

Staffing Committee

Agenda

Date: Monday 29th February 2016
Time: 10.00 am
Venue: Committee Suite 1 & 2, Westfields, Middlewich Road,
Sandbach CW11 1HZ

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the top of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**

To receive any apologies for absence

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests in any item on the agenda.

3. **Public Speaking Time/Open Session**

In accordance with Procedure Rules Nos.11 and 35 a total period of 10 minutes is allocated for members of the public to address the Committee on any matter relevant to the work of the body in question.

Individual members of the public may speak for up to 5 minutes but the Chairman will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers.

Members of the public wishing to ask a question at the meeting should provide at least three clear working days' notice in writing and should include the question with that notice. This will enable an informed answer to be given. It is not required to give notice of the intention to make use of public speaking provision, however, as a matter of courtesy, a period of 24 hours notice is encouraged.

4. **Minutes of Previous meeting** (Pages 1 - 6)

To approve the minutes of the meeting held on 14 January 2016

5. **Implementing the Recent Constitutional Changes for Staffing Committee**
(Pages 7 - 12)

To consider a report on implementing the recent Constitution changes for the Staffing Committee

6. **Establishment of New Staffing Sub Committee or Working Group**

Consideration to be given to:

- Purpose
- Objectives
- Sub Committee v Working Group
- Membership
- Scope of work
- Policy/procedure documents
- Resources, physical and financial
- Governance arrangements
- Risks/Issues/Dependencies/Assumptions
- Timescale for reporting

resulting in: Terms of Reference

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Staffing Committee**
held on Thursday, 14th January, 2016 at Committee Suite 1,2 & 3, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor B Moran (Chairman)
Councillor G Barton (Vice-Chairman)

Councillors D Brown, JP Findlow (Substitute for Cllr M Jones), J Jackson,
D Marren, D Newton and A Stott

Officers

Mike Suarez, Chief Executive
Bill Norman, Director of Legal Services
Sara Barker, Head of Strategic HR
Sally Gold, Barrister
Rosie Ottewill, Organisational Development Manager
Karen Begley, HR Business Partner
Craig Hughes, HR Business Partner, Education HR
Graham Coope, Senior Corporate Health and Safety Adviser
Rachel Graves, Democratic Services Officer

25 APOLOGIES FOR ABSENCE

Apologies were received from Councillor M Jones.

26 DECLARATIONS OF INTEREST

Councillor J Jackson declared that she was a member of GMB.

27 PUBLIC SPEAKING TIME/OPEN SESSION

No members of the public were present.

28 MINUTES OF PREVIOUS MEETING**RESOLVED:**

That the minutes of the meetings held on 15 October 2015 and 30
November 2015 be confirmed as a correct record.

29 HEALTH AND SAFETY, HR AND ORGANISATIONAL DEVELOPMENT

The Committee considered a report on the progress with Health and
Safety matters.

The report provided details of the number of health and safety courses undertaken, the inspections carried out and the accident and incident figures reported on PRIME in quarter 3.

The Committee considered a report on the progress with Human Resource and Organisational Development matters.

The report provided details on progress with the Council's Workforce Strategy, Organisational Design, Leadership and Management training, the Corporate Training programme, staff recruitment and retention, reward and recognition, the Council's sickness absence rate, and provision of Education HR Consultancy.

Plans were being developed to run a staff survey in June 2016. The Committee asked to see the survey questions prior to them being finalised and also requested that the results, with a question by question comparison, be shared with them. It was noted that the ADSVs would also be carrying out staff surveys and it was agreed that result be compared with that of the Council's survey.

It was noted that training sessions had been held on Child Sexual Abuse and Child Sexual Exploitation. The Committee asked for the details of attendance at these training sessions, including how many had not yet attended the training.

Following the ruling in the Bear Scotland case, HR policies were being reviewed in relation to pay during holiday and sick leave. The Committee requested that a report be brought outlining the holiday pay proposals, the cost implications of possible claims and risk to Council, and that management consider communications of the decision to staff..

Details of the April to September 2015 recorded absence information and actions being taken to manage attendance were detailed in Appendix 1 to the Report. It was agreed that a small group of Staffing Committee members be established to explore how absence management could be improved.

It was noted that in Quarter 3, 124 employees had left the Council and that not all of those who had left completed exit interviews. The Committee asked if the exit interview process could be reinvigorated.

Arising from the information and data presented in the report a number of actions were agreed by the Committee.

RESOLVED:

- 1 That the report be noted.

- 2 Details be provided of the five Academies who had not brought back Health and Safety services, and if known, the reasons for not doing so.
- 3 Clarification be provided on how the ASDVs are charged for support provided by the Health and Safety Team.
- 4 The staff survey questions be shared with the Staffing Committee prior to final agreement. The results, with a question by question comparison, be shared with the Committee and the survey results be compared with the ADSVs results, if available.
- 5 Details be provided of how many staff and Elected Members have attended Child Sexual Abuses and Child Sexual Exploitation training.
- 6 Details be provided on the Cygnet Pathway pilot and how its success will be measured.
- 7 As a result of the Bear Scotland case, a report to be brought to the next Committee outlining the holiday pay proposals.
- 8 In relation to Voluntary Redundancies, future reports to include a breakdown of the total severance cost by function and service and the Staffing Committee be provided with assurances that mechanisms are in place to ensure that the savings are realised. Comparator information on voluntary redundancy terms in Councils in the North West also to be provided.
- 9 To establish a small working group, comprising of Councillors B Moran, J Jackson, D Marren and JP Findlow, to explore further how absence management can be improved.
- 10 To consider the inclusion in future reports of other absence measures, such as the number/ percentage of staff who have no sickness.
- 11 The Staffing Committee be provided with the link to the wellbeing/stress guidance on the Centranet site.
- 12 In relation to Education HR Consultancy, future reports to include further information including the total number of schools, the breakdown of take up by primary, secondary and academies.
- 13 A corrected version of the quarter 3 2015-16 HR Performance Data table be provided to the Staffing Committee and the reason for the Headcount/FTE table commencing at August 2014 be provided.
- 14 Consideration be given to reinvigorating the exit interview progress.

- 15 Details of the confidentiality clause in Settlement Agreement be provided to the Staffing Committee.

30 HR POLICIES

(a) Terms of Voluntary Redundancy & Voluntary Early Retirement

The Committee considered a report on the terms of Voluntary Redundancy and Voluntary Early Retirement.

The report recommended that the Council retained the current voluntary redundancy terms for the financial year 2016/17 and that the next review should take place in October 2016, looking ahead to 2017/18.

As the Government had announced potential legislation to introduce a cap on exit payments and the Public Sector Exit Payment Regulations were potentially coming into effect in April, it was proposed that the decision be deferred and a report be brought back to the 21 April Staffing Committee meeting to include the effects of the legislation on the Policy, comparison information on other local authority voluntary redundancy schemes and a timeframe for a review of the voluntary redundancy terms.

RESOLVED:

That the decision be deferred and a further report be brought to the 21 April 2016 meeting.

(b) Pay Policy Statement

The Committee considered a report on the Draft Pay Policy Statement for 2016/17.

The Council was required under section 38 of the Localism Act 2011 to produce a Pay Policy Statement by 31 March on an annual basis.

It was noted that the Local Government Transparency Code 2015 had superseded the 2014 code. Officers were requested to check if this had any impact on the Pay Policy Statement details.

Arising from the information and data presented in the report, the following actions were agreed, with reports back to the Staffing Committee:

- an overview of the Hay system and details of the Hay points and positioning for senior managers/chief officers be provided to the Staffing Committee
- the definition of Chief Officers to be consistent throughout all documents
- senior officers be asked if they would be willing to provide their names as part of the transparency data information
- identify the groups of staff who qualify for the reimbursement of professional fees

- consider whether reasons exist to harmonise terms and conditions of staff who have transferred into the Council
- details on the employment of employees under contract for service who form limited companies

The Committee recommended the following amendments to the Draft Pay Policy Statement:

- Section 4 – Commitment to the Living Wage: first line add '2015' after 1 November.
- Section 5 – Recruitment of Chief Officers: third paragraph sixth line delete 'secure the best candidate' and insert 'attract and retain the talent it needs'
- Section 5 – Recruitment of Chief Officers: fifth paragraph fourth line insert an 's' onto the end of 'contract'
- Annex 1 – add a link to the Open Data and Transparency webpage

RESOLVED:

- 1 That the Pay Policy Statement 2016/17, with the amendments set out above, be recommended to Council for approval.
- 2 That the information requested, as detailed in the agreed actions above, be provided to the Staffing Committee.

(c) Code of Conduct for Employees

The Committee considered a report on proposed amendments to the Code of Conduct for Employees.

Following a recent Internal Audit inspection, amendments had been proposed to the Code of Conduct for Employees to strength the requirement to declare any interests. The Internal Audit report recommended that:

1. That each employee should be asked to complete a Declaration of Interests each year;
2. That the process for compiling and maintaining these annual returns should be centralised, so that a full picture of the interests of all employees was easily available to Council Members and Officers.

RESOLVED:

That the Constitution Committee be recommended to approve the following changes to the Code of Conduct for Employees:

- All employees are required to complete an annual declaration of interest return, to confirm that they have nothing to declare, and to then report issues as and when they occur;

- In Adult's and Children's Social Care no gift should be accepted under any circumstances.

(d) Implementing the Recent Constitutional Changes for Staffing Committee

RESOLVED

That this matter be deferred in view of time constraints and considered at a special meeting of the Committee on a date to be determined.

31 ESTABLISHMENT OF A STAFFING SUB COMMITTEE

RESOLVED

That this matter be deferred in view of time constraints and considered at a special meeting of the Committee on a date to be determined.

Post Meeting Note: A special meeting of the Staffing Committee has been arranged for 10.00 am on Monday 29 February 2016.

The meeting commenced at 2.00 pm and concluded at 4.50 pm

Councillor B Moran (Chairman)

CHESHIRE EAST COUNCIL

Staffing Committee

Date of Meeting:	29 th February 2016
Report of:	Head of Strategic HR
Subject/Title:	Implementing the Recent Constitutional Changes for Staffing Committee
Portfolio Holder:	Councillor Paul Findlow

1.0 Report Summary

- 1.1 The changes to the Council's constitution, as agreed in October 2015, give "Staffing Committee responsibility to approve all human resources policies including pay and grading structures (except those that must be approved in law by the Council and the implementation of national terms and conditions which will be undertaken by the Chief Exec/head of paid Service), employees terms and conditions of employment, including changes to those terms and conditions and to approve policies on how the Council exercises its functions under the LGPS and any other relevant pension scheme."
- 1.2 This report makes proposals for putting these functional responsibilities into practice with particular focus on the approval and practical implementation of HR Policies.

2.0 Recommendation

- 2.1 That Staffing Committee:
 - Determine which HR Policies are the exceptions to Senior Officer delegations and require approval by Staffing Committee, due to Member involvement.
 - Approve the Senior Officer delegations outlined in Section 5 of this report.
 - Receive through each quarterly report to Staffing Committee, the delegated decisions taken by the Head of Strategic HR to ensure the effective implementation of the constitution in relation to staffing matters.

3.0 Roles and responsibilities

- 3.1 It is recognised that Members set policy to reflect local interests and needs and Officers are responsible for how these policies are implemented (procedures and guidelines) within a framework laid down

by Members. The focus of Staffing Committee is therefore on consideration of policy and when a procedural matter directly affects members of Staffing Committee those procedures will be of particular interest and require member consideration e.g. the procedures relating to disciplinary, capability and grievance appeals.

4.0 Policy development in practice

4.1 The need to create or revise a HR policy can arise for a variety of reasons including:

- New legislation
- The development of case law which has implications on policies
- Operational experience showing issues and / or scope for improvement in existing policies
- Benchmarking indicating that a policy is out of date in comparative Councils and other relevant organisations
- A policy no longer meets the service needs of the Council.

4.2 The development or revision of policy is usually an iterative process, involving a scoping phase, research, consultation with Trade Unions, drafting and redrafting. It may, in addition, require input from a technical expert. During this development, it may be valuable to informally discuss option/s with Staffing Committee Members prior to the final draft coming forward for formal approval. A list of current HR Policies is provided in Appendix 1.

5.0 Senior Officer delegations

5.1 Recognising the different roles of Members and Officers to agree and implement HR policies effectively and efficiently, it is proposed that a delegation is given to the Head of Strategic HR in consultation with the Chair of Staffing Committee or Vice-Chairman in his/her absence to:

- Make and approve all HR procedures and guidance (except where a procedural matter directly affects members of Staffing Committee) that are designed to clarify or give effect to approved policy.
- Make and approve minor and consequential amendments to HR Policy e.g. to clarify an issue, reinforce a point or take into account knock on effects of other policies changes.
- Make and approve legislative changes to HR Policy, reporting all such changes to Staffing Committee.

5.2 The exception to these delegations being HR policy and procedure determined by Members as requiring Staffing Committee approval.

6.0 Urgent Decisions

- 6.1 Where urgent decisions are required before the next Staffing Committee meeting then either a special meeting can be convened in conjunction with the Chair or if it is not possible to convene in a timely manner then the Committee procedure rules apply.
- 6.2 An item of urgent business which has to be decided before the next meeting of a Committee can be determined by the Chairman and Vice-Chairman (or, in their absence, their nominees) in accordance with the provisions of the functions of Staffing Committee.

7.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Rosie Ottewill
Designation: Organisational Development Manager
Tel No: 01270 685883
Email: rosie.ottewill@cheshireeast.gov.uk

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Appendix 1 - HR Policies – February 2016

Name

[Access to Personnel Records Policy.doc](#)
[Adoption Pay and Leave Policy.doc](#)
[Agency Workers Policy.doc](#)
[Attendance Management Policy.doc](#)
[Breastfeeding Policy.doc](#)
[Capability Policy.doc](#)
[Car Share Policy.doc](#)
[Clear Desk Policy.doc](#)
[Code of Conduct for Employees.doc](#)
[Disciplinary Policy.doc](#)
[Dismissal Policy.doc](#)
[Domestic abuse policy.doc](#)
[Employing People with a Criminal Record Policy.docx](#)
[Employment of young people and work experience policy.doc](#)
[Equality in Employment Policy.doc](#)
[Flexible and Mobile Working Policy.doc](#)
[Gender Reassignment Policy.doc](#)
[Grading Policy.doc](#)
[Grievance, bullying and harassment policy.doc](#)
[Induction Policy.doc](#)
[Leave and Time Off Policy.doc](#)
[Maternity Policy.doc](#)
[Ordinary Parental Leave policy.docx](#)
[Paternity Leave Policy.doc](#)

[Pay and Allowances Policy.doc](#)
[Pay Protection Policy.doc](#)
[Pensions Discretions Policy.doc](#)

Title

Access to Personnel Records Policy (corporate)
Adoption Pay and Leave Policy (corporate)
Agency Workers Policy (corporate)
Attendance Management Policy (corporate)
Breastfeeding Policy (corporate)
Capability Policy (corporate)
Car Share Policy (corporate)
Clear Desk Policy (corporate)
Code of Conduct for Employees (corporate policy)
Disciplinary Policy (corporate)
Dismissal Policy (corporate)
Domestic abuse policy (corporate)
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[Recruitment Policy.doc](#)

[Redundancy Policy.doc](#)

[Relocation and Excess Travel Policy.doc](#)

[Resignation Policy.docx](#)

[Retirement and Severance Policy.doc](#)

[Right to Apply to Work Flexibly Policy.doc](#)

[Safer Recruitment Policy.docx](#)

[Secondment Policy.doc](#)

[Shared parental leave policy.docx](#)

[Sickness Scheme and Entitlements Policy.doc](#)

[Social Networking Policy.doc](#)

[Stress Management Policy.doc](#)

[Travel and Expenses Policy.doc](#)

[Volunteering Policy.doc](#)

[Warner Interview Policy.doc](#)

[Worklife Balance Policy.doc](#)

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