

DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

PERSONNEL COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 14 DECEMBER 2011

Councillors Present: Adrian Edwards, Tony Linden, Mollie Lock (Vice-Chairman) and Quentin Webb (Chairman)

Also Present: Robert O'Reilly, Jane Milone and Spencer Scott.

Apologies for inability to attend the meeting: Councillor Andrew Rowles

PART I

12. Minutes

The Minutes of the meeting held on 20 September 2011 were approved as a true and correct record and signed by the Chairman.

13. Declarations of Interest

There were no declarations of interest received.

14. Draft Pay Policy Statement

The Committee considered a verbal report (Agenda Item 4) concerning Draft Pay Policy Statement.

Jane Milone explained to those present that the implementation of the Localism Act required all Local Authorities to produce a pay policy statement and set up a 'remuneration committee'. She went on to give the Committee further detail regarding this regulation and explained that the Committee was not set up at the moment and that details would go to full Council for the March 2012 meeting for Members to agree.

Councillor Quentin Webb queried what the purpose of the Committee would be and Jane Milone answered that it would determine the pay of 'top staff' and oversee the pay policy of the Council.

Councillor Quentin Webb responded to say that financial matters were not currently within the remit of the Personnel Committee and if this was to be added to its terms of reference it would be a major change in its role. Councillor Adrian Edwards commented that if the Personnel Committee had to support this role, the membership would have to increase to include a finance representative.

Robert O'Reilly advised that as yet Officers were not aware as to what other authorities were doing. He went on to say that the last efficiency retirement decision was made two years ago and that a similar process (of Executive approving a potential payment first and leaving the Personnel Committee to make the actual decision) could be used for pay policy decisions by the 'remuneration committee'.

Councillor Tony Linden advised that on the general pay policy the Council had the right to set the annual pay award but that West Berkshire tended to follow what was happening to pay nationally in local government. Currently there was a 0% increase predicted for next year.

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Robert O'Reilly concluded that the Council needed to get Legal advice on the correct place for the new remuneration committee role and see what other councils were doing. The pay policy statement had to be produced by April 2012.

The Personnel Committee therefore concluded to take no action until the item was brought back to the 19th March 2012 meeting.

15. **Recognising Continuous Service for Employees Transferring from Academies (PC2385)**

Robert O'Reilly introduced the report by explaining that local authorities had discretion over whether to recognise service with academies for occupational benefits. This covered sick pay entitlement, annual leave entitlement and occupational maternity leave and pay. He went on to say that no other authorities were recognising academy service for occupational benefits and that although there were no issues at the moment, as time passed the Council would need to be clear on what advice was given to schools.

Jane Milone went on to explain that if an employee at, for example, Park House School (Academy) wanted to move to a West Berkshire School they would have to work up their sick and (for support staff) annual leave entitlements again. Councillor Mollie Lock said that Academies could set their own salaries and queried whether West Berkshire Council would have to take that into account if they transferred? Robert O'Reilly explained that the Council would not have to.

Councillor Quentin Webb asked if a teacher currently working in an Academy could stay on the Local Authority terms and conditions of employment? Robert O'Reilly responded that they did not have an option and had to TUPE transfer to the academy. They would however, transfer on their existing terms and conditions.

Councillor Tony Linden asked if Legal had checked this and commented that the Council needed to be flexible? Robert O'Reilly advised that Legal had been consulted via Corporate Board. In his view there was no possibility of a legal challenge. This was not a legal issue, more of a moral one.

Councillor Quentin Webb asked if an Academy had to be transparent in the wage structure they applied? Robert O'Reilly responded that the Governing Body in the school should monitor the wage structure in an academy.

Councillor Tony Linden commented that the Council needed to treat people fairly and queried whether the Council should alert staff as to the consequences of these changes? Robert O'Reilly advised that an article would be placed in the next school newsletter and on the Council website. The teaching trade unions had also been informed. Councillor Mollie Lock felt that as it was on the Council website it was in the public domain and therefore accessible by everyone.

RESOLVED that:

- Robert O'Reilly to keep the teaching unions informed, to put an article in the next schools newsletter and put on the information on the Council website.
- The policy should be adopted.

16. **Employing Apprentices in the Council (PC2362)**

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Councillor Quentin Webb asked for clarification regarding the term 'apprentice' and specifically whether the meaning in the report differed from the traditional meaning? Jane Milone explained that in government terminology it meant:

'a person who is employed but for part of that time is employed in a government structured one (1) year programme'. She went on to say that promoting apprentice numbers would support the Council's targets and would take advantage of the Government's fully funded training offer. This report was specifically for 16 – 18 year olds and for Looked After Children (LAC).

Councillor Quentin Webb asked what the end result for the person would be?

Jane Milone explained that they would leave with one (1) years work experience and a recognised qualification. Councillor Quentin Webb asked if a level for failure had been set? Jane Milone advised that the person could fail and that they were trying to set the pass level at a GCSE pass level.

Councillor Mollie Lock drew attention to paragraph 2.3 (1) where the phraseology could be interpreted as using the person as a cheap stop gap and went on to say that this was not right. Jane Milone advised that this was a sensitive issue with the trade unions and explained the funding source for the posts. The vacancy was a source of money not that the apprentice would cover the work of the vacant post.

Councillor Tony Linden commented on the minimum target of ten (10) posts per Head of Service. Robert O'Reilly explained that it was not ten (10) per service area, but ten (10) across all service areas. Councillor Quentin Webb said that as it mentioned 'at least ten (10) per year' did the Council not need to set a maximum number as well? Robert O'Reilly said that there was no benefit in setting a maximum number and therefore no maximum number had been set.

Councillor Mollie Lock asked if the age group of 16 – 18 years of age was the age group that the Council would be adhering to in the future? Robert O'Reilly advised that this would be continuously reviewed.

Councillor Mollie Lock asked if priority would be given to Looked after Children and Officers confirmed that it would be. Councillor Quentin Webb asked if there was going to be a formal training scheme? Jane Milone explained that the Council would be working with a training organisation and formal training would be provided.

Councillor Quentin Webb asked who would manage and monitor the scheme? Jane Milone advised that the training organisation would manage the scheme with the relevant Head of Service providing the monitoring. Councillor Quentin Webb asked if the apprentices would work across the service areas therefore covering a wide range of jobs. Robert O'Reilly said that this had not been thought about, but that Human Resources could arrange to get the apprentices together on a regular basis (quarterly) and discuss progress and any issues they might have.

Councillor Tony Linden raised the issue of confidentiality and shared services and this would be covered. Robert O'Reilly said that the induction process would cover this just as it covered any new employee.

Councillor Adrian Edwards commented on the small amounts of money that the apprentices could earn and the distances they might have to travel to take up these apprenticeships. He therefore queried whether services could look at providing travel costs? Robert O'Reilly advised that services could pay an additional hourly rate if

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necessary but the Council did not pay home to work expenses because of the tax implications.

Councillor Tony Linden asked if CRB checks would have to be done on employees working with the apprentices because the apprentices would be under 18? Jane Milone advised that she would check to see if they were needed.

The Personnel Committee supported the recommendation with the following provisos:

- Human Resources to organise quarterly meetings with all apprentices together to discuss progress and deal with any issues.
- A progress report on how things are going to be brought back to the Personnel Committee in six months by Human Resources.

17. H&S Audit Procedure

Spencer Scott introduced the item by explaining that although the process they followed had not changed, it had not been formally captured in a document.

As the document had not been circulated either prior to this meeting or at the meeting it was agreed that this item be brought back to the next Personnel Committee meeting in March 2012.

The Chairman of the Personnel Committee requested that Spencer Scott emailed a copy of the document to all Members and that Member's respond to him by the 16 January 2012. If issues were raised by Members then the document would be brought back to the March 2012 meeting. In the event of no issues being raised or responses not received the Chairman of the Personnel Committee would make a decision and notify everyone accordingly.

18. Date of Next Meeting

The Committee agreed to hold the next meeting on Monday 19th March 9.00am in Room F3, 1st Floor, Market Street, Newbury.

(The meeting commenced at 9.00 am and closed at 10.15 am)

CHAIRMAN

Date of Signature