

AGENDA ITEM 8

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

PRESENT: Employer's Side

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

Staff Side (UNISON)

Chris Cooper (Chairman), Chris Clowes,
Jane Sharp, Andy Stevenson.

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Committee Secretary
Helen Farrell	- Training and Development Officer
Shona Gray	- Interim Principal Human Resources Officer
Philip Hamberger	- Director of Internal Services
George A Robertson	- Director of Customer and Community Services

22 APOLOGIES

Apologies for absence were submitted from Councillor
M R Alexander, Tina Darton and Judith Fear.

ACTIONRECOMMENDED ITEMS**23 LEAVE AT CHRISTMAS 2007**

The Secretary to the Staff Side submitted a report seeking an additional day's leave for all staff during the Christmas period.

It was noted that this request had been considered by the Local Joint Panel meetings on 20 June and 10 October 2007, Human Resources Committees and Council when Members did not support a Christmas Eve closure. Information was circulated which detailed Christmas closure arrangements being adopted by neighbouring Councils.

The Secretary to the Staff Side commented that an additional day would not cost the Council financially, but would raise morale in what had been a difficult year.

The Director of Internal Services commented that there would be a cost to the Council in that the extra day requested would equate to 350 lost productivity days ie one and a half posts.

The Secretary to the Staff Side commented that the reason the request was rejected last time was not because of cost, but the need to maintain services.

A Member commented on the cost implications and the flexibility local government had in comparison to the private sector arrangements.

A Member commented that this had already been debated at length when Council could not support the recommendation to close the office on Christmas Eve.

The Director of Customer and Community Services commented that services were still being provided over

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the Christmas period and this included supporting staff.

A motion to adopt the recommendation in the report of the Secretary to the Staff Side to agree to an additional day's leave to staff was not supported by the Employer's Side. Therefore the matter was referred to Human Resources Committee.

RECOMMENDED – that the issue concerning the granting of an additional day's be referred to Human Resources Committee.

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24 HUMAN RESOURCE BUSINESS CONTINUITY POLICY FOR ACTION IN THE OCCURRENCE OF A FLU PANDEMIC

The Secretary to the Employer's Side submitted a report concerning the need to have a policy in place should a pandemic flu occur. The Policy had been drawn up in line with procedures adopted by other Local Authorities in Hertfordshire and in order to provide a level of consistency. The report had been submitted to CMT and a number of minor amendments made. An updated version was tabled at the meeting.

The Secretary to the Employer's Side explained that the report would be put on the Council's Intranet and would be attached to the Emergency Plan. There were no plans to inform staff individually, but an information link to the NHS website would be created.

The Local Joint Panel supported the Policy.

RECOMMENDED – that (A) the Flu Pandemic Policy be approved and adopted; and

(B) the Policy be placed on the Council's Intranet with a link to the NHS website.

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25 DUTY TO CONSIDER EXTENDING EMPLOYMENT BEYOND NORMAL RETIRMENT AGE POLICY AND PROCEDURE

The Secretary to the Employer’s Side submitted a report acknowledging the Council’s duty to consider extending employment beyond normal retirement age. The report had been submitted to CMT and some minor amendments had been made. An updated version was tabled at the meeting.

The Director of Customer and Community Services commented that staff would retire at normal retirement age but the onus was on the employee to make a case should they wish to work beyond retirement age. The Staff Side requested that the Council provide a reason for refusal to allow an employee to work beyond retirement age. It was noted that the Council was not under any legal obligation to do so. When relevant case law was available the policy could be updated.

The Local Joint Panel supported the Policy.

RECOMMENDED – that (A) the Policy for extending employment beyond normal retirement age be adopted and approved; and

(B) the Policy be reviewed in 12 months or sooner should case law merit an appropriate change.

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26 SECONDMENT POLICY

The Secretary to the Employer’s Side submitted a report explaining the new Secondment Policy, which the Council was required to have in place in order to comply with statutory obligations.

The Local Joint Panel supported the Policy.

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RECOMMENDED – that the Secondment Policy be adopted and approved.

27 **STRESS MANAGEMENT POLICY**

The Secretary to the Employer's Side submitted a report explaining the new Stress Management Policy which had been developed in order to comply with its duty of care with good management practice and legislation.

The Secretary to the Staff Side commented that UNISON could not at this point in time, support the policy as there were some issues still requiring further negotiation.

The Secretary to the Employer's Side stressed the need to have a relevant policy in place as a matter of urgency as the matter needed approval of Human Resources Committee on 8 January 2008.

The Secretary to the Staff Side reiterated that in its present format, the policy could not be supported.

RECOMMENDED – that (A) the Draft Policy be noted; and

(B) the Secretary to the Staff Side reserve the right to submit comments and amendments as necessary to the next Human Resources Committee and prior to its adoption.

RESOLVED ITEMS**28** **MINUTES**

The Minutes of the meeting held on 11 October 2007 were received.

ACTIONMinute 15 – Monitoring of Appeals

The Secretary to the Staff Side sought clarification on the provision of statistics explaining how grievance and disciplinary matters were handled. The Secretary to the Employer's Side confirmed that Human Resources Committee had agreed that as the statistics were so few, an individual's complaint could be identified.

RESOLVED – that the Minutes of the meeting held on 10 October 2007 be signed by the Chairman as a correct record.

28 SAFETY COMMITTEE – MINUTES OF THE MEETING HELD ON 27 NOVEMBER 2007 AND MATTERS ARISING

The Minutes of the meeting held on 27 November 2007 were received.

(A) Minute 37 – Health and Safety Policy Requirements / Updates

The Secretary to the Staff Sides asked whether Safety Representatives were provided with a written copy of risk assessments. The Director of Internal Services confirmed that each Head of Service worked to a template and kept their own.

(B) Minute 38 – New Regulations, If Any

The Secretary to the Staff Side requested that the wording was misleading as this suggested that staff had been given more annual leave.

The Secretary to the Employer's Side undertook to have this clarified. DIS

ACTION(C) Minute 42 – Items from Trade Union

In response to a question about new chairs, the Secretary to the Employer's Side confirmed that money would be made available for new chairs where occupational health had advised that this was necessary, with due regard to the health budget.

The Director of Internal Services confirmed that sickness figures were reported as national performance indicators, on the intranet and were reported to a number of Committees. The Director of Internal Services agreed to help the Secretary of Staff Side in locating this information.

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RESOLVED – that the Minutes of the meeting held on 27 November 2007 be received.

29 EYE TESTS AND CORRECTIVE APPLIANCES

The Secretary to the Staff Side submitted a report requesting a review of eye tests and corrective appliances in order to keep pace with the cost of inflation. The policy had not been reviewed for a number of years.

It was noted that the average cost of an eye test was £23.50 and that the cost for single focal lenses was £70 and £100 for multi focal lenses.

The Secretary to the Employer's side commented that any review would have cost implications and it was important that the Council should look at all the options available. It was noted that the Council's provision towards staff in this matter exceeded minimum requirements.

Councillor A P Jackson supported a review by Officers, including a survey of neighbouring authorities.

ACTION

The Secretary to the Employer's Side agreed to undertake a review and report back to the next meeting of Local Joint Panel on 9 April 2008.

RESOLVED - that (A) a review of eye tests and corrective appliances be undertaken including a review of approaches taken by other local Councils; and

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(B) a report be submitted to the next Local Joint Panel on 9 April 2008.

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30 RETENDERING OF LEISURE SERVICES
CONSULTATION

The Secretary to the Staff Side submitted a report concerning the re-tendering of leisure facilities and the need for the Council to consult with UNISON in line with legislation.

The Secretary to the Staff Side referred to the agreed timetable leading up to the start of the new contract. To date, she commented that there had been no consultations with UNISON. She commented that the Council had a duty to provide full disclosure on matters involving the workforce. The Secretary to the Staff Side referred to the number of employers that some leisure staff had had since July 2005 and the difficult time they had faced following the demise of Aspire.

The Director of Internal Service commented that Aspire had been chosen following a rigorous selection process.

The Director of Customer and Community Services welcomed UNISON's comments and would ensure that there was adequate consultation as far as the workforce was concerned. It was noted that the Secretary to the Staff Side and the Director would be consulting further after the Local Joint Panel meeting to discuss areas of concern. Feedback would be circulated to all Members of the Local Joint Panel

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following the meeting.

The Secretary to the Staff Side referred to the service specification to be put out to tender and requested that a copy of the document should be provided to UNISON. The Staff Side requested that they should also be included in the Selection Process in line with the statutory requirement of Circular 02/2003.

The Director of Customer and Community Services commented that method statements would be sought in relation to workforce matters and hoped that UNISON could become the Council's critical friend.

RESOLVED – that (A) East Herts Council consults immediately with UNISON about the re-tendering process of leisure facilities in so far as the workforce is concerned, including Best Value Legislation Statutory Instrument 662/2003 and Best Value Performance Improvement Statutory Guidance (ODPM Circular 03/2003) and union participation in the selection process; and

(B) following the meeting with the Director of Customer and Community Services and UNISON, feedback be circulated to all Members of the Local Joint Panel.

DCCS

31 BUSINESS SUPPORT SERVICES STRUCTURE – STAFF CONSULTATION

The Secretary to the Staff Side submitted a report concerning the new Business Support Services Structure. She stressed the importance of staff consultation. The Secretary to the Staff Side commented that following a report to Corporate Management Team (CMT) there had been no feedback and the Staff Side was concerned that a decision had been reached by CMT without the benefit of some staff comments. She commented that staff had not been kept informed on what was going on and that they felt aggrieved.

ACTION

The Secretary to the Staff Side expressed concern about the structure and the impact the changes would have on individual staff members below Heads of Service. She felt that feedback should have been provided to staff on a 1:1 basis.

The Director of Internal Services agreed that there had been delays regarding feedback and that he intended to speak to staff when he had an opportunity. He commented that the main points from the staff consultation had been reflected in the report to CMT.

The Secretary to the Staff Side commented that further feedback on comments should have been carried out after the report to CMT. As it was, she felt that a decision had been taken and Members of staff had not yet been told. The Director of Internal Services commented that it was correct that feedback should have taken place after CMT. He apologised that feedback had not been provided.

The Secretary to the Staff Side commented on the sickness of the Head of Business Support Services. The Director of Internal Services commented that on this matter, guidance would be sought from Occupational Health.

A Member questioned his role as a Member at the meeting, as the discussions appeared to be between officers and UNISON.

The Secretary to the Staff Side reiterated that decisions had been taken before the consultation process had been completed and that feedback should have been provided before a decision was taken. The Director of Internal Services commented that there had been no breakdown of discussions, only a delay in feeding back information. It was acknowledged that this could have happened sooner.

A Member supported the submission of feedback at the earliest opportunity.

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RESOLVED – that the report be received.

32 DATE OF FUTURE MEETING

RESOLVED - that the next meeting of the Local Joint Panel be held on 9 April 2008.

The meeting closed at 4.25 pm.

Chairman
Date