

HEREFORD CITY COUNCIL

MINUTES OF MEETING OF GOVERNANCE AND PROCEDURES COMMITTEE

The Hereford City Council Committee Room, Town Hall, Hereford

Tuesday 25th September 2018 at 6 pm

PRESENT: The Right Worshipful, the Mayor, Cllr Susan Boulter and Cllrs Bushkes, Hey, Kenyon, Lloyd-Hayes (Chair), Michael (Vice Chair), Stevens and Wilcox.

At the start of the meeting the Chair reminded all present of the fire evacuation procedure.

GP2018/19.35 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Chappell and Tawn.

GP2018/19.36 SUBSTITUTIONS

There were no substitute members.

GP2018/19.37 DECLARATIONS OF INTEREST

There were no declarations of interest.

GP2018/19.38 MINUTES OF PREVIOUS MEETINGS

Members asked for progress updates on some matters previously discussed. These are not formally part of the agenda and so are not minuted. It was then proposed by Cllr Michael, seconded by Cllr Stevens and unanimously

RESOLVED:

That the Minutes of the meeting of Governance and Procedures Committee of 21st August 2018, be accepted as an accurate record and signed accordingly by the Chair.

GP2018/19.39 HEALTH AND SAFETY AND RELATED POLICIES

The Clerk confirmed that these policies and detailed procedures related to health and safety, and welfare at work which included sickness absence management and lone working. He explained that this item would be dealt with in exactly the same way as the following item 'Staff Management Policies', which he suggested be brought forward and dealt with first. Members agreed.

GP2018/19.40 STAFF MANAGEMENT POLICIES

The Chair reiterated that once all policies had been reviewed, agreed and written up, then hard copies should be kept in a filing cabinet in the City Council offices, for members and staff to refer to as and when required.

These policies related to disciplinary, grievance, bullying and harassment issues and the Clerk reminded members that this proceeded from the last committee meeting where members had resolved to await the outcome of the staff consultation on the policies.

The Clerk reported that he had subsequently received a document from all Officers with their signatures on the bottom, requesting an extension to the consultation period and a further document from David Stevens requesting that CC work with him on producing a comprehensive set of procedures.

Members' questions and comments covered the following:

- Staff need more time to go through all the extensive information in the policies - It makes sense to put back the consultation period for 4 weeks.
- The consultation had already been sent out and there had been no comments received from staff except their collective response submitted to the Clerk. Nobody had raised anything first.
- The document signed by everybody does not state clearly what is wrong.

The Clerk explained the following:

- Responsibility for setting procedures and policies is with the Committee and three courses of action are open – resolve now to adopt the procedures, postpone for another four weeks or explore the proposal for joint working with Unison.
- It is important to resolve policies when there isn't a live case being dealt with under any procedure or policy being dealt with.
- Simply delaying four weeks would not meet some of the staff concerns so the Clerk suggests either resolve tonight or accept the offer from David Stevens to review the policies with members. Happy to do either and will go with the decision by members.
- Practice in most parish councils is for the Clerk to administer all the processes with members hearing appeals, some have the Clerk dealing with everything except dismissal cases with that decision being taken by a member panel and an appeal to other members.
- Professional support should be used at hearing especially if the Clerk was presenting the case as he could not do this and independently advise a panel.
- The original policies had been written by an HR professional following the 2009 ACAS guidance. The 2015 guidance was substantially the same but it was time for a general review, and periodic reviews would be agreed going forwards.
- As a Branch Secretary the Unison officer would have received training in staffing procedures as had the Clerk
- The Council does not retain an HR consultant, it could do so but this is costly and the amount of casework has not justified the ongoing cost. Professional advice can be hired in for specific cases and this was done successfully in a recent redundancy and a long term sickness absence case.
- All staff should be consulted about any proposals that come forward from joint working with Unison as not everyone is a member of that union, and those that are may have individual points they wish to have considered.
- The visual impairment of one member of staff needs to be taken into account when organising consultations.
- Some members had struggled with the amount of documentation circulated in an attempt to review so many policies in one Committee cycle. They understood the staff concern around this.
- The Chair asked that her disappointment that the staff had not responded more specifically be noted, especially as the original two weeks had been extended. However, in the present situation joint working with Unison was a good idea provided that the matter was progressed.
- Other members endorsed a joint approach stressing the importance of active involvement and a sense of ownership for staff in the process that put policies and procedures in place that affected them.
- Joint working should consist of the Clerk, the Unison Branch Secretary and two members nominated by the Committee.
- The working group could commission external expert advice if they needed it. The Herefordshire Council Monitoring Officer was an expert in dealing with members conduct not staffing matters.

The Committee agreed to suspend standing orders to allow staff present to speak as individuals, not as advisers to the Committee. In this context, the Clerk asked for it to be noted that he was refraining from commenting as a member of staff being consulted but, was advising as to options. He reserved the right to comment personally on proposals at the appropriate time. Three staff commented that the amount of documentation, the technical complexity of some of the issues and their own lack of expertise on those matters had made it difficult to respond in detail. One staff member had asked for the documents to be emailed, which had been done immediately, but had still struggled to read through them all as he does not have an enhanced reader at home. Another member of staff had been on leave for half the original consultation period and had very little time to formulate his response.

At the conclusion of the debate it was proposed by Councillor Kenyon, seconded by Councillor Michael and unanimously

RESOLVED:

That consideration of the staffing policies be remitted to a working group of two members, the Clerk and the Unison Branch Secretary with an instruction to report draft policies to committee as soon as practicable.

That all policies be the subject of timely and adequate consultation with all staff before final decisions are made.

That Councillors Michael and Hey join the Clerk and Unison Branch Secretary to form the working group.

That the policies relating to health, safety and welfare at work be dealt with in the same fashion as the staffing policies.

GP2018/19.41 POLICY REVIEWS

The Clerk presented the report. It was noted in discussion that some policies ought to be reviewed annually, and some organisations did this with all their policies. This maybe an onerous workload for the Committee or lead to automatic approvals when nothing had changed. After discussion of various approaches it was proposed by Councillor Lloyd-Hayes, seconded by Councillor Hey and

RESOLVED:

That appropriate timescales for policy reviews will be brought into consideration by the working group and specific recommendations made for each policy as part of the drafting.

GP2018/19.42 CIVIC RELATIONSHIP WITH NMiTE

The Clerk reminded members that the new university had invited the City Council to participate in the inauguration on 19th October. He asked whether members wished to invite the university to send an appropriate representative to civic ceremonies, alongside other organisations such as the Police, Fire and Rescue Service, Magistrates etc. The Deputy Clerk described for members the different guests' lists that apply to various civic occasions and the order of precedence between the major civic dignitaries such as the Lord Lieutenant, High Sherriff, Chairman of Herefordshire Council, Chief Steward and Recorder of the City and other dignitaries such as Freemen of the City, former Mayors, town Mayors of the county etc. After discussion it was noted that the NMiTE issue had opened up a wider discussion of who was invited to what and whether it was time to review the civic list, as the list of invitees to each event is known.

It was proposed by Councillor Kenyon, seconded by Councillor Stevens and

RESOLVED:

That the Committee consider a general review of the civic list next year.

GP2018/19.43 ITEMS FOR FUTURE MEETINGS

- Report back of the Working Party for policy reviews
- Recording of meetings
- Social Media Policy (following the training day on 6th October)
- Appraisal feedback and collated report (18th December meeting)

GP2018/19.44 DATE OF NEXT MEETING

Tuesday 30th October 2018 at 6 pm

It was noted that Councillor Wilcox had left the meeting at 6.20 pm to attend an engagement for Herefordshire Council.

There being no further business, the meeting was closed at 7.08 pm

Signed

Dated