

**NORTH DEVON COUNCIL**

Minutes of a meeting of the PERSONNEL COMMITTEE held at the Civic Centre, Barnstaple on Monday 16<sup>th</sup> June 2014 at 10.00a.m.

PRESENT: Members:

Councillor Wilkinson (Chairman)

Councillors Barker, Clark, Croft, and Hunt.

Officers:

Chief Executive, Human Resources Manager and Corporate and Community Administrator (KD).

**9 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Haywood, Hockin, Lucas and Mathews.

**10 MINUTES**

RESOLVED that the minutes of the meeting held on 29<sup>th</sup> April 2014 (circulated previously) be approved as a correct record and signed by the Chairman.

**11 DECLARATIONS OF INTEREST**

There were no declarations of interest announced.

**12 ESTABLISHMENT OF SUB-COMMITTEE TO HEAR GRIEVANCE, DISCIPLINARY AND HARASSMENT CASES**

The Committee considered a report by the Human Resources Manager (circulated previously) regarding the Establishment of a Sub-Committee to Hear Grievance, Disciplinary and Harassment Cases.

Councillor Barker raised concern on behalf of Councillor Mathews in relation to an Executive Member being appointed onto the Sub-Committee in accordance with Appendix 5, paragraph 3(a) (v) (B) (a). She advised that she had spoken to the Monitoring Officer who outlined the possible options:

Option 1: If the Sub-Committee were required to meet, a Member of the Executive would be appointed temporarily to the Personnel Committee in order for the Sub-Committee to meet.

Option 2: Appoint an Executive Member permanently to the Personnel Committee.

Option 3: Recommend to the Procedures Committee that as part of the review of the Constitution Appendix 5, paragraph 3 (a) (v) (B) (a) of the Constitution be deleted.

Councillor Barker advised that she would like the Committee to consider option three.

The Chief Executive outlined the purpose of the Sub-Committee, and advised that clarification should be sought as to why Appendix 5, paragraph 3 (a) (v) (B) (a) was included in the Constitution and ensure that it wasn't a statutory provision within the Local Government Act 2000 or other enactments before the deletion of this paragraph.

RECOMMENDED, that the Procedures Committee be requested to:

- (a) seek clarification as to whether the Local Government Act 2000 included the requirement for an Executive Member to be a Member of the Committee or Sub-Committee responsible for hearing grievance, disciplinary and harassment cases relating to statutory and senior posts and;
- (b) consider the deletion of Appendix 5, paragraph 3 (a) (v) (B) (a) as part of the review to the Constitution.

### **13 SICKNESS ABSENCE 2013/14**

The Committee considered a report by the Human Resources Manager (circulated previously) regarding Sickness Absence 2013/14.

The Human Resources Manager advised that the purpose of this report was to bring to the Committee's attention the ongoing fall in employee sickness absence.

In response to a question, the Human Resources Manager advised that the Works and Recycling Project Board had been established to try and reduce the high sickness absence level within the unit. Training had taken place with supervisors to provide a better understanding of their responsibilities and to ensure consistency of application and early intervention on specific cases as necessary.. As a result of this there had been a decrease in employee sickness absence within the department.

RESOLVED, that the report be noted.

### **14 PENSION DISCRETIONS**

The Committee considered a report by the Human Resources Manager (circulated previously) regarding Pensions Discretions.

The Human Resources Manager advised that the Council would be reviewing its existing pension discretions and propose new discretions which would relate to the 2014 Local Government Pension Scheme (LGPS) all of which would be required to be published by 1<sup>st</sup> July 2014.

She further advised that the Chief Executive could make decisions on any new discretions which did not have any cost implications to the Council. Any discretions with cost implications would be brought to the Committee for consideration.

RESOLVED that the Council's proposed discretions in the template format provided by Peninsula Pensions as detailed in Appendix 1 be supported.

## **15 POTENTIAL INDUSTRIAL ACTION**

The Committee considered a report by the Human Resources Manager (circulated previously) regarding the Potential Industrial Action.

The Human Resources Manager advised that the purpose of this report was to draw the Committee's attention to the Potential Industrial Action. She further advised that UNISON had given notice of a potential strike stating that in the event of the forthcoming industrial action ballot returning a "yes" vote, unions would be going on strike on Thursday 10<sup>th</sup> July 2014.

In response to a question, the Human Resources Manager advised that 30% of North Devon Council's workforce were Members of Unison with a reasonable proportion being from the Works and Recycling Unit.

The Human Resources Manager advised that should the industrial action take place, an email would be circulated to North Devon Council employees to advise them of the strike. Any leave/sick leave taken on the strike day would not be accepted once the email had been circulated. Any leave requested before acknowledgement of the strike would be granted.

RESOLVED:

- (a) that base on advice from the Employers Organisation if strike action was taken, employees would lose pay at the rate that reflects the pay that they would had earned in the period they were on strike;
- (b) that Self-certification would not be accepted for illness which coincides with a day of industrial action;
- (c) that no one would be permitted to take annual, "flexi" leave or TOIL on an industrial action day.

Chairman

The meeting ended at 10.18 am

NOTE: These minutes will be confirmed as a correct record at the next meeting of the Committee.