

NOTICE OF MEETING

MEETING	EMPLOYMENT COMMITTEE
DATE:	THURSDAY 21 JANUARY 2010
TIME:	3.00 pm
VENUE:	BOURGES AND VIERSEN ROOMS, TOWN HALLTOWN HALL
CONTACT:	Gemma George Telephone: 01733 452268 e-mail address gemma.george@peterborough.gov.uk
<i>Despatch date:</i>	<i>13 January 2010</i>

AGENDA

	PAGE NO
1. Apologies for Absence	
2. Declarations of Interest	
3. To Approve the Minutes of the Meetings held on:	
3.1 30 October 2009	1 - 2
3.2 30 July 2009	3 - 4
3.3 17 June 2009	5 - 6
3.4 10 June 2009	7 - 8
3.5 15 May 2009	9 - 10
3.6 24 March 2009	11 - 12
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3.8 23 February 2009	15 - 16
4. Culture Trust Update	



There is an induction hearing loop system available in all meeting rooms. Some of the systems are infra-red operated, if you wish to use this system then please contact Gemma George on 01733 452268.

5. Conclusion of Business - Formal Record of Time

**Minutes of a Meeting of the Employment Committee held at the Town Hall, Peterborough
on 30 October 2009**

Members Present: Councillors Lamb (Vice Chair), Burton, Sandford and Swift.

Officers present: Mike Heath, Commercial Services Director
Simon Batty, Senior HR Business Partner, City Services
Amy Brown, Solicitor, Legal Services
Carol Tilley, Corporate Governance Manager, Democratic Services

1. Apologies

Apologies were received from Councillors Cereste (Chair), Croft, Fitzgerald and Holdich.

2. Declarations of Interest

There were no declarations of interest.

3. Refuse Collection – Four Day Week

The Committee considered a report recommending that the terms and conditions of employment relating to the Council's refuse operatives be varied at local level from a five day working week (over 37 hours) to a four day working week (over 37 hours), together with other more minor variations subject to the Commercial Services Director finalising agreement with the recognised trade unions in respect of this change.

Members were advised that consultation had taken place with local trade union representatives and that the unions had subsequently undertaken a ballot of their members. This had resulted in a vote in favour of changing to a four day week.

A query was raised with the regard to the way in which any changes would be communicated to residents. Members were advised that letters would be sent to all households affected, a new refuse-collection calendar would be issued, and there would be local media coverage.

Following debate, it was **RESOLVED**:

To vary the terms and conditions of employment relating to the Council's refuse operatives from a 37 hour five day working week to a 37 hour four day working week; together with other more minor variations subject to the Commercial Services Director finalising agreement with the recognised trade unions in respect of this change.

Chairman
3.00 - 3.15

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**Minutes of a Meeting of the Employment Committee held at the Town Hall,
Peterborough on 30 July 2009**

Members Present: Councillors Cereste (Chairman), Lamb (Vice-Chairman),
Swift and Sandford

Officers Present: HR Representative
Martin Whelan, Senior Governance Officer

1. Apologies for Absence

Apologies for absence were received from Cllr Holdich and Cllr Fitzgerald.

2. Interviews - Head of Planning

The committee interviewed two candidates for the post of Head of Planning, and resolved to appoint Mr Simon Machen who was currently employed as Business Manager – Planning and Built Environment, East Lindsey District Council.

Chairman
14.00 – 17.00

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**Minutes of a Meeting of the Employment Committee held at the Town Hall,
Peterborough on 17 June 2009**

Members Present: Councillors Lamb (Vice-Chairman), Croft, Holdich, Swift and Hiller

Officers Present: Chris Taylor, HR Representative
Martin Whelan, Senior Governance Officer (Item 1 Only)

1. Apologies for Absence

The committee noted apologies for absence from Cllrs Cereste, Fitzgerald and Sandford.

The committee resolved that in accordance with paragraph 1 of schedule 12A of the part 1 of the Local Government Act 1972 that the public interest in maintaining the exemption outweighed the public interest in disclosing information, and therefore resolved to exclude the press and public.

2. Interviews for the Head of Neighbourhood Services

The committee interview one candidate for the post of Head of Neighbourhood Services, and resolved to appoint Mr Adrian Chapman who was currently employed as Acting Head of Neighbourhood Services, Peterborough City Council.

3. Interviews for the Head of Strategic Finance

The committee interview one candidate for the Head of Strategic Finance post and resolved to appoint Mr Steven Pilsworth who was currently Head of Research and Financial Strategy at Cambridgeshire County Council.

Chairman
1.30 – 4.00

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**Minutes of a Meeting of the Employment Committee held at the Town Hall,
Peterborough on 10 June 2009**

Members Present: Councillors Cereste (Chairman), Lamb (Vice-Chairman),
Fitzgerald, Holdich, Sandford, Swift and Lee

Officers Present: Caroline Munday, HR Representative
Martin Whelan, Senior Governance Officer (Items 1-3 only)

1. Apologies for Absence

Apologies for absence were received from Cllr Croft.

2. Declarations of Interest

There were no declarations of interest.

3. Exclusion of Press and Public

The committee resolved that in accordance with paragraph 1 of schedule 12A of the part 1 of the Local Government Act 1972 that the public interest in maintaining the exemption outweighed the public interest in disclosing information, and therefore resolved to exclude the press and public for the rest of the meeting. .

4. Interviews for the post of Executive Director - Operations

The committee interview four candidates for the post of Executive Director – Operations and resolved to appoint Mr Paul Phillipson who was currently appointed as Acting Executive Director – Operations at Peterborough City Council.

Chairman
9.30 – 3.00

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**Minutes of a Meeting of the Employment Committee held at the Town Hall, Peterborough
on 15 May 2009**

Members Present: Councillors Peach (Chairman), Swift and Sandford

Officers present: Gillian Beasley, Chief Executive
Carrie Denness, Principal Lawyer
Lindsay Tomlinson, Senior Governance Officer

1. Apologies

Apologies were received from Councillors Croft, Fitzgerald, Holdich and Lamb.

2. Declarations of Interest

There were no declarations.

3. Interim Executive Director - Operations

The Committee were informed that the authority was currently in the process of recruiting to the post of Executive Director – Operations. Paul Phillipson had been seconded to the role for an interim period from 20 October 2008. This secondment was due to end shortly and there was a risk that the authority would be left without an Executive Director – Operations until such time as a permanent employee was in post.

RESOLVED to appoint Paul Phillipson as Interim Executive Director – Operations to the end of September 2009.

Chairman
17.00 to 17.10

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**Minutes of a Meeting of the Employment Committee held at the Town Hall, Peterborough
on 24 March 2009**

Members Present: Councillors Peach (Chairman), Fitzgerald, Holdich and Lamb.

Officers Present: Helen Edwards, Solicitor to the Council
Jason Wheatley, HR Manager - Recruitment
Lindsay Tomlinson, Senior Governance Officer (items 1-3 only)

1. Apologies for Absence

Apologies were received from Councillors Swift and Sandford.

2. Declarations of Interest

There were no declarations.

3. Exclusion of Press and Public

In accordance with Standing Orders, Members agreed that agenda item 4 contained exempt information as defined by paragraphs 1, 2 & 3 of Schedule 12A of Part 1 of the Local Government Act 1972 and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information, therefore the press and public were excluded from the meeting.

**4. Interviews for the posts of:
Head of Legal Services – Litigation
Head of Legal Services – Commercial**

Two candidates were interviewed for the positions of Head of Legal Services – Litigation and Head of Legal Services – Commercial.

RESOLVED

1. to appoint Emma Black, who is currently employed as Employment Solicitor at Norfolk County Council, to the post of Head of Legal Services – Litigation;
2. to appoint Kim Sawyer, who is currently employed as Corporate Legal Manager at North Hertfordshire District Council, to the post of Head of Legal Services – Commercial.

Chairman
13.00 – 14.45

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**Minutes of a Meeting of the Employment Committee held at the Town Hall,
Peterborough on 12 March 2009**

Members Present: Councillors Peach, Croft, Fitzgerald, Holdich and Swift

Officers Present: Mike Kealy, Acting Head of HR
Samantha Cameron, Consultant
Amy Brown, Lawyer
Lindsay Tomlinson, Senior Governance Officer

Also Present: David Shamma, Mick Doherty, Roxanne Talbot, David Craik,
Brian Lynch and Rhona Hendry (Trade Union Representatives)

1. Apologies for Absence

Apologies were received from Councillors Lamb and Sandford.

2. Declarations of Interest

There were no declarations.

3. Exclusion of Press & Public

In accordance with Standing Orders 39(2) **IT WAS RESOLVED** that in view of the nature of the business about to transacted which would entail the disclosure of exempt information as defined by paragraphs 3 and 4 of Schedule 12A of the Local Government Act 1972, the press and public be excluded from the remainder of the meeting.

4. Single Status Agreement

The Legal advisor detailed the procedure to be followed for this appeal. The Trade Union and management side representatives confirmed that they understood the procedure. The hearing then commenced in accordance with the agreed procedure.

During the course of the hearing, the Committee heard the cases put forward by both the trade union and the management side. In accordance with the procedure, the trade union, management side and members of the committee were able to ask questions of each party.

At the end of the hearing both parties summed up their respective cases, the Chairman confirmed that each party was satisfied that they had been able to present their case in full and had nothing further to add. The Parties left the room whilst the Committee debated and considered its decision.

The Committee considered all the evidence and **IT WAS RESOLVED** to support the management side case. The Committee agreed the following response:

“It is welcomed that officers and the Trades Unions have developed an improved working relationship. We greatly hope that the spirit of honesty and openness will ensure that future negotiations have an improved outcome.

In this particular case we find that the arguments of the Trade Union, whilst very strong, are not proven.

We accept the management proposition that these were genuine mistakes. We also find that the mistakes were known about in advance of the ballot. To be clear:

1. The reduction was a correction rather than a re-evaluation and therefore falls outside the appeals procedures. We acknowledge that HR have tried as far as is possible to align their treatment of employees in dealing with the anomalies with the spirit of the agreement. A proportion of the employees forming part of this dispute are benefiting from payment protection under the agreement due to their classification moving from green to red.
2. The decision around street cleansing grades is in line with the treatment of other job roles in similar circumstances. We accept that the management decision to correct grading errors in the manner they have been described was taken as early as July 2008 and in relation to this particular group of employees communicated on 3rd and 6th November 2008. Accordingly steps had been taken to put in place arrangements prior to the dispute being registered. The status quo was therefore to correct grading errors.

Again we feel that this case proves the learning need for both sides in ensuring that future negotiations are robust and detailed enough to ensure that absolute clarity can be guaranteed for employees.”

The Clerk agreed to formally confirm the decision in writing to all parties.

Chairman
9.00 – 12.00

**Minutes of a Meeting of the Employment Committee held at the Town Hall,
Peterborough on 23 February 2009**

Members Present: Councillors Croft, Fitzgerald, Holdich, Swift and Sandford.

Officers Present: Mike Kealey, Acting Head of HR
Samantha Cameron, Consultant
Amy Brown, Lawyer
Martin Whelan, Senior Governance Officer

1. Appointment of Chairman

IT WAS RESOLVED to appoint Councillor Croft as Chairman to the Committee.

2. Apologies for Absence

Apologies were received from Councillor Peach and Councillor Lamb.

3. Minutes of the Meeting held 18 September 2008

The minutes were approved as a true and accurate record.

4. Exclusion of Press & Public

In accordance with Standing Orders 39(2) **IT WAS RESOLVED** that in view of the nature of the business about to transacted which would entail the disclosure of exempt information as defined by paragraph 3 and 4 of Schedule 12A of the Local Government Act 1972, the press and public be excluded from the remainder of the meeting.

5. Single Status Agreement

The Legal advisor detailed the procedure to be followed for this appeal. The Trade Union and management side representatives confirmed that they understood the procedure. The hearing then commenced in accordance with the agreed procedure.

During the course of the hearing, the Committee heard the cases put forward by both the trade union and the management side. In accordance with the procedure, the trade union, management side and members of the committee were able to ask questions of each party.

At the end of the hearing both parties summed up their respective cases, the Chairman confirmed that each party was satisfied that they had been able to present their case in full and had nothing further to add. The Parties left the room whilst the Committee debated and considered its decision.

The Committee considered all the evidence and **IT WAS RESOLVED** to support the management side case.

The Clerk agreed to formally confirm the decision in writing to all parties.

Chairman
3.00 – 4.30