

Personnel and Development Committee Minutes

Date: 15 March 2017

Time: 7.00 - 7.50 pm

PRESENT: M Harris (In the Chair)

Councillors: Mrs S Adoh, G Hall M Hanif, W Mallen, G Peart S K Raja

9 APOLOGIES FOR ABSENCE

There were no apologies for absence

10 MINUTES

RESOLVED: That the minutes of the meeting of the Committee held on 7 November 2016 be confirmed as a true record and signed by the Chairman.

11 DECLARATIONS OF INTEREST

There were no declarations of interest.

12 EMPLOYMENT LEGISLATION UPDATE

An information item was submitted on the updated Employment Legislation. Members were asked to note the various changes that were due to take place following its recent introduction.

Public sector Exit Payment Cap

It was noted that the Government had issued a statutory instrument which had brought s41 of the Enterprise Act 2016 into force from 1 February 2017, which allowed for capping of public sector exit payments including redundancy, payment in lieu of notice and pension strain and ex gratia payments to £95,000. Members were informed that this would potentially impact on those employees aged 55 and above who left the Council and had access to their pension as pension strain costs could be high.

Recovery of Exit Payments

The Government had confirmed its intention to implement regulations concerning the recovery of Exit Payments made to those employees within the public sector and those returning to the public sector within a period of 12 months. The minimum

salary to which the recovery provisions would apply was £80,000 per annum and were expected to become effective at some point after early 2017.

IR35 - Intermediaries Legislation

Officers reported that legislation to become effective from April 2017 would require changes to be made to the way certain contractors were to be paid. Subject to certain criteria, any person working with in the public sector would no longer be paid via invoice. The responsibility for assessing a worker's status would shift to the public authority, as would the responsibility for the deduction and payment of tax.

Members were informed that the HMRC had made available an assessment tool to help determine the individual's employment status and that there were currently approximately 8 contractors whose status was being assessed by the Council. It was anticipated that costs to engage interims would possibly increase as a result. There was also concern that as the regulations only applied to the public sector, interims were likely to leave to go to the private sector in order to exempt themselves from the new regulations.

Apprenticeship Levy

Members noted the introduction of the levy from April 2017 which would cost the Council approximately £45k. It was stated that the Council would have access to vouchers through the scheme and which could be used to provide apprenticeship training for current employees or new employees appointed under an apprenticeship. The Council was currently exploring the possibility of providing management training under an apprenticeship. Training undertaken under the scheme would offset some of the total cost of the levy.

Gender Pay Gap Reporting

Members were informed that as of 31 March 2017, the Equality Act 2010 (Specific Duties and Public Authorities) regulations 2017 made it necessary to publish annual gender pay gap reports to public sector employers with over 250 employees.

Members were reminded that the Council already published the difference in mean and median pay between male and female employees in the annual Workforce Report. The additional requirement was the numbers of males and females according to quartile pay bands. This would be reported in the 2016/17 Workforce Report.

RESOLVED: That the information report be noted.

13 ENGLISH SPEAKING REQUIREMENTS

A report was submitted which laid out the approach adopted by the Council towards meeting the requirements of the Immigration Bill 2016 for public authorities to ensure that employees in customer facing roles spoke fluent English. It was noted that the Bill became law in November 2016.

The report detailed the actions which would be put into place to make clear the expected requirements from public sector employees involved in a customer facing role, in terms of enabling the effective performance of their position. The report stated that changes to the Council's Recruitment Policy and Procedure were also due to be made to take account of the recent legislative changes. The proposed wording to be inserted was highlighted on pages 5-7 of the report.

It was confirmed that there were currently no issues or concerns identified by Heads of Service with regard to existing employees' fluency in English and Members were assured that any changes put into place by the Council within its Recruitment Policy and Procedure would take account of any potential equality issues.

RESOLVED: That the report be noted

14 PAY POLICY STATEMENT 2017/18
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A report was submitted which requested feedback on the updated Pay Policy Statement and which sought approval of the Statement for the 2017/18 financial year, which would then proceed to Full Council for endorsement on 3 April 2017.

The statement was a summary of the Council's current policies, practices and relevant contractual, national and local terms.

The report stated that it was the Localism Act 2011 which had introduced the requirement for all Local Authorities to publish an annual statement commencing from 2012/13, to be approved by Council by March each year and also to be published on the website.

The report highlighted that the statement for 2017/18 contained the same detailed information as the current year's statement with rates having been updated where appropriate. The relevant information was contained within the appendix to the report.

Officers tabled an updated tracked version of the proposed changes to be made to the Pay Policy Statement. Amongst the changes, attention was drawn to the dismissal of statutory officers which now required a recommendation to the JNC Committee by an Independent Panel rather than the previously Designated Independent Person (DIP). The updated NJC pay award was noted in paragraph 3.4 of the report, as was the change to the Performance Management Framework in paragraph 4.3. It was also noted that the ratio between the highest paid employee and the lowest earner had reduced, due in the main to an increase to the minimum scale point in Grade 1 as a consequence of an increase to the National Minimum Wage.

RECOMMENDED: That the Pay Policy Statement for 2017/18 financial year be approved.

15 TEMPORARY AGENCY WORKERS PROVISION

A report was submitted which detailed the proposed approach taken towards the provision of temporary agency staff as of 1 April 2017.

The report stated that a contract for temporary agency staff had been awarded to Adecco for a period of 2 years from 1 April 2015 - 31 March 2017 with an option to extend for a further 2 years. However, it had been decided not to extend the contract as it had been anticipated that the majority of the Council's agency spend would go through Adecco, but in reality they had been unable, in the main, to source the more professional roles such as solicitors, accountants and planners. It was anticipated that in the current economic climate with ongoing budget pressures, staffing levels at a minimum and the uncertainty around modernising Local Government the need for temporary staff would continue.

Following a meeting of the Senior Management Board it had been agreed that (a) the Council would not enter into another contract with a supplier in the short term. (b) Consideration would be given to the potential establishment of a framework agreement with BCC for provision of staff during 2018. (c) Relationships would be established with local agencies to help source the required temporary staff and where possible, negotiate preferential terms.

RESOLVED: That the report be noted.

16 STAFF SICKNESS ABSENCE STATISTICS

A report was submitted (agenda item 8) which provided information on sickness absence rates and which sought to receive any comments and feedback. WDC sickness and absence turnover trends were highlighted in Appendices A and B of the report.

Members were informed that the Chairman of the Committee had requested this report following its consideration by Cabinet which had identified that the 3rd quarter of the current year had seen an increase. It was noted that the figure produced had been annualised which gave a potentially inflated position.

Members were also informed that as of 31 December 2016 figures indicated that absences amounted to an average of 6.79 days per person per annum. It was noted that this could have been a seasonal increase due to coughs and colds and that there had been 5 members of staff who had been on long term sickness during the third quarter September to December 2016. 4 of the 5 had now returned to work and the 5th had resigned.

Members' attention was also drawn to the Government's target rate of 6.8 days per person per year, and it was highlighted that the Council had typically and sustainably experienced sickness absence below that rate including in the latest quarter. Officers explained that despite this the Council was not complacent in this regard, and took every opportunity to engage with people and to remain vigilant.

Members were referred to the range of interventions the Council undertook to manage sickness absence as set out in paragraph 6 of the report.

Members noted that the main cause of sickness absence during 2015/16 had been due to stress depression and mental health. This constituted 23% of overall absence, whilst 18% was due to muscular or skeletal issues. 14% of absences were as a result of viral infections. Operations and recovery accounted for 13% of the overall figure.

The presenting officer further explained that information relating to stress was available through staff survey results, individual and team stress risk assessments and occupational health. These measures enabled the relevant support to be put into place and reasonable adjustments to be made where possible. The Council was also arranging mental health awareness training for managers to help recognise the early signs of stress.

RESOLVED: That the report be noted.

17 DATE OF NEXT MEETING

Members noted that the next meeting of the Committee was scheduled for Monday 19 June 2017 at 7pm.

Chairman

The following officers were in attendance at the meeting:

Iram Malik	- Democratic Services Officer
John McMillan	- Head of ICT HR & Support Services
Jo Whiteley	- HR Manager