



**MINUTES OF A MEETING OF THE EMPLOYMENT COMMITTEE
HELD AT THE TOWN HALL, PETERBOROUGH ON 23 FEBRUARY 2016**

Members Present: Councillors Nadeem (Chair), Holdich (Vice-Chair), Fitzgerald, Khan, Thulbourn, Fower, and Saltmarsh

Officers Present: Mandy Pullen, Assistant Director of Human Resources and Development
Paul Smith, Human Resources Advisor
Pippa Turvey, Senior Democratic Services Officer

1. Apologies for Absence

Apologies for absence were received from Councillors Sandford and Swift. Councillors Fower and Saltmarsh were in attendance as substitutes.

2. Declarations of Interest

Councillor Khan, in relation to agenda item 4 'Appeals Against Dismissal', declared that he was a member of the Employment Tribunal in Leicester.

3. Minutes of the Meeting Held on 3 December 2015

The minutes of the meeting held on 3 December 2015 were agreed as a true and accurate record.

4. Appeals Against Dismissal

The Assistant Director of Human Resources and Development presented a report to the Committee, which sought comment on the proposal that appeals against dismissal by staff below Deputy Chief Officer were heard by Officers. The report further sought Employment Committee's recommendation to Council to accept the change to the Council's Constitution Terms of Reference No. 2.3.1.2.

The Committee discussed the report and raised several key points:

- The only avenue of appeal after that to Employee Appeals Committee, as current, was through the external Employment Tribunal,
- Employment Tribunals had been critical in delays in the appeals process,
- The number of employee appeals to occur within the past two years was four. Two of these appeals were upheld and two were dismissed,
- It was advised that the process for appeals against dismissals in schools was separate and within the school's own remit. The Council could advise, but not impose a particular procedure,
- It was suggested that if officers were to hear appeals if may appear to appellants that senior officers could be influenced by each other,
- Concern was raised around the suggestion that appeals be decided by one individual, as opposed to a panel of three. It was considered whether a panel could be introduced, to include an officer,
- The Committee were advised that, under the proposals, officers would be supported by HR advisors and, if necessary, legal officers,
- It was noted that the trade unions were not in favour of the proposals,

- The HR Advisor clarified that the proposals were intended to speed up the appeals process and to allow for a less intimidating procedure, thus making the process fairer,
- It was highlighted that investigations occasionally resulted in long delays in the appeals process, which would remain the case with officers hearing appeals,
- It was suggested that employees would feel more comfortable with Members hearing their appeal, rather than officers, as Members were not involved in management, and
- It was considered that Members were sufficiently equipped to hear employee appeals against dismissals, subject to them having undertaken all the relevant training.

A motion was proposed and seconded to maintain the current appeals against dismissal procedure, contrary to officer recommendation. This motion was carried four voting in favour, one voting against and two abstaining from voting.

RESOLVED that Employment Committee agreed to maintain the current appeals against dismissal procedure.

Reasons for the decision:

It was considered to be appropriate for employee appeal dismissals to be heard by a panel of three trained Members, as it was considered that they were more independent from the original dismissal process.

5. Changes to Employee Terms and Conditions of Service

The Assistant Director of Human Resources and Development presented a report to the Committee, which provided information on the detail of the changes that were being proposed to terms and conditions of employment, subject to the approval of the 2016/17 budget by Full Council on 9 March 2016. The report further sought Employment Committee's agreement, subject to a Collective Agreement being reached with the Unions, that the honorarium policy would be withdrawn from 31 March 2016, and that no further honorariums would be paid during 2016/17.

The Assistant Director of Human Resources and Development advised that the outcome of the trade unions ballot was not to support the proposed changes to the terms and conditions of employment. As such, further negotiations would be required. The recommendation, however, in relation to employee terms and conditions was to note the details of the changes.

The Committee discussed the report and raised several key points:

- It was noted that there had been a low number of voters in the trade unions' ballot,
- Confirmation was provided that a skeleton staff, for vital roles, would be in place during the proposed officer closure,
- It was noted that employees would be able to claim tax relief on the proposed car mileage rates,
- It was suggested that the effected staff were not happy with the proposed changes,
- The Human Resources Advisor noted that, in terms of the withdrawal of the honorarium payment, this had been suggested by the trade unions themselves,
- Concern was raised that the proposed changes to the terms and conditions of employment would alienate the staff who were meant to be implementing savings, and
- The Human Resources Advisor advised that the next steps in relation to reaching an agreement with the trade unions on the proposed terms and conditions was to escalate the discussion to the union secretaries. Failing this, staff would have to be dismissed, then re-engaged.

A motion was proposed and seconded to note the detail of the changes that were being proposed to terms and conditions of employment, subject to the approval of the 2016/17 budget by Full Council on 9 March 2016, and to agree, subject to a Collective Agreement being reached with the Unions, that the honorarium policy would be withdrawn from 31 March 2016, and that no further honorariums would be paid during 2016/17. This motion was carried unanimously.

A Member of the Committee questioned whether a Collective Agreement had been reached with the trade unions, in relation to the withdrawal of the honorarium policy. The Assistant Director of Human Resources and Development advised that a formal agreement had not been reached, however, as the proposal had originated from the trade unions, it was not envisioned that any problems would arise. The proposals would be put before the trade unions

Councillor Khan wished it to be noted that he did not support the specific wording of the resolution in relation to the honorarium policy, as he felt the status of the Unions' Collective Agreement was unclear.

RESOLVED that Employment Committee:

1. Noted the detail of the changes that were being proposed to terms and conditions of employment, subject to the approval of the 2016/17 budget by Full Council on 9 March 2016; and
2. Agreed, subject to a Collective Agreement being reached with the Unions, that the honorarium policy would be withdrawn from 31 March 2016, and that no further honorariums would be paid during 2016/17.

Reasons for the decision:

The proposed changes to employee terms and conditions of service were necessary in order for the Council to meet its savings targets over the next 3 years.

Chairman
7:00pm – 8:07pm

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