

PERSONNEL COMMITTEE

MINUTES OF THE MEETING HELD ON 14 FEBRUARY 2008

Councillors: Paul Bryant (P), Adrian Edwards (P), Quentin Webb (AP), Keith Lock (P), Tony Linden (P)

Officers: Robert O' Reilly (Head of Human Resources), Jane Milone (Human Resources Manager), Moira Fraser (Policy Executive)

PART I

35. APOLOGIES.

An apology for inability to attend the meeting was received on behalf of Councillor Webb.

36. MINUTES.

The Minutes of the meeting held on 05 July 2007 were approved as a true and correct record and signed by the Chairman.

37. DECLARATIONS OF INTEREST.

There were no declarations of interest received.

38. PERFORMANCE CAPABILITY PROCEDURE

The Committee considered a report (Agenda Item 4) concerning a revised Performance Capability Procedure for the Council. Jane Milone explained that she had been tasked with developing and renewing a suite of policies and procedures to ensure that staff were managed efficiently and effectively.

Jane explained that the Performance Capability Procedure needed to be updated in order to:

- align it with the Statutory Dismissals Procedure;
- reflect actual custom and practice within the Council; and
- introduce an appeal mechanism for employees.

Jane explained that the procedure was required to put a structure in place for managing individuals that were not performing to the level that was expected of them. A separate Sickness Absence Procedure was being developed to handle a lack of capability arising from ill-health, injury or disability.

Jane explained that managers would normally try to resolve issues of minor incapability informally. Jane set out the four stages of more formal action: investigation, support and training, review meeting and dismissal hearing.

Members discussed the time period that should be allowed for improvement and agreed that this should normally be 13 weeks. Members also agreed that an extension of 6 weeks could be used by Managers in specific circumstances. Where the employee did not meet the required standard of performance despite support and training being offered the employee would be able to seek alternative employment within the Council albeit that they would not be entitled to salary protection and would not enjoy preferred access to vacancies. Where employees were dismissed at the end of the procedure they would be entitled to notice.

Robert explained that the procedure was not applicable to school based staff, the Chief Executive, the Monitoring Officer and the s151 Officer who were covered either by Statutory Regulations or separate procedures.

Robert informed Members that the policy would be reviewed every three years. The guidance notes could be updated to reflect current practice. Jane noted that both the Trade Unions and Managers had been consulted on the procedure.

RESOLVED that the:

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1. West Berkshire Council Performance Capability Procedure and associated advice notes for managers and employees be adopted by the Council.
2. the normal length of the 'period of improvement' be set at 13 weeks, with the option to extend the period by an additional 6 weeks in exceptional circumstances.
3. the Performance Capability Procedure be reviewed every three years.

39. INDUCTION AND PROBATION POLICY AND PROBATIONARY PROCEDURE

The Committee considered a report (Agenda Item 5) concerning a revised Probationary Procedure for the Council. Jane Milone explained that a separate Induction Procedure was being developed. Jane noted that the principal change to the proposed procedure involved all new employees to the Council being required to serve a minimum 6 months probation including those coming from other local government employers. Jane explained that during discussions with Managers concerns had been raised that this amendment might have an adverse impact on recruitment and retention. The Trade Unions were also opposed to this change. Jane explained that the majority of other authorities in the South East region extended probation to all new employees. Members agreed to the changes as set out in the report.

Members noted that probation period could be extended by an additional three months in some specific circumstances. It was agreed that paragraph 4.3 of the procedure should be amended to reflect this. Members also requested that heading 9 should be changed to a 'lack of capability' rather than the term 'incapability'.

RESOLVED that :

1. the Probation and Induction Policy attached at Appendix A to the report be agreed, which would require all new employees to West Berkshire Council to serve a minimum 6 months' probation;
2. the policy be reviewed in 12 months time.

(The meeting commenced at 3.00 closed at 4.00pm)

CHAIRMAN

Date of Signature: