



MEETING : LOCAL JOINT PANEL
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : WEDNESDAY 2 DECEMBER, 2015
TIME : 2.30 PM

MEMBERS OF THE PANEL

EMPLOYER'S SIDE:

Councillors E Buckmaster, L Haysey, A Jackson (Vice-Chairman) and G McAndrew

Substitutes:

G Cutting

STAFF SIDE – UNISON (ONE VACANCY)

Ms F Brown, Mr S Ellis and Mr A Stevenson (Chairman)

Substitutes: S Gray and J Francis

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

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DISCLOSABLE PECUNIARY INTERESTS

1. A Member, present at a meeting of the Authority, or any committee, sub-committee, joint committee or joint sub-committee of the Authority, with a Disclosable Pecuniary Interest (DPI) in any matter to be considered or being considered at a meeting:
 - must not participate in any discussion of the matter at the meeting;
 - must not participate in any vote taken on the matter at the meeting;
 - must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
 - if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
 - must leave the room while any discussion or voting takes place.

2. A DPI is an interest of a Member or their partner (which means spouse or civil partner, a person with whom they are living as husband or wife, or a person with whom they are living as if they were civil partners) within the descriptions as defined in the Localism Act 2011.

3. The Authority may grant a Member dispensation, but only in limited circumstances, to enable him/her to participate and vote on a matter in which they have a DPI.

4. It is a criminal offence to:

- fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register;
- fail to notify the Monitoring Officer, within 28 days, of a DPI that is not on the register that a Member disclosed to a meeting;
- participate in any discussion or vote on a matter in which a Member has a DPI;
- knowingly or recklessly provide information that is false or misleading in notifying the Monitoring Officer of a DPI or in disclosing such interest to a meeting.

(Note: The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a councillor for up to 5 years.)

Audio/Visual Recording of meetings

Everyone is welcome to record meetings of the Council and its Committees using whatever, non-disruptive, methods you think are suitable, which may include social media of any kind, such as tweeting, blogging or Facebook. However, oral reporting or commentary is prohibited. If you have any questions about this please contact Democratic Services (members of the press should contact the Press Office). Please note that the Chairman of the meeting has the discretion to halt any recording for a number of reasons, including disruption caused by the filming or the nature of the business being conducted. Anyone filming a meeting should focus only on those actively participating and be sensitive to the rights of minors, vulnerable adults and those members of the public who have not consented to being filmed.

AGENDA

1. Apologies

To receive apologies for absence.

2. Minutes (Pages 5 - 10)

To confirm the Minutes of the meeting held on 30 September 2015

3. Chairman's Announcements

4. Declarations of Interest

To receive any Member's Declarations of Interest.

5. Report by Secretary to the Employer's Side

(A) Expenses Policy(Pages 11 - 26)

6. Reports by Secretary to the Staff Side

None.

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.

MINUTES OF A MEETING OF THE
LOCAL JOINT PANEL HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON WEDNESDAY 30
SEPTEMBER 2015, AT 2.30 PM

PRESENT: **Employer's Side**

Councillors E Buckmaster, G McAndrew and
G Cutting

Staff Side (UNISON)

Andy Stevenson (Chairman), Ms F Brown

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
Emma Freeman	- Head of Human Resources and Organisation Development

6 ORGANISATIONAL DEVELOPMENT STRATEGY 2015-2019

The Secretary to the Employer's Side submitted a report setting out revisions to the Organisational Development Strategy for 2015 – 2019 which had been developed to support and complement the Council's values and priorities.

The report had been developed in consultation with senior management and UNISON.

The Secretary to the Employer's Side explained that the Council had recently been awarded an Investor's in

People (IIP) Bronze Assessment and that the new Organisational Development Strategy would assist the Council in moving towards a Silver Assessment.

In response to a query from Councillor E Buckmaster regarding staff who needed support in filling their roles, the Secretary to the Employer's Side explained that the process was robust. She explained how the PDR Stage One identified needs and that Stage Two ensured that there was a link between staff performance and learning and development.

Councillor L Haysey welcomed the report adding that this was an integrated approach to ensure staff received professional support and in providing a work-life balance. In response to a further question concerning indicators for employees with disabilities, the Secretary to the Employer's Side explained that indicators were set by Human Resources (HR) Committee following an annual review in terms of the District's demographics and population changes. Work was ongoing with the Diversity Team. The Secretary to the Employer's Side explained that Corporate Management Team received reports concerning monitoring and performance and statistical information was submitted quarterly to HR Committee.

Councillor G McAndrew welcomed the positive news in terms of PDR completions.

The Panel Chairman stated that Unison had worked closely with Human Resources on this issue and was pleased to see that the Council had been awarded a Bronze Assessment and thanked the Secretary to the Employer's Side for her work in the process. He welcomed further discussions with HR on the move towards a Silver Assessment and HR's aspirational intentions.

The Panel recommended to Human Resources Committee, approval of the Organisational Development Strategy 2015 –2019.

RECOMMENDED – that the Organisational Development Strategy 2015 – 2019, as now submitted, be approved.

7 PROFESSIONAL CAREER VOCATIONAL STUDY POLICY

The Secretary to the Employer's Side submitted a report setting out a revised Professional Career and Vocational Study Policy. The policy was last updated in October 2008 and had been updated to reflect current practice and to incorporate revised budget allocations for 2015/16. The Secretary to the Employer's Side summarised the key changes.

In response to a query from Councillor G Cutting regarding what opportunities were available to staff, the Secretary to the Employer's Side, by example, explained what professional courses could be undertaken adding that internally, the Council was also reviewing a management development programme leading to a qualification.

Councillor L Haysey suggested that staff successes should be celebrated with recognition in some form. This was supported. The Secretary to the Employer's Side stated that this approach could be adopted corporately in terms of succession planning.

In response to a query from Councillor E Buckmaster regarding employees who acted up in more senior positions, the Secretary to the Employer's Side explained that such staff were remunerated.

The Panel Chairman referred to his civil engineering qualifications studied over a six year period, made possible by the Professional Career Vocational Study Policy and thanked the Council for making this possible.

The Panel recommended to Human Resources Committee, approval of the revised Professional Career and Vocational Study Policy as submitted and that a

corporate approach to recognise staff successes be developed.

RECOMMENDED – that (A) the Professional Career Vocational Study Policy, as now submitted, be approved; and

(B) a corporate approach to recognise staff successes be developed.

8 **SMOKE-FREE WORKPLACE POLICY**

The Secretary to the Employer's Side submitted a report detailing a new Smoke Free Workplace Policy. At the meeting on 11 March 2015, the Local Joint Panel requested that the issue be deferred, querying the enforceability of a total ban and how this might create problems for Managers. As such it was suggested that a more positive approach to encourage employees not to smoke, was less adversarial and more supportive.

The Secretary to the Employer's Side explained that the policy had been amended to take into account the implications of a total no smoking ban; ways in which smokers could be encouraged not to smoke and how the Council could influence service providers, i.e. contractors, in enforcing a total ban. She hoped that the Council could move to a totally smoke free environment within the Council's premises from 1 January 2017.

Councillor G Cutting acknowledged the difficulties faced by smokers and stop-smoking initiatives being put in place. He expressed concern about those people visiting the Council premises and the use of e-cigarettes. The Secretary to the Employer's Side explained that practical issues could be worked out with Customer Services in supporting the Health and Wellbeing agenda. She confirmed that e-cigarettes would be treated in the policy in the same way as cigarettes.

The Panel Chairman stated that Unison was involved in discussions about the proposed policy and still had

reservations, e.g. the public visiting the Council's offices, e-cigarettes (possibly being offered on prescription) and its enforceability of implementation (Manager or HR). The Chairman commented that he could foresee a situation whereby smokers might feel they were being targeted as a problem compared to those taking coffee breaks. He stated that the policy, as it stood, did not take into account possible changes in legislation with regard to e-cigarettes. The Chairman commented that Unison had asked for the report to be removed from the agenda but Corporate Management Team had requested that it go forward.

In an effort to address Unison's immediate concerns the Secretary to the Employer's Side suggested that the proposed policy be amended by the amendment of paragraph 4.3 (number of smoke breaks) and 5.2 (recording smoke breaks); with the wording to be agreed with Unison and to reflect the current policy. This was supported. Paragraph 2.5 would also refer to e-cigarettes and legislative changes.

Councillor E Buckmaster suggested that the recommendation also be amended to reflect a position that the Council was working to support a totally smoke-free environment by 1 January 2017, which would give Officers an opportunity to address areas of concern. This was supported.

The Panel recommended to Human Resources Committee, that, subject to the amendment of paragraphs 4.3 and 5.2 of the Policy, as now submitted, a move towards a totally smoke free environment by 1 January 2017 be approved.

RECOMMENDED – that subject to the amendment as now detailed, the Smoke-free Workplace Policy, and a move towards a totally smoke free environment by 1 January 2017 be approved.

An apology for absence was received from Councillor A Jackson. It was noted that Councillor G Cutting was substituting for him.

10 MINUTES

RESOLVED – that the Minutes of the meeting held on 17 June 2015 be confirmed as a correct record and signed by the Chairman.

The meeting closed at 3.35 pm

Chairman
Date

EAST HERTS COUNCIL

LOCAL JOINT PANEL – 2 DECEMBER 2015

REPORT BY THE SECRETARY TO THE EMPLOYER'S SIDE

EXPENSES POLICY

WARD(S) AFFECTED: NONE

Purpose/Summary of Report

To approve the revised Expenses Policy

<u>RECOMMENDATION FOR LOCAL JOINT PANEL:</u>	
That:	
(A)	the revised Expenses Policy be recommended for approval.

1.0 Background

1.1 The Council's Expenses Policy was last reviewed in 2010. The Council's programme of policy review is after three years or sooner in line with legislation and best practice.

1.2 Human Resources Committee agreed on 2 October 2013 that as part of the Policy Development plan, the car mileage rates would be reviewed.

1.3 The revised Expenses Policy was brought to Local Joint Panel on 3 December 2013. It was agreed that the Expenses Policy be submitted to Human Resources Committee, subject to both sides resolving any anomalies in advance of that meeting. In the event that issues could not be resolved, then the policy be referred back to the Local Joint Panel for further consideration. It was agreed following that decision, that further consultation was advisable both with Heads of Service and Unison before resubmission.

- 1.4 In September 2013 the Local Government Employers, advised that half of the Councils nationally have moved to HMRC rates. With the Eastern region, a benchmarking survey on 1 October 2013 indicated that 19 out of 29 Councils have reimbursed business mileage in line with HMRC approved rates. Members of East Herts are currently reimbursed on HMRC rates.
- 1.5 The Lease car scheme formally closed on 17 January 2014; therefore the lease car rates have become redundant.
- 1.6 The revised Policy was submitted to Local Joint Panel on 18 August 2014. An agreement was not reached and therefore the policy was referred to the Local Joint Secretaries. This meeting was put on hold during consultation on terms and conditions with Unison from August 2014 to February 2015.
- 1.7 The Local Joint Secretaries meeting was held on 5 March 2015 and was suspended to allow the Council to undertake the additional action of developing a Green Travel Plan. The meeting reconvened in September 2015 and the Branch negotiated with the council on the compensation payment.
- 1.8 A collective agreement was reached with Unison in September 2015 on the changes to the Expenses policy effective from 1 April 2016 and the compensation payment to be made to employees in January 2016. The Expenses Policy has been updated to reflect those changes.

2.0 Report

2.1 **Key Changes in the policy**

- 2.2 The policy has been revised to change the mileage rates to HMRC rates for all claimants. The classification of Essential and Casual car users has been removed including a lump sum payment.
- 2.3 The policy has been revised to remove the separation of 'In District' and 'Out of District' mileage.
- 2.4 The subsistence rates have been increased in accordance with guidance from East of England LGA and are now determined by local agreement.
- 2.5 Guidance has been included on interview expenses, travel by

public transport and air travel.

2.6 The revised Expenses Policy can be found at Essential Reference Paper 'B'.

3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers - None

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ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives (delete as appropriate):	People – Fair and accessible services for those that use them and opportunities for everyone to contribute This priority focuses on delivering strong services and seeking to enhance the quality of life, health and wellbeing, particularly for those who are vulnerable.
Consultation:	The policy has been updated following a collective agreement with Unison.
Legal:	Compromise Agreement has been signed and dated with Unison. Changes effective from 1 April 2016
Financial:	A compensation payment has been agreed as part of the reduction in car mileage as detailed in the compromise agreement
Human Resource:	As detailed in the policy
Risk Management:	None
Health and wellbeing – issues and impacts:	The policy supports the Health and Wellbeing Strategy by supporting the Council's Green Travel Plan to reduce the need to travel and promoting sustainable travel within the work environment

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East Herts Council

Expenses Policy

Policy Statement No 40 (Issue No 2)

January 2016

Policy Owner; Human Resources

Date of last review: August 2010

Date of next review: January 2019

1.0 Introduction

- 1.1 The council will ensure that the reimbursement of expenses is carried out in a fair and consistent manner across the council, based on business need.
- 1.2 Under the current Green Book agreement, expenses are developed locally and can be changed on a local basis.

2.0 Scope

- 2.1 The reimbursement of expenses applies to all employees and Chief Officers.

3.0 Car Expenses

- 3.1 All employees who are required to travel by car for business purposes must hold a full current driving licence and insurance covering business use at all times. All managers are required to check these documents in January each year and retain and record dates of check.
- 3.2 Any employee who uses their car for travel on council business will be entitled to reimbursement based on HMRC rates.

Car Mileage	HMRC Rates
Per mile - first 10,000 business miles per annum	45p
Per mile - after 10,000 business miles per annum	25p
Amount of VAT per mile in Petrol element	1.5670p

4.0 Motorcycle Expenses

- 4.1 Any employee who uses a motorcycle for travel on council business will be entitled to reimbursement based on HMRC rates.

Motorcycle Rate	24p per business mile
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5.0 Bicycle Expenses

- 5.1 Any employee who uses a bicycle for travel on council business will be entitled to reimbursement based on HMRC rates.

Bicycle Rate	20p per business mile
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6.0 Guidelines for claiming mileage

6.1 A car mileage claim form can be found on the intranet under payroll forms. Employees are encouraged to complete the forms electronically to ensure clear and correct calculations are submitted.

6.2 Home to normal place of work

Employees can claim for business journeys made in the performance of their duties but NOT journeys which are ordinary commuting or private travel. This also applies to home workers, for guidance see the Home Working Policy.

'Ordinary commuting or private travel' does not include additional journeys from home to normal place of work and back where those journeys would not have been expected to have been made. For example callouts on a non-working day or requiring a repeat journey on a work day will be payable. However, payments in these cases will be subject to tax and national insurance.

6.3 Home to temporary place of work

Mileage to a temporary workplace can be claimed LESS ordinary home to workplace mileage. Examples of this as follows:

- If the workplace is Wallfields and home is Cheshunt and an employee travels from home to Buntingford and return on a business journey which is 19 miles but the normal return journey from home to Wallfields is 18 miles an employee can only claim the difference of 1 mile.
- If the normal workplace is Charringtons House and home is Saffron Walden and an employee travels from home to Hertford and return on a business journey which is 56 miles but the normal return journey from home to Charringtons House is 24 miles an employee can only claim the difference of 32 miles.

If the journey is less than the normal home to permanent workplace then no claim is permitted.

Where the home to temporary place of work is additional to normal commuting this will be paid without deduction. For example where the

journey is a call out on a non-working day or is a call out after reaching home at the end of the working day.

As a general rule reimbursement should only be for 'out of pocket' expenses.

7.0 Passenger Rates

7.1 If an employee carries any other East Herts employee (this includes Members) on council business journeys they may claim an amount per passenger per mile based on HMRC rates.

Passenger Rate	5p per passenger per mile
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7.2 All travel claims should be made using the car mileage form which can be found on the intranet under payroll forms. All fields should be completed with relevant details.

7.3 Employees must comply and satisfy the conditions stated on the claim form with a roadworthy vehicle meeting the insurance requirement.

7.4 All claims require an original fuel VAT receipt that pre dates the journey must be stapled to the back of the claim. Claims received without the appropriate VAT receipts will be returned for clarification and may delay payment.

8.0 Travel by public transport

8.1 Claims can be reimbursed for standard class train fares, London Underground, and bus fares.

8.2 Managers should ensure that the most cost-effective method of public transport is used.

8.3 Taxi fares can only be claimed for in exceptional circumstances where no other form of travel is reasonably available.

8.4 All claims must be supported by valid receipts stapled to the back of the expenses claim form.

9.0 Car parking charges

9.1 Car parking charges incurred on council business will be reimbursed. Receipts must be attached. Car parking charges will not be paid for at the council office locations where free car parking is available.

10.0 Air travel

- 10.1 Air travel can only be reimbursed in exceptional circumstances subject to Directors approval; where no other form of travel is reasonably available. Economy class fare only is allowed, using the most cost effective airline and supported by proof of 3 quotations. All claims must be supported by valid receipts stapled to the back of the expenses claim form.

11.0 Subsistence

- 11.1 Employees can claim reimbursement only for the additional expense incurred for meals taken whilst on council business away from their normal base.

If an employee stays away from home on business; accommodation and meals can only be reimbursed if they are not included in the conference/course fees.

The maximum claim for meals is as follows:

Breakfast	Before 7am	£7.21
Lunch	Between 12 noon & 2.30pm	£9.95
Tea	Between 2.30pm & 7pm	£3.94
Evening Meal	After 7pm	£12.33

Evening meal allowance cannot be claimed with a tea allowance.

All claims must be supported by a valid VAT receipt attached to the back of the claim form.

12.0 Petty Cash

- 12.1 Only unavoidable and minor purchases should be made through petty cash with a limit of £25 (inclusive of VAT). Blank forms can be found on the intranet under payroll forms and attached as Appendix 'C'. Receipts must be attached to the back as proof of purchase.

Note: Expenses as detailed in this policy may not be reimbursed from Petty cash.

13.0 Recruitment

- 13.1 In accordance with the Recruitment Policy candidates who attend an interview with the council can claim travel expenses in accordance with the following guidelines.
- 13.2 Car mileage can be claimed at the HMRC rate if the distance of travel from home (UK) to place of interview exceeds the minimum qualifying distance of 20 miles round trip. Only the mileage over 20 miles can be claimed. A claim form should be completed and fuel VAT receipt attached.
- 13.3 Candidates who choose to travel by train can claim a standard class train fare. A claim form should be completed and receipt attached.
- 13.4 The council does not cover air travel or overnight accommodation costs.
- 13.5 Interview expenses will be paid by the recruiting service. Claims must be submitted within three months of the date of the interview.

14.0 Guidelines for claiming expenses

- 14.1 Employees may claim for reimbursement of expenses incurred on council business supported by receipts. Blank expenses claim forms can be found on the intranet.
- 14.2 Home workers should refer to the Home Working Policy in relation to claiming expenses.
- 14.3 All claim forms must be signed by the employee and authorised by the manager and sent to payroll for processing by the 6th of the month. Claims exceeding three calendar months will not be paid.
- 14.4 Payroll will only process claims that are fully completed, properly authorised and supported where applicable with receipts. Incomplete forms will be returned to the employee.

15.0 Policy Review and Amendment

- 15.1 This policy shall be reviewed after three years or sooner in line with legislation and best practice.



CAR MILEAGE CLAIM FORM

Please complete all sections; failure to do so may delay payment. Please ensure completed forms are received by Payroll by the 6th of the month and valid VAT receipts are attached to the back of this form. **Claims exceeding three calendar months will not be paid.**

Employee Details

Name: _____ Payroll No: _____

Claim Period: _____ Date Submitted: _____

Petrol: Diesel: Car Registration: _____

Make & Model: _____

Claim Details

Total Business Mileage claimed: Business mileage claimed excluding normal home to office miles.

Total Business Mileage with Passengers: East Herts Council employees and Members only (exclusive of driver).

Arithmetic check: Initial by a team member

I certify that

- I held a full and current UK driving licence throughout the period claimed. I am not disqualified and no prosecutions are pending. I have no medical conditions that prevent me from driving.
- My motor insurance policy is extended to include business use. (Your policy must indemnify the council against third party claims whilst training on business, which may include attending courses, and working at or visiting another site. If transporting goods, your Insurer may require separate notification).
- My vehicle is roadworthy. If over three years old, it is covered by a valid MOT certificate.
- My vehicle has a valid road fund licence.
- The mileage shown below (as detailed overleaf) was run on approved Council business in accordance with the conditions laid down by the NJC and the rules of East Herts Council.

Managers must check insurance certificates, driving licences and MOT certificates at least annually; retain and record dates of checks.

Signed: _____ Date: _____
(Employee)

Signed: _____ Date: _____
(Authorised Officer)

Print Name: _____ (Authorised Officer)



EXPENSES CLAIM FORM

Completed forms must be received by payroll by the 6th of the month. Please attach all VAT receipts to the back of the form. **Claims exceeding three calendar months will not be paid.**

Personal Details	
Name: _____	Payroll No: _____
Team: _____	Date: _____

Travel & Parking Details

Date	Purpose	Time Away From : To	Cost Incurred
Total: (326)			

Subsistence Details

Date	Breakfast (Before 7am)	Lunch (Between 12 & 2:30pm)	Tea (Between 2:30 & 7pm)	Evening Meal (After 7pm)	Cost Incurred
Total: (327)					

Accommodation Details

Date	Purpose (Cost centre override if applicable)	Cost Incurred
Total: (327)		

Miscellaneous Details

Date	Item (Cost centre override is applicable)	Cost Incurred
Total: (335)		

I declare that I have necessarily incurred additional expenditure on travel and/or subsistence for the above purpose and that the amounts claimed are in accordance with the rates and conditions as set out in the Expenses Policy. All supporting receipts are genuine and are stapled to the back of this form.

Signed: _____ Date: _____

Signed: _____ **(Authorised Officer)**

Print Name: _____ **(Authorised Officer)**

PETTY CASH CLAIM FORM

Name: _____

Service: _____

Quantity	Item Description	Unit Cost	£	.	Total Cost	£	.
Total						£	

Expenditure Code	Amount	
	£	.
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Voucher No: PC

Date: _____

Claim prepared by: _____

Print: _____

Claim certified by: _____

Print: _____

Cash received by: _____

Print: _____

Coding checked: _____

Print: _____

Audit checked: _____