

Date of issue: 18<sup>th</sup> January 2012

<b>MEETING</b>	<b>EMPLOYMENT &amp; APPEALS COMMITTEE</b> (Councillors Bains (Chair), Coad, Dale-Gough, Dar, A S Dhaliwal, Grewal, Plenty, Sharif and Stokes)
<b>DATE AND TIME:</b>	THURSDAY, 26TH JANUARY, 2012 AT 6.30 PM
<b>VENUE:</b>	RUBY 4, THE CENTRE, FARNHAM ROAD, SLOUGH, BERKSHIRE SL1 4UT
<b>DEMOCRATIC SERVICES OFFICER: (for all enquiries)</b>	CATHERINE MEEK  01753 875011

NOTICE OF MEETING

You are requested to attend the above Meeting at the time and date indicated to deal with the business set out in the following agenda.



**RUTH BAGLEY**  
Chief Executive

AGENDA

PART 1

<u>AGENDA ITEM</u>	<u>REPORT TITLE</u>	<u>PAGE</u>	<u>WARD</u>
	Apologies for absence.		
	<b>CONSTITUTIONAL MATTERS</b>		
1.	Declarations of Interest		

**AGENDA**  
**ITEM**

**REPORT TITLE**

**PAGE**

**WARD**

(Members are reminded of their duty to declare personal and personal prejudicial interests in matters coming before this meeting as set out in the Local Code of Conduct)

- |    |  |           |  |
|----|--|-----------|--|
| 2. | Minutes of the Meeting held on 22nd September 2011   | 1 - 4     |  |
| 3. | HR Policies & Procedures - Employee Relations Machinery in the Council and Collective Grievance Policy and Procedure | 5 - 10    |  |
| 4. | HR Statistics Review   | 11 - 16   |  |
| 5. | What Transactional Services will mean for HR - Presentation  | -         |  |
| 6. | Update on Planning for the Future  | To Follow |  |

Press and Public

You are welcome to attend this meeting which is open to the press and public, as an observer. You will however be asked to leave before the Committee considers any items in the Part II agenda. Special facilities may be made available for disabled or non-English speaking persons. Please contact the Democratic Services Officer shown above for further details.



**Employment & Appeals Committee – Meeting held on Thursday, 22nd September, 2011.**

**Present:-** Councillors Bains (Chair), Dar, A S Dhaliwal, Grewal, Plenty and Stokes

**Apologies for Absence:-** Councillor Coad, Dale-Gough and Sharif

**PART I**

**10. Declarations of Interest**

None.

**11. Minutes of the Meeting held on 8th June 2011**

The minutes of the meeting held on the 8<sup>th</sup> June 2011 were taken as read and signed as a correct record.

Councillor Stokes indicated that he had requested (through the chair) a Special meeting of the Committee to consider issues such as the number of posts in the Authority earning over a £100,000. This was a government recommendation and Councillor Stokes was concerned that the Committee would only meet when something was required to be considered by law. The chair advised that he would keep the situation under review and ensure that appropriate agenda items were included in the Committee's agenda.

It was noted that the copy of the response to the consultation on schools funding should be forwarded to all members of the Committee as agreed.

**12. Arrangements for Temporary Workers**

The Assistant Director of Professional Services, introduced the report and detailed the arrangements the Council had in place for the use of temporary staff. He advised that the Council may well see a rise in the use of temporary staff in the next savings round in order to protect staff who may become at risk as part of restructuring proposals and to safeguard future jobs. The strategy was anticipated to save the council money at the same time as safeguarding as many jobs as possible for existing staff. Members welcomed the report and confirmed that, whilst wanting to have permanent staff at the Authority, there were some specialist roles where the employment of a specialist contractor would be most cost effective. Members particularly supported the strategy for use of temporary workers as this would lead to the maximum opportunity for existing staff who may find themselves at risk to be considered for vacancies.

Councillor Stokes raised a number of concerns including the degree of involvement of staff representatives in developing the strategy, the amount of money a temporary staff member actually received via their agency and the correlation between use of agency staff and turnover. The Assistant Director

## **Employment & Appeals Committee - 22.09.11**

advised that staff representatives had been involved and consulted through the normal forums. He advised that monitoring information was being compiled centrally and would be reported to Committee in due course and would include information on turnover. The Overview and Scrutiny Committee had considered the report at its meeting on 13<sup>th</sup> September 2011 and had requested that sessional workers be included in the monitoring.

### **Resolved –**

- (a) That the report be noted.
- (b) That the tight financial and approval framework that supports the decision making on use of temporary workers be noted.
- (c) That the business rationale that sits behind decisions to employ interims, contractor and temporary staff and how this supports the council to meet it's overall objectives be noted.

### **13. Redundancy and Retirement of Senior Officers**

The Chair advised that there was a Part 2 element to this report that detailed 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> tier officers who had left the council between March and August 2011. The Committee agreed to consider this issue in Part 1 and not refer to any detailed information that could be classed as Part 2 in the discussion. Councillor Stokes argued that none of the information in the Part 2 papers was strictly Part 2 and that he intended to divulge it to his group members. The Committee was advised that the information in the Part 2 item included information on the reasons for each officer leaving which could be regarded as personal to those officers. The exemption requirements also required information to be excluded if the debate was likely to disclose Part 2 information. The Committee agreed to leave the Part 2 information in the confidential part of the meeting.

Councillor Stokes indicated his concern about senior officers retiring early and being re-engaged at some later stage. He believed the Committee needed to know the salary, pension and redundancy costs of the Officers.

Other members of the Committee were satisfied that salary bands were clearly published on the Council's website and payments had not been enhanced in recent years. It was noted that there was an overall saving being demonstrated by the early retirement of senior officers.

**Resolved –** That the report be noted.

### **14. Corporate Health and Safety**

The Committee noted and endorsed the actions that had been taken by the Corporate Health and Safety Service since the Council entered into a section 113 agreement with Reading Borough Council for a shared Health & Safety Management Resource.

## **Employment & Appeals Committee - 22.09.11**

**Resolved** – That the report be noted.

### **15. Local Pay Award 2011/2012 - Payment of £250 for Staff Earning Below £21,000 pa**

The Committee considered a report seeking endorsement for those employees whose fulltime equivalent salary was less than £21,000 per annum being paid £250 as an additional local pay award for the financial year 2011/12. The Cabinet had considered this report at its meeting on 19<sup>th</sup> September 2011 and had endorsed the proposal.

In discussing the proposal members were concerned about how the policy would be implemented to ensure no-one earning less than £21,000 could effectively “leapfrog” over a member of staff earning £21,000. Officers gave an assurance that this could not happen as pay scales did not provide for a salary of £20,900. The Commissioner for Performance and Accountability welcomed the report as it would be taking care of lower paid staff in the authority which was a manifesto pledge. Members of the Committee indicated they were disappointed this was a one-off payment and was not being consolidated into salaries and Councillors Stokes and Plenty, whilst supporting the local pay award, requested that their dissent be recorded for this reason. Members were advised that the Cabinet had also recommended that school based staff be awarded the pay award and that this was being pursued.

**Resolved** – (Councillors Stokes and Plenty dissenting)

- (a) That the Council makes local pay award of £250 for all centrally employed staff whose full time salary is below £21,000 per annum.
- (b) That the operational details of arrangements for these payments be determined by the Chief Executive as Head of the Paid Service in consultation with the Director of Resources and Regeneration and AD Professional Services. The payments will be made using the established pay award arrangements and principles for dealing with starters and leavers and pro rata payments.
- (c) That the Cabinet’s recommendation that this be extended to school based staff be supported.

### **16. Date of Next Meeting**

26<sup>th</sup> January, 2012.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 7.45 pm)

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**REPORT TO:** Employment and Appeals Committee    **DATE:** 26<sup>th</sup> January 2012

**CONTACT OFFICER:** Surjit Nagra HR Business Partner and  
Peter Thomas on behalf of JTUC

**(For all Enquiries)**                      (01753) 875727 / 7205

**WARD(S):**                                      All

**PART I**  
**FOR DECISION**

**HR POLICIES & PROCEDURES – EMPLOYEE RELATIONS MACHINERY IN THE COUNCIL AND COLLECTIVE GRIEVANCE POLICY AND PROCEDURE**

1.    **Purpose of Report**

This report seeks agreement to amend the Council's Employee Relations Framework for consultation and negotiations arrangements between the Council and its employees, and to the introduction of a new Collective Grievance Policy and Procedure.

The report also introduces changes to the Framework the facilities arrangements that will be made available to recognised Trade Unions and how the Joint Trade Union Committee facilitate these processes.

Attached to this report are the revised Employee Relations Framework and the new Collective Grievance Policy and Procedure. Both these documents have been jointly drafted by Human Resources and trade union colleagues.

2.    **Recommendation(s)/Proposed Action**

The Committee is requested to RESOLVE: that the amended Employee Relations Framework and Collective Grievance Policy and Procedure as detailed in Appendix A and B be approved,

and NOTE that:

- (a)    The Employee Relations Framework will ensure that a framework is in place to give clear guidance to all aspects of consultation and negotiation which will help to ensure that good employee relations continue to exist between the Council and its staff, the basis of that relationship being in the spirit of partnership. The new policy also ensures that the Council has a clear route to achieve collective agreements which are contractually binding on all employees.
- (b)    The introduction of a new Collective Grievance Policy and Procedure will support the Council in handling grievances which are brought by a group of staff (i.e. 2 or more) and deal with collective disputes raised by trade unions on behalf of a group of Council employees / members.
- (c)    The amended Employee Relations Framework and the new Collective Grievance Policy and Procedure have both been mutually discussed

through a consultation process between management representatives representing the Council and Trade Union colleagues representing employees.

- (d) Subject to approval, the framework and the new policy and procedure are to be implemented with immediate effect.

3. **Community Strategy Priorities**

This report indirectly supports the Council's community strategy priorities.

4. **Other Implications**

(a) Financial

There are no financial implications to the proposed action, however having fair and transparent procedures reduce the risk of financial award against the Council at Employment Tribunal.

(b) Risk Management

<b>Risk</b>	<b>Mitigating action</b>	<b>Opportunities</b>
Legal	The absence of the two HR Policies discussed in this report creates an unnecessary risk of grievance and employment tribunal claims and also makes it difficult for the Council to achieve binding collective agreements	Full consultation with the recognised trade unions has taken place and agreement reached.
Property	Not applicable	Not applicable
Human Rights	The Council requires a fair and equitable approach to the treatment of staff	These proposals cover the requirement to satisfy employment law and Human Rights legislation
Health and Safety	No applicable	Not applicable
Employment Issues	Adoption of the policies minimises challenge to the Council and promotes constructive employee relations.	
Equalities Issues	The proposals apply to, and are accessible by, all members of staff	The new policies are clearer and provide an open framework for greater employee engagement.



Community Support	Not applicable	Not applicable
Communications	Staff will be advised of the amendments to the Framework and the new Policy and Procedure.	
Community Safety	Not applicable	Not applicable
Financial	The proposals are considered cost neutral as outlined above.	
Timetable for delivery	Not applicable	Not applicable
Project Capacity	Not applicable	Not applicable

(c) Human Rights Act and Other Legal Implications

The Council has a duty to comply with all employment legislation and requires fair and equitable procedures for the effective maintenance of high employment standards. These arrangements cover the requirement to satisfy the amendments as outlined in the ACAS Code of Practice 2009 and Human Rights legislation.

(d) Equalities Impact Assessment

This scheme will be applied equally to all staff and it is considered that there will be no disproportionate impact on any specific groups of staff.

(e) Workforce

Our employment procedures cover all staff within the Council except School based staff.

5. **Supporting Information**

**Employee Relations Framework**

- 5.1 The Employee Relations Policy ensures that a framework is in place to give clear guidance on all aspects of consultation and negotiation with Trade unions.
- 5.2 This is essential to ensure that good employee relations continue to exist between the Council and its staff and relationship are based on partnership. Changes to the policy will help to ensure the Council has a clear route to achieve collective agreements which are contractually binding on all employees.
- 5.3 Unitary status meant a new approach needed to be taken about the employee relations structure within the Council. The workforce became larger, and was represented by a wide range of trade unions. The areas of conditions of service were more complex in terms of the variety of employees, and the complications from single status and equal pay factors.

- 5.4 Many of the agreements and practices date from this time and the council and the trade unions has taken the opportunity to review the framework to ensure that it is fit for purpose and meets the needs of both a modern council and trade union's.

The Employee Relations Machinery has been reviewed in the following areas

- Formal / informal consultation and negotiations arrangements
- Trade union recognition
- Trade union representation at committees
- Trade Union Facilities.

- 5.5 In doing this the main objectives were:

- To ensure that the Council has an effective representative body for consultation and negotiation;
- To ensure that appropriate resources are made available to employee representatives to ensure they can discharge their responsibilities;
- To ensure that employees in every area of the organisation are appropriately represented;
- To develop and use proactive communication and consultation channels to improve information sharing;
- To ensure that the organisation is able to effectively respond to changing demand and priorities;
- To ensure that all employees have channels to raise ideas, concerns and share good practice;
- To ensure clear mechanisms are in place for achieving policy and contractual change where appropriate;
- To ensure effective employee engagement in all Council activities.

- 5.6 Doing this involved reviewing the current JTUC arrangements and developing/reviewing relevant policies to ensure a contemporary and effective approach to employee relations. Members of the JTUC were invited to attend the meetings to discuss the review and agree scope, terms of reference and timescales.

- 5.7 Significant changes to the Framework include:

- The terms consultations and negotiations have been defined and the process separated.
- Clarity on the functions of the Consultative Forums respective membership of these groups
- A formal Facilitates Agreement

## 6 **Collective Grievance Policy and Procedure**

- 6.1 Although the Council has a Grievance Policy and Procedure which provides a mechanism for an individual employee to raise a concern to be considered fully and for them to be resolved there was no procedure which allowed for collective issues to be dealt with together.

- 6.2 This new Collective Grievance Policy and Procedure complements the Grievance Policy and Procedure and is informed by the ACAS guidelines. It allows for group grievances to be considered where the issue affects 2 or more employees.
- 6.3 This new policy broadly follows the same steps as outlined in the Grievance Policy and Procedure the three stages include. Stage 1, which is the informal stage where collective grievances are discussed with immediate line managers to resolve the issues raised. Stage 2 is the formal stage whereby the matter is raised to the Assistant Director level to formally discuss. The final Stage is where a senior management panel considers the grievance and determines whether it is upheld or not.
- 6.4 The main benefit of having a separate collective grievance policy is that it allows the Council and Trade Unions to deal with issues which are of concern to several employees quickly and consistently and therefore reduces the risk of a formal dispute arising.

7. **Comments of Other Committees**

None.

8. **Conclusion**

The Committee is requested to agree introduction of this Revised Employee Relations Framework and the New Collective Grievance Policy and Procedure for immediate implementation.

9. **Appendices Attached**

Appendix A – Employee Relations Framework – To Follow  
Appendix B – Collective Grievance Policy and Procedure – To Follow

10. **Background Papers**

None.

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**SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Employee and Appeals Committee

**DATE:** 26<sup>th</sup> January 2012

**CONTACT OFFICER:** Kevin Gordon, Assistant Director Professional Services (01753 875213)

**(For all enquiries)**

**WARD(S):** All

**PART I**  
**FOR INFORMATION**

**HR STATISTICS REVIEW**

**1. Purpose of Report**

The purpose of this report is to update Employment and Appeals Committee on the HR Statistics

**2. Recommendation(s) / Proposed Action**

The Committee is requested to note the report

**3. Community Strategy Priorities**

This report indirectly supports the community strategy priorities. The maintenance of excellent governance within the council to ensure it is efficient, effective and economic in everything it does is achieved through the improvement of corporate governance and democracy and by ensuring good people and management practices are in place.

**4. Other Implications**

(a) Financial

There are no financial implications

(b) Risk Management

There are no risk implications

**4.1. Key People Measures**

All Key People Measures are provided by the Human Resources department, currently available on a quarterly basis. Work is ongoing to cleanse and improve data, and for CMT to promote this activity within their staff group – e.g. by ensuring compliance with sickness absence monitoring returns etc.

The total number of staff employed by the council across all directorates has decreased by 302 (or 16%) in the past year, although 364 vacant posts are reported at the end of September 2011. The majority of these *reported* vacancies are within the ECS Directorate, and a breakdown of vacancies is provided in the table beneath. (Note that 'Part Time' also

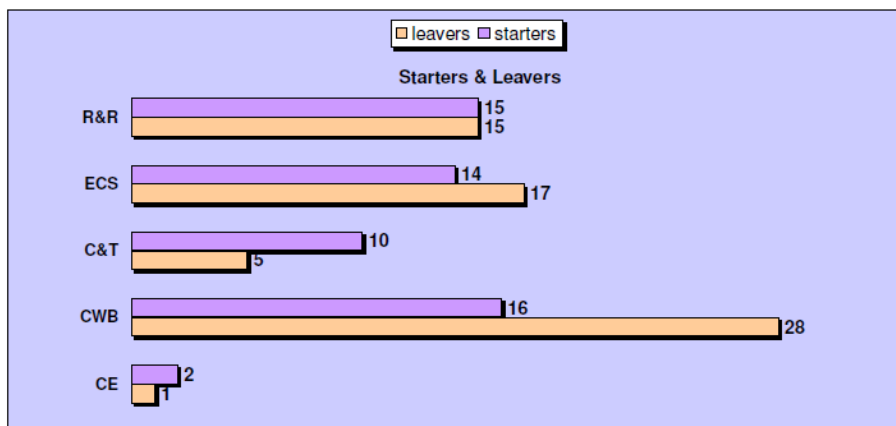
includes sessional staff who work a minimum number of hours including 'as and when' and relief contracts. Future reports will separate this group).

Directorate	FTE	Full Time	Part Time	Vacancy Level (posts)
Chief Executive	0.0	0.0	0.0	0
Community & Wellbeing	89.7	81.0	16.0	97
Customer & Transactional	20.4	17.0	6.0	23
Education & Children's Services	174.0	103.0	85.0	188
Resources & Regeneration	55.5	55.0	1.0	56
<b>TOTAL</b>	<b>339.6</b>	<b>256.0</b>	<b>108.0</b>	<b>364</b>

The period of July to September 2011 saw 66 staff leaving employment and 57 starting employment with the council. The majority of staff turnover in the period was due to resignations (24) or completion of contracts (21).

Termination Reason	Total
Resigned	24
Retirement (Ill Health, Early, Age)	5
Redundancy (Compulsory, Voluntary)	9
Dismissed	6

Termination Reason	Total
Compromise Agreement	1
Death In Service	0
End of Contract	21
Left Without Notice	0



The reported average sickness rate for the quarter was an average of 2.5 days per FTE. This is slightly down on the same period the previous year.

Over two thirds of the SBC workforce is female (compared to local population estimates which predict 48% of the local resident population of working age are female); 44% of our workforce is of black or minority ethnic background, compared to an estimated 37% of our local residents of working age. The latest quarter has seen a reduction in the percentage of staff who have self-declared as having a disability; this proportion now stands at 6.8%. SBC Staff are being encouraged to use the employee self service system to check and verify their personal details are correct.

#### 4.2 Use of Temporary Staff

The use of temporary staff has fallen again and is showing an overall reducing trend. Many of the plans, including recruitment set out by directorates in the December report have begun to take effect. Uncertainty around funding arrangements post April 2012 and changes to how

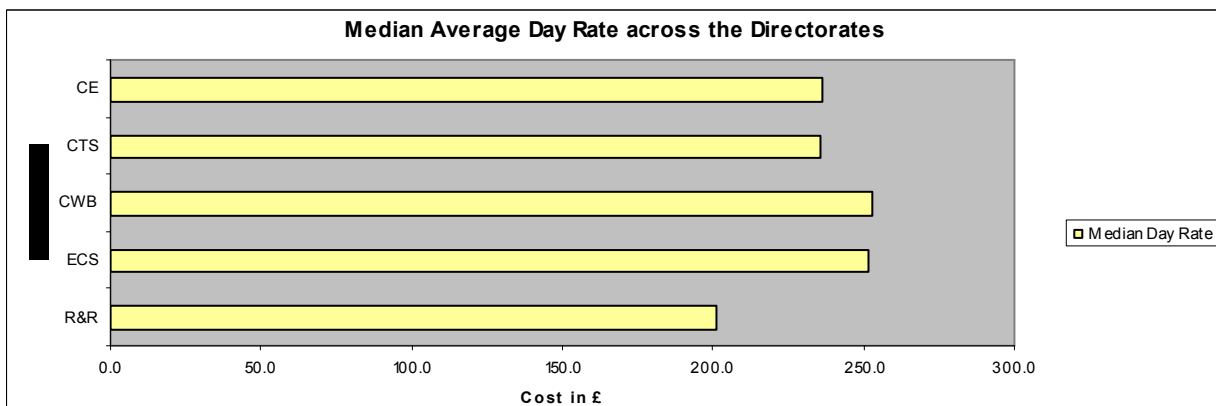
services are delivered (for example transactional services) will influence how the council makes use of its temporary staff in the future. Members are recommended to ask for future reports quarterly to continue tracking this area.

	R & R	ECS	CWB	CTS	CE	Total across all Directorates
Pertemps	34	38	35	15	1	123
Other Suppliers	14	9	7	5	1	36
Total Jan 12	48	47	42	20	2	159
Total July 11						199
Total Nov 11						171

The table below provides an estimate of what the total cost of agency staff would be over a rolling year based upon the current daily spend. The estimated cost of £5.18 million should be considered alongside the total Council staffing budget of £62.64 Million.

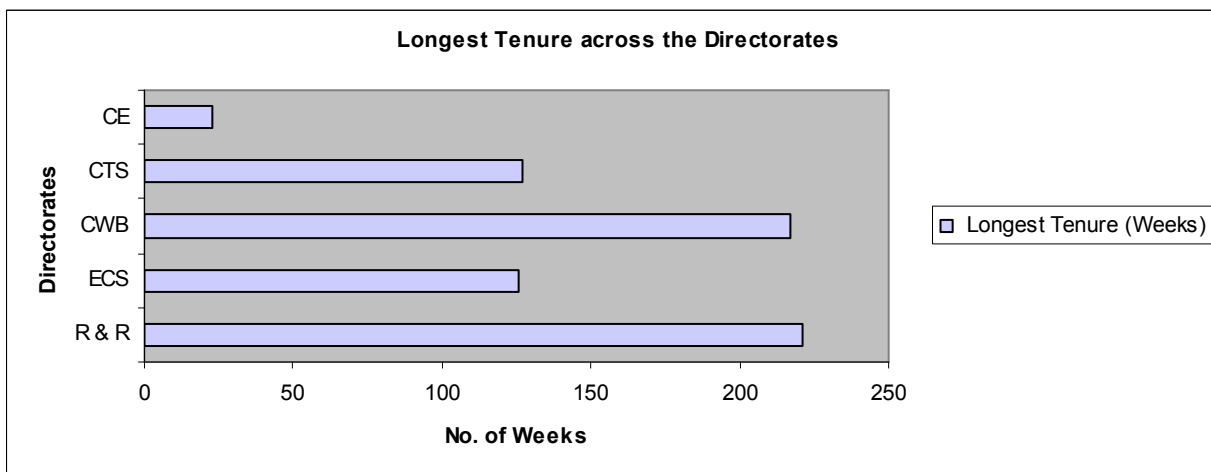
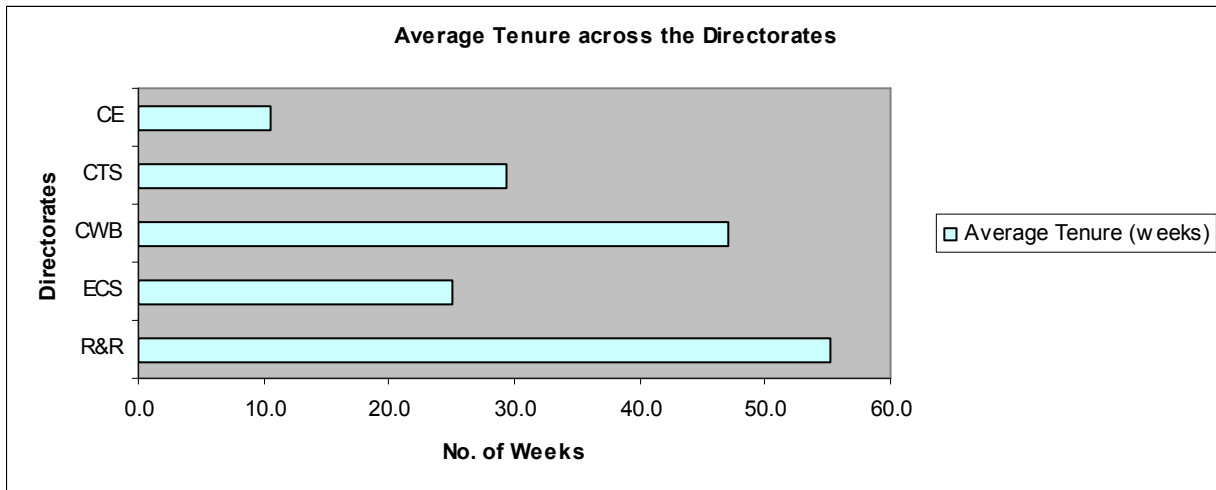
	R & R	ECS	CWB	CTS	CE	Total Spend across the Council
<b>Total Spend (Per Day)</b>	£7,099.52	£4,245.49	£7,125.90	£1,697.81	£473.038	£20,641.76
<b>Total Spend (Annually)</b>	£1,781,980.02	£1,065,616.99	£1,788,601.40	£426,151.31	£118732.5	£5,181,082.26

Below shows average daily rates of pay which has been configured to show the median average



Median: Arranging all day rates values in order, Median is the day rate in the middle. The median is sometimes more useful than mean average when the distribution has very large extreme values which would otherwise skew the data.

Length of time agency workers are in post



Following discussions around which posts remain the most difficult to recruit a broad analysis of the type of posts has been undertaken

	R & R	ECS	CWB
Number of difficult recruit posts	11	32	18
Examples	Building Control Surveyors Experienced Local Government Accountants	Children’s Social Workers	Mental health Social Workers Safeguarding Professionals Environmental Health Officers

The Full Performance Scorecard is provided as Appendix A.



Key People Measures		Quarter 1			Quarter 2			Quarter 3			Quarter 4			Annual total / cumulative total or outturn	Good is:	Target	Direction	Comparative	Target
		Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar						
SBC	Number of staff in establishment (headcount)	2011-12	1,628	1,618										..	..	..	..	..	..
		(2010-11)	1,819	1,920	1,802	1,671	1,671												
SBC	Number of staff in establishment (FTE - 'full time equivalent')	2011-12	1323.5	1324.2										..	..	..	..	..	..
		(2010-11)	1463.3	1524.2	1441.4	1,347.9	1,347.9												
SBC	Number of vacant posts (at quarter end)	2011-12	Vacancy figures are currently being reviewed against changes to the councils overall establishment											ideally decreasing	..	..	..	..	
		(2010-11)											..						
SBC	Number of advertised job opportunities this period (FT versus PT)	2011-12	59 FT versus 9 PT	tbc										..	..	..	..	..	..
		(2010-11)	..	..	..	..	..												
SBC	Staff turnover rate - resignations only (%)	2011-12	4.1%	1.5%										10-15%	..	..	..	..	..
		(2010-11)	1.3%	2.0%	1.7%	2.0%	2.0%												
SBC	Average staff sickness rate including maternity leave (days lost per FTE)	2011-12	2.8	2.5										Low	..	✓	..	..	..
		(2010-11)	2.3	2.7	3.0	3.0	..												
SBC	Proportion of staff who are of Black or Minority Ethnic heritage as a ratio of the proportion of resident working age population who are BAME - currently 37%. [% of staff who are BAME]	2011-12	1.17 [43.3%]	1.19 [44%]										>=1	>=1	✓			✓
		(2010-11)	1.13 [41.8%]	1.13 [41.9%]	1.15 [42.7%]	1.18 [43.6%]	1.18 [43.6%]							>=1	>=1				
SBC	% staff with a declared disability	2011-12	7.1%	6.8%										tbc	..	..	..	..	..

		(2010-11)	7.0%	6.9%	6.8%	7.1%	7.1%					
SBC	Proportion of staff who are female as a ratio of the proportion of resident working age population who are female - currently 48%. (% of staff who are female)	2011-12	1.41 [67.8%]	1.44 [68.9%]				>=1	>=1	✓		✓
		(2010-11)	1.46 [70.2%]	1.45 [69.5%]	1.43 [68.8%]	1.41 [67.6%]	[67.6%]	>=1	>=1			

5. **Comments of Other Committees**

None

6. **Conclusion**

The report highlights the key trends emerging from the HR statistical analysis

7. **Appendices Attached**

Appendix A – Full Performance Scorecard

8. **Background Papers**

None