

**EMPLOYMENT COMMITTEE
10 MAY 2016
7.30 - 8.00 PM**



Present:

Councillors McLean (Chairman), Allen (Vice-Chairman), Mrs Angell, Ms Miller and Worrall

Non-Voting Co-optee:

Councillor Heydon

Also Present:

Councillor

Apologies for absence were received from:

Councillors Mrs Birch, Leake and Virgo

58. Declarations of Interest

There were no declarations of interest.

59. Minutes from previous meeting

RESOLVED that the minutes of the meeting held on 16 March 2016 be approved as a correct record and signed by the Chairman.

60. Matters Arising

There were no matters arising.

61. Urgent Items of Business

There were no items of urgent business.

62. Employees Code of Conduct Amendment

The Committee considered a report of the Director of Corporate Services seeking the approval of an amendment to the Employees Code of Conduct. The amendment would introduce a requirement for all Council employees to declare the existence of charges brought by the Police, convictions in a court of law or the issue of a caution on any matter, and to report it immediately to their directorate HR lead or the Chief Officer: HR.

This followed a decision by Corporate Management Team to review and amend the practice of carrying out three yearly Disclosure and Barring Service (DBS) rechecks to posts where there was no statutory duty to do so. During the time the Council had performed regular rechecks, there was no recorded case of an employee whose employment had been terminated due to new offences being detected by this service. A budgetary saving had resulted from not undertaking the rechecks which had been

included in the 2016/17 budget. The imposition of a requirement on employees to disclose new convictions was expected to mitigate any risks which might arise.

The Committee noted a number of amendments made to the report in order to ameliorate the concerns expressed by Members at a previous meeting:

- The rationale of the proposals was to create a framework which placed an obligation on the employee to disclose, enabling the Chief Officer (with HR/Legal advice as appropriate) to determine whether or not an individual could continue in their role pending the conclusion of criminal proceedings. It was emphasised that disclosure would not lead to automatic censure.
- While it was considered necessary to maintain the requirement for all charges, convictions or cautions (with the exception of offences resulting in a fixed penalty notice) to be disclosed, regardless of their nature, it was for the Council to decide, having undertaken a risk assessment, on an appropriate and proportionate response.
- To ensure a consistent approach across the Council to any disclosures made, it was proposed that employees would be required to report charges, convictions or cautions to their directorate HR Lead or the Chief Officer: HR.
- An additional recommendation had been added to provide for the new requirements to have retrospective effect from 1 July 2015 (the date at which the DBS rechecks ceased to be undertaken).

The Committee recognised that the Council had a duty to safeguard the interests of clients, customers and taxpayers by the introduction of such measures, so that any risks arising from disclosures could be properly assessed and mitigating action taken where necessary. With the reference to the retrospective duty to report, it was suggested that a month would be a reasonable period for employees to make any disclosure once the amendment to the Code had been made and notified to staff.

RESOLVED

- 1 That the provision outlined in paragraph 5.7 of the report under the heading 'Reporting of Criminal Charges and Convictions' be added to the Employees Code of Conduct.
- 2 As a consequence to the proposed changes above, an additional offence (of failing to disclose) as detailed in paragraph 5.8 of the report be added to the Disciplinary Procedure as an instance of potential serious misconduct.
- 3 That the above resolutions have retrospective effect from 1 July 2015 (ie the point at which DBS rechecks ceased to be undertaken).

63. Revenue Budget 2016/17 Employment Implications

The Committee considered a report setting out the staffing implications arising from the revised financial position of the Council for 2016/17 and the requirement for it to make substantial budget economies. The budget proposals focussed, as far as possible, on making savings and efficiencies in areas that would have the least direct impact on services to residents, although this was not possible in all instances.

All staff affected by the emerging proposals were fully briefed by managers during January 2016 and issued with a formal 'At Risk' letter on 5 February or during week commencing 8 February 2016. This was followed by in-depth meetings with those employees held by departmental HR staff and managers responsible for the service, in line with the Council's agreed Organisational Change timetable.

The report referred to 7 posts (equating to 6.5 FTE) identified for redundancy in Corporate Services/Chief Executive's Office and the Environment, Culture and Communities Directorate. Full detail of the posts and the cost of redundancies were included in an Exempt Appendix. The Committee noted that there had been four requests for voluntary redundancy leaving just three cases of compulsory redundancy. The Committee was also informed of four further posts which were 'At Risk' of redundancy where postholders had been successfully redeployed.

The total cost of the proposals was £187,434, with an average payback period of 7 months. This would reduce if further redeployment opportunities were identified. The final cost would be met from the Structural Changes Reserve.

RESOLVED that:

- 1 The deletion of the posts identified in Exempt Appendix B be approved with effect from the dates indicated.
- 2 The postholders be declared redundant in accordance with the terms set out in the Exempt Appendix, with the costs being met from the Structural Changes Fund (subject to any redeployment opportunities offered to those affected).

64. Update from the Chairman of the Local Joint Committee

The Committee was informed that a very short meeting of the Local Joint Committee had been held earlier in the afternoon and that no issues relating to the business on the Employment Committee agenda had been raised.

The Chief Officer: HR had been asked to look into arrangements for the future for consulting the parties involved in the Local Joint Committee to ascertain whether there were issues to consider which warranted a meeting being called, or whether it could be cancelled. It was proposed to consult via a pre-meeting for the Chairman of the staff side and the lead Councillor, to enable a decision to be taken.

65. Minutes of Sub Groups

The Committee noted the minutes of the Local Joint Committee held on 16 March 2016.

CHAIRMAN