

Medway Council
Meeting of Employment Matters Committee
Wednesday, 7 September 2016
7.00pm to 7.40pm

Record of the meeting

Subject to approval as an accurate record at the next meeting of this committee

Present: Councillors: Avey, Godwin, Hicks, Iles and Wicks (Chairman)

In Attendance: Carrie McKenzie, Head of HR and Organisational Change
Michael Turner, Democratic Services Officer
Lawyer

264 Apologies for absence

An apology for absence was received from Councillor Khan.

265 Record of meeting

The record of the meeting held on 27 April 2016 and the Joint Meeting of Committees held on 18 May 2016 were agreed and signed by the Chairman as correct.

266 Urgent matters by reason of special circumstances

There were none.

267 Declarations of disclosable pecuniary interests and other interests

Disclosable pecuniary interests

There were none.

Other interests

In relation to agenda item no 8 (Proposed Reorganisations) Councillor Iles disclosed an interest as a member of the Strood Youth Centre Management Committee and the Chairman disclosed an interest as a Member of the Management Committee of Parkwood Youth Centre.

268 Review of the HR Policy Arrangements

Discussion:

Members considered a report which sought agreement to amend the arrangements relating to the revision of HR Policies.

Members supported the proposals but felt it would be better if proposed changes to policies were circulated to all Members of the Committee so that they were aware of them, but the ability to refer a proposal to the Committee would remain with the Chairman or Opposition Spokesperson, as recommended in the report.

Decision:

The Committee agreed:

- 1) that in respect of proposed changes to those HR policies set out in Appendix 1 of the report which do not impact on a current condition of term of employment, process or entitlement (i.e. a revision to reflect post title changes and other changes of an administrative nature), that such changes can be agreed by officers without recourse to this Committee.
- 2) that proposed changes to policies which fall into the scope of 1) above still be circulated to Trade Unions and the Chairman and Opposition Spokesperson of the Employment Matters Committee for comment (and other Members of the Committee for information) along with a Diversity Impact Assessment, where appropriate, thereby retaining the 30 day consultation period, and allowing TU's and Chairman and Opposition Spokesperson to refer the changes to this Committee for a decision.
- 3) to note that details of all policies amended by officers will be reported to the Committee on a twice yearly basis.
- 4) to recommend that the Monitoring Officer, who has delegated authority to make minor changes to the Constitution, amends the Employee Delegation Scheme by including the following additional delegated power to the Director of Regeneration, Culture, Environment and Transformation:

"To agree minor changes to HR policies provided such changes:

- a) *do not impact on a current condition of term of employment, process or entitlement;*
- b) *relate to an existing HR policy designated by the Employment Matters Committee as being within the scope of this delegation;*

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- c) *have not been referred to the Committee for determination by a trade union, the Chairman or the Opposition Spokesperson of the Employment Matters Committee.*

269 Review of the Probationary Policy

Discussion:

Members considered a report which sought agreement to amend the current Probationary Policy by removing the right of appeal against a decision to extend the period of probation.

A Member noted that in paragraph 5.2.3 of the policy there was a reference to an assessment of an employee being placed on an individual's personal file and queried why the reference to the latter was being removed. The Head of HR and Organisational Change clarified that this was because HR no longer held personal files centrally.

Decision:

- 1) The Committee approved the revised Probationary Policy set out at Appendix 1 to the report, which removes the right of appeal against a decision to extend a period of probation.
- 2) The Committee noted that managers with staff working through a period of probation will be reminded of the importance of completing the agreed periodic reviews.

270 Whistleblowing Policy

Discussion:

Members considered a report which sought agreement to proposed revisions to the council's Whistleblowing Policy.

Decision:

The Committee agreed to recommend the revised policy to Council, noting that the proposed changes will also be considered by the Audit Committee on 29 September.

271 Proposed Reorganisations

Discussion:

Members considered a report which covered new reviews and transfers since the last report.

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A Member asked what the impact was on HR of schools converting to academies and how many of the latter continued to buy in HR from the Council. The Head of HR and Organisational Change advised that the Council provided an HR service to 38 schools, some of which were academies. This was out of a total of around 110 schools in Medway. The creation of multi academy trusts was more of a concern as they would usually have their own HR service. As a result, the HR schools team had decreased significantly in recent years with most staff deployed into other teams. The payroll team provided a service to 70 schools in Medway and Kent and this was seen as very successful.

A Member asked for information about the pensions and payroll service provided to schools, including the financial implications.

Decision:

The Committee agreed to

- a) note the present position and the support arrangements for staff
- b) ask for a briefing paper on the pensions and payroll service provided by the Council to schools, including the financial implications.

272 The Public Sector Exit Payments Regulations 2016 and the Repayment of Public Sector Exit Payments Regulations 2016

Discussion:

Members considered a report on the proposed introduction of legislation that caps exit payments for public sector workers and introduces a statutory requirement to repay exit payment monies in the event that the worker gains future employment in the public sector within 12 months of leaving their previous public sector employment. As yet there was no implementation date for the new Regulations.

A Member queried whether the changes could be counter productive. Whilst a cap on redundancy payments could be understood in the light of public concerns, by including the costs of early release this could prevent people who might be willing to leave on redundancy grounds from doing so.

In terms of how the ability of full Council to waive the application of the cap would work, the Head of HR and Organisational Change advised this would have to be done in accordance with (as yet unpublished) Treasury guidelines and the powers to do so could only be exercised in limited circumstances.

Decision:

The Committee agreed to note the report and also that once the legislation has been enacted the new arrangements will be presented to the Committee for approval.

273 Early retirements and Severance Payments

Discussion:

Members considered a report regarding all decisions taken in relation to early retirements and severance payments for the period 1 January 2016 to 30 June 2016.

Decision:

The Committee agreed to note the report.

Chairman

Date:

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