

NORTH HERTFORDSHIRE DISTRICT COUNCIL

**JOINT STAFF CONSULTATIVE COMMITTEE
and
HUMAN RESOURCES STRATEGIC FORUM**

**Meeting held in Meeting Room 1, Town Lodge,
Gernon Road, Letchworth Garden City on
Wednesday, 5 April 2017 at 3.00 p.m.**

MINUTES

PRESENT: *Councillors: Fiona Hill, Bernard Lovewell, Lynda Needham and Martin Stears-Handscomb.*

NB: *Councillor Fiona Hill arrived at 3.10 p.m.*

IN ATTENDANCE: *Kerry Shorrocks (Corporate Human Resources Manager), Maggie Williams (Senior HR and Contracts Manager), Keith Crampton (Learning and Employee Engagement Manager), India Blows (HR Apprentice), Christina Corr (Staff Consultation Forum), Dee Levett (Unison), Amelia McNally (Committee and Member Services Officer) and Hilary Dineen (Committee and Member Services Officer).*

30. ELECTION OF A CHAIRMAN

The Committee and Member Services Officer (HD) asked for nominations for Chairman of this meeting of the Committee.

It was proposed, second and

IT WAS AGREED: That Councillor Lynda Needham be elected as the Chairman of this meeting of the Joint Staff Consultative Committee.

31. APOLOGIES FOR ABSENCE

Apologies for absence were received from Claire Morgan (Staff Consultation Forum).

32. MINUTES – 21 DECEMBER 2016

IT WAS AGREED: That the Minutes of the Joint Staff Consultative Committee meeting held on 21 December 2016 be confirmed as a true record of the proceedings and be signed by the Chairman.

33. NOTIFICATION OF OTHER BUSINESS

There was no other business.

34. CHAIRMAN'S ANNOUNCEMENTS

- (1) The Chairman welcomed all Members and officers to the Meeting;
- (2) The Chairman reminded all present that, in line with Council policy, the meeting was being audio recorded;
- (3) The Chairman introduced and welcomed Amelia McNally, a new Committee and Member Services Officer, and advised that she would receive training over the next few meetings in order to become the clerk to this Committee.
- (4) The Chairman advised that Hilary Dineen (Committee and Member Services Officer) would be the clerk to this meeting.

- (5) Members were reminded that any declarations of interest in respect of any business set out in the agenda should be declared as either a Disclosable Pecuniary Interest or Declarable Interest and were required to notify the Chairman of the nature of any interest declared at the commencement of the relevant item on the agenda. Members declaring a Disclosable Pecuniary Interest must withdraw from the meeting for the duration of the item. Members declaring a Declarable Interest which required they leave the room under Paragraph 7.4 of the Code of Conduct, could speak on the item, but must leave the room before the debate and vote.

A. JOINT STAFF CONSULTATIVE COMMITTEE

35. STAFF CONSULTATION FORUM - MINUTES – 4 JANUARY 2017 AND 1 FEBRUARY 2017 AND DRAFT MINUTES – 1 MARCH 2017

The Corporate Human Resources Manager drew attention to the Minutes of the meetings of the Staff Consultation Forum held on 4 January 2017 and 1 February 2017 and the Draft Minutes of 1 March 2017 2016 as follows:

Minutes – 4 January 2017

The Corporate Human Resources Manager advised that the key theme of this meeting had been the smooth move from the District Council Offices to Town Lodge and other offices.

Minutes – 1 February 2017

The Corporate Human Resources Manager advised that, David Scholes (Chief Executive) had given an update regarding a number of projects and the financial position of the Council and Maggie Williams (Senior HR and Contracts Manager) had given a briefing on the Equalities and Diversity Policy Review.

Members commented that they were aware of problems regarding heating at Broadway Offices and asked whether these had been resolved.

The Corporate Human Resource Manager stated that she would check whether the issues had been resolved and update Members.

Draft Minutes – 1 March 2017

The Corporate Human Resources Manager advised that, at this meeting Officers were reminded to report problems or issues with the buildings to Property Services before raising it with their SCF representative.

The NHDC Update had included a reminder that NHDC was in a two year pay deal and that, as part of this, most staff would receive a one percent increase in pay, which would be included in April 2017 salaries. This was with the exception of Grade 1 posts and apprentices who would receive a higher increase in order to meet National Living Wage increases.

Many councils were looking at differential in pay between grades particularly as lower pay scales were being deleted. A National review of pay scales was being undertaken and the Council had been advised that there could be a significant pay rise as a result.

The two Statutory Days would not be allocated to specific dates this year as both Christmas and New Year were on Mondays.

Members expressed concern that valuables were going missing from offices.

The Corporate Human Resource Manager advised that staff had lockable lockers but occasionally forgot to lock things away and there had been a couple of petty thefts. A reminder to lock valuable away had been sent out.

IT WAS AGREED: That the Minutes of the Staff Consultation Forum held on 4 January 2017 and 1 February 2017 and draft minutes for 1 March 2017 be noted.

REASON FOR DECISION: To enable the Joint Staff Consultative Committee to consider any issues addressed by the Staff Consultation Forum.

36. PEOPLE STRATEGY UPDATE

The Corporate Human Resources Manager presented the report entitled People Strategy Update and drew attention to the following:

Recruitment

Recruitment continued to be busy due to turnover.

Apprenticeships

Major changes were coming forward regarding how apprenticeship schemes would be run with a new apprenticeship levy and public sector targets.

Details of the levy had been published and from April 2017 the Council would be required to pay 0.5 percent of the total pay bill into the apprenticeship levy, which could then be used to fund apprentice training.

IR35

From 6 April 2017 changes to the Intermediaries Legislation (IR35) would affect how the tax and National Insurance matters for workers contacted to the Council through an intermediary would be managed.

This would not affect self-employed workers who undertook work directly for the Council.

Work was currently underway to assess which contractors, currently working for the Council, used an intermediary so that arrangements could be put in place to deduct tax and National Insurance from invoices before they are paid. Revisions to vary the contractual terms and conditions of any existing intermediary consultancy contracts and a new standard consultancy contract had also been drafted.

These changes would mean that the use of contractors and agency workers would become more administratively onerous and costly for the Council, therefore it had been recommended to Managers that they avoid using this type of worker wherever possible by using direct recruitment methods to fill resourcing needs.

It is likely that this change would affect very few of those.

Members queried how we would work out the amount to be deducted as people were on different rates of tax.

The Senior HR and Contract Manager advised that figures would be submitted to HMRC and they would advise us of the amount to be deducted and then we would pay labour costs less the amount to be deducted.

Members noted how difficult this would be to manage, particularly if we were required to pay an invoice for work done before HMRC informed us of the amount of tax and National Insurance due.

Shortlisting Process

Feedback regarding the new shortlisting process had been positive and this process was now in use for the majority of vacancies.

Discussions had taken place regarding an online shortlisting process and an outline process had been prepared. IT would advise as to timescales for building the system.

Organisational Values

The Learning and Development Team had developed new organisational values that reflected the current environment and the context in which the Council operated.

These values had been agreed by Corporate Board and, following further consultation, would be launched and communicated and then used to drive and support organisational changes.

Investors In People

Corporate Board had agreed that the organisation continue to be assessed against the Investors In People standard.

The standards had been updated and NHDC would be assess against the new criteria in July 2017

Work had already started to draw up an action plan prior to assessment.

Restructure

Members asked when details of the planned restructure would be announced and whether there would be any redundancies.

The Corporate Human Resources Manager advised that, as part of the planned restructure, there had been two redundancies last year but there was no date for when the details of the rest of this restructure would be announced or implemented.

Key Performance Measures

Members queried the high turnover rate for 2016/17.

The Corporate Human Resources Manager advised that the figures for 2016/17 included 11 TUPE, 4 redundancies and those at the end of fixed term contracts.

Voluntary redundancies had not been included in previous years and if these were removed from the 2016/17 figures the turnover rate would be 7.7 percent.

In respect of absence rates the Corporate Human Resources Manager advised that the year end figure would likely be 5.94 days.

Long term absence hadn't been a problem this year, but short term absence had increased. They had data regarding each service area and the figures were closely monitored.

In response to a question she advised that if absence was documented as being for work related stress then a questionnaire was sent to the member of staff to try to identify the reasons for that stress and they were referred to occupational health.

IT WAS AGREED: That the progress made on a number of HR projects and work streams as part of the People Strategy in the quarter from January 2017 to March 2017 be noted.

REASON FOR DECISION:

To enable the Joint Staff Consultative Committee to consider the progress made on projects and work streams that form part of the People Strategy 2015 – 2020.

37. INFORMATION NOTE – INVESTORS IN PEOPLE (IIP) AND REVIEW OF ORGANISATIONAL VALUES

The Committee received an information note entitled Investors in People (IIP) and Review of Organisational Values

The Learning and Employee Engagement Manager drew attention to the following:

- Investors in People represented the importance of developing the workforce to meet challenges;
- The assessment, which would take place in June 2017, would include discussions with staff at all levels;
- An initial meeting had taken place with the assessor and key dates had been advised;
- The key to success was to develop and have in place an action plan;
- As part of the preparation for the assessment the organisational values had been reviewed and these had been converted into challenges.

Members noted that that NHDC would be visited by the same assessor and that this was to provide consistency and knowledge about the organisation during the assessment.

38. **INFORMATION NOTE – MANAGEMENT AND STAFF COMPETENCIES**

The Committee received an information note entitled Management and Staff Competencies.

The Learning and Employee Engagement Manager drew attention to the following:

- Following the introduction of the Regular Performance Review process in 2016 it was recognised that the competencies needed updating;
- The proposed competencies had been widely consulted on, but had not yet been given to staff;
- Paragraph 3.1 of the information note contained some of the ways in which these competencies could support the Regular Performance Reviews and help shape recruitment questions in the future;
- The aim was for individuals to take responsibility for how they met the competencies;
- The competencies would support ways to grow internal talent, which was crucial for the organisation;
- Consideration was being given to the use of internal coaching;
- It was important to consider access to the Learning and Development System for Members.

The Corporate Human Resources Manager advised that the need to review the competencies had been highlighted in the People Strategy for some time and as the job market changed there was a bigger risk of losing staff for Councils.

The Learning and Employee Engagement Manager advised that developing talent and retaining staff is crucial and this must be done whilst meeting equality and diversity requirements.

Members asked whether the guide at Appendix A had been based on a model document and queried why there was no reference to Members, particularly as a major difficulty was when officers took actions without referring to Members.

The Learning and Employee Engagement Manager advised that the guide had been written specifically for NHDC and that officers were offered training regarding political awareness.

IT WAS AGREED: That the Learning and Development Manager be requested to consider how to include specific reference to Members in the Guide to using Competencies.

REASON FOR DECISION: To enable the Joint Staff Consultative Committee to consider the Guide to using Competencies before its introduction into use.

39. **INFORMATION NOTE – EQUALITIES DATA**

The Committee received an information note entitled Equalities Data

The Senior HR and Contracts Manager drew attention to the following:

- There was a requirement to publish equalities data, on the internet;
- The data had been developed in order to make it more useful;
- Data analysis was not undertaken on groups of less than 10;
- Data was described in percentages rather than numbers in order to preserve anonymity;
- The equalities makeup of the staff remained constant, and this also applied to leavers and starters;
- The number of staff not providing information had dropped;
- Comprehensive information enabled NHDC to develop and ensure equality;

In summary, the data demonstrated that:

- The number of Gay/Lesbian or Bisexual people was very small;
- The predominant religion was Christian, although the figures show significant numbers of individuals have no religion or prefer not to give this information;
- 52 percent of those joining NHDC were aged 34 years or under;
- The main reason stated when staff left the organisation was resignation to take up another role. Exit interviews were regularly analysed to identify whether there were any problems and if these were identified they were addressed;

Members asked whether the information gathered regarding sexual orientation or religion was used in the recruitment process and whether the figures regarding sexual orientation included transexuals.

The Senior HR and Contracts Manager advised that the data gathered was not used during the recruitment process, but that it was important to take into account any particular diversity needs of employees. The equality analysis figures were used to check whether a policy would either disadvantage or give advantage to a particular group.

The Payroll system was used to gather equalities information and it did not currently have the facility to identify yourself as transexual, but discussions were being held with the provider of this system.

Members were advised that managers were trained to be objective when interviewing and that they did not see any of the equalities data during the recruitment process.

HUMAN RESOURCES STRATEGIC FORUM

40. DISCUSSION PAPER – OBESITY AS A DISABILITY AND POTENTIAL CHANGES IN DISABILITY LAWS

The Corporate Human Resources Manager introduced the discussion paper on obesity as a disability and potential changes in disability law.

She advised that the discussion paper included background information, facts and figures and predictions.

The UK's growing obesity crisis meant that by 2030 it was predicted that:
74 percent of men in the UK would be overweight, with 36 percent being obese and
64 percent of women in the UK would be overweight, with 33 percent being obese.

There was no general principle in UK or EU law that included discrimination on the grounds of obesity as unlawful discrimination on its own, but the question was whether obesity should be defined as a disability.

Sometimes significant obesity could lead to a range of other conditions that were covered by the Disability Discrimination Act.

The Corporate Human Resources Manager explained that when there was no employment law to refer to then case law had to be considered and referred to the recent case law examples on pages 72 and 73 of the report.

As an employer NHDC would have to consider issues such as workspace, furniture and potential for any bullying behaviour.

Some in-depth studies into the causes of this trend for increased weight opine that much is not in the individuals' gift and that society encourages weight gain by providing fatty foods, which had made it more difficult to avoid a poor diet.

Members were concerned at the definitions of obesity and felt that an individual may be defined as overweight if considered so by others, but did not see themselves as such. They queried how obesity may affect recruitment and whether there were increased risks regarding discrimination issues and the duties to make adjustments to enable employees to do their jobs

The Corporate Human Resources Manager that part of the recruitment process was a health questionnaire which could be referred to occupational health for advice.

The Learning and Employee Engagement Manager advised that there was a duty to make adjustments to enable employees to do their jobs, but that these had to be reasonable adjustments.

Members commented that the aim should be to treat everyone with dignity and respect.

41. SUGGESTED DISCUSSION TOPICS

The Corporate Human Resources Manager reminded Members that the discussion topic chosen for the June meeting was Shared Parental Leave.

Member considered whether continue with this subject or whether another topic should be discussed and agreed that the discussion topic should be changed to TUPE.

IT WAS AGREED: That the discussion topic for the meeting due to be held on 28 June 2017 be changed to TUPE.

The meeting closed at 4.20 p.m.

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Chairman