

Employment & Appeals Committee – Meeting held on Tuesday, 23rd June, 2015.

Present:- Councillors Plenty, Sharif, Smith and Zarait

Apologies for Absence:- Councillor Brooker, N Holledge, Arvind Dhaliwal and M Holledge

PART 1

1. Election of Chair

Apologies were received from Councillors Brooker and N. Holledge, the Chair and Vice Chair, respectively. In their absence, it was necessary to elect a new Chair for the duration of the meeting.

Councillor Sharif was nominated as Chair by Councillor Plenty, seconded by Councillor Zarait. There were no further nominations. Councillor Sharif confirmed that he was happy to Chair the meeting for its duration.

Resolved - That Councillor Sharif be elected as Chair for the duration of the meeting.

(Councillor Sharif in the Chair).

2. Declarations of Interest

None.

3. Minutes of the Meeting held on 24th March 2015

Resolved - That the minutes of the meeting held on 24th March 2015 be approved as a correct record.

However, in respect of minute 34 – Redundancy Consultation, Members felt it was important to record that the deliberations on the proposals were conducted in the absence of Officers.

4. Matters Arising

Councillor Smith requested clarity on the frequency of sickness absence statistics at the Employment & Appeals Committee meeting. It was confirmed that the Sickness Absence Performance Update was a regular item brought to each meeting. Councillors resolved to discuss this frequency during the item on the Work Programme 2015/16.

Councillor Smith requested details on how the Council's Smoking Policy considered E-Cigarettes. It was confirmed that as E-Cigarettes were an emerging technology, and the impact on the health of the smoker was not yet

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fully know, there was no firm policy on the matter. E-Cigarette smokers were asked to vacate the building and limit their smoking to designated places and times in line with the policy for regular smokers. However, the policy would be reviewed and amended if and when new information or guidance on the matter was made available.

The Chair varied the order of business so that those items requiring Officers to present reports were taken first.

5. Introduction to the Role of the Committee and Workforce Issues for the Year Ahead

Kevin Gordon, Assistant Director – Professional Services, welcomed Members to the Employment & Appeals Committee, and provided a brief overview of the role of the committee in the new municipal year.

The remit of the Committee was to review staffing and personnel matters. Previously, areas of focus included:

- Sickness Absence
- Staff Wellbeing
- Employee Engagement
- Policy changes e.g. revisions to the SBC Redundancy Policy
- Agency Workers/Spend

Mr Gordon confirmed that he would shortly be leaving his post at Slough Borough Council, and that there would be a new Assistant Director appointed, who would oversee Human Resources and Organisational Development. The new AD would be invited to attend future meetings, and would also be consulted when formulating the Work programme for 2015/16.

6. Revised Employee Code of Conduct

Kevin Gordon, Assistant Director – Professional Services, introduced a report on the proposed revisions to the Employee Code of Conduct (from hereon referred to as the Code).

Members were informed that the proposed revisions to the Code were designed to ensure parity with the revised Members Code of Conduct, updated in 2012 subsequent to the Localism Act 2011. The revisions were designed to modernise the Code to ensure greater accessibility and readability, and included policy on Officer roles, budget etc.

If approved, Officers would undergo training on the new Code via a comprehensive E-Learning training package. The training would be compulsory for all staff.

Members were supportive of the proposed revisions to the Code, though sought clarity on the following points:

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Paragraph 1.3 – “The code may also apply contractors, consultants or volunteers.” Members felt that this point was too open to interpretation. Could this be made more unequivocal?

The Officer confirmed that the language was designed to allow the Council a degree of flexibility when dealing with this kind of staff. For example, if a contract of employment was created between SBC and these parties, the Council would have certain liabilities, including financial liabilities, that they would be required to adhere to. However, it was agreed that this point would be given further consideration.

Members requested confirmation as to whether temporary staff would be covered by the Code?

The Officer confirmed that temporary staff would be covered by the Code, though their contract of employment would be with their Agency, not the Council.

Members also thanked Mr Gordon for his years of service, and wished him the best in his future endeavours.

Resolved - (i) That the Code be further reviewed in light of Member comments regarding paragraph 1.3, with a view to ensuring the wording around contractors, consultants and volunteers is unambiguous.
(ii) That the revised Code be submitted for approval at the next meeting of the Employment & Appeals Committee.

7. Sickness Absence Performance Update

Surjit Nagra, HR Business Advisor, advised Members on the Sickness Absence performance and statistics.

Members were informed that, further to previous reports, absences since the implementation of new targets and triggers had seen a marked improvement. However, performance had varied over the last three months, though scorecards showed most Directorates were performing at 70% and above, which was pleasing. The Scorecard showed that the Regeneration, Housing & Resources Directorate was the lowest performing Directorate, though it was likely that this was a reporting issue rather than absence issue. Work would continue to be undertaken with the Directorate in order to improve the reporting, which was skewing the figures and providing misleading results.

Sick days per FTE in 2014/15 remained consistent versus the same periods in 2013/14, though data showed an increase in March 2015, for which no reason had been found.

98% of Managers had completed their training in absence management, with new staff undergoing the training as they join SBC.

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The three main reasons for absences remained skeletal/breaks/sprains, infections, and stress. For skeletal issues, physiotherapy was being provided in targeted areas, particularly in the Wellbeing Directorate, where the majority of these issues were seen to occur. Infections were typically common, but short term. Optional flu vaccinations were being promoted. To combat stress, mental health workshops were being developed, and would likely be promoted via the Employee Engagement Group.

It was proposed that the Sickness Absence Performance update be amended to a biannual, rather than quarterly, report. By lessening the frequency of the reports to the Committee, it was felt that the data could be analysed in more detail, and the reports could be of more benefit to Members. Members agreed to discuss the frequency of the Sickness Absence reports when discussing the Work Programme 2015/16 later in the meeting.

Members noted the report, and sought clarity on a number of points, including:

Re. RHR Scorecard. There was a discrepancy between the number of staff meeting the 6 day trigger, and the number of staff subsequently referred to Occupational Health (OH). Why was this?

This was likely a reporting issue, with Managers not correctly reporting that the OH meetings had take place. The results were therefore misleading.

How does SBC pay for OH? Was it per meeting? Members were concerned that SBC was potentially wasting money if booked meetings were subsequently not attended, or if meetings were being booked due to the policy following the 6 days absence trigger, when the staff member does not require OH.

It was agreed that the details of the OH contract would be fed back to Members via email.

When temporary staff were used to fill absences, were they DBS checked?

Yes, temporary staff are subject to DBS, references, permit checks etc in line with the requirements of the job itself.

8. Temporary Agency Staff - Progress on Implementation and Baseline Monitoring

Roger Parkin, Director of Customer and Community Services, introduced a report on temporary Agency Staffing, requested by Members at the previous Employment & Appeals Committee meeting.

Members were informed that the overall spend on Agency workers was just over £10m for the year. This was below the predicted spend for the period, but was an increase of circa £2.5m versus the preceding year. However, this was somewhat misleading as the extra £2.5m reported was spend that was

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unaccounted for previously. By moving separate off contract workers to the central Matrix contract, this spend was transparent and reportable.

It was confirmed that this transparency allowed the spend to be more closely monitored, and that negotiations for better rates were being undertaken. As part of this renegotiation, Matrix had reduced their margins on each deal. This would not affect the employee's wage, only the commission that Matrix received. It was agreed that the savings seen so far were small, but it was important to recognise that SBC was now moving in the right direction to reduce the overall spend on Agency staffing.

It was confirmed that Senior Management were working with those Agency workers who had been with Slough for over a year, in an effort to convert them to the Matrix contract and thereby achieving further savings. The Interim Director of Children's Services was undertaking a campaign to promote the Matrix contract to Care Services, and that meetings with the relevant parties had been organised with a view to bringing them into the contract.

It was recognised that of those Agency workers whose tenure at Slough Borough Council was over one year, some were considered vital staff who covered essential roles, or generated revenue for the Council.

Members were pleased to see that previously raised concerns regarding the number of Agency staff employed by SBC, and the spend therein, were shared by senior management, and that steps were being taken to reduce this moving forward. Members asked a number of questions, including:

There were three agency staff workers contracted to SBC, who had been with the Council for over two years. One of the three had a start date of 2008. After seven years, why was this person not made permanent?

All three of these workers were in the Driving job category, and consisted of 2 x Driver/Escort and 1 x Escort Coordinator. Attempts had been made to convert the staff to permanent SBC employees, but the staff considered flexibility to be too important to agree to a permanent contract. It was likely that these staff members would also work with other Local Authorities. Some may be self employed under their own companies.

All newly employed Agency workers would be required to comply with the Matrix contract, so all future spend would be trackable and under Matrix rates. Senior managers now received an alert from Procurement highlighting when a contract was due for renewal. The Manager would then review whether to extend the Agency worker's contract in line with service and budget requirements. In all instances, the preferred option would be to promote from within existing staff.

Would Agency staff members with a long tenure be eligible for employment rights?

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The contract of employment would be with their Agency, rather than SBC, and so SBC would not be required to provide them with employee rights.

Was SBC on track to achieve the target of having 80% of Social Care staff as SBC employees by March 2017?

Currently, 62% of Social Care staff were SBC employees. The target was set following an Ofsted recommendation to reduce the number of Agency staff. SBC was hopeful of achieving this target, and in order to do so had established an Academy in order to recruit graduates and develop talent. There were three planned recruitment campaigns in Children's Social Care, with one having been completed. It was hoped that there would be six employed staff as a result of the campaigns, which would result in six Agency workers leaving.

It was requested that further detail on those Agency workers with long tenure be included at the next report to the Employment & Appeals Committee, including detail on why these staff had not been made permanent.

It was confirmed that a copy of the audit of the Matrix Contract, due to start on 16th June 2015, would be forwarded to all members of the Employment and Appeals Committee.

9. Appointment of Appeals Sub-Committee

The Committee considered a report on the establishment of an Appeals Sub-Committee. The political group nominations to the Sub-Committee were reported.

Resolved –

- (a) That the Appeals Sub-Committee be appointed for the 2015/16 Municipal Year.
- (b) That the terms of reference of the Sub-Committees be as set out in Appendix A
- (c) That seats be allocated to the Sub-Committee as shown in paragraph 5.1
- (d) That the following Members be appointed to serve on the Sub-Committee in accordance with the wishes expressed by the Political groups in respect of the seats allocated to them:

Sub-Committee	Seats	Labour	Conservative
Appeals Sub-Committee	5 (+ 5 deputies)	4 (+4) Brooker, M Holledge, N Holledge, Plenty (Zarait + 3 vacancies)	1 (+1) Wright (A.S. Dhaliwal)

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10. Work Programme 2015/16

The Committee considered a draft work programme for the Committee for the year ahead and suggested some additions, including:

- Staff morale, including the effect of targets on staff morale
- Staff Satisfaction Survey
- A report on the new Agresso system
- A report on the new HR structure following the appointment of a new Assistant Director of Human Resources (new AD to be invited to next E&A meeting to present)
- A report on staff disciplinary action, including dismissals etc, over the last 12 months. Figures to be broken down by Directorate

It was agreed that Sickness Absence Performances would continue to be reported at each meeting of the Employment & Appeals Committee.

It was requested that the clerk forward the Work Programme to all Members via email, once the items were confirmed as feasible by report authors. Members would confirm to the clerk should they have ideas for future items.

11. Attendance Record

The Members Attendance Record was noted.

12. Date of Next Meeting - 20th October 2015

The date of the next meeting was confirmed as Tuesday, 20th October 2015.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 7.48 pm)