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NOTICE OF MEETING



EMPLOYMENT PANEL

will meet on

MONDAY, 21ST MARCH, 2016

At 6.00 pm

in the

ASCOT AND BRAY - TOWN HALL, MAIDENHEAD

TO: MEMBERS OF THE EMPLOYMENT PANEL

COUNCILLORS DAVID BURBAGE (CHAIRMAN), PHILLIP BICKNELL (VICE-CHAIRMAN), PAUL BRIMACOMBE, SIMON DUDLEY, DR LILLY EVANS, LYNNE JONES AND MJ SAUNDERS

SUBSTITUTE MEMBERS

COUNCILLORS CHRISTINE BATESON, MALCOLM BEER, DAVID HILTON, JACK RANKIN, JOHN STORY, LISA TARGOWSKA, SIMON WERNER AND EDWARD WILSON

Karen Shepherd - Democratic Services Manager - Issued: Friday, 11 March 2016

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's web site at www.rbwm.gov.uk or contact the Panel Administrator **Karen Shepherd** 01628 796529

Fire Alarm - In the event of the fire alarm sounding or other emergency, please leave the building quickly and calmly by the nearest exit. Do not stop to collect personal belongings and do not use the lifts. Congregate in the Town Hall Car Park, Park Street, Maidenhead (immediately adjacent to the Town Hall) and do not re-enter the building until told to do so by a member of staff.

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AGENDA

PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
1.	<u>APOLOGIES FOR ABSENCE</u> To receive any apologies for absence	
2.	<u>DECLARATIONS OF INTEREST</u> To receive any declarations of interest	5 - 6
3.	<u>MINUTES</u> To consider the Part I minutes of the meeting held on 18 February 2016	7 - 10
4.	<u>LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC</u> To consider passing the following resolution:- "That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on items 5-7 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act"	

PRIVATE MEETING

5.	<p><u>MINUTES</u></p> <p>To consider the Part II minutes of the meeting held on 18 February 2016</p> <p><i>(Not for publication by virtue of Paragraph 2, 4 of Part 1 of Schedule 12A of the Local Government Act 1972)</i></p>	11 - 12
6.	<p><u>PAY REWARD</u></p> <p>To consider the above report</p> <p><i>(Not for publication by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972)</i></p>	To Follow
7.	<p><u>APPOINTMENT OF HEAD OF FINANCE</u></p> <p>To consider the above report</p> <p><i>(Not for publication by virtue of Paragraph 1, 3 of Part 1 of Schedule 12A of the Local Government Act 1972)</i></p>	To Follow

MEMBERS' GUIDANCE NOTE

DECLARING INTERESTS IN MEETINGS

DISCLOSABLE PECUNIARY INTERESTS (DPIs)

DPIs include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit made in respect of any expenses occurred in carrying out member duties or election expenses.
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the relevant authority.
- Any license to occupy land in the area of the relevant authority for a month or longer.
- Any tenancy where the landlord is the relevant authority, and the tenant is a body in which the relevant person has a beneficial interest.
- Any beneficial interest in securities of a body where
 - a) that body has a piece of business or land in the area of the relevant authority, and
 - b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

PREJUDICIAL INTERESTS

This is an interest which a reasonable fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs your ability to judge the public interest. That is, your decision making is influenced by your interest that you are not able to impartially consider only relevant issues.

DECLARING INTERESTS

If you have not disclosed your interest in the register, you **must make** the declaration of interest at the beginning of the meeting, or as soon as you are aware that you have a DPI or Prejudicial Interest. If you have already disclosed the interest in your Register of Interests you are still required to disclose this in the meeting if it relates to the matter being discussed. A member with a DPI or Prejudicial Interest **may make representations at the start of the item but must not take part in discussion or vote at a meeting.** The term 'discussion' has been taken to mean a discussion by the members of the committee or other body determining the issue. You should notify Democratic Services before the meeting of your intention to speak. In order to avoid any accusations of taking part in the discussion or vote, you must move to the public area, having made your representations.

If you have any queries then you should obtain advice from the Legal or Democratic Services Officer before participating in the meeting.

If the interest declared has not been entered on to your Register of Interests, you must notify the Monitoring Officer in writing within the next 28 days following the meeting.

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Agenda Item 3

EMPLOYMENT PANEL

THURSDAY, 18 FEBRUARY 2016

PRESENT: Councillors David Burbage (Chairman), Phillip Bicknell (Vice-Chairman), Paul Brimacombe, Simon Dudley, Lynne Jones, MJ Saunders and Jack Rankin

Officers: Terry Baldwin and Karen Shepherd

APOLOGIES FOR ABSENCE

An Apology for Absence was received from Councillor Dr Evans.

DECLARATIONS OF INTEREST

None

MINUTES

RESOLVED UNANIMOUSLY: That the Part I minutes of the meeting held on 21 January 2016 be approved.

NOTICE PERIOD IN PROBATION

Members considered a change to the notice period applicable for new employees during their probation period (6 months). The report proposed a reduction from the contractual level one month to a statutory level of one week. The number of people not confirmed in their probation period at the council was very low, just six since January 2014, with two of those in February 2016.

Members noted that the usual practice in the private sector was that an individual not demonstrating their ability to meet objectives in a probation period would swiftly exit the organisation. The proposal would reduce the amount of money payable to an individual and would amend the terms of contract for this to be paid in lieu of notice where required.

Councillor Saunders commented that one week was the default level in most companies and he was surprised this was not the case in the council. He felt that it was important that the one week level was seen as a mutually advantageous situation for both the council and the employee, given the likelihood of the employee changing their mind was logically higher. Councillor Saunders also commented that a three month probation period was more than adequate, with the option to extend if necessary. The Head of HR confirmed that six months was standard practice in the public sector, although he appreciated that this did not mean it was appropriate for the borough. There had been occasions when six month probation periods had been extended.

Councillor Brimacombe commented that it could be a risk for an individual to join a new organisation, therefore there was an onus on the employer to ensure a person would fit the organisation via the recruitment process. The individual would be left with only one week's protection, therefore he felt there should be some discretion. The Head of HR explained that the Corporate Management Team had debated the issue

and concluded that one week was reasonable and would not affect recruitment. The number of people who failed probation was very low. It was important that the council ensured objectives were set and probationary reviews undertaken to demonstrate an individual was supported and developed.

Councillor Bicknell highlighted that the most important factor was being clear about terms and conditions from the start, before an employee accepted a position. This would demonstrate mutual agreement.

Councillor Mrs Jones questioned why the probation period for newly qualified social workers and youth and community workers was 12 months. She felt that one week's notice when an individual may have worked for the council for nearly a year could be perceived as harsh. The Head of HR explained that newly qualified social workers had to demonstrate set achievements during probation, therefore an extended period was in place. Councillor Bicknell commented that a lot of support was provided; it was almost an apprenticeship type role. The individual would therefore also have benefitted greatly if they were employed for 11 months.

Councillor Brimacombe highlighted that three aspects needed to be made clear:

- Good attention to the recruitment process appropriate to the level
- Up front terms before an individual signed a contract
- Active probation management

The Chairman suggested that officers be asked to undertake a review of the probation policy in respect of newly qualified social workers and youth and community workers, but that the recommendation be agreed for all other employees.

Councillor Saunders commented that the person the new employee reported to should be able to explain clearly why the probation period needed to be greater than three months.

The Head of HR confirmed that the three points raised by Councillor Brimacombe were already in place. He would be able to undertake a review quite quickly to identify the rationale for a 12 month probation period for certain employees. He would also investigate a reduction to a three month standard period for other employees, with the proviso of flexibility if required. He would then report back to the Panel with options.

Councillor Rankin commented that the report highlighted standard practice across Berkshire local authorities. He felt that standard practice in the private sector would be a better measure. It was noted that due to close proximity, staff could move to other Berkshire authorities as a result of changes to terms and conditions, therefore it was important to include the Berkshire comparison.

RESOLVED UNANIMOUSLY: That Employment Panel:

- i. Approve the recommendation to provide statutory notice of one week, which may be paid in lieu, for any employee dismissed during their probation period (except newly qualified social workers and youth and community workers).**
- ii. Request the Head of HR to undertake a review of the Probationary Period Policy including the responsibility of managers.**

LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

RESOLVED UNANIMOUSLY: That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on items 6-8 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act.

The meeting, which began at 6.00 pm, finished at 6.38 pm

CHAIRMAN.....

DATE.....

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Agenda Item 5

By virtue of paragraph(s) 2, 4 of Part 1 of Schedule 12A of the Local Government Act 1972.

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