

**Minutes of a meeting of the Employment Committee
held at the Town Hall, Peterborough on 20 January 2011**

Members Present: Councillors Fitzgerald, Seaton and Swift

Officers Present: Mike Kealey, Acting Head of HR
Lisa Trowbridge, Senior HR Advisor Policy Development
Amy Brown, Solicitor
Gemma George, Senior Governance Officer

Appointment of Chairman

RESOLVED: to appoint Councillor Fitzgerald as Chairman to the Committee for the duration of the meeting.

1. Apologies for Absence

Apologies were received from Councillor Cereste, Councillor Lamb, Councillor Holdich and Councillor Sandford.

2. Declarations of Interest

There were no declarations of interest.

3. Minutes of the Meetings held on:

- 3.1 30 September 2010
- 3.2 20 October 2010

The minutes of the meetings were approved as true and accurate records.

4. Employment Policies Review

The Committee received a report following a referral from the Joint Consultative Forum on 19 January 2011.

The report sought the agreement of the Committee to implement the employment policies appended to the report, those being:

- i) Equality and Diversity Policy (E&Dp),
- ii) Probation Policy,
- iii) Maternity Scheme

The report further sought the agreement of the Committee to amend wording contained within the current Attendance Policy with regards to Bank Holidays.

Members were advised that the policies had been prioritised for approval due to changes in legislation and statutory codes of practice, specifically the Equality Act, the Additional Paternity Leave Regulations 2010 and the ACAS Statutory Code of Practice on Disciplinary and Grievance Procedures.

The policies ensured that Peterborough City Council was legally compliant and they further ensured that a professional and progressive image of the Council was being reflected. Members were advised that the Joint Trade Unions had been consulted and the policies had been agreed in principle at the meeting of the Joint Consultative Forum held on 19 January 2011.

The E&Dp had also been agreed in principle by the Council's Diversity Forum which had representatives from various equality groups and the Council's Corporate Management Team.

Members were advised that the current E&Dp had been agreed at the Employment Committee meeting in October 2005 and it contained references to various Acts i.e. the Sex Discrimination Act and the Race Relations Act. These had now been repealed and replaced by a single piece of legislation, the Equality Act 2010. The current policy also referenced equality schemes which had expired and were due to be replaced by a Single Equality Scheme.

The current Probation Procedure, which had been agreed at the Employment Committee, was viewed by both managers and HR Business Partners as being a lengthy process, requiring the formal review of new employees in their probation period at months 1, 3, 5 and 6. The new policy and associated management guidance simplified the process whilst maintaining the rights of the new employee and ensuring that contracts did not continue beyond a year's service without a decision being made regarding confirmation or termination of employment.

With regards to the Maternity Scheme, Members were advised that the proposed guidelines would replace the current Maternity Policy which had previously been agreed at a meeting of the Employment Committee and was now out of date with existing legislation. The guidelines which had been produced contained information regarding the new right under the Additional Paternity Leave Regulations 2010 for women who gave birth after 3 April 2011 to transfer up to 26 weeks of their outstanding maternity leave (and outstanding maternity pay) to their spouse, civil partner or partner, or the father of their child. The guidelines would be supported by a checklist to enable managers to conduct effective pre-maternity leave meetings to ensure that employees are clear on what their employment rights are.

With regards to the Attendance Policy, it currently stated that "No additional time off would be given in lieu of a bank holiday." Members were advised that the deletion of this line had been proposed and to ensure legal compliance with Working Time Regulations, the following paragraph, which mirrored that contained in the new Maternity Scheme, was to be inserted:

Bank Holidays

'Employees on a period of sickness absence who have less than 5 years service must receive a minimum of 28 days per annum to comply with the Working Time Regulations. Therefore, they will be entitled to accrue a maximum of 4 bank holidays in order to meet this minimum requirement. For those with more than 5 years service who already receive 29 days annual leave entitlement, there will be no accrual of bank holidays'.

Members were invited to comment on the report and the appendices contain therein and it was highlighted that the majority of the changes were due to changes in legislation and statutory codes of practice, therefore there was no room for manoeuvre.

Members sought further clarification on the Probation Procedure and the Interim Head of HR advised that, unless otherwise and expressly agreed, the probation period would

be six calendar months beginning on the newly appointed employee's start date. This period could also be extended but not past 11 months from the employee's start date. Line Managers should complete a Performance Review in any circumstance where performance issues had arisen and in all circumstances not later than 5 months after the newly appointed employee's start date. Following review, HR would be notified of any concerns

Members expressed concern at the possibility of the initial reviews not being undertaken and the relevant information not being fed back to HR regarding the performance of the new employee. Members were advised that a system to flag up when an employee was due for their initial 5 month review would be looked into.

RESOLVED:

The Employment Committee agreed:

1) to the implementation of the employment policies, as listed below:

- i) Equality and Diversity Policy'
- ii) Probation Policy and Associated Management Guidance, and
- iii) Maternity Scheme

2) to the proposed change in wording to the Attendance Policy in relation to Bank Holidays.

Reasons for decision:

The implementation of the revised policies was important to ensure that the Council maintained up to date and legal employment policies.

With regards to the amended wording in the Attendance Policy in relation to Bank Holidays, this was to ensure legal compliance with the working time regulations.

Chairman
3.00pm - 3.18 pm