

EMPLOYMENT AND APPOINTMENTS COMMITTEE

Tuesday, 23 November 2010

Present:

Councillor	A Bridson (Chair)	
Councillors	S Foulkes	P Kearney
	JE Green	M McLaughlin
	P Davies	L Rennie
	M Johnston	

41 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Committee were requested to declare whether they had an interest, either personal or prejudicial, in any item on the agenda and, if so, to declare it and state the nature of such interest.

Councillor McLaughlin declared a personal interest in minute 50 (Allegations against Employees) by virtue of having sat on a related Appeals Sub-Committee.

Councillor Green declared a personal interest in minute 51 (Early Voluntary Retirement / Voluntary Severance Requests) by virtue of him having a tenuous family connection to one of the employees concerned.

42 ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR (PART 2)

The Chair referred to an item of urgent exempt business which she was proposing the Committee should consider at the conclusion of the ordinary business of the Committee.

The Leader of the Labour Group suggested that as Members of the Committee had only just received this report at 5.00pm, the matter should be adjourned to another date to enable Members to consider this important report in detail.

On a motion by the Chair, seconded by Councillor Green, it was –

Resolved (5:4 on the Chair's casting vote) –

That the matter of urgent business be considered at the conclusion of the ordinary business of the Committee.

43 MINUTES

The Committee was requested to receive the minutes of the meetings held on 16 September, 26 October and 11 November, 2010.

In connection with minute 28 (Appeals Sub-Committee), the Committee was requested to confirm the membership of the Appeals Sub-Committee pool in the ratio 8:8:5.

Resolved –

(1) That the minutes of the meetings held on 16 September, 26 October and 11 November, 2010 be approved.

(2) That the membership of the Appeals Sub-Committee pool be confirmed as follows –

Conservative (8 Members)

Councillors Lesley Rennie, Sheila Clarke, Chris Blakeley, Tony Pritchard, John Hale, Edwin Boulton, Gerry Ellis and Tom Anderson.

Liberal Democrat (5 Members)

Councillors Ann Bridson, Alan Brighthouse, Mark Johnston, Bob Wilkins and Dave Mitchell.

Labour (8 Members)

Councillors George Davies, Moira McLaughlin, Phil Davies, Harry Smith, Adrian Jones, Brian Kenny, Denise Roberts and Anne McArdle.

44 IMPLEMENTATION OF THE INDEPENDENT SAFEGUARDING AUTHORITY, VETTING AND BARRING SCHEME / COUNCIL'S NEW SAFER RECRUITMENT AND EMPLOYMENT POLICY

The Director of Law, HR and Asset Management submitted a report which gave details of the implementation of the Independent Safeguarding Authority's Vetting and Barring Scheme and the consequential impact on the Council's current recruitment and employment policies and procedures. The report sought approval of the Council's new Safer Recruitment and Employment Policy which incorporated and replaced the Council's existing Criminal Records Bureau (CRB) Disclosure Policy. The Committee requested that they be updated on the issues arising from any recent positive disclosures.

Resolved –

(1) That Committee notes the requirement for the Council as a Regulated Activity Provider (RAP) to comply with the Safeguarding Vulnerable Groups Act (SVGA) 2006.

(2) That the Council's new Safer Recruitment and Employment Policy be approved.

(3) That the recommendation to renew CRB checks every 3 years across the Council, excluding Schools (in line with most statutory timescales) be approved.

(4) That any further changes to the Independent Safeguarding Authority's Vetting and Barring Scheme and the subsequent impact on the Council's Safer Recruitment and Employment Policy be reported to this Committee.

45 **OCCUPATIONAL HEALTH CONTRACT - EXTENSION TO CURRENT CONTRACT**

The Director of Law, HR and Asset Management submitted a report which sought approval to extend the current Occupational Health Contract with Aviva Healthcare. This would allow time for the option for a shared service with Wirral NHS to be tendered for. The Committee was asked to extend the current arrangements with Aviva Healthcare for a further six months, with options if needed to extend on a month by month basis.

Responding to comments from Members, the Director remarked that there had been liaison with colleagues in the procurement section and there was budget provision in place until the end of March 2011. He acknowledged, however, that it was not a satisfactory position and would report back to the next meeting, including information on the associated risks.

The Leader of the Council suggested that the contract should only be extended for a further three months whilst the Procurement Team explored other options.

Resolved –

(1) That the Committee notes the report on the Council's shared service option for the Occupational Health Contract.

(2) That the extension of the current Aviva Occupational Health contract, for a further three months, be approved.

(3) That a report be brought back to the next Committee updating Members on progress with the contract review.

46 **PEOPLE STRATEGY 2010-2013 - QUARTER 3 UPDATE**

Further to minute 4 (17/6/10), the Director of Law, HR and Asset Management submitted an update report on the People Strategy implementation plan for 2010-2011.

The Plan had been updated to include details of progress to date, against priority improvement areas for 2010-2011. Delivery of the implementation plan was ongoing and was being delivered through specific work plans, Departmental Plans, the Workforce Development Plan, and other Strategies. The People Strategy continued to have ownership and leadership through this Committee, the Executive Management Team, and managers and staff across the organisation.

Resolved – That the progress to date for the People Strategy implementation plan be noted.

47 **MANAGING ATTENDANCE**

The Director of Law, HR and Asset Management submitted a report updating the Committee on the current attendance management position.

A breakdown of sickness absence figures for Quarter 2 and comparative data for 2006/7, 2007/8, 2008/9 and 2010/11, by quarter and by full year, was shown in appendix 1 to the report. Sickness levels for Quarter 2 (2.07 days) showed an improvement against both previous years (2.11 and 2.52).

The report also gave details of benchmarking data. A revised Attendance Management Policy had been produced and consultation with the Trade Unions was currently being undertaken. The detailed report outlining final proposed improvements would be brought to the next meeting of the Committee.

Wirral's health and well being programme 'Fit4Wirral', continued to develop and the Council's commitment to workforce health and wellbeing had been further strengthened by signing up to the Workplace Well Being Charter, a statement of intent about Wirral's commitment to the health and well being of the people who worked for the Council. A more detailed report would be submitted to the next meeting of the Committee on progress.

Responding to comments from Members the Head of HR and OD stated that she would be happy to provide more statistical information and further figures on benchmarking. In respect of those departments performing less well she would also be happy to provide some explanatory narrative in future reports.

Resolved – That the report and benchmarking sickness absence data be noted.

48 **WORKFORCE MONITORING QUARTER 2 REPORT (JULY TO SEPTEMBER 2010/11)**

The Director of Law, HR and Asset Management submitted a report which gave a summary of the monitoring and analysis of the Council's workforce for Quarter 2 (1 July to 30 September 2010) and the proposed outcomes and actions to be taken as a result. Appendices to the report fulfilled the Council's specific employment duties in relation to employment for race, gender and disability.

In response to a Member's comment, the Head of HR and OD responded that she would report back on the possibility of a break down of the statistical data in relation to disability so as to include learning disability.

Resolved –

(1) That Committee notes that the requirement for the Authority to comply with specific employment duties and report upon them has been fulfilled.

(2) That the findings of the Summary Report for Quarter 2, 2010/11, be noted.

49 **EXEMPT INFORMATION - EXCLUSION OF MEMBERS OF THE PUBLIC**

Resolved - That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined by paragraph 1 of Part I of Schedule 12A (as amended) to that Act.

50 **ALLEGATIONS AGAINST EMPLOYEES**

The Director of Law, HR and Asset Management provided details of allegations of serious or gross misconduct made against employees and advised of the action taken in each case.

Resolved – That the report be noted.

At 6.45pm the Chair adjourned the meeting for 15 minutes to give Members an opportunity to read the urgent report which had been circulated earlier that evening.

The Committee then reconvened at 7.00pm.

51 **ANY OTHER URGENT BUSINESS - REQUEST FOR EVR / SEVERANCE**

The Interim Chief Executive submitted a report which sought the Committee's approval for the release of employees who were on spinal column point (SCP) 49 and over through Early Voluntary Retirement/Severance (EVR/VS) on 31 December 2010 and to approve the deletion of posts of SCP 49 and over.

The reason for the urgency of the report was to enable those employees to leave on 31 December 2010, realising the savings from those positions in year. The report gave details of the financial savings and costs to the Council.

Some Members expressed their concern at the lack of information in respect of new structures for Departments losing senior staff and also at the potential cost to the Council.

The Head of HR and OD responded that whilst it was not within the remit of this Committee to look at service implications, Chief Officers would give an assurance that these decisions could be taken without significantly affecting service implications. The detail was outlined in the appendix to the report.

The Leader of the Council emphasised that all these employees were volunteering to retire/leave and that the respective Chief Officers were comfortable with the service implications for their respective departments.

It was moved by Councillor P Davies, seconded by Councillor Foulkes, that -

"This Committee is concerned that:

- (1) The requests of highly paid staff (SCP 49 and over) for voluntary redundancy are subject to democratic scrutiny by elected members but staff below this grade are not.
- (2) The Council is potentially having to borrow £9.5 million to meet the costs of redundancies.

- (3) There is a lack of detailed information on proposed restructurings and the implications for services if the 33 posts in this report are deleted. Nor does Committee have any information on the implications for services of posts which will be deleted below SCP 49.
- (4) This was a late report and there has been insufficient time for the Council to consider the implications for services if these posts are deleted.

Committee therefore believes that a decision on this item should be deferred until proper scrutiny has taken place.”

It was then moved as an amendment by Councillor Green, seconded by Councillor Rennie, that –

“This Committee –

- (1) Approves the release of nineteen employees on SCP 49 and over through EVR with Voluntary Severance;
- (2) Notes the release of fourteen employees under the Council’s current Voluntary Severance scheme; and
- (3) Approves the deletion of thirty three posts on SCP 49 and over, as set out in the appendix to the report.”

The amendment was put and carried (5:3) (Councillors P Davies, Foulkes and McLaughlin voting against)

The amendment then becoming the substantive motion, was put and it was –

Resolved (5:3) (Councillors P Davies, Foulkes and McLaughlin voting against)
–

That this Committee –

- (1) Approves the release of nineteen employees on SCP 49 and over through EVR with Voluntary Severance;**
- (2) Notes the release of fourteen employees under the Council’s current Voluntary Severance scheme; and**
- (3) Approves the deletion of thirty three posts on SCP 49 and over, as set out in the appendix to the report.**