickness absence report at the next meeting of UECC.

A Unison representative noted an increase in sickness absence due to stress. The Senior Human Resources Advisor replied that the Authority recognised that stress was becoming more of an issue. Stress Awareness training had been offered to staff but there had been little or no take up at Bolsover.

Moved by Councillor A.F. Tomlinson and seconded by Councillor K. Shillitto
RESOLVED that the report be noted.

0913. DRAFT POLICY ON SOCIAL NETWORKING

The Senior Human Resources Advisor presented a draft Policy on Social Networking for Committee's consideration.

The draft Policy was based on a model policy which had been adopted at NEDDC in 2013.

A Unison representative raised that employee use of social media was currently an area that was developing with tribunals etc and the Policy needed to stay in line with those cases. Unison representatives also requested a clear statement that reflected the legal position of trade unions be included in the Policy that legitimate trade union activities were excluded from the Policy, for example, campaigning for equal pay.

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The Senior Human Resources Advisor replied that it was proposed to review the Policy on an annual basis or as cases arise and noted that all Council policies were subject to review at any time. Comments or criticism that could cause embarrassment to the Council should not be published on social media by employees and executive trade unions should not be excluded from that as part of their union activities.

A lengthy discussion took place.

It was agreed that the draft Social Networking Policy be deferred to a future meeting of UECC to enable Unison and HR Managers to discuss suitable wording to ensure no discrimination could occur in respect of legitimate trade union activities.

Moved by K. Shillitto and seconded by Councillor A.F. Tomlinson

RESOLVED that the draft Social Networking Policy be deferred to a future meeting of UECC to enable Unison and HR Managers to discuss suitable wording to ensure no discrimination could occur in respect of legitimate trade union activities.

(Assistant Director Human Resources/Governance Manager)

0914. REVIEW OF DISCIPLINARY POLICY

The Senior HR Advisor presented a draft Disciplinary Policy for Committee's consideration.

The report had been deferred from the last meeting of UECC to enable Unison time to consider the managerial procedure document.

A Unison representative noted that Unison had a number of issues regarding the Policy which Unison felt had not been addressed and so were not in a position to agree the Policy. The issues related to gross misconduct and management leading on investigations.

Currently on misconduct related matters, Human Resources (HR), appointed an independent investigator and the draft Policy indicated that this would normally be the person's line manager. Unison had also noted that line managers did not want to investigate staff.

The Senior HR Advisor advised the meeting that the draft Policy now allowed for other managers to investigate on misconduct related matters, or the legal team or a line manager. HR felt that in some circumstances a line manager would be the best person to understand an issue, for example, on why an incident had happened etc, and also the context of an issue.

A Member queried who would decide if a line manager was appropriate to carry out an investigation and also if an employee could object to it. The Senior HR Advisor replied that the Assistant Director Human Resources would decide who was best

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placed to carry out an investigation and an employee could ask for someone else to be considered if they objected to their line manager doing so.

Another Member felt that capability and performance of an employee should be the line manager's role but not a disciplinary investigation.

A lengthy discussion took place.

It was agreed that the report be deferred to the next meeting of UECC to be held in June on the basis that Unison and HR attempt to reach a mutual agreement on the draft Disciplinary Policy within one month from the date of this meeting.

Moved by J. Clayton and seconded by Councillor A. F. Tomlinson

RESOLVED that the draft Disciplinary Policy be deferred to a UECC meeting in June to enable Unison and Human Resources to reach a mutual agreement on the Policy within one month from the date of this meeting.

(Assistant Director Human Resources/Governance Manager)

0915. REVIEW OF SICKNESS ABSENCE MANAGEMENT POLICY

The HR and Payroll Operations Manager presented a draft Sickness Absence Management Policy for Committee's consideration.

The report had been deferred from the last meeting of UECC to enable Unison time to consider the managerial procedure document

A Unison representative noted that Unison had a number of issues regarding the Policy which Unison felt had not been addressed and so were not in a position to agree the Policy. The issues related to line managers having discretion over how sickness absence was handled.

A lengthy discussion took place in relation to how much discretion managers had in the Policy.

A Unison Representative noted that the current Sickness Management Procedure was led by HR with clear trigger points and guidance – the revised Policy shifted decisions onto the Line Manager. Unison had canvassed employees and the vast majority were unhappy including Managers.

The HR and Payroll Operations Manager noted that Managers would not be making decisions without advice from HR to ensure consistency.

A Member suggested that the draft Sickness Absence Policy be deferred to a UECC meeting in June to enable Unison and Human Resources to reach a mutual agreement on the Policy.

A Member noted that the Policy could still be implemented if there was a failure to agree.

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Moved by Councillor K. Reid and seconded by Councillor A. M. Syrett

RESOLVED that the draft Sickness Absence Management Policy be deferred to a UECC meeting in June to enable Unison and Human Resources to reach a mutual agreement on the Policy.

(Assistant Director Human Resources/Governance Manager)

Councillor Tomlinson left the meeting at this point.

0916. ANNUAL LEAVERS BREAKDOWN REPORT FOR 2013/2014

Committee considered a report in respect of exit information and a summary of primary reasons for permanent employees leaving the Authority.

The report covered the periods 1st April 2013 to 31st March 2014 with comparisons for the same period in 2012/2013.

A Unison representative asked if voluntary redundancy figures could be included in the report in future years.

Moved by Councillor K. Reid and seconded by Councillor A.M. Syrett

RESOLVED that (1) the report be received,

(2) voluntary redundancy figures be included in the report in future years.

(Assistant Director Human Resources)

The meeting concluded at 1200 hours