

# Staffing Committee

**Dorset County Council**



Date of Meeting	27 November 2017
Officer	Head of Organisational Development
Subject of Report	<b>Programming for Staffing Committee and the Staff Consultative Panel</b>
Executive Summary	<p>At the first meeting of the Staffing Committee since the County Council elections in May 2017, the new Committee reviewed their terms of reference and also discussed their priorities and areas of focus.</p> <p>This report provides an initial draft programme of work at Appendix 1 for consideration by the Committee and also reflects on the relationship between the Staffing Committee and Staff Consultative Panel (SCP), including making best use of this forum to develop effective employee relations.</p>
Impact Assessment:	Equalities Impact Assessment: NA
	Use of Evidence: <p>This report draws on the views expressed by Councillors at the Staffing Committee held on 13 September 2017 and at other meetings, discussions with Trade Union representatives and strategic transformation plans.</p>
	Budget: No direct budget implications

## Programming for Staffing Committee and the Staff Consultative Panel

	<p>Risk Assessment:</p> <p>Having considered the risks associated with this decision using the County Council's approved risk management methodology, the level of risk has been identified as: Current Risk: MEDIUM Residual Risk MEDIUM</p>
	<p>Other Implications:</p> <p>None</p>
Recommendation	<p>Staffing Committee are asked to:</p> <ol style="list-style-type: none"><li>I. Agree the outline programme of work set out at Appendix 1 for the next 16 months</li><li>II. Support the use of the Staff Consultative Panel as a forum for engagement and communication with trade unions on strategic issues as part of the Council's consultation framework</li></ol>
Reason for Recommendation	<p>To ensure that business brought to the Staffing Committee is timely and relevant and that effective use is made of the Staff Consultative Panel to keep Trade Unions informed and support effective employee relations.</p>
Appendices	<p>Appendix 1 - Draft Programme of Work for Staffing Committee Appendix 2 - Working with Trade Unions Appendix 3 - Protocol for Effective Council and Trade Union Working Relationships</p>
Background Papers	<p>Minutes of the Staffing Committee 13 September 2017</p>
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## **Programming for Staffing Committee and the Staff Consultative Panel**

### **1. Introduction**

- 1.1 On 13 September 2017, the Staffing Committee met for the first time following the County Council elections in May. The agenda included a review of the committee's terms of reference which gave rise to a productive discussion about the focus for the forum and the relationship between the Staffing Committee and Staff Consultative Panel (SCP).
- 1.2 The purpose of this report is to clarify and confirm:
  - Councillor expectations regarding the priority areas for inclusion in the programme of work for Staffing Committee
  - The relationship between the SCP and the Staffing Committee

### **2. Context**

- 2.1 The County Council is operating in a very fluid environment. Although a "minded to" decision has now been received, the delays experienced mean that transformation is required within the County Council ahead of LGR in April 2019. In addition, we are working with colleagues in Health on the Sustainability and Transformation Programme (STP) to achieve greater integration of social care and health services. This results in three major change programmes running in tandem, each with their own separate governance arrangements. Alongside the delivery of these far reaching changes we must continue to work to our corporate priorities to help maintain a safe, healthy, independent and prosperous Dorset.
- 2.2 It will be necessary to take account of this complex landscape in considering the agenda for Staffing Committee over the next 12 – 16 months.
- 2.3 Since the last meeting of the Staffing Committee Cllr. Peter Wharf has been assigned the portfolio for Workforce and has joined the Staffing Committee and Staff Consultative Panel.

### **3. Staffing Committee Programme**

- 3.1 At their meeting in September 2017, Councillors identified some areas of focus for future work including:
  - A specific focus on proactive workforce planning
  - Evidence of effective leadership and people management
  - Support of the right culture
  - The employee wellbeing agenda
  - Demonstrating the links, relationships and contribution to work across the Council and the wider system
- 3.2 An initial, draft programme is attached at Appendix 1 for consideration and discussion.
- 3.3 The Chartered Institute of Personnel and Development (CIPD) definition of workforce planning is provided in this report to underpin a common understanding of the term. They define workforce planning as getting the right number of people with the right skills employed in the right place at the right time to deliver an organisation's short and long-term objectives.

## **Programming for Staffing Committee and the Staff Consultative Panel**

### **4. Staff Consultative Panel**

- 4.1 The SCP forms part of the Council's consultative framework (attached at Appendix 2), providing a forum for Trade Union representatives to meet with Councillors. The meeting is divided in to two parts; the first part focuses on Health and Safety with the second half focussing on wider whole authority agenda items which can be put forward by either the staff or employer side. It does not have any decision-making powers.
- 4.2 From time to time the SCP has struggled to create a meaningful agenda resulting in meetings being cancelled. This forum does however provide a regular opportunity for strategic leaders to keep Trade Unions informed and to seek their views on a range of issues affecting employees and employment ahead of decision making by the Staffing Committee or Cabinet.
- 4.3 Using the SCP in this way demonstrates our commitment to the protocol for effective employee relations developed in partnership with the trade unions earlier this year. It also helps Trade Union representatives to develop their understanding of the Council's strategic priorities and increase levels of engagement. The protocol is attached at Appendix 3.
- 4.4 Meeting dates for the SCP will need to be set to align with Staffing Committee to support this.

**Jonathan Mair**  
**Head of Organisational Development**

November 2017

### **Draft Programme of Work for Staffing Committee**

#### **Workforce Planning**

- Highlighting recruitment and retention issues and strategies to address these
- Progress of Apprenticeship schemes, including collaborative work with LGR and STP partners to build skills for Dorset
- Learning and Development interventions to build skills and drive cultural change
- Approaches to talent management and succession planning
- Understanding the workforce profile, linking to headcount, agency/consultancy report below

#### **Effective Management**

- Sickness absence levels and management of attendance including case studies and presentations from managers
- PDR and mid-year completion and quality assessment
- Headcount and use of agency/consultancy

#### **Cultural Change**

- Strategies to drive cultural change
- Evaluation of position and effectiveness of measures introduced to drive cultural change

#### **Terms and conditions**

- Embargo on changes to terms and conditions agreed with Trade Unions to April 2019 as part of MEPP consultation.
- New national pay scale scheduled for introduction April 2019 and implications

#### **Employee Wellbeing**

- Employee Wellbeing strategy and programme to help individuals develop and maintain their resilience at times of change
- Examples of effective tailored interventions to improve wellbeing
- Communication and engagement strategy as part of effective change management.

#### **Statutory requirements**

The following reports come to the Staffing Committee ahead of full Council to provide Councillors with the opportunity for more detailed consideration and ensure they are sighted.

- Gender pay gap reporting
- Pay policy and transparency statement

### Working with Trade Unions

The council is committed to ensuring that Trade Unions (TUs) form part of maintaining good industrial relations. A good relationship can:

- help to identify issues and prevent them from becoming problems
- help inform good decision making
- help employees perform at their best because they're kept informed and have an opportunity to give their view on issues that affect them
- save time – when we're talking about matters which affect a whole staff group and we don't have to consult employees individually
- support us in developing in the way that we need to as an organisation.

The council has a [Facilities Agreement](#) with our recognised Green Book TUs which explains the various roles of TUs within the council as well as defining arrangements for time off for TU duties. We also have an agreed protocol for effective joint working with the TUs.

Our recognised Green Book TUs are UNISON, Unite and GMB.

Our recognised TUs for Children's Services and Teachers are NEU (formerly ATL and NUT), NAHT, NASUWT, ASCL, VOICE, PROSPECT and AEP. Links to further information about each of these TUs is available [on the intranet](#).

We talk to our TU colleagues about a wide range of matters, from day to day operational issues in particular service areas through to policies or terms and conditions of employment which affect all our staff. Strategic organisational decisions that could affect the pay, employment terms and conditions or policies of DCC employees should also be discussed with the relevant TUs at the earliest opportunity, before decisions are reached and in the appropriate forum as detailed below. Trades union representatives may also represent individuals in specific circumstances (e.g. an individual disciplinary or capability matter).

A range of regular meetings are in place which allow us to regularly talk to the TUs. This consultation framework will help you identify when you need to involve TUs and the most appropriate forum for discussions.

### The Consultation Framework

#### It is Information, Consultation or Negotiation?

To maintain good working relationships, it's important to know when to involve the TUs as well as understanding the purpose of the conversations: are you informing, consulting or negotiating? Sometimes we say 'consultation' when we mean giving or sharing 'for information'. It might not sound as though there's much difference but 'consultation' can have a legal inference. You need to be clear about everyone's involvement and the outcome you're seeking. It is helpful to mark any documents you're sharing with TUs for 'information', 'consultation' or 'negotiation' so everyone's clear. The manager required to engage with the TUs will vary depending on the situation. An overview of how to engage with the TUs can be found in the 'Working with Trade Unions guide'.

## Programming for Staffing Committee and the Staff Consultative Panel

### Information

Keeping TU colleagues informed is about good communication. It's about exchanging information and ideas and ensuring our employees are properly informed and kept up to date. If the TUs are properly informed and understand the reasons behind information provided to employees, they can help their members see the bigger picture.

You might inform TUs when:

- you have some early ideas about changes (before any business case is written) and you'd value some input, as well as an understanding of how employees might perceive the changes. This is about giving a 'heads up' and could be a meeting or an email or phone call depending on the scale of the change;
- a management decision has been made and you need to work with TUs in communicating and implementing changes;
- you've got some news about how your service is performing.

### Consultation

Consultation goes beyond information exchange. Managers are responsible for making the final decision and consultation doesn't remove this, but there is an obligation to actively seek and take account of the views of employees or their representatives before those decisions are taken. In certain circumstances, formal consultation with TUs is a legal requirement. You must formally consult with TUs when:

- there's a restructuring exercise which has the potential to result in planned redundancies and/or grade changes and other changes to terms and conditions. If you're the manager leading the change exercise, consultation arrangements will be your responsibility. Refer to the [redundancy consultation guidance](#) for further information, including minimum consultation periods;
- there's a 'TUPE' transfer;
- there's a health and safety matter. See the meetings framework below for where to raise this;
- you're reviewing a policy and procedure which is a collective agreement or represents a change to terms and conditions.

You are likely to consult with TUs when:

- you're developing a new policy or procedure which you don't have to agree with the TUs but which would benefit from their input;
- you're considering equality and diversity matters, such as undertaking an Equality Impact Assessment;
- you're planning a potential restructure or an office move.

See the meetings framework below to decide if there's an existing consultation forum or if you'll need to set up a separate meeting. Be clear about whether discussions are, or need to be, formal consultation. The consultation flowchart briefly shows when consultation must take place.

### Negotiation

As a manager, you will not normally be involved negotiating with TUs; this is collective bargaining – the process by which we seek to reach agreement with the TUs through

## Programming for Staffing Committee and the Staff Consultative Panel

negotiation. It is quite different from consultation because the responsibility for decision making/fulfilling the bargain is with both the council, as employer, and the TUs. The council negotiates with the TUs on matters such as:

- terms and conditions of employment
- pay and benefits
- changes to policies which are 'collective agreements' e.g. the disciplinary policy

Negotiations will generally be undertaken within the meetings framework below. If you have a matter that requires collective bargaining, contact your [HR&OD Business Partner](#) for advice.

### Meetings Framework

Once you know what you need to talk to the TUs about and you've identified whether this is information, consultation or negotiation, you need to know which is the most appropriate forum for the discussion. The council has a structured framework of meetings but you may also need to set up a separate meeting if required.

Meeting	Who's Involved?	Overview/Purpose/Focus	Frequency
Green Book & Soulbury Group	TU Secondees/regional reps. HR&OD Advisers/HR&OD Business Partners as appropriate.	Information, consultation and negotiation about employment matters affecting all Green Book & Soulbury staff.  You might attend if you've been invited to talk about a policy change you're leading on which will affect staff	Monthly
Staff Consultative Panel	Members, Officers, TU reps.	Whole authority change consultation/TU forum for raising whole authority issues. Whole authority Health & Safety remit.	Quarterly
Directorate Joint Consultative Committees x 4	Directorate Officers and HR&OD Business Partners, TU Secondees and TU directorate reps.	Information exchange and consultation about directorate matters.  You might attend if you're invited to talk about a change in your area.	Quarterly
Corporate Director updates	Corporate Director and/or Directorate Leadership Team (DLT), sometimes HR&OD Business Partner, TU Secondees/regional reps.	Info exchange and informal consultation about local implementation of national or local agreements and service/directorate matters	Varies
Collective consultation	Lead Manager, HR&OD Advisers, TU Secondees and allocated reps	To meet our legal obligations e.g. Manager led meetings regarding individual restructures.	As required



## Programming for Staffing Committee and the Staff Consultative Panel

As a manager, you'll hold meetings with your staff – from regular team meetings to ad hoc meetings to discuss changes within the team/service. It won't always be necessary for TUs to be present. You don't always need to have an HR&OD Adviser present. For example, a TU representative doesn't have to attend meetings, but it may still be useful, where you're providing an update about new ways of working when the decision has already been made e.g. there's been a change to the centre of duty and you're meeting staff to outline next steps and details of the move.

### Further Guidance

The [HR&OD Advisory Service](#) can answer any queries about consultation with the TUs.

Find out which [TUs are recognised by the council and how to contact them](#). If you're consulting with TUs, you'll need to understand which TUs you need to talk to, depending on the variety of terms and conditions that affected staff are employed on. Don't make any assumptions about which TU staff might be members of. For example, if you're consulting about something that affects staff on Green Book terms and conditions, all Green Book TUs (UNISON, GMB and Unite) need to be invited; this must be the seconded representative where there is one.

There may be instances where an employee on one set of terms and conditions (e.g. Green Book) may be a member of a different TU (e.g. NUT). The [HR&OD Advisory Service](#) will be able to provide guidance as to who you should include in consultation and when.

Further guidance about working with TUs is available from [ACAS](#). You can also sign up for an [ACAS e-learning](#) account and complete 'Working

### Protocol for Effective Council and Trade Union Working Relationships

This protocol sets out a framework agreed by the Council and the Green Book and Soulbury Trade Unions which describes our shared values and principles for effective joint working.

In order to facilitate successful partnership working it is important to develop good formal and informal working relationships that are built on trust and shared responsibility. To make this work, managers and TUs will:-

#### 1. Strive for high quality outcomes for DCC:

- ❖ Understand the mutual gains for DCC and the TUs of working towards this aim; we all want the council to succeed
- ❖ Take time to explain the wider context of change and what it means
- ❖ Recognise that, on occasion, there will be differences of opinion which won't change so it is important to keep a focus on the bigger picture
- ❖ Work together to identify the best ways to enable staff to adapt to change

#### 2. Build and maintain effective professional relationships with mutual trust and respect:

- ❖ Wherever possible maintain positive and constructive dialogues
- ❖ Respect and understand each other's roles and responsibilities
- ❖ Recognise the restrictions placed on each other's roles such as the accountability to councillors, TU members or national bodies
- ❖ Work together to resolve identified problems and issues
- ❖ Learn from each other and share relevant knowledge and good practice

#### 3. Aim for a no surprises culture:

- ❖ Openness, honesty and transparency in communications and during consultations
- ❖ Provide early 'heads-up' information and discussions on emerging issues and options for change
- ❖ Ensure that any personal conflict of interest is declared as early as possible

#### 4. Maintain confidentiality, where appropriate and agreed:

- ❖ Ensure that all contacts and discussions regarding casework are subject to strict confidentiality in order to comply with relevant legislation
- ❖ Understand and be clear about when confidentiality is needed and in what form
- ❖ Discuss and agree the need/boundaries for confidentiality at the earliest opportunity
- ❖ Ensure that confidential meeting appointments are marked private and any documents/emails comply with the council's protective marking scheme

#### 5. Consistently work within agreed council policies and procedures and legal frameworks:

- ❖ Work with employees to explain how council policies and procedures apply to them in any process
- ❖ Work proactively to ensure that employment issues are resolved as quickly as is reasonably possible whilst striving for integrity of outcomes
- ❖ Ensure that TU members/employees are informed of all possible outcomes, options or developments as soon as possible and throughout any process
- ❖ Work together to identify, understand and resolve equality issues

#### 6. Make the best use of limited council resources:

- ❖ Involve the relevant seconded TU representative (where there is one) as soon as possible from the outset of all change/casework cases

## **Programming for Staffing Committee and the Staff Consultative Panel**

- ❖ Fully utilise pre-meetings, ensuring that there has been appropriate preparation
- ❖ Meet agreed procedural timescales, unless otherwise agreed with notice
- ❖ Use the consultation framework to identify when and how to engage the TUs
- ❖ Ensure that every effort is made to find 'cover' to avoid unnecessary delays in progressing casework and change reviews
- ❖ Keep electronic calendars up-to-date to enable meetings to be arranged well in advance