

DRAFT

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

PERSONNEL COMMITTEE

MINUTES OF THE MEETING HELD ON FRIDAY, 17 SEPTEMBER 2010

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

Also Present: Ian Priestley, Jane Milone, Spencer Scott and Moira Fraser

Apologies for inability to attend the meeting: Councillor Paul Bryant

Councillor(s) Absent: None

PART I

13. Apologies

Apologies for inability to attend the meeting were received from Councillor Paul Bryant. Councillor Andrew Rowles substituted for Councillor Bryant. In the Chairman's absence the Vice Chairman chaired the meeting.

(Councillor Keith Lock in the Chair)

14. Minutes

The Minutes of the meeting held on 02 July 2010 were approved as a true and correct record and signed by the Chairman.

Actions Arising:

In respect of **Item 1, paragraph 5, last sentence** Councillor Adrian Edwards queried whether Ian Priestley had been able to confirm with Margaret Goldie and the Legal Service whether or not the paragraph in relation to schools adhering to Council Health and Safety policies could be strengthened. Ian confirmed that he had spoken to the Monitoring Officer who had explained that the schools could not be forced to adhere to the Council's policies. He had in fact requested a diminution of the wording setting this out.

In respect of **Item 1, paragraph 7**, Councillor Adrian Edwards queried whether paragraph 4 of the Asbestos Policy also referred to Voluntary Aided Schools. Ian confirmed that it did. He had however consulted a colleague in the Education Service that had returned from maternity leave and as a consequence a number of other amendments to the policy were required. Members, while accepting that the schools could not be forced to adhere to the Council's policy, were concerned about the possible duplication of effort where they were opting to produce their own policies.

Councillor Quentin Webb noted that at the meeting on the 28 May 2010 he had requested that Officers be asked to attend a future meeting to give Members a brief demonstration of the way HR records were now retained. It was agreed that this would be included on the next Personnel Committee agenda.

15. Declarations of Interest

There were no declarations of interest received.

16. Protection of Staff

The Committee considered a report (Agenda Item 4) concerning a range of policies and proposals designed to protect staff. Ian Priestley explained that the Personal Safety of Staff Policy was an overarching policy that had been developed in consultation with colleagues in Human Resources as had the other policies attached to the report. Some services already had existing staff safety procedures in place. This document was designed to provide a framework for all services to work to and adapt to meet their particular circumstances. The framework included a model policy prepared by Community Services.

The policy covered the following areas:

- Violence at work;
- Lone working; and
- Clients of concern

In addition Officers had produced a spreadsheet which would be used as a central register to record addresses where clients of concern resided. When visiting a premise Officers would be able to look at the spreadsheet to see if it was listed. Where it was they would be able to contact a gatekeeper to establish further relevant details. This methodology would assist with concerns from services about sharing information. To date it was being used by a small number of services but it was hoped that it would soon be rolled out to the rest of the Council.

The register would only contain the address and the contact Officer for establishing further detail and advice; this would mean that the details of the concern were not included on the register. It was possible that some individuals would only pose a risk to specific services and this could be conveyed in the message from the gatekeeper. In some instances it would be necessary to ask the clients to come into the West Berkshire Council Offices for face to face meetings when required as a safety precaution.

Councillor Keith Lock noted that most of the clients of concern would be those visited by staff in Adult Social Care and he wondered if there was a register available to these staff setting out clients that staff could not visit on their own. Officers explained that individual services would have their own lists and that the spreadsheet was a means of sharing information across service areas.

Members queried whether this policy would cover staff in the Licensing Team and Trading Standards who were required to undertake test purchasing late at night. Officers explained that this was an overarching policy and did not deal with service specific issues. The Services concerned should have their own detailed procedures in place. The Health and Safety Team would be undertaking a detailed audit of individual policies to ensure that they were in place and were sufficiently detailed. Officers noted that the six month review would not be automatically generated and involved the Health and safety Team using the spreadsheet to follow up actions.

Councillor Tony Linden noted that the 'Working with Challenging Behaviour Policy' applied to both Officers and Members. He asked Officers to establish the decision making route for this policy as he felt that if Members were being affected by the policy a Member or Group of Members would have to have authorised it.

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Members then considered the individual policies within the document.

Personal Safety of Staff Policy

Officers confirmed that this was an overarching policy and the service specific issues would be dealt with in individual services' documents. These would be audited by the Health and Safety Team.

Procedure and Guidance for Managing Violence and Aggression Against Staff

Councillor Keith Lock reported that in paragraph 6.3 he noted that staff carrying cash who were confronted with a violent or aggressive situation should hand over the money. He queried whether staff were still carrying cash or if it was transported by security firms. Officers noted that there were still situations where staff had to carry cash for a variety of reasons.

Councillor Adrian Edwards noted that the policy encouraged staff to take out an injunction or other legal remedy if there was a perceived danger of a further attack on an employee. He noted that these incidents would be reported to line managers and would be put onto Webrisk. He asked if the Council would assist employees with legal fees or help in kind to take civil action against aggressors. Ian noted that this had not happened yet but that he could not see a problem with this provided that it was agreed that they had a valid case. Members felt that this should be clarified in the policy and that paragraph 4.9 should be amended to state explicitly that this help would be provided 'in appropriate cases'.

Members queried whether the Council's contractors were shown copies of these policies, or were required to adhere to the Council's policies and whether or not they would be required to provide copies of their own policies about staff protection. Councillor Keith Lock was particularly concerned about training provided to Social Service contractors. Jane Milone noted that the Council's training courses were available to partner organisations at a small charge. The Council could not impose a requirement on them to adhere to the Council's policies or attend training but contracts would stipulate the required standards. This was applicable to all contractors not only those in Adult Social care.

Councillor Adrian Edwards requested that paragraph 2 (Applicability), second bullet point be amended as follows: 'other persons including Elected Members, Consultants, Agency Staff and contractors working for the Council, including external organisations be expected to have policies equivalent or better than those of the Council, whilst engaged on Council business.' Ian Priestley would check with colleagues in Legal to ensure that this was permissible. Jane Milone noted that this was standard wording on the Council's Policy template and if this change was acceptable the template would need to be amended.

Working with Challenging Behaviour Policy

This Community Care Policy had been included as an example which other services could use as a reference in preparing service specific policies. Officers would look into the issue of Member sign off previously raised by Councillor Tony Linden. Members felt that it would be useful if amended / new policies agreed by the Personnel Committee could be included in the Members' Bulletin in order to draw Members' attention to them.

Guidance for Service Areas on the Development of Service Specific Lone Working Procedures

Members noted that a separate policy on working from home had been developed as part of the implementation of the Timelord Programme.

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Councillor Quentin Webb in referring to paragraph 2.12, which advocated carrying a Dog Dazer where dangerous dogs might be present, stated that it was imperative that Officers received proper training on the use of these instruments which were known to make some dogs more aggressive.

Recording of Clients of Concern Policy and Procedure

Members queried whether contractors would have access to the Council's database. Ian explained that they would not have at the present time. There were issues with data sharing which still had to be overcome. Progress on this tool had been slow because of concerns about data sharing and therefore it was being rolled out on a phased basis.

Members thanked Officers for the inclusion of Appendix F which they felt was very useful.

Actions:

1. Ian Priestley to establish the decision making route for the Working with Challenging Behaviour Policy to ensure that it had Member sign off as it applied to Members;
2. Ian Priestley to establish if paragraph 2 of the Personal Safety of Staff Policy could be amended as requested;
3. Should this amendment be permissible to Council's Policy template would need to be amended;
4. New policies agreed by the Personnel Committee that impacted on Members to be highlighted in the Members' Bulletin.

RESOLVED that the proposed policies and procedures set out in the report be approved subject to the inclusion of the minor amendments requested by Members.

17. Date of Next Meeting

The Committee agreed that Officers would identify a date for the next meeting via email. Items for discussion would include a demonstration of the HR system, an update on progress made with HR policies and the Fleet Driver Policy (which would be brought to the Committee for information as it had already been agreed by the Chief Executive under delegated powers).

(The meeting commenced at 2.00 pm and closed at 3.00 pm)

CHAIRMAN

Date of Signature