

MINUTES OF A MEETING OF THE
HUMAN RESOURCES COMMITTEE
HELD IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON
THURSDAY, 31 AUGUST 2006 AT
5.00 PM

PRESENT: Councillor D A A Peek (Chairman).
Councillors S A Bull (as substitute for
Councillor P A Ruffles), Mrs D M Hone,
M P A McMullen, J O Ranger, S Rutland-Barsby,
M Wood (as substitute for Councillor A M
Graham).

ALSO IN ATTENDANCE:

Councillors M R Alexander, P A Ruffles (arrived at
6.00 pm)

OFFICERS IN ATTENDANCE:

Anne Fisher	- Chief Executive
Gerald Balabanoff	- Interim Director of Organisational Development
Jeff Hughes	- Head of Democratic Services
Tina Nash	- Head of Human Resources

ALSO IN ATTENDANCE:

Chris Cooper	- Information Manager
Mary Orton	- Director of Policy and Performance (for the item at Minutes 201 and 203 below)
Jane Sharp	- Secretary of local branch of UNISON

199 APOLOGIES

Apologies for absence were submitted on behalf of Councillors A M Graham and P A Ruffles. The Committee noted that Councillor S A Bull was in attendance as substitute for Councillor Ruffles and Councillor Wood for Councillor Graham.

200 EXCLUSION OF PRESS AND PUBLIC

The Committee passed a resolution pursuant to Section 100(A)(4) of the Local Government Act 1972 to exclude the press and public during consideration of the business referred to in Minute 209 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the said Act.

RECOMMENDED ITEM**ACTION**201 **SENIOR MANAGEMENT ARRANGEMENTS FOR EAST HERTS COUNCIL (1)**

In considering the Chief Executive's report on proposed new senior management arrangements for the Authority (see Minute 203 below), the Committee noted that Council approval was required in respect of any new structure. The Committee agreed to recommend that the new management arrangements as set out in Appendix A5 to the report now submitted be agreed subject to the post of Director of Environmental Services being re-titled Director of Neighbourhood Services.

RECOMMENDED - that the new management arrangements, as set out in Appendix A5 to the report now submitted (and represented in the chart forming an appendix to these minutes), be agreed, subject to the post of Director of Environmental Services being re-titled Director of Neighbourhood Services.

CE

RESOLVED ITEMS

202 MINUTES

RESOLVED - that the Minutes of the Special meeting of the Human Resources Committee held on 27 July 2006 be confirmed as a correct record and signed by the Chairman.

203 SENIOR MANAGEMENT ARRANGEMENTS FOR EAST HERTS COUNCIL (2)

(Also see Minute 201 above)

The Chief Executive submitted a report inviting the Committee to support proposed new senior management arrangements for the effective working of the Authority.

The Committee noted that the Authority's existing management arrangements related to a management structure headed by two Executive Directors.

The Chief Executive stated that service delivery and performance improvement, priority areas for the Authority, were achievable with a management reorganisation.

The Committee considered the details of the proposed new senior management structure.

In the proposed new structure, the Chief Executive would lead a management team comprising of herself and three Directors. Additionally, the Chief Executive would have line management responsibility for the areas of Policy and Performance, Reputation Management and Communications and the management and development of staff. The Chief Executive would continue to act as the Head of Paid Service and Electoral Registration Officer.

The Committee noted that it was proposed to establish the following new posts:

Director of Internal Services
Director of Environmental Services
Director of Customer and Community Services

The Chief Executive detailed the service areas that would fall within each directorship.

The Committee considered that this post of Director of Environmental Services should be re-titled Director of Neighbourhood Services.

The Chief Executive commented that, whilst each new director would focus on the leadership of their directorate, delivery of performance targets and the management of resources, they would also take responsibility for corporate areas requiring improvement. Accordingly, they would be responsible for leading cross council teams with remits that ranged from policy development through to challenge or review and implementation programmes. The Council's project management toolkit would provide the structure for these work programmes.

The Committee noted the detail of representations received on this matter from UNISON and the Director of Policy and Performance. The Secretary of the local branch of UNISON and the Director addressed the Committee.

The Director of Policy and Performance invited the Committee to consider the possible location of IT Services within the customer and community services directorate rather than the internal services directorate as now proposed. The Chief Executive commented that the proposal reflected feedback from Members during informal consultation on a new structure.

The Chief Executive recommended that the new director posts should be filled internally from the ring fencing of current director postholders employed on permanent employment contracts. The existing two interim directors would not be part of the process and their assignments

with the Council would end when the new structure was operational and working at a level that would mean their services were not required. The Committee noted the proposal that, in order for the individuals to consider whether or not they wished to apply for these posts, each Director would be offered career coaching provided by an external provider. The coach would ensure that the current directors had every opportunity to evaluate and develop their own skills in preparation for the selection process. They would also consider how the new roles would meet their career and life expectations. The outcome of these discussions would not form any part of the selection process.

The Chief Executive advised that new job descriptions and person specifications would be drawn up and a salary evaluation undertaken in accordance with the Council's human resource policies.

The selection process would commence in September/October 2006 and would be by formal application followed by an assessment centre where management, leadership and team working competencies would be assessed. Appointments would be made following an interview conducted by a Member Interview Panel in accordance with the requirements for Chief Officer appointments.

The Chief Executive stated that, under the new management arrangements, an existing director would either need to be redeployed or made redundant. Extant human resource policies, applicable to all staff, would be applied in such circumstances.

The Committee supported the Chief Executive's suggestion that she be delegated authority to appoint the Member Interview Panels, after consultation with the political group leaders (proportionality rules to apply).

The Committee noted detail of the consultation undertaken on the new management structure proposals

on the new management structure proposals.

The Chief Executive stated that, as a result of reducing the budgeted establishment from six to three directors, a saving of approximately £260,000 could be achieved.

The Committee supported the Chief Executive's recommendations on this matter, as detailed in the report now submitted.

RESOLVED - that (A) the Chief Executive be requested to undertake actions to implement the new arrangements, including the recruitment and selection of directors, as set out in section 5 of the report now submitted; CE

(B) the Chief Executive be authorised to appoint Members to Interview Panel(s); and CE

(C) the Interview Panel(s) have full delegated authority from the Committee on behalf of the Council to make the appointments (subject to rules requiring Council to confirm the statutory functions (monitoring and chief finance officer(s))). CE

204 DRAFT SELF ASSESSMENT FOR IDeA PEER REVIEW

The Interim Director of Organisational Development submitted a report inviting the Committee to comment on the initial draft Self Assessment for the IDeA Peer Review.

The Interim Director specifically sought the Committee's comment on the position statement and areas for further exploration.

The Committee noted that the overall purpose of the peer review was to ascertain the effectiveness of people management across the organisation and the contribution the Authority's human resources function to this and the transformation of the Council. In preparation for the peer review, the draft self assessment had been prepared to

identify areas where the Council was performing well and those aspects of people management in need of improvement.

In response to comments from a Member and supported by the Committee, the Interim Director of Organisational Development undertook to seek the advice of the peer review team on the Council's Personal Development Review Scheme (PDRS). It was felt that the scheme was not being utilised to maximum effect at present.

The Interim Director explained that the review of the Authority's human resources policies and processes was of key importance as the right policies and processes needed to be in place as part of the reorganisation of the Council.

Prior to the on site inspection, Council had been invited to complete a self assessment (appended to the report now submitted) to give background information on the Authority and also to identify its strengths, weaknesses and areas for improvement.

The Interim Director stated that the key part of the self assessment was the position statement against the Corporate People Management Framework (also appended to the report now submitted). The framework was a model of excellence developed for people management and the human resources function.

The Interim Director commented that commissioning the peer review was a positive sign that the Authority was looking to improve continually and to open itself up to rigorous external challenge in order to improve. The self assessment would be an open and honest evaluation of the current position.

The Committee noted that following the inspection, the peer review would produce a report identifying the key issues that needed to be addressed. It was anticipated that this report would be provided by 29 September 2006. Following its receipt, officers would develop an action plan

of any findings.

The Committee agreed that the draft self assessment should be sent to all Members who may be meeting the peer review panel. The Committee endorsed the draft self assessment.

RESOLVED - that (A) the draft self assessment appended to the report now submitted be endorsed, and IDOD

(B) the document referred to in (A) above be sent to all Members who may be meeting the peer review panel. IDOD

205 INTRODUCTION TO HUMAN RESOURCES AND EMPLOYMENT LAW - TRAINING FOR COMMITTEE MEMBERS

The Committee Chairman submitted a report reminding Members that the Authority had established the Human Resources Committee to ensure that it had a process by which they could engage with and monitor its human resources activity on a regular basis. Accordingly, this would enable the Authority to feel reassured that its human resources practices were sound and that it was doing the best it could to attract and retain the quality of staff it needed to continue to provide excellent services to the local community.

The Chairman commented that, to enable Members to carry out their role on the Committee effectively, it was suggested that they undertake planned training in key areas. During the first year, it was suggested that training in the following five areas be prioritised:

- Discrimination
- Change management - human resource implications (including fair and unfair dismissal, redundancy and

redeployment)

- Recruitment selection
- The legal implications of managing absence
- Health and safety.

The Chairman highlighted the various ways in which training sessions could be provided. Options included:

- Full day or half day training covering all topics in some depth
- Written materials
- Online learning
- Short “bite size” training events linked to committee meetings.

The Chairman suggested that the most effective option would be for “bite size” training to run immediately prior to a meeting. The Committee supported this suggestion.

The Chairman suggested that, given current organisational priorities, training should be delivered in the following order:

- Change management
- Recruitment selection
- Discrimination
- Health and safety
- Legal implications of managing absence

An external facilitator identified for these matters could deliver sessions on the 26 October and 9 November 2006. Members would be canvassed on their availability to attend on these dates.

The Chairman stated that the newly formed Valuing Diversity Action Group (VDAG) would report to the Committee in connection with diversity and equality issues affecting staff. This would be another area where Councillors would need an up to date understanding of relevant legislation.

The Committee supported the Chairman's suggestion that Members should receive training in the areas now detailed in the report submitted through, whenever possible, short "bite size" training events linked to Human Resources Committee meetings (to commence 1 hour beforehand).

RESOLVED - that (A) training for Members of the Human Resources Committee in the areas detailed in the report now submitted be approved, and IDOD

(B) the training referred to in (A) above be provided through, whenever possible, short "bite size" training events linked to Human Resources Committee meetings (to commence 1 hour beforehand). IDOD

206 REVISED VERSIONS OF POLICIES AND PROCEDURES: DISCIPLINARY; ABSENT MANAGEMENT AND GRIEVANCE, NEW POLICIES AND PROCEDURES: CAPABILITIES; ENDING OF FIXED TERM CONTRACTS, AND EMPLOYING AND RETAINING PEOPLE WITH DISABILITIES

The Interim Director of Organisational Development submitted a report inviting the Committee to consider and approve the following revised/new policies and procedures:

- Disciplinary (revised)

- Absent management and grievance (revised)
- Capability (new)
- End of fixed term contracts (new)
- Employing and retaining people with disabilities (new)

The Committee noted that all of the new/revised policies and procedures now detailed had been approved by the Local Joint Panel meetings held on 13 June and 7 August 2006. The Interim Director stated that each new/revised policy and procedure was appended to the report now submitted.

The Interim Director commented that the policies and procedures now submitted for consideration had been produced to provide a framework for managers which was workable, effective and provided guidance and which were felt to be fair to staff. Furthermore, they were designed to reduce bureaucracy and shorten timescales.

The Committee noted that ACAS best advice and Department of Trade and Industry guidance had been incorporated in these documents. The documents complied with all current legal obligations including the new age discrimination legislation which would come into force in October 2006.

In response to comments from a Member, the Interim Director of Organisational Development undertook to discuss with local UNISON representatives whether or not additional wording was required to explain when a final written warning could be given without issuing a verbal or first written warning. This matter related to the Authority's Disciplinary Policy and Procedures.

The Interim Director of Organisational Development advised that, with regard to the policy on fixed term

employment, a process would be developed that would require senior management (Directors and above) approval for any extension to a fixed term contract.

The Committee considered and approved the new/revised policies and procedures as now submitted.

RESOLVED - that the new/revised policies and procedures, appended to the report now submitted, be approved.

IDOD

207 AGE DISCRIMINATION LEGISLATION OVERVIEW

The Interim Director of Organisational Development submitted a report updating Members on the progress on implementing the Employment Equality (Age) Regulations 2006 which would come into effect on the 1 October 2006.

The Interim Director advised that, from the 1 October 2006, employers must ensure that they did not discriminate against employees or potential employees on the grounds of age. This would impact on the following areas:

- Recruitment
- Benefits
- Other policies during employment
- Redundancy
- Retirement
- Cultural and communication

The Interim Director highlighted that the legislation applied to “workers” rather than the more limited term “employees”. There was a wide definition of worker although there were some exemptions in the legislation, for example volunteers.

The Committee noted that it had been predicted that the legislation would spark a rush of Employment Tribunal claims because it affected everyone. The Government anticipated eight times as many claims on age compared to sexual orientation or religion. It was therefore important that the Authority took appropriate steps to address the provisions of this legislation.

The Interim Director outlined the activities that would be undertaken by the Authority in terms of reviewing its policies and procedures to ensure that they were in line with the new legislation.

The Committee noted and welcomed the action plan that had been prepared, and detailed in the report now submitted, on this matter. In relation to the action on Hay Job Evaluation, this would be amended to read "...review experience requirements and remove age criteria".

In relation to retirement, the Committee noted that the statutory retirement age had been set at 65 and would be reviewed in four years. Normal local government retirement age was 65 and currently the local government pension scheme had a formal retirement age of 65.

The Interim Director advised that the Authority's Corporate Management Team had recently supported the suggestion that the normal retirement age for the Authority should remain at 65 years. This was the default retirement age stated within the legislation. Any alternative retirement age would need to be justified. One option would be not to have a retirement age. However, this would have implications for succession planning and would also mean that the Authority would need to go through a formal dismissal for anyone leaving the organisation after they were 65 years of age.

The Committee supported the Interim Director's recommendation that the default retirement age for employees of 65 years should be adopted by the Authority.

RESOLVED - that a default retirement age for employees of 65 years of age be adopted.

208 LOCAL JOINT PANEL - MINUTES: 13 JUNE AND 7 AUGUST 2006

The Committee noted the Local Joint Panel recommendations in relation to new/revised human resources policies and procedures made at its meetings held on 13 June (Minute 3 refers) and 7 August (Minute 12 refers). The Committee had considered the recommendations concerning the new/revised policies and procedures earlier during the meeting (Minute 206 above refers).

RESOLVED - that the Minutes of the meetings of the Local Joint Panel held on 13 June and 7 August 2006 be received and the recommendations detailed therein adopted.

IDOD

209 FLEXIBLE RETIREMENT

The Committee considered a report by the Head of Customer Relations detailing proposals in relation to the post of Information Manager and the current postholder.

The Head of Customer Relations advised that the existing postholder had approached the Council with an offer of completing a flexible retirement plan. This would enable the postholder to retire with a full pension and lump sum but in effect be redeployed at a lower grade into a new position.

The Committee noted that, currently, the Authority had no form of flexible retirement policy. A draft policy had, however, been produced.

The Committee noted that the Authority needed a robust and focused flexible retirement policy to ensure that each case was treated on a completely individual basis. Further,

Council should not be placed in a situation where it was setting a precedent for a higher number of staff to take up the flexible retirement scheme which may impact on its total pensions contribution figure when reviewed by the fund actuary.

The Head of Customer Relations detailed the financial implications of providing the current Information Manager postholder with flexible retirement. The financial consequences of the proposal would be considered by the Executive.

The Committee noted that the post of Information Manager would be deleted and replaced by the post of Information Officer on a lower grade.

The Committee supported the proposed flexible retirement of the postholder now detailed. It further agreed to support a revised post of Information Officer on the basis detailed in the report.

RESOLVED - that (A) the current Information Manager postholder be provided with flexible retirement and benefits as outlined in the report now submitted, and

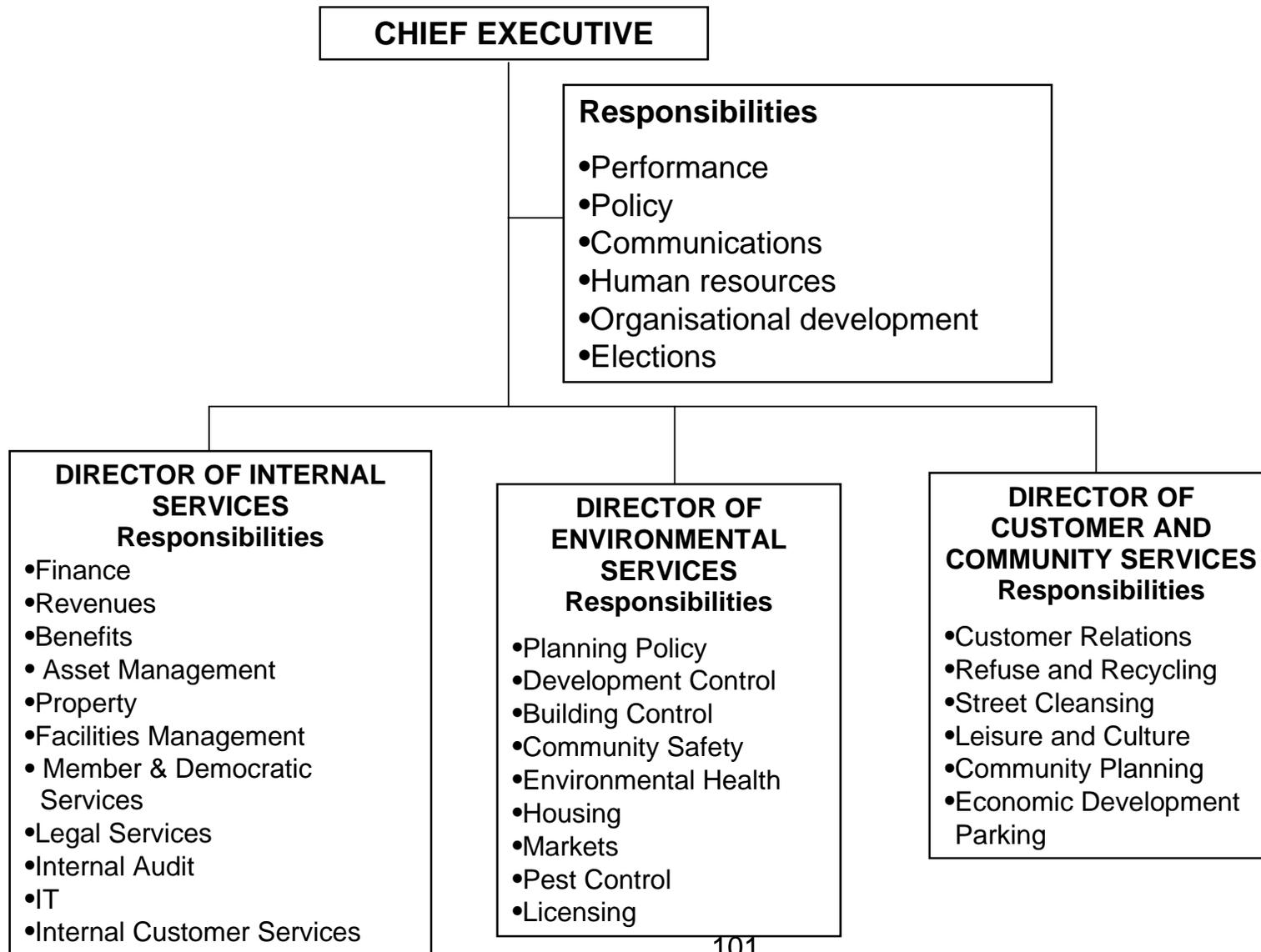
IDOD

(B) the revised post of Information Officer (created as a consequence to the deletion of the post of Information Manager) be supported with the new grading and hours documented detailed in the report now submitted.

IDOD

The meeting closed at 6.45 pm.

APPENDIX TO THE HUMAN RESOURCES COMMITTEE MINUTES – 31 AUGUST 2006 (MINUTE 201 REFERS)



APPENDIX TO THE HUMAN RESOURCES COMMITTEE MINUTES – 31 AUGUST 2006 (MINUTE 201 REFERS)