

Staffing Committee

Minutes of a meeting held at County Hall,
Colliton Park, Dorchester on 27 March 2013.

Present:-

Angus Campbell (Chairman)
Spencer Flower, Trevor Jones, Howard Legg and John Wilson.

Officers:

Debbie Ward (Chief Executive), Paul Kent (Chief Financial Officer), Alison Crockett (Shared Services Manager), Catherine Charnley (Specialist Services Manager) and Helen Whitby (Principal Democratic Services Officer).

Peter Illsley (Head of Corporate Finance).attended for minute 32.

Farewell

27. Members noted that the Chairman was not seeking re-election in May 2013 and expressed their appreciation of the way he had chaired the Committee over the last few years. They wished him well for the future. In response the Chairman stated that he had enjoyed his time as Chairman and doing the best for the County Council's employees.

Apologies for Absence

28. No apologies for absence were received.

Code of Conduct

29. There were no declarations by members of any disclosable pecuniary interests under the Code of Conduct

Minutes

30. The minutes of the meeting held on 1 February 2013 were confirmed and signed.

Staff Consultative Panel Minutes

31.1 The minutes of the Staff Consultative Panel meeting held on 28 February 2013 were received.

31.2 With regard to the NJC Trade Union Side Pay Claim, members noted that confirmation of the rejection of the pay claim was awaited.

Noted

Non-Directly Employed Contract Workforce – Quarter 3 2012/13

32.1 The Committee considered a report by the Director for Corporate Resources which provided information about agency and consultancy staff employed by the County Council for Quarter 3.

32.2 The Head of Corporate Finance explained that the report gave a complete view of staff used by the County Council and incorporated a commentary from business managers as to why these staff were necessary. He drew attention to tables which set out expenditure on agency and consultancy staff employed by individual directorates and information provided by Comensura which helped managers to monitor use of agency staff.

32.3 The Committee noted that the report had been considered by the Audit and Scrutiny Committee on 21 March 2013 and that they had asked to see the good practice guidance to be issued to managers about the appointment of consultants costing above £10,000 before it was approved. It was suggested that the Staffing Committee should also see this.

32.4 Attention was drawn to a freedom of information request referred to at a recent meeting of the County Council and the fact that the response to this request included information that was incorrect. Officers were asked to look at the coding of incomes to try to avoid a similar mistake recurring. The Chief Financial Officer added that the County Council had 170 different incomes and that there would always be a risk of this happening.

32.5 One member highlighted the fact that cost on agency staff to cover sickness absence was higher than the cost of consultancy staff. He understood the need for consultants with particular expertise to be employed to deal with particular projects and suggested that account definitions be reviewed.

32.6 The Chief Executive confirmed that she had been made aware of concerns raised by the Audit and Scrutiny Committee. She explained that it had been agreed that detailed business cases for the employment of consultants were not required, that Heads of Service and Directors would be accountable for their employment and would be provided with information to challenge the use of agency staff, if this was appropriate.

32.7 Attention was drawn to the fact that the total number of agency workers in December 2012 totalled 238, yet the sum of temporary workers employed for more than 12 weeks was 136, which was more than half. In response the Head of Corporate Finance explained that some assignments were open and not used. This allowed posts to be filled at short notice eg care assistants and workers in the Dorset Waste Partnership. It was confirmed that more information about the employment of care assistants would be included in the next report to the Committee.

32.8 In response to a question, the Head of Corporate Finance agreed to explore the need for the increased number of agency workers to be employed by Dorset Property to resource a number of new commissions for the Borough of Poole. This information would be distributed outside of the meeting.

32.9 The Audit and Scrutiny Committee were concerned that by employing agency staff for longer than the twelve week period they were acquiring additional employment rights and they had asked whether there were mechanisms in place to control this. The Shared Services Manager confirmed that additional employment rights were acquired when a person was employed longer than twelve weeks. But Directors, Management Teams, Heads of Services and Managers had been provided with guidance about the employment of agency staff and information was also available on Insight. The Chief Executive added that Directors received information about the length of employment, a reminder of when the twelve week period would end and reminded that this should only be extended in exceptional circumstances.

32.10 The Committee asked for a report to be provided on employment rights acquired when agency staff were employed for more than twelve weeks, including male/female split.

Noted

Management of Attendance 2012/13 – Quarter 3

33.1 The Committee considered a report by the Director for Corporate Resources on sickness absence performance for the period 1 January to 31 December 2012, the third quarter of reporting for 2012/13. Commentaries on sickness absence by Directorate and Service were provided. Proposed Directorate, Service and whole authority targets for 2013/14 were also set out.

33.2 The County Council's performance (excluding schools and the Dorset Waste Partnership) for Quarter 3 had deteriorated by 0.04 days and was now 9.03 working days per full time equivalent (FTE) as compared to the previous Quarter's figure of 8.99 working days per FTE and the whole authority target of 8.52 working days per FTE. When schools and the Dorset Waste Partnership were included performance was 8.47 working days per FTE for Quarter 3 which was an increase of 0.17 working days per FTE on the previous Quarter. Sickness absence for the Dorset Waste Partnership showed an increase from 15.87 working days per FTE in Quarter 2 to 17.14 working days per FTE in Quarter 3. A temporary manager had been employed by the Dorset Waste Partnership to embed the application of the management of attendance policy in an effort to help reduce absence figures.

33.3 With regard to the proposed sickness absence targets for 2013/14, Directorates had felt the need to reflect the impact of recent staff restructures and the amount of change the organisation had experienced within them. An overall target of 8.63 working days per FTE was proposed for 2013/14 as compared to the current target of 8.52 working days per FTE. Details of the proposed whole authority, directorate and service targets were provided in Appendix 3.

33.4 It was reported that information relating to short and long term absence was now available through the DES system. But as sickness absence figures were provided on a twelve month rolling programme, further action would be required for DES to be able to provide this detail. However, if this work was undertaken, there was a risk that payroll data might be corrupted and officers suggested that this information be provided on a rolling quarterly basis so that trends could be monitored.

33.5 The Committee were informed that the Audit and Scrutiny Committee had recently considered a report on lessons learned from the Meeting Future Challenges programme. Given the amount of change the authority had undergone, it was suggested that member induction following the forthcoming elections should include some information about the change the organisation had undergone so that new members would better understand its makeup. The Chief Financial Officer confirmed that new member induction would include detailed information about the savings the County Council had made since 2010.

33.6 Members supported the provision of short and long-term sickness absence figures on a quarterly basis.

Resolved

34.1 That the commentary received from Directorate Management teams regarding their performance be noted.

34.2 That the whole authority, directorate and service level sickness targets proposed for 2013/14 be approved.

34.2 That short and long term sickness absence data be provided on a quarterly basis.

Performance and Development Review Completion 2012/13

35.1 The Committee considered a report by the Director for Corporate Resources on performance and development review (PDR) completion 2012/13. The report also include commentaries from Directorates.

35.2 It was noted that as at 24 February 2013, twenty seven per cent of mid year reviews had been completed in DES, excluding staff with mediated access, that performance across the organisation varied from nought to 86%, with details set out within the Appendix. As staff were struggling with PDR recording in DES, the process had been reviewed and revisions would come into operation in April 2013. The process would now be completed outside of DES, on simplified forms which meant that a complete picture of PDR completion could be gained. Guidance for managers and employees had been revised and attention drawn to the importance of PDR completion and the benefits this afforded.

35.3 One member asked whether officers were concentrating on the number of PDRs undertaken rather than improving their quality. The Chief Financial Officer explained that the new process was linked to the role of the Dorset Manager and the competency framework. The Reviews meant that meaningful targets could be set for employees and for progress to be tracked against these. The changes would improve the process.

35.4 The need for staff to be convinced of the benefit the PDR process would have was highlighted. The Shared Services Manager stated that guidance for staff and managers had been revised so that there was less process involved. The guidance would place more emphasis on the benefits and importance of PDRs being completed.

35.5 Attention was drawn to the Dorset Fire Authority who had 100% PDR completion rates. The Shared Services Manager confirmed that the County Council was working closely with them and other local authorities to share learning experiences.

Noted**Learning and Development Strategy and Policy 2013/14**

36.1 The Committee considered a report by the Director for Corporate Resources on the Learning and Development Strategy and Policy 2013/14, as set out in Appendix 1 to the report.

36.2 The Learning and Development Strategy and Policy 2013/14 had been prepared in line with the Budget and Corporate Plan and supported the People Management Strategy approved by the Committee in May 2012. The outstanding policy point of learning and development agreements could be addressed through a review of the policy in the next financial year, if this was needed.

Resolved

37.1 That the Learning and Development Strategy and Policy 2013/14 be approved.

37.2 That the learning evaluation model embedded within the Strategy be noted.

37.3 That the action to resolve the outstanding policy point of learning and development agreements be noted.

Questions

38. No questions were asked by members under Standing Order 20(2).

Exempt Business

Exclusion of the Public

Resolved

39. That under Section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting for minute numbers 40 to 49 because it was likely that if members of the public were present, there would be a disclosure to them of exempt information as defined in the paragraphs indicated of Part 1 of Schedule 12A and the public interest in withholding the information outweighed the public interest in disclosing that information

Apprenticeship Pay Rates

40.1 The Committee considered an exempt report by the Director for Corporate Resources which set out apprenticeship pay rates in other local authorities.

40.2 Members were reminded that a new Apprenticeship Scheme had been approved in March 2012 based on apprentices being appointed on a contract for training and receiving the apprentice national minimum wage. Members had asked for information about apprentice pay rates at a recent meeting of the Staff Consultative Panel and rates paid by neighbouring local authorities were set out in the Appendix to the report. As a result of national changes taking place with regard to apprenticeships, the current arrangements were being reviewed and a report on changes and options for the future would be considered by the Committee in July 2013.

40.3 The importance of providing young people with an opportunity to learn skills and increase knowledge as a basis to develop a career was acknowledged. Members noted that generally local authorities paid the national minimum wage and, having considered this and the fact that any increase in pay would reduce the number of opportunities for young people, members concluded that there was no reason to change the current arrangements.

Resolved

41.1 That the apprenticeship pay rates offered by other local authorities be noted.

41.2 a further report on apprenticeships be provided for consideration at the meeting on 29 July 2013.

Changes to Employment Legislation

42.1 The Committee considered an exempt report by the Director for Corporate Resources which provided an update on recent changes to employment legislation in relation to the unfair dismissal qualifying period, collective consultation periods and unpaid parental leave provisions.

42.2 The Specialist Services Manager explained that recent changes to employment legislation had led to a review of some of the County Council's people management policies and procedures. Proposed changes were outlined.

42.3 It was confirmed that the proposed changes had no financial implications for the County Council.

Resolved

43.1 That the 1 year qualifying period for placement on the redeployment register be approved, with a review at a future point in time.

43.2 That schools staff displaced as a result of the Purbeck Review would be placed on the County Council's redeployment register.

43.3 That a number of people management policies and procedures would be updated in line with the statutory changes concerning the unfair dismissal qualifying

period, the collective consultation period and the unpaid parental leave provisions be noted.

Equal Pay Review 2013

44.1 The Committee considered an exempt report by the Director for Corporate Resources which set out the factors to be taken into account when the proposed approach was determined for the 2013 equal pay review.

44.2 The Specialist Services Manager outlined the scope of the review, the different approaches that could be taken and the risks and benefits that these provided. Legal advice had been sought on the best approach to be taken.

44.3 Members supported the suggested approach.

Resolved

45.1 That the changing context for the Equal Pay Review be noted.

45.2 That the range of factors to be weighed when determining the scope of the Equal Pay Review be noted.

45.3 That local pay reviews be undertaken with Heads of Service as outlined in paragraph 3.4.4 of the report.

45.4 That the Equal Pay Review be conducted on the basis outlined in paragraph 5.4 of the report with progress updates provided to the Committee as appropriate.

Trade Union Facilities

46.1 The Committee considered an exempt report by the Director for Corporate Resources on the review of the current Trade Union Facilities Agreement and a request from Unison for a temporary, half-time secondment until 31 March 2014.

46.2 The Specialist Services Manager reminded the Committee that the Facilities Agreement had been in place since 2001, with reviews having been undertaken in 2006 and 2008. Since February 2012 good progress had been made and a revised draft Facilities Agreement had been agreed with the Trade Unions although some matters required further discussion.

46.3 The Committee were reminded that in July 2012 they had agreed to fund a temporary secondment until March 2013 on the basis that Unison contributed to 50% of the cost. Unison had recently asked for an extension to this half time secondment rather than a capped monetary value. This would be at a cost of approximately £15,000 to the authority.

46.4 In considering the request, members commented that the previous post had been agreed on the basis of Unison's increased work load as a result of the number of staff restructures that were ongoing and the number of redundancies that had resulted. Although more restructures were planned these would be on a smaller scale, with fewer redundancies. Members did not want to affect the current good working relationship with Trade Unions and, given that the future position was unknown, they agreed to an extension on the previous basis.

Resolved

47.1 That the outcomes of negotiations with Unison, GMB and Unite on changes to the Facilities Agreement be noted.

47.2 That an appropriate time recording mechanism for stewards was an essential part of the Facilities Agreement and that Option (ii) outlined in paragraph 6.7.2 should be implemented.

47.3 That, taking into account further Trade Union Feedback provided orally by officers and other relevant factors, if the option in paragraph 7.3 could not be progressed, then the options in paragraph 7.4 would be pursued.

47.4 That the Chief Financial Officer be given delegated authority to progress the options outlined in paragraph 7.4 if agreement with the Trade Unions, as set out in paragraph 7.3, was not reached.

47.5 That a maximum of £10,500 funded by the 2006 Harmonisation Agreement monies be made available to Unison until 31 March 2013 to fund a temporary secondment.

Arrangements for the Appointment of the Director for Children's Services

48.1 The Committee considered an exempt joint report by the Chief Executive and Head of Human Resources on arrangements for the appointment of the Director for Children's Services.

48.2 The Chief Executive reported that an executive search agency had been identified to attract candidates for the post of Director for Children's Services and they had a number of people waiting for application details. It was proposed that the selection process be based on previous arrangements, with young people and headteachers having some involvement. Alternative plans were being drawn up in case the selection process was not successful.

48.3 The process had previously involved members meeting with candidates over an evening meal and the Committee discussed the benefits of this and whether the same could be achieved at a meeting over lunch. Members concluded that a lunch time meeting should be progressed, even if this meant that carousel interviews on the first day ran into the evening. Members thought it would be difficult to identify the selection panel until after the forthcoming elections and were concerned that insufficient time be given between the County Council meeting on 16 May 2013 when appointments to Committees would be made and the suggested interview dates. They requested that consideration be given to putting the interview dates back. The Chief Executive agreed to consider this.

Resolved

49.1 That the two-day selection model for the appointment of the Director for Children's Services be agreed.

49.2 That the selection process include a meeting of the candidates with the selection panel over lunch.

49.3 That, in view of the forthcoming County Council elections, consideration be given to putting back the dates for the two day interview process.