

PERSONNEL AND GENERAL PURPOSES SUB-COMMITTEE

12th December 2018

Present: Councillor Louis Stephen in the Chair

Councillors A. Amos, Berry, Biggs, Gregson
(Vice-Chairman), Mrs L. Hodgson and
Mitchell

Officers: David Blake, Managing Director
Shane Flynn, Corporate Director –
Finance and Resources
Mark Edwards, Head of People Services
Kevin Moore, Head of Property and Asset
Management

51 Appointment of Substitutes

Councillor A. Amos for Councillor Bayliss. Councillor Biggs for Councillor J. Squires.

52 Declarations of Interest

None.

53 Public Participation

None.

54 Minutes

RESOLVED: That the minutes of the meetings held on 11th July 2018 and 9th October 2018 be approved as a correct record and signed by the Chairman.

55 Health and Safety Policy

The Sub-Committee considered an updated Health and Safety Policy. The Head of Property and Asset Management presented the report and explained that the Policy had been reviewed, redrafted and updated to be able to stand up to external scrutiny and to be clearer on roles and responsibilities. He summarised the main points and responded to questions from Sub-Committee Members.

With reference to the appointment of a Member to take the lead on health and safety matters, Officers proposed that a nomination be considered at the next meeting of the Sub-Committee. This nomination would then be reported to the Annual Council meeting in May 2019, at which a formal appointment would be made. It would be helpful if nominee was a member of the Sub-Committee, but this was not essential.

Sub-Committee Members expressed for both the updated Policy and the proposed way forward on the appointment of a Member to take the lead on health and safety matters.

RESOLVED: That the Sub-Committee agree to:

- 1. approve the updated Health and Safety Policy; and**
- 2. consider the nomination of a Lead Member for Health and Safety at the next meeting.**

56 Options Paper for Annual Pay Award

The Sub-Committee considered a report on options for the annual pay award. The Head of People Services presented the report and explained that earlier this year the Local Government Association announced a 2 year deal which in year 1 (2018-19) amounted to either a fixed amount on the lower pay points or a 2% increase for those higher up. In year 2 however (from April 2019) there was a fundamental change in the way the NJC pay spine is made up as it starts at a newly defined scp1 (previously scp6&7). This starts at £9.00 per hour and each scp is in equal 2% increments thereafter.

In order to keep to the spirit of the award, the equivalent percentage increase had been mapped to the Worcester City pay spine to show an equivalent pay rise which is weighted at the lower pay end (giving pay rises of up to 7.13% at the lower end of the pay scale and 2% for those on scp29 and above). This will allow the Council to easily map future increases with the NJC scheme and keep in line with the Council's commitment to honour future NJC scheme increases.

There were a few other simple changes that could be made to the current Worcester pay spine to improve the fit between our current pay structure and the wider NJC changes. These were detailed in the report.

The final option was whether (A) to move across to the new pay chart and then apply incremental progression or (B) to apply incremental progression through a grade and then map across to the new pay structure. Option A would result in 90 people being better off and 40 people being worse off compared to option B. Worse off was a relative concept in this case with no one actually worse off as a consequence of this proposal.

In the ensuing discussion, the following main points were made:

- UNISON locally were happy with the proposals, but had referred the matter to their national office. A response had now been received, indicating they too were content.
- It was clarified that the lowest rate is above the real living wage.

Sub-Committee Members expressed support for the proposals.

RESOLVED: That the Sub-Committee agree to the proposed refinement of the Council's pay and grading structure to keep it aligned with the National Pay Award and changes to the NJC Pay Spine from April 2019.

57 Local Conditions - Victims of Domestic Abuse

The Head of People Services reported that, at the Council meeting on 30th October 2018, the following notice of motion had been approved:

"Council is concerned about the growing rates of reported domestic abuse in Worcester and the UK as a whole and wishes to offer our own employees help to escape any abuse and/or violence. Council asks Officers to present a report to Personnel and General Purposes Committee to consider amending relevant policies including granting our employees who are victims of domestic abuse ten days' paid leave to allow them to leave their partners, find new homes and to protect themselves and their children."

Therefore, it was proposed to update the Local Conditions in section 5.3 b) to read as follows:

"Victims of Domestic Abuse

In addition to the above special leave provisions an employee who is the victim of domestic abuse and decides to separate from the abuser may be granted up to 10 days paid leave by approval of the Head of People Services to assist with protecting themselves and their children and securing new accommodation."

The Head of People Services responded to questions from Sub-Committee Members. He explained that, due to the sensitive nature of such requests, they would be dealt with by him personally.

RESOLVED: That the Sub-Committee approve this revised version of the Local Conditions.

58 Regrading Claims Process

The Head of People Services presented a report on a proposed regrading claims process. He explained that, as part of the introduction of the Council's new pay structure in January 2017, it was agreed that for a period of time there would be no requirement for re-examining the appropriateness of the grading given to any existing roles. It was almost two years on from the introduction of the new pay structure and it was considered appropriate to once again offer employees a process for challenging the appropriateness of the grade assigned to their work.

RESOLVED: That the Sub-Committee approve the Regrading Claims Process attached at Appendix 1 to the report.

59 Disciplinary Procedure

The Head of People Services presented a report on a revised Disciplinary Procedure. He explained that the Procedure was last updated in July 2015 and was due a review and update. In summary, following initial consultation with the Trade Unions, key changes included:

- Updating "Service Managers" to "Head's of Service"
- Updating "HR" to "People Services"
- Inclusion of the use of Mediation
- A reference to handling Grievances within a disciplinary process

- Clarification on representation during investigation
- Clarification around suspension arrangements
- Updated protected characteristics within discrimination
- Minor updates to the rules to reflect the ACAS code of conduct.

RESOLVED: That the Sub-Committee approve the revised Disciplinary Procedure.

60 Whistleblowing Policy

The Sub-Committee considered a revised Whistleblowing Policy. The Head of People Services presented the report and explained that the current Policy was originally approved in October 2013 and the contact details were updated in June 2015. There have been some changes and a code of practice issued since then which needed to be incorporated in a revised policy. Key changes included:

- Definition of Whistleblowing clarified.
- Included the legal categories identified in the code (removed the ones in the old policy).
- Included reference to ACAS if felt unfairly treated.
- Included about providing support/counselling to workers as appropriate.
- Included the prescribed persons list.

RESOLVED: That the Sub-Committee approve this revised policy on Whistleblowing.

61 Use of Settlement Agreements in the Council

The Sub-Committee considered a report on the use of settlement agreements in the last 4 years. The Head of People Services presented the report and explained that the Council used settlement agreements to resolve a small number of historical under-payment cases involving workers still on the payroll. Such agreements included confidentiality clauses, based on a standard formula and drafted following legal advice from the Council's Monitoring Officer.

In 2015 no settlement agreements were entered into. In 2016 five settlement agreements were entered into. In 2017 three settlement agreements were made and so far in 2018 one had been made. Over this period around 300 people had left the Council, so settlement agreements were used in a very small proportion of cases.

The Head of People Services responded to questions from Sub-Committee Members. He explained that further details are published [here](#) in the Annual Accounts.

RESOLVED: That the Sub-Committee note the contents of this report.

62 Any Other Business

None.

63 Items Involving the Disclosure of Exempt information

RESOLVED: That under Section 100(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Schedule 12A of the said Act.

64 Minutes (Exempt Items)

RESOLVED: That the minutes (exempt items) of the meetings held on 11th July 2018 and 9th October 2018 be approved as a correct record and signed by the Chairman.

Duration of the meeting: 7.00p.m. – 7.38p.m.

Chairman at the meeting on
27th February 2019

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