



**MEETING** : LOCAL JOINT PANEL  
**VENUE** : WAYTEMORE ROOM, COUNCIL OFFICES, THE  
CAUSEWAY, BISHOP'S STORTFORD  
**DATE** : WEDNESDAY 19 JANUARY 2011  
**TIME** : 2.00 PM

**MEMBERS OF THE COMMITTEE**

**EMPLOYER'S SIDE:**

Councillors M Wood (Chairman), M R Alexander, A P Jackson and  
S Rutland-Barsby

*Substitutes:*

Conservative

L O Haysey and J O Ranger

Liberal Democrat:

**STAFF SIDE - UNISON**

Mr C Clowes, Mrs J Sharp, Mr P Stevens and Mr A Stevenson

(*Substitutes: Ms F Brown and Mrs Hazel Izod* )

(*Note: Substitution arrangements must be notified by the absent Member  
to Democratic Services 24 hours before the meeting*)

**CONTACT OFFICER: LORRAINE BLACKBURN  
01279 502172**



## PERSONAL AND PREJUDICIAL INTERESTS

1. A Member with a personal interest in any business of the Council who attends a meeting of the Authority at which the business is considered must, with certain specified exemptions (see section 5 below), disclose to that meeting the existence and nature of that interest prior to the commencement of it being considered or when the interest becomes apparent.
2. Members should decide whether or not they have a personal interest in any matter under discussion at a meeting. If a Member decides they have a personal interest then they must also consider whether that personal interest is also prejudicial.
3. A personal interest is either an interest, as prescribed, that you must register under relevant regulations or it is an interest that is not registrable but where the well-being or financial position of you, members of your family, or people with whom you have a close association, is likely to be affected by the business of the Council more than it would affect the majority of inhabitants of the ward(s) affected by the decision.
4. Members with personal interests, having declared the nature of that personal interest, can remain in the meeting, speak and vote on the matter unless the personal interest is also a prejudicial interest.
5. An exemption to declaring a personal interest applies when the interest arises solely from a Member's membership of or position of general control or management on:
  - any other body to which they have been appointed or nominated by the authority
  - any other body exercising functions of a public nature (e.g another local authority)

In these exceptional cases, provided a Member does not have a prejudicial interest, they only need to declare their interest if they speak. If a Member does not want to speak to the meeting, they may still vote on the matter without making a declaration.

6. A personal interest will also be a prejudicial interest in a matter if all of the following conditions are met:
  - the matter does not fall within one of the exempt categories of decisions
  - the matter affects your financial interests or relates to a licensing or regulatory matter
  - a member of the public, who knows the relevant facts, would reasonably think your personal interest is so significant that it is likely to prejudice your judgement of the public interest.
  
7. Exempt categories of decisions are:
  - setting council tax
  - any ceremonial honour given to Members
  - an allowance, payment or indemnity for Members
  - statutory sick pay
  - school meals or school transport and travelling expenses: if you are a parent or guardian of a child in full-time education or you are a parent governor, unless it relates particularly to the school your child attends
  - housing; if you hold a tenancy or lease with the Council, as long as the matter does not relate to your particular tenancy or lease.
  
8. If you have a prejudicial interest in a matter being discussed at a meeting, you must declare that interest and its nature as soon as the interest becomes apparent to you.
  
9. If you have declared a personal and prejudicial interest, you must leave the room, unless members of the public are allowed to make representations, give evidence or answer questions about the matter, by statutory right or otherwise. If that is the case, you can also attend the meeting for that purpose. However, you must immediately leave the room once you have finished or when the meeting decides that you have finished (if that is earlier). You cannot remain in the public gallery to observe proceedings.

## AGENDA

1. Apologies

To receive apologies for absence.

2. Chairman's Announcements

3. Minutes (Pages 7 - 14)

4. Declarations of Interest

To receive any member's Declarations of Interest and Party Whip arrangements.

5. Safety Committee Minutes (Pages 15 - 20)

To receive the minutes of the meeting held on 7 October 2010.

6. Medium Term Financial Plan - Staffing Implications

To follow

7. Urgent Business

To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information.

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MINUTES OF A MEETING OF THE  
LOCAL JOINT PANEL HELD IN THE  
WAYTEMORE ROOM, COUNCIL OFFICES,  
THE CAUSEWAY, BISHOP'S STORTFORD  
ON THURSDAY 16 SEPTEMBER 2010, AT  
2.30 PM

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PRESENT:     **Employer's Side**

Councillor Mike Wood (Chairman)  
Councillors M R Alexander, L O Haysey and  
J O Ranger

**Staff Side (UNISON)**

Mr C Clowes, Mrs J Sharp and Mr P Stevens

ALSO PRESENT:

Councillors D A A Peek

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Committee Secretary
Tinu Olowe	- Interim Head of People and Organisational Services

8     MINUTES

RESOLVED - that the Minutes of the meeting held on 29 July 2010 be approved and signed by the Chairman as a correct record.

9     APOLOGIES

Apologies were submitted from Claire Burton, Alan Madin, Councillor A P Jackson, Councillor S Rutland-Barsby, and Andy Stevenson. It was noted that Councillor L O Haysey was substituting for Councillor A P Jackson and Councillor J

O Ranger for Councillor S Rutland-Barsby.

10 CHAIRMAN'S ANNOUNCEMENTS

The Chairman stated that he had agreed to accept two urgent items of business in relation to Terms of Conditions Review and Staffing Implications of the Emergency Budget Proposals.

11 REPORTS FOR THE SECRETARY TO THE STAFF SIDE  
(VERBAL UPDATE)

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The Acting Secretary to the Staff Side provided a verbal report stating that of the 103 votes cast, 33 had approved the revised Terms and Conditions proposals and 70 had rejected them. As such, there was a failure to reach a collective agreement. The Acting Secretary stated that Unison Members had sought clarification on a number of changes e.g. in relation to the essential / casual car allowances, which could not be answered, as such Staff were uncertain about how the scheme would work.

Unison stated that representatives had tried to be as neutral as possible in presenting the proposals, but there was too much uncertainty about how things would work and a lot of distrust and because the details of the scheme were not known, Members were not prepared to accept 1% on that basis. Unison stated that Members were also aware that they would not be able to exercise a right to take the matter to an Employment Tribunal if necessary and wished to reserve their rights.

The Panel received and noted the update.

RESOLVED – that the update be noted.



12 URGENT BUSINESS: REPORTS BY SECRETARY TO THE EMPLOYER'S SIDE AND BY THE SECRETARY TO THE STAFF SIDE

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The Chairman reminded the Panel that he had agreed to accept two items of Urgent Business onto the agenda in order to prevent any undue delay in facilitating the business and the services of the Council.

(A) Terms and Conditions Review (Report by Secretary to the Employer's Side)

The Interim Head of People and Organisational Services explained that the report circulated as a supplementary item of business, had been superseded by the results of the recent ballot. The purpose of the report, had been to provide the Panel with an update in relation to the revised Terms and Conditions but that a collective agreement had not been reached.

Unison officers explained that there were issues and uncertainty about essential / casual car user arrangements. Within some job descriptions, staff had been told that they needed a car to do their job and yet were not eligible for an essential user allowance under the new proposals. Unison therefore felt that staff should not be required to bring their car to work on a daily basis. Unison Officers stated that Staff needed to know whether they needed to bring their car to work or not. Unison sought clarification that Staff could use public transport if necessary and whether staff would be disciplined as casual users, if they did not make their car available for work use.

The Interim Head of People and Organisational Services stated that staff needed to undertake their duties as required by their contract. Using public transport was an option. This was open for discussion. If they refused to undertake their job, then normal processes would be followed. If staff travelled 2000 business miles they would be entitled to an essential car user allowance. If not they would receive a casual car allowance. She stated that Essential Car User

allowances would be reviewed annually. She accepted that they would be exceptions, including mobility issues, and that these matters would be discussed with Line Managers.

In response to a query from Councillor M R Alexander concerning the 2,000 essential car user allowance and guidelines for claiming allowances, the Secretary to the Employer's Side undertook to provide Members with further information on claiming mileage and the Council's Expenses Policy. The Secretary to the Employer's Side stated that Heads of Service were asked to review mileage of their staff and the policy was based on the claims made.

Unison referred to other Councils and the use of the word "desirable" in terms of reimbursement.

RESOLVED - that (A) the report be noted;

(B) the Secretary to the Employer's Side circulate further information on claiming mileage and the Expenses Policy to all Members of the Local Joint Panel.

(B) Staff Implications of Emergency Budget proposals - Secretary to the Staff Side

The Secretary of the Staff Side acknowledged that the Council must manage its business and that the purpose of discussion was to avoid unnecessary redundancies. He stressed the need for good communication to take place. The Secretary to the Staff Side referred to the report to Corporate Business Strategy on 24 August (MTFP) which considered a number of proposals to achieve savings and which had staffing implications. The Secretary to the Staff Side referred to the imminent meeting of Council on 29 September, when Members, (via Corporate Business Scrutiny and the Executive), would be asked to agree to savings which had staffing implications (set out in Essential Reference Paper "H" – Executive 7 September 2010). Unison was concerned that the report had not only identified what savings needed to be made, but had identified posts for deletion and the reduction

of hours of staff within Democratic Services and Electoral service areas.

It was noted that the measures which had been identified in the report to the Executive, were measures which had been identified within the MTPF in the previous financial year which were not agreed at that time, but Members had asked that these should be brought forward at a later date, if necessary.

Unison acknowledged that savings needed to be achieved but was concerned that proper consultation had not taken place. It sought amendment to the recommendation contained within the Executive minutes of 7 September 2010, specifically that Members be asked to agree “in principle” approval to the measures being put forward where there were staffing implications, rather than agreeing to measures in absolute terms. Unison was concerned that there had not been proper consultation on what was being sought and this was contrary to agreed policies and undermined the Council’s redundancy policy. The Secretary to the Employer’s Side stated that the savings identified in Essential Reference Paper H had already been set out the previous MTFP, but remained subject to approval. She stated that, in any event, where there were staffing implications, the appropriate procedures would be followed in line in HR policies; this would include informal and formal consultation with appropriate staff and UNISON.

It was acknowledged that Local Joint Panel would normally report to Human Resources Committee. However, Unison felt that Council on 29 September 2010 should be asked to agree only items where the savings did not identify specific posts for deletion, to enable appropriate consultation to take place.

Upon a vote being taken, the Panel agreed that Council be asked:

RESOLVED - (A) to identify service areas where cuts to staff applied:

(B) to delete posts which have already been identified as “vacant posts” subject to an appropriate business case;

(C) where staff reductions have been identified, the Director of Internal Services be requested to provide a report on how these can be implemented and that this be brought back for further consideration by Members in the New Year, after full consultation had taken place.

13 HEALTH AND SAFETY AT WORK ACT

The Local Joint Panel was advised that compliance statistics were identical to the last meeting and that Heads of Service continued to be pressed. It was noted that 11 out of 14 services were up to date with Risk Assessments.

In response to a query from Councillor M R Alexander concerning health and safety requirements for Home Workers, Unison explained that Staff had to complete a series of forms including risk assessments and that employees were trusted to work in a safe environment. On line assessments would be used in the future.

The Local Joint Panel asked that the Health and Safety Officer provide Members with further information of the safety aspects for Home Workers including risk assessments, DSE and screen usage.

RESOLVED – that (A) the update be noted;

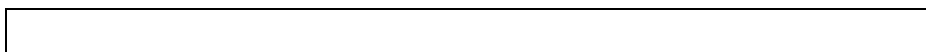
(B) the Health and Safety Officer provide Members with further information on the safety aspects of Home workers including risk assessments, DSE and Screen usage.

The meeting closed at 4.15pm

Chairman .....
Date .....

LJP

LJP



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MINUTES OF A MEETING OF THE  
SAFETY COMMITTEE HELD IN THE ROOM  
28, WALLFIELDS, HERTFORD ON  
THURSDAY 7 OCTOBER 2010, AT 2.00 PM

PRESENT: Simon Drinkwater (Chairman)  
Peter Dickinson, Peter Mannings,  
Graham Mully, Barbara Sylvia, Paul Thomas  
and Steve Whinnett.

10 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Helen Farrell, Jenny Francis, Chris Gibson, Sue Gray and Roy Crow.

11 MINUTES - 08 JULY 2010

The minutes of the meeting held on 08 July 2010 were agreed as a correct record.

12 HEALTH AND SAFETY POLICY REVIEW/UPDATES

Graham Mully stated that the refining process in relation to the Health and Safety Policy Review had not started. The Policy was up to date, but the intended streamlining has yet to commence and the Health and Safety Executive (HSE) links needed to be added in the appropriate places. Simon Drinkwater stressed that the policy should be a document that could be managed sensibly.

Peter Dickinson stressed that it was purely a case of blocking out some time to refine the policy. Graham Mully was requested to make Peter Dickinson aware of a possible time when this work could be carried out.

Peter Dickinson advised that completed Risk Assessments were still being submitted. Some assessments were with Directors for signature, subject to

the resolution of a number of queries in respect of wording from Heads of Service.

Graham Mully stated that many reminders had already been issued and compliance reports had been sent to Directors.

Peter Dickinson advised that a fire drill should be scheduled for Buntingford Depot. He undertook to liaise with Steve Whinnett on this. Fire Drills were all up to date for Wallfields, The Causeway and Charringtons House.

### 13 CAUTIONARY PERSONS REGISTER

The Safety Committee was advised that the Cautionary Persons Register had been submitted to CMT and was currently with Heads of Service. The Register would be submitted to Local Joint Panel once feedback had been received from Heads of Service.

Graham Mully stated that key partners and contractors were considered within the policy. He stressed that there should be one central register as opposed to separate registers compiled by individual teams.

Simon Drinkwater undertook to e-mail a copy of the Cautionary Persons Register to Paul Thomas. Peter Dickinson advised that he had circulated a revised incident report from to the Safety Committee. He was requested to resend this to the Committee and copy in all Heads of Service.

### 14 NEW REGULATIONS, IF ANY

Paul Thomas reported that the Health and Safety Executive (HSE) had been targeting premises that failed to properly manage the presence of asbestos. He commented that this process had been delayed as some Local Authorities were being investigated in respect of asbestos management.

### 15 SAFETY VOLUNTEERS



Peter Dickinson advised that he had met with the joint Safety Liaison Officer (SLO) and Display Screen Equipment (DSE) group. The group had requested extra help. As such, articles had been included in Team Update and in Team Brief.

Peter Dickinson stated that he was investigating options for fire marshal training following quotes from Hertfordshire and Essex Fire and Rescue services that had proved too expensive. He referred to a possible offer if training that could be significantly better.

In respect of fire marshals for fire drills, coverage needed to be improved at The Causeway. Peter Dickinson stated that the marshals currently available were dedicated and did a good job.

## 16 ACCIDENT AND INCIDENT REPORTS

Peter Dickinson commented that there had been 3 non reportable accidents of a minor nature involving Officers between 8 July 2010 and 7 October 2010. He reported that the first incident involved an onset of nausea and fainting. The second and third incidents had involved a cut and a contaminated eye.

There had been a reportable accident that had been classed as a dangerous occurrence. The Officer involved was not hurt.

Peter Dickinson stated that there had also been an reportable accident at Hillcrest Hostel. A child had tripped and suffered multiple fractures. The child suffered from a brittle bone condition and copies of all the relevant documents had been sent to Graham Mully. The family concerned had a solicitor and the Hostel Manager had all the appropriate risk assessments.

## 17 FEEDBACK FROM SAFETY LIAISON OFFICERS

Peter Dickinson advised that he had met with Safety Liaison Officers and work station assessors and there were no issues of concern to report to the Safety Committee.

He advised that the Health and Safety DVDs had been borrowed by a number of services, particular the DVD entitled 'Manual Handling - Child's Play in the Office'. Peter Dickinson stated that the DVDs were very simple and contained gentle reminders around being sensible and not overdoing it when manual handling.

He stressed that this message could be reinforced via team brief. Officers should also be reminded that leaving large amounts of cleared out paperwork in plastic sacks should be avoided as these often split and were difficult to move around.

Peter Dickinson commented that Officers who visited Members' homes should not have to work in untidy surroundings or suffer from the effects of passive smoking. Graham Mully stressed that both these issues were already covered by the Health and Safety and Home working policies.

## 18 ANY OTHER BUSINESS

The Safety Committee was advised that Officers had been given a clear indication of what they were or were not expected to lift when moving Offices as part of the Wallfields Refurbishment. Officers had been reminded to keep looking on the intranet in respect of information relating to C3W and the Wallfields Refurbishment.

Peter Dickinson stressed that work station assessments must be completed with each desk move, whether this was to a temporary location or a permanent move once refurbishments had been completed. He stressed that Officers would have to accept a certain amount of noise and disruption as a result of the refurbishment works.

Peter Dickinson commented that the temporary work areas at Wallfields must comply with regulations in terms of space per person and transit routes. He stressed that a reminder should be issued to Martin Shrosbree on these issues.

Graham Mully advised that the Road Risk Policy had been submitted to the operational risk management group and to CMT. The Safety Committee was advised that Heads of Service had commented on the policy, which was due to be reported to the Local Joint Panel.

Graham Mully stated that the Health and Safety Audit of Services had not been completed.

The Safety Committee was advised that the Authority had hoped to complete work station assessments for any home worker with health issues, as well as a random 10% sample. If problems are identified, the number of home visits will be increased

Graham Mully expressed concerns that this issue had been dismissed by the C3W Programme Group. Simon Drinkwater requested that a random sample of Officers will be selected at the next Safety Committee.

Graham Mully stressed that IT Officers had only given very basic advice when setting Officers up with home working equipment. Peter Dickinson commented that this issue was not being fully supported by Heads of Service and Management across the Authority.

Peter Dickinson undertook to e-mail Heads of Service in respect of the completion of online assessments. He stressed that non compliance was a management issue.

Graham Mully advised that the Authority did not have the resources to carry out a 100% check.

Thursday 13 January 2011 in Room 28, Wallfields,  
Hertford at 2.00 pm.

The meeting closed at 3.03 pm

Chairman .....

Date .....