

# EMPLOYMENT AND APPOINTMENTS COMMITTEE

Wednesday, 27 March 2013

<u>Present:</u>	Councillor	P Doughty (Chair)	
	Councillors	G Davies P Davies JE Green	AER Jones P Kearney L Rennie
<u>Deputies</u>	Councillor	C Jones (In place of AR McLachlan)	
<u>Apologies</u>	Councillor	M Johnston	

## 70 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members were asked to consider whether they had any disclosable pecuniary or non pecuniary interests in connection with any items on this agenda and, if so, to declare them and state the nature of the interest.

No such declarations were made.

## 71 MINUTES

The Committee was requested to receive the minutes of the meetings held on 7 and 14 February, 2013.

**Resolved – That the minutes of the meetings held on 7 and 14 February, 2013, be approved.**

## 72 CHAIR'S ANNOUNCEMENTS

The Chair informed the Committee that he was minded to take item 11, 'Exempt Appendix – Monitoring Compromise Agreements' in the open part of the meeting to ensure consistency as the appendix on previous occasions had been in the open part of the agenda.

The Leader of the Conservative Group asked that item 10, 'Exempt Appendix – Update of Managing Workforce Change and Redeployment' should also be considered in the open part of the agenda. The Head of HR and OD explained that the appendix to this report had been reviewed and that it should remain exempt as employees could be identified from the appendix. The Acting Director of Law, HR and Asset Management confirmed that applying the public interest test favoured exclusion as through reasonable enquiry individuals referred to in the appendix could be identified.

The Acting 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 quarters one, two and three and comparative data for 2008/9, 2009/10, 2010/11 and 2011/12 by quarter and by full year, was shown in appendix 1 to the report. Sickness levels for quarter three (2.82 days) showed an increase on last year's figure of 2.59 but an improvement on the previous three years (2.85, 2.97 and 3.40 days). The disappointing results for Quarter 2 (2.14 days), reported to November 2012's Committee coupled with Quarter 3's results demonstrated a continued increasing trend in levels of absence across the authority with a projected end of year figure of 10.51 days against a target of 9.5 days.

The report also contained information on reasons for absence and work being undertaken around management of absence and improving wellbeing.

An action plan had been developed to deliver change which included the following:

- Systematic training - Training on absence management would be mandatory for all managers and this would include further specific training on management of stress. The role and responsibilities of line managers in managing absence would be re-enforced from the top of the organisation through briefings and other communication.
- Culture and accountability - Managing of attendance would form targets for managers within performance appraisal.
- Policy Change - It was proposed to make the following changes to the Attendance Management Policy in relation to long term sickness to include:
  - Mandatory referral to Occupational Health for all absences at the 4 week point.
  - Mandatory case review at 4 weeks with Occupational Health, line manager and HR or less than 4 weeks for mental health/ stress related issues.
- Reporting absence - Heads of Service would in future be required to sign off weekly absence returns for their department. This would strengthen accountability and provide an immediate oversight of issues as they arose.

Responding to comments from Members, the Head of HR and Organisational Development informed the Committee that the current policy contained the following triggers, three absences within six months or four within twelve

months to precipitate a review prior to formal action. Reviews of levels of absence and formal action could happen at any stage if a manager had concerns about an absence. There were a whole range of support mechanisms for supporting employees with stress. Briefing sessions would be held with managers in June / July following restructures of departments and they would be asked to re-enforce the application of the policy.

The Leader of the Conservative Group suggested that the projected absence figure of 10.5 days was very disappointing and that it did warrant looking at the overall policy again and examining how it aligned with current thinking in the public and private sector.

The Leader of the Council responded that there was a need to give the proposed policy changes an opportunity to take effect and also let the management restructures settle in, so those managers in post could undertake the appropriate training regarding sickness absence. The impact of the changes could then be reviewed at a later date.

The Chair suggested that comparator figures for other similar authorities would be useful in measuring the Council's performance and the Head of HR and Organisational Development, in response, stated that she would be happy to bring comparator figures with Metropolitan authorities to a future meeting once they were available after year end.

It was moved by Councillor Green and seconded by Councillor Rennie that –

“The policy changes be agreed but Committee notes that the current cost of absence for Wirral is £9.2m and requests that the Head of HR and Organisational Development bring a report to the next meeting outlining current policies for review including comparators of triggers and levels of support in other public sector organisations and also the private sector.”

The motion was put and lost (3:5)

**Resolved – That this Committee:**

- (1) Notes the content of the report and current sickness absence data.**
- (2) Agrees the proposed policy changes in relation to management of long term cases, as outlined in the report.**

## 74 **UPDATE OF MANAGING WORKFORCE CHANGE AND REDEPLOYMENT**

The Acting Director of Law, HR and Asset Management submitted a report providing an update on the on-going management of workforce change, the support available for those affected by workforce change and outlined progress on the resolution / redeployment of employees affected within the

Council. There were currently 46 people on the redeployment register. An exempt appendix to the report gave further information on the employees on the register.

The Leader of the Conservative Group asked how many of those 46 on the redeployment register would be served with redundancy notices.

In response, the Head of HR and Organisational Development, explained that it was not possible to give a figure as the Council was currently going through a process of EVR and was seeking to mitigate any potential redundancies through this process. Some of the 46 currently on the redeployment register might also be volunteers for EVR.

The Head of HR and Organisational Development responding to further comments outlined the Change Support Programme and the range of issues which it covered, it was not intended to be an organisational change development programme.

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

## 75 **PUBLIC HEALTH TRANSFER**

The Chief Executive submitted a report which provided an update on the transfer of employees from Public Health to the Council on 1 April 2013. Under the agreement of the transfer order there was a requirement to formally confirm the transfer of the Public Health staff to the Council. This also had to be completed via a completed assurance statement to the People Transition team in the Department of Health, who would sign off the Transfer Scheme on behalf of the Secretary of State.

A total of 55 people would be transferring to the Council. The budget for Public Health would move to the Local Authority with a 2 year budget confirmed. Further resource implications (if any) were not known at this time, but there might be an impact dependant on future provisions of budgets after 2 years. The Council would receive a grant to cover the costs of its new public health responsibilities. For 2013/14 this would total £25.7 million, rising to £26.4 million in 2014/15.

Responding to Members' comments, the Head of HR and Organisational Development informed the Committee that she would provide an organisational structure chart to Committee Members. The Council had no discretion over the numbers of staff transferring across.

**Resolved –**

**(1) That this Committee confirms agreement of the transfer of the 55 relevant NHS staff, as outlined in the report.**

- (2) **That the Head of HR and Organisational Development and the Head of Legal and Member Services be authorised to complete all legal documentation to formalise and ensure the effective transfer of the staff and the Public Health function.**

## 76 **CREATION OF CONSTITUENCY MANAGER POSTS**

The Chief Executive submitted a report which sought the Committee's approval for the creation of four Constituency Manager posts. This was part of the Council's move to adopt a neighbourhood working approach to delivering services and engaging communities. The proposed neighbourhood working approach would promote the Wirral Improvement Plan, Priority 3 'To put in place an agreed Corporate Plan that sets out clear priorities reflecting a good understanding of citizens' and customers' views through consultation, participation and localism'.

Neighbourhood working offered a more cost effective approach by joining up services and tackling issues at their source, and reducing longer term costs from better targeting of resources based on need. It was about changing ways of working for all public, private, social sector providers to deliver improvements for neighbourhoods

The Localism Act (a statutory duty) gave councils more freedom to work together with others in new ways to drive down costs. Localism had introduced new rights for communities: the community 'Right to Buy' public assets, a 'Right to Challenge' who delivered public services, options for local referendums, and rights to approve or reject council tax increases. Localism also gave neighbourhoods decision making over planning and a community 'Right to Build'.

It was proposed that the recruitment of four Constituency Managers be an internal process only, therefore costs would be met within existing resources. It was further proposed that the substantive posts of the successful applicants would not be backfilled.

On a motion by Councillor P Davies, seconded by Councillor G Davies, it was –

**Resolved (5:3) – That this Committee approves the creation of 4 new Constituency Manager posts, EPO6, within the Communications and Community Engagement section and endorses the proposal to internally recruit to these posts.**

77 **MONITORING COMPROMISE AGREEMENTS**

The Acting Director of Law, HR and Asset Management submitted a report on the settlement of compromise contracts since the last Committee. Appended to the report was a summary of COT 3/Compromise Contracts the Council had entered into since 15 November 2012, which the Committee also considered.

**Resolved – That the information provided about the use of compromise contracts, be noted.**

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

On a motion by Councillor P Davies, seconded by Councillor G Davies, it was –

**Resolved (5:3) - That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined by paragraph 1 of Part I of Schedule 12A (as amended) to that Act. The public interest test has been applied and favours exclusion.**

79 **EXEMPT APPENDIX - UPDATE OF MANAGING WORKFORCE CHANGE AND REDEPLOYMENT**

Further to minute 74 ante, the Committee considered the exempt appendix to the Acting Director of Law, HR and Asset Management's report.

Responding to comments from Members, the Head of HR and Organisational Development stated that with the current EVR process the aim would be to mitigate and avoid any possible compulsory redundancies following the restructures currently being undertaken within departments. A number of people on the redeployment list had also volunteered for EVR. The extension of any fixed term contracts would only be done for operational reasons and had to be signed off by the relevant departmental director, Head of HR and Organisational Development and the Interim Director of Finance.

She went on to explain the various stages in the redeployment process following the implementation of departmental restructures.