

Time commenced – 6:00pm
Time finished – 7.50pm

**PERSONNEL COMMITTEE
1 OCTOBER 2009**

Present: Councillor Rawson (Chair)
Councillors Berry, Carr, Hird, Jones, Nath and Roberts

12/09 Apologies

There were no apologies.

13/09 Appointment of Vice Chair

Resolved to appoint Councillor Berry as Vice Chair for the ensuing Municipal Year.

14/09 Late Items Introduced by the Chair

There were no late items.

15/09 Declarations of Interest

There were no declarations

16/09 Minutes

The minutes of the meetings held on 29 June and 18 August 2009 were agreed as a correct record and signed by the Chair

17/09 Pakistani Recruitment Initiative Project

The Committee considered a report which stated that this Committee at its meeting on 1 April 2009 had received a report explaining in some detail the chronic levels of under-representation of Pakistani employees within the Council's workforce and recommended a way forward to help tackle the issue.

The report set out what had been achieved since April 2009 and included Pakistani recruitment Initiative Project progress; workforce statistics; recruitment statistics; job tracking; reasons for not shortlisting; reasons for not appointing and the next steps.

Resolved to note the report.

18/09 New Health and Safety Policies – Updated Health and Safety Policy Statement, Driving to Work and Health and Safety training Policy

The Committee considered a report which set out the updated Health and Safety Policy Statement of Intent, Driving for Work Policy and Health and Safety Training Policy.

Resolved

- 1. To approve the updated Health and Safety Policy Statement of Intent, Driving for Work Policy and Health and Safety Policy Training Policy.**
- 2. To make Stress Management Training for Chief Officers and Assistant Directors mandatory.**
- 3. To provide to members of the committee further information on employees taking council vehicles home when it is available.**

19/09 Managing Individual Performance – the new ‘MIP’ Scheme

The Committee considered a report which sought approval to introduce a new individual performance management scheme – MIP – from 1 April 2010 for all employees. The scheme incorporated two significant changes: overall annual performance ratings and a set of six employee behaviours. MIP was designed to replace the Achievement and Development – A & D, and all other current schemes. The new scheme envisaged that all employees would have a minimum of two individual meetings with their manager during the first year, increasing to four meetings after two years.

Resolved

- 1. To approve the introduction of a new scheme for managing individual performance – MIP – in April 2010, incorporating the following principles of managing individual performance**
 - Objective setting using ‘The Golden Thread’ approach – so that individual objectives are firmly linked to the rest of the business planning framework**
 - Leadership Principles**
 - Employee Behaviours**
 - Personal Development Plan**
 - Employee Comments**

- **Annual Performance Rating**
2. **To agree to a review of the Improving Employee Performance Policy so that a new process, better able to deal with under-performers is in place from April 2011, when the first performance ratings are given as part of MIP.**

20/09 Developing a New Workforce Strategy

The Committee considered a report which stated that the Council's existing People Strategy and its delivery plan, the Workforce Development Plan were launched in 2007. The strategy needed refreshing in light of subsequent developments and the significantly changed economic situation. The delivery plan was nearing the end of its lifespan.

It was planned to produce a new Workforce Strategy 2010/13 to be effective from April 2010. This would be accompanied by a one year delivery plan. Further plans would be issued from April 2011 and April 2012.

Resolved

1. **To note the progress being made towards developing a new Workforce Strategy.**
2. **To agree to consider the draft Workforce Strategy for adoption at a future meeting.**

21/09 Pay Review Update

The Committee considered a report which stated that at its meeting on 1 April 2009 this Committee had agreed the recommendation that agreement be sought with trade unions to jointly appoint an independent consultant to analyse our NJC job evaluation results and verify our moderation process. This recommendation was discussed at the Job Evaluation Steering Group on 8 April 2009. At that meeting, the trade unions made it clear that for a consultant to be acceptable to them it would have to be a consultant whose name was on the list of those approved by the NJC. To date little progress had been made on this appointment. Five names had been identified and the Council would be contacting those people to see if they were interested in undertaking the work for us. Draft terms of reference had been drawn up for discussion with trade unions. Once agreed, the terms of reference would be sent to potential consultants in order to obtain quotations for the work and comply with procurement requirements.

Resolved to note the progress on the pay review.

22/09 Requests to Work Beyond 65

The Committee considered a report which stated that this Committee at its meeting on 1 April 2009 had approved revisions to the Council's retirement Policy. During the discussion Members had requested details on how many requests to work beyond age 65 had been received, how many had been approved and how many had been declined. The report set out the details requested.

Resolved to note the report.

23/09 Settling Disputes Procedure

The Committee considered a report which stated that this Committee at its meeting on 14 October 2008 resolved that it no longer wished to have disputes referred to the East Midlands Regional Joint Council. This referral constituted stage three of the Council's Settling Disputes Procedure. The trade unions were informed of the decision at the Conditions of Service Working Party in November 2008. There was considerable discussion during which the trade unions expressed their opposition to the change. A copy of the proposed revised procedure was sent to the trade unions shortly after the Christmas break.

No further representations were received from the trade unions until July 2009 when they attempted to refer the travel plan dispute to the Regional Council and were told that this route was no longer available.

In a letter to Councillor Rawson and copied to members of the Personnel Committee, UNISON have claimed they were not formally notified of the Council's intention. Whilst the matter was not referred to the Corporate Joint Committee, it was discussed at the Conditions of Service Working Party, which is part of the formal negotiating machinery in the Council.

UNISON has also alleged that the Council has unilaterally withdrawn from National Agreements. The management side does not accept that the right to refer a dispute to the Regional Joint Council is a part of the National Agreement. Part 1 of the Green Book establishes provincial councils but does not define those councils' responsibilities. Part 3 of the Green Book refers to the invitation to the Joint Secretaries to conciliate but it does not make any reference to a regional disputes panel or procedure.

Management formed the conclusion that union agreement to this change would not be forthcoming. However, withdrawal of the provision did not constitute a change to employees' contractual rights. The Council had the right if it so wished to seek to settle disputes without reference to an external body.

The implication in the UNISON letter was that officers misled the members of the

Personnel Committee into making the decision to no longer refer disputes to the Joint Regional Council. The officers present refuted that implication.

The rationale for the recommendation to remove the Regional Joint Council stage in October 2008 was that decisions which had a budgetary implication and therefore an impact on Derby's Council Tax payers should be made by Elected Members who were accountable to those tax payers and not representatives on an external body. Members of the Personnel Committee reaffirmed their support for this view.

Resolved

- 1. To note the report.**
- 2. In light of the correspondence from UNISON to reaffirm the decision taken on 14 October 2008.**
- 3. That in future where consultation was required following decisions of the Personnel Committee, reports of disagreements should be brought back to Members.**

24/09 HR Review Update

The Committee considered a report which set out details of the HR Review and the progress made.

Resolved

- 1. To note the report.**
- 2. To approve revisions to the timetable and implement the new structures in a phased approach from 1 September to 1 November 2009 to generate savings to cover exit costs.**

25/09 Chief Executive's Office

The Committee considered a report which set out proposals to create a Chief Executive's Office to support the work of the Chief Executive. Most local authorities had a Chief Executive's Department or Office to support the work of the Chief Executive covering a range of strategic functions. In Derby, these functions were currently located within the Resources and Corporate and Adult Services Departments. There was currently no dedicated support for the Chief Executive. In advance of a wider corporate restructure, it was proposed that a Chief Executive's Office be created to support the work of the Chief Executive in the following areas:

- Policy
- Performance Management
- Transformation
- Communications and Consultation.

It was therefore proposed that from 5 October 2009 the following units be transferred from their existing departments to a newly formed Chief Executive's Office

- Change Management and Performance Unit
- Communications and Consultation

As new structures were developed for the organisation, other elements of work may be incorporated into the Chief Executive's Office. Details of the proposal to create a temporary post of Assistant Director – Policy, Performance and Communication were set out in the report.

Resolved

- 1. To approve the creation of a Chief Executive's Office as outlined in the report.**
- 2. To approve the creation of a temporary post of Assistant Director – Policy, Performance and Communication to manage the Chief Executive's Office for a period of 18 Months pending the outcome of the wider separate restructure.**

26/09 Exclusion of Press and Public

To consider a resolution to exclude the present public during consideration on the following item:

“That under section 100(A) of the Local Government Act 1972, the present public be excluded from the meeting during discussion of the following item on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 4 of Part 1 of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

27/09 Craft Bonus Scheme and New Pay Structure

The Committee considered a report outlining the consultation between management and the Craft trade union representatives on a new pay structure.

Resolved

1. **To continue the formal consultation between management and the relevant Craft trade union representatives on a new pay structure, which takes into account the future business needs of the Council in developing a multi-craft workforce together with current market rates appropriate to the skills and experience required in occupations including:**

- **electrical**
- **plumbing**
- **bricklaying**
- **plastering**
- **joinery**
- **glazing**
- **roofing**
- **mechanical and associated crafts.**

The current workforce composition was shown in Appendix 2 of the report.

2. **To circulate the proposed new pay structure to trade union members to allow a ballot to take place.**
3. **To note that, in the event of a failure to reach an agreement, Section 188 consultation will commence in line with the decision of this Committee on 1 April 2009, with a formal notice period taking effect from 1 October 2009.**

28/09 Travel Plan Update

The Committee received an update on the latest position with the travel plan.

Resolved to note the report.

Chair of the next ensuing meeting
at which these minutes were signed