

MINUTES OF A MEETING OF THE
LOCAL JOINT PANEL HELD IN THE
WAYTEMORE ROOM, BISHOP'S
STORTFORD ON WEDNESDAY
10 OCTOBER 2007 AT 2.30 PM

PRESENT: Employer's Side

Councillor M Wood (Vice Chairman),
Councillors M R Alexander, A P Jackson,
D A A Peek

Staff Side (UNISON)

Fiona Brown, Tina Darton, Jane Sharp

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Committee Secretary
Philip Hamberger	- Director of Internal Services
Judith Fear	- Interim Head of People and Organisational Services
Shona Gray	- Interim Principal Human Resources Officer

12 APOLOGIES

Apologies for absence were submitted from Chris Clowes, Chris Cooper, and Andy Stevenson.

13 CHAIRMAN'S ANNOUCEMENTS

In the absence of the Chairman, Councillor M Wood commented that he had agreed to an urgent item being added to the agenda in relation to the Code of Conduct for Officers on the basis of the need to avoid legal difficulties.

RECOMMENDED ITEMS**14 CODE OF CONDUCT FOR OFFICERS**

Councillor M Wood, Vice Chairman, had agreed that this additional item be admitted onto the agenda as an urgent item of business, as a breach of the Code of Conduct could cause the Council legal difficulties if the Code was not in place.

The Interim Head of People and Organisational Services explained that the document had been revised to take account of current legislative requirements and formed an important part of the Corporate Governance framework for the Council. The document had been submitted to Corporate Management Team and had also been made available on the intranet for consultation with staff.

The Code of Conduct for Officers was an essential aspect of good practice in people management and was considered part of effective risk management within the organisation.

The Secretary to the Employer's Side gave feedback to the Panel on responses received from consultation with staff. She drew attention to a query that had been raised about the reference in paragraph 4.4 of the Code of Conduct to employees having a duty to declare ownership of shares in any company involved in Council business. Clarification was sought on whether this would apply to shares in utility companies such as British Gas.

A Member expressed the view that a sensible distinction would need to be drawn between a situation where an employee owned a significant number of shares in a smaller company and a situation where an employee owned a small number of shares in a very large company such as British Gas. Another Member DIS

ACTION

considered that a “de minimus” threshold of 2% could be applied as a guideline. The Secretary to the Employer’s Side undertook to seek clarification from the Monitoring Officer.

A Member expressed concern at the imbalance in terms of Members and Officers in regard to the need to make declarations of interest. Clarification was sought on how the Council would handle a request by a Member of the Public, seeking information (under the Freedom of Information legislation) about any disclosable interests which might be held by an Officer. By way of example, a Member commented that it would be difficult to monitor a delegated planning matter. The Secretary to the Employer’s Side undertook to speak to the Monitoring Officer on this issue.

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The Secretary to the Employer’s Side commented that the onus to declare needed to be placed on the individual especially those involved in the procurement and tendering process or the recruitment of staff. She commented on the need to ensure impartiality and neutrality.

The Secretary to the Staff Side raised concerns of staff working with partners and of the difficulties this could create. The Secretary to the Employer’s Side commented on the rigorous application of the Council’s recruitment process and the role played by Senior Officers in the process.

The Secretary to the Staff Side requested that the Employment rules in the Council’s Constitution be clarified as referred to in paragraph 5.1 of the Code of Conduct for Officers.

A number of minor amendments were suggested to the Code of Conduct for Officers in paragraphs 4.1, 5.1, 5.2 and 5.3. The Secretary to the Employer’s Side undertook to draw attention to these at Human

ACTION

Resources Committee.

The Panel supported the draft Code of Conduct for Officers.

RECOMMENDED – that (A) the draft Code of Conduct for Officers as amended, be approved for the purpose of consultation; and DIS

(B) training be provided for all employees on the Revised Code of Conduct for Officers, as part of the implementation plan. DIS

15 **MONITORING OF APPEALS**

The Secretary to the Staff Side submitted a report reminding Members of a previous Council decision to report appeals heard by the Chief Executive on grievance and disciplinary cases to Human Resources Committee at six monthly intervals. She commented that there had been a number of appeals which had not been reported to Human Resources Committee.

The Secretary to the Staff side commented that without this information, it was difficult to gauge the success of new policies or to have an awareness of managers' areas of concern. In the light of Members' concerns about acting as witnesses at Employment Tribunals, confirmation was sought as to whether any Employment Tribunals had been lodged.

The Secretary to the Employer's Side explained that there had been only one appeal heard by the Chief Executive in the last 12 months. This had been referred to the Employment Tribunal and had been resolved by way of a "Compromise Agreement" which included a confidentiality clause that prevented disclosure of any details. She explained that by complying with the Staff Side's request to identify the service, could compromise and breach confidentiality because of the small numbers involved. She commented that it was

ACTION

important to protect the confidentiality of individual cases.

The Secretary to the Employer's Side commented that it would be possible to provide the number of cases heard and how they had been managed, but not on a service basis given the small numbers involved.

The Secretary to the Staff Side requested further information on grievances and disciplinary cases and whether they were dealt with formally or informally. She commented that within the Bullying and Harassment Policy, there was a requirement for Human Resources Committee to monitor processes. It was suggested that this could be reported to Human Resources Committee as an exempt report.

Concerns were expressed about the potential impact on staff perceptions which could arise, if the handling of informal grievances were to be reported to Human Resources Committee.

The Secretary to the Employer's Side agreed that statistics could be provided explaining how formal grievance and disciplinary matters (including those cases dealing with bullying and harassment) were handled, providing due regard was paid to the need to protect the integrity of individuals and to respect their confidentiality.

RECOMMENDED – that statistics be provided explaining how grievance and disciplinary matters (including those cases dealing with bullying and harassment) were handled with due regard to the need to protect the integrity of individuals and to respect their confidentiality.

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16 **CHRISTMAS EVE 2007**

The Secretary to the Staff Side submitted a further report seeking closure of the Council offices on Monday

ACTION

24 December 2007. Human Resources Committee at its meeting on 5 July 2007 could not support closure as there was an expectation from the public, that services should be provided and recommended that the offices should remain open. This decision had been endorsed by Council.

The Secretary to the Staff Side commented that since that decision, confirmation had been received that Hertfordshire County Council would be closing their offices on that day and granting their staff an extra day's leave.

In the light of this decision, the Secretary to the Staff Side requested that further consideration be given to its former request to close the Council Offices on 24 December as the public would not be able to access services provided by the County Council and therefore, not expect East Herts services to be available.

The Secretary to the Employer's Side commented that the holiday arrangements at the County Council, in terms of statutory days, were different to that of the Council. It was noted that Social Services and some emergency services would still be accessible.

The Director of Internal Services commented that Council had already made a decision on this matter and Members did not feel that it was something which they could support.

Councillor A P Jackson commented that he was not minded to change his decision. The County Council offered different services to that of the District, in that there were more services which the District provided on a daily basis.

The Secretary to the Staff Side commented that this period was very "slack". The need to heat the building was something which could be avoided by closing on

ACTION**Christmas Eve.**

A Member requested that further information be provided to the next Human Resources Committee on other District Council arrangements over this period.

A motion to adopt the recommendation in the report of the Secretary to the Staff Side to close the Council Offices on Monday 24 December 2007 and to grant an additional day's leave to staff was not supported by the Employer's Side. Therefore, the matter was referred to the Human Resources Committee.

RECOMMENDED – that (A) the issue of closing the offices on Christmas Eve be referred to Human Resources Committee; and **DIS**

(B) information be provided to the next Human Resources Committee on what other District Council arrangements were over the Christmas period. **DIS**

RESOLVED ITEMS17 MINUTES

RESOLVED – that the Minutes of the meeting held on 20 June 2007 be signed by the Chairman as a correct record.

18 SAFETY COMMITTEE – MINUTES OF THE MEETING HELD ON 14 SEPTEMBER 2007

RESOLVED – that the Minutes of the meeting held on 14 September 2007 be received.

19 REVIEW OF WORKING ARRANGMENTS

The Secretary to the Staff Side submitted a report concerning the Executive's decision to commission

ACTION

professional advisors to review the Council's working arrangements and to set up a project group to manage the scheme. The sum of £50,000 had been approved for inclusion within the capital programme.

The Secretary to the Staff Side commented on some of the concerns already voiced by staff including, speculation about the Bishop's Stortford Office, the need to pay for professional advice, changes to working arrangements and the impact on service delivery if the Bishop's Stortford Office was relocated.

The Secretary to the Staff Side hoped that a frank exchange of views would continue to take place and be reported to forthcoming meetings of the Local Joint Panel.

The Director of Internal Services provided a summary of where the Council was in relation to the project to review the Council's working arrangements. He commented that it was important in his report to the Executive, to provide a historical context and to include important factors such as lease and cost of refurbishment of the Bishop's Stortford Office. It was not possible to suggest solutions at this stage, about Bishop's Stortford Office, as decisions would only be made when a cost benefit analysis had been provided by the consultants. He assured the Panel that there was a commitment to progress as quickly as possible, following the receipt of a business case and professional advice. The composition of the Project Team was explained.

The Director of Internal Services referred to the constructive feedback obtained from a number of staff briefings which would be fed back to the consultants. He commented that home working would not be imposed on staff.

Councillor A P Jackson commented on the importance of staff and how the Council's customers accessed its services. He stressed that staff would be helped to adapt to change and that two way communication was important in handling any change.

ACTION

The Secretary to the Staff Side commented on the impact on service in relation to home working. It was noted that a Benefits Officer now worked at the Hertford Office. Assurances were sought on possible timescales.

The Director of Internal Services commented that the need to assess the Council's working arrangements were not purely financial, but included the need to be flexible and use technology to allow the Council to improve its service delivery and reduce an expensive part of its budget. Staff would be fully engaged in the process with the consultants. Advice would be sought in relation to Pilot Home Working / Remote Working and this would be rolled out as soon as possible using whatever technology was appropriate.

The Secretary to the Employer's Side emphasised the need for staff to work collaboratively using new technology. No timescales at this stage could be given. It was anticipated that there would be report back to the Executive in April 2008. In the meantime, it was felt that useful work could be carried out to establish principles eg criteria for home working.

RESOLVED – that the report be received.

20 MATERNITY LEAVE COVER

The Secretary to the Staff Side submitted a report expressing concerns about the pressures on staff covering maternity leave where no cover had been arranged and particularly in relation to the pressure on Heads of Service to achieve 6% turnover factor in the salary budget. She sought information about the number of posts that were currently vacant and maternity cover arrangements that had been made, as well as details of sickness absence levels and instances where sickness absence was "work related".

The Secretary to the Employer's Side confirmed that it had not been possible to report back on all of these statistics. She referred to the issue of an individual's right to

ACTION

confidentiality concerning the reasons for their sickness absence and commented that it was possible to obtain information about sickness absence levels via the Council's Performance Indicators. Work was ongoing with Directors to identify the extent of maternity cover and arrangements in place.

The Director of Internal Services commented that in relation to maternity cover, each case was reviewed separately and levels of cover assessed on an individual basis.

The Secretary to the Employer's Side referred to the recent appointment of an Occupational Health Adviser who was working closely with staff and was recommending reasonable adjustments as necessary. Staff could also self refer. A new Stress Policy was being developed.

The Secretary to the Staff Side accepted that there had been staffing difficulties within the People and Organisational Services Section and this had delayed the production of statistics and new policies such as the Stress Policy.

The Secretary to the Employer's Side agreed to speak with Heads of Service and encourage staff to approach the Occupational Health Adviser where necessary. Further information would be disseminated to all staff as necessary.

RESOLVED – that the report be received.

21 DATE OF FUTURE MEETING

RESOLVED - that the next meeting be held on 11 December 2007.

The meeting closed at 4.25 pm.

ACTION

Chairman
Date