

AT A MEETING of the EMPLOYMENT IN HAMPSHIRE COUNTY COUNCIL COMMITTEE held at The Castle, Winchester on 18 January 2011.

PRESENT:

Chairman:

p Councillor T. K. Thornber, CBE

Councillors:

p C. Carter

p A. P. Collett

p B. D. Dash

p Dr. R. J. Ellis

p K. Evans

p Felicity Hindson

p K. House

p J.J. Wall

64. APOLOGIES FOR ABSENCE

There were no apologies on this occasion.

65. DECLARATIONS OF INTEREST

Members were mindful that where they believed they had a personal or prejudicial interest in any matter considered at the meeting declared that interest at the time of the relevant debate and, having regard to the circumstances described in paragraphs 9, 10, 11 and 12 of the County Council's Code of Conduct, considered whether to leave the meeting whilst the matter was discussed, save for exercising any right to speak in accordance with paragraph 12 of the code.

66. MINUTES

The Minutes of the meeting held on 10 November 2011 were confirmed as a correct record and signed by the Chairman.

There were no matters arising.

67. CHAIRMAN'S ANNOUNCEMENTS

There were no announcements on this occasion.

68. EQUALITY ACTION 2010 AND IMPLICATIONS FOR THE COUNTY COUNCIL

The Committee considered the report of the Chief Executive (Item 5 in the Minute Book) highlighting the key aspects of the new Equality Act 2010 and its implications for the County Council.

The Head of Employment Law and the Equality and VCS Manager expanded on the key points contained in the report and confirmed that

the Act has drawn together all the existing discrimination laws and expanded the groups covered which are referred to as “protective characteristics”, as set out in Appendix 1 to the report. The Committee noted that the Government had decided not to proceed with the socio-economic duty which had been included within the Act. However, as a matter of good practice the County Council would give consideration to socio-economic disadvantage in the exercise of its functions. Officers confirmed that the County Council’s equality policies had been reviewed; a number of briefings for senior managers had been held; the Corporate Equality Scheme was in the process of being reviewed and training courses would be organised to ensure wider groups of staff are aware of equality assessments so they can be carried out robustly.

The Committee’s attention was also drawn to the Government’s indication that there will be some discretion for local authorities to decide how they produce and publish equalities data but it is not clear at this point whether elements of this will be compulsory. It was noted however that the Equality and Human Rights Commission have produced a set of rather prescriptive documents for this purpose which may place more of a burden on local authorities than at present. A report on how the County Council will respond to this requirement will be submitted to the Corporate Management Team and Cabinet in March.

The Committee expressed some concern in regard to the provision in the Act that pre-employment enquiries about health cannot be undertaken before an offer of employment is made. It will therefore be paramount that job descriptions are absolutely clear to ensure that candidates are left in no doubt what is required of them, such as a need to drive a car as part of that role. Of equal importance will be the need to ensure that appropriate training for junior managers and refresher training for senior managers will be available to ensure that they can develop the right skills and interview techniques to meet the provisions of the Act and for good practice to be embedded across the organisation. The process of raising awareness about the Act’s provisions amongst senior managers had started and a number of briefings had been held.

In conclusion, the Committee noted that there was potential for an increase in employment related discrimination claims for those who were minded to go down this route. However, there is already a raft of case law in this area which employers can call upon should the need arise.

RESOLVED:

The Committee noted the report and its conclusions and agreed that Member Workshops should be convened to ensure Members are aware of the provisions of the Act.

69. **EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED:

That the press and public be excluded from the meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information within Paragraph 4 of Part I of Schedule 12A to the Local Government Act 1972, being information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under the authority which should not be disclosed for the reasons set out in the reports.

70. **UPDATE ON CHANGES TO PREMIA PAYMENTS**

The Committee considered the exempt report of the Director of Human Resources (Item 7 in the Minute Book) on the latest position with changes to premia payments. The Committee approved the recommendations set out in the report.

(SUMMARY OF AN EXEMPT MINUTE).

72. **REMOVAL OF THE UNSUBSIDISED CAR LEASING SCHEME**

The Committee considered the report of the Director of Human Resources and County Treasurer (Item 8 in the Minute book) concerning the removal of the Unsubsidised Car Leasing Scheme. The Committee approved the recommendations set out in the report.

(SUMMARY OF AN EXEMPT MINUTE).