

# Public Document Pack

## EMPLOYMENT COMMITTEE

2 JULY 2018

### PRESENT

Councillors J. Slater (in the Chair), D. Acton, M. Hyman, B. Rigby and G. Whitham.

#### In attendance

Jill Colbert	Corporate Director CFW
Jane Le Fevre	Director of Legal and Democratic Services
Sara Saleh	Acting Director Human Resources
Alexander Murray	Democratic and Scrutiny Officer

### APOLOGIES

Apologies for absence were received from Councillors J. Bennett and M. Cawdrey.

#### 1. MEMBERSHIP OF THE COMMITTEE

RESOLVED:

- 1) That the Membership of the Committee be noted.

#### 2. TERMS OF REFERENCE

A Committee Member reminded the other Members that it had been requested that substitutes be listed for members to avoid meetings being cancelled. The Director of Legal and Democratic Services informed the Committee that a constitutional working group was going to look at a number of issues including the possible appointment of substitutes for Committees including the Employment Committee. One of the issues was ensuring that any substitute appointed has the prerequisite knowledge required to be a member Committee.

RESOLVED:

- 1) That the Terms of Reference be noted.

#### 3. MINUTES

That the Minutes of the meeting held on 7 March 2018 be approved as a correct record and signed by the Chairman.

#### 4. ANNUAL AGENCY SPEND REPORT

The Acting Director of Human Resources presented a report to the Committee. As it had been circulated in advance the Acting Director of HR gave a brief overview covering the key highlights of the report. The Committee were informed that in agency spend had reduced by £100K during the 2017/18 municipal year. A trend had been identified within the CFW directorate that there was a spike in agency spend during Q4 of each year. The increase in spend by the CFW directorate reflected gaps within the workforce in areas that the Council had a statutory requirement to fulfil.

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The Acting Director of HR told the Committee that the agencies had control over the price of agency workers. In order to tackle this issue Local Authorities across GM were investigating the option of creating a GM staff pool. A Member of the Committee added that there had also been an increase in demand for statutory services which had led to further reliance upon agency staff.

The Corporate Director for CFW informed the Committee that there had been a number of other issues during the year. Greater Manchester jobs put a new process in place which led to a delay in the recruitment last year which exacerbated the issue. She told the Committee that Trafford were looking to tackle the issue around social workers moving away from public service into agency employment.

The Chairman requested that the Committee receive information on consultancy fees in addition to agency staff.

RESOLVED:

- 1) That the report be noted.
- 2) That information relating to consultancy fees be included in future reports.

**5. HOLIDAY PAY**

The Committee were informed that successive case law had concluded that holiday pay for the 20 statutory days of annual leave should reflect 'regular and normal pay'. This meant that there was a requirement to enhance annual leave payments to reflect overtime, additional hours, sleep-ins and standby/on-call normally undertaken by staff.

A Greater Manchester (GM) task and finish group had been set up to explore the issues and implications surrounding employees' holiday payments. The aim of the group was to gain consistency of approach across the Councils involved. The group explored several options and sought legal advice from NWE0 and the LGA. The group agreed that the fairest and most practical solution was to add a percentage enhancement to relevant payments. The Council proposed to add a percentage based on taking 20 days statutory leave, divided by the number of available working days (261) which was 7.66%.

The estimated that the cost of the additional payments had been calculated at around £69k per annum with a one-off back pay liability of the same amount. It was recommended that the Council implement the percentage payments in August 2018 with back-pay to follow, following negotiation and agreement with the unions.

RESOLVED:

- 1) That the report be noted by the Committee.

## **6. CONTINUITY OF SERVICE PROTOCOL**

The Committee were informed of the GM Protocol which was a joint working agreement across greater Manchester. The protocol enabled staff to have continued service between organisations across GM. The protocol had been agreed by a wide range of GM organisations including all local authorities, Clinical Commissioning Groups, Transport for Greater Manchester, and others. Discussions were still ongoing with respect to the continuation of redundancy. Work was ongoing across Greater Manchester and within Trafford the HR team were working on updating the continuity of service policy and the related policies in line with the GM Protocol. Discussions were ongoing with union representatives around the implementation of policy changes.

**RESOLVED:**

- 1) That the report was noted.
- 2) That the Committee supported the GM Protocol.

## **7. EMPLOYMENT POLICIES**

The Acting Director of HR informed the Committee that the Council were in the process of updating all of their employment policies. The report covered all of the policies that had been recently updated and had distributed with the agenda. The Acting Director of HR then went through the report which detailed the main changes which had been made to each policy. The report ended with an overview of the implementation plan for the policies.

The Committee members asked a number of questions relating to the changes to the smoking policy including NHS guidance around the promotion of vaping as an alternative and the enforcement of the policy. The Acting Director of HR provided detailed answers to the Committee and Members were satisfied with the responses received. Following their questions the Committee agreed to support the policies and the implementation plan.

**RESOLVED:**

- 1) That the report be noted by the Committee.
- 2) That the Committee support the revised policies and the implementation plan.

## **8. WORKFORCE UPDATE**

The Acting Director of HR went through the different areas that were listed within the update. It was explained to the Panel that this was a “living document” which HR were continuing to refine to ensure that it gave an accurate and useful overview of the workforce. Panel members were informed that the document could be further updated if there was any information that they wanted or felt was missing.

The Acting Director of HR asked the Panel whether they had any questions relating to the trends identified. No questions were raised so the Acting Director of

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HR finished the update by informing the Panel of the work that had been done to supporting employees within the previous six Months.

RESOLVED:

- 1) That the update be noted by the Committee.

**9. QUARTERLY REPORT ON EXEMPTIONS TO THE SICKNESS POLICY**

The Acting Director of HR informed the Committee that there had been no new applications for exemptions since their last meeting.

RESOLVED:

- 1) That the update be noted.

**10. URGENT BUSINESS (IF ANY)**

The Director for Legal and Democratic Services informed the Committee that a matter of Urgent Business had arisen. Due to the nature of the business the Director of Legal and Democratic Services asked that the Committee pass an exclusion resolution prior to the matter being discussed. A resolution was raised seconded and agreed.

RESOLVED: That the public be excluded from this meeting during consideration of the following items on the agenda because of the likelihood of disclosure of "exempt information" which falls within one or more descriptive category or categories of the Local Government Act 1972, Schedule 12A, as specified.

The Director of Legal and Democratic services then presented a settlement agreement for the Chief Executive of the Council and the Corporate Director of Transformation and Resources who were ending their service with the Council. The Committee were informed that the agreement had been reached between the two individuals and the Council. The Committee were given the details of the settlement. The Committee then asked a number of questions which were answered by the Director of Legal and Democratic Services. Following their questions the Committee unanimously agreed the settlement.

As the Chief Executive was head of paid service the Council could not continue business without a replacement. The Corporate Director for CFW had been put forward as a candidate for the position on an interim basis. The Committee agreed the appointment of the Corporate Director of CFW as the interim Chief Executive Officer of the Council.

RESOLVED:

- 1) That the termination of service settlement for the Chief Executive of the Council and the Corporate Director of Transformation and Resources be agreed by the Committee.
- 2) That the Committee agree the appointment of the Corporate Director of CFW as the Interim Chief Executive of the Council.

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The meeting commenced at 11.07 am and finished at 11.34 am

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