

AT A MEETING of the EMPLOYMENT IN HAMPSHIRE COUNTY COUNCIL COMMITTEE held at The Castle, Winchester on 22 March 2012.

PRESENT:

Chairman:
Councillor T. K. Thornber, CBE

Councillors:

p	C. Carter	a	K. Evans
p	A. P. Collett	p	Felicity Hindson
p	B. D. Dash	p	K. House
a	Dr. R. J. Ellis	p	J.J. Wall

Councillor A. Rice was also in attendance at the invitation of the Chairman.

116. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Dr. Ray Ellis and Keith Evans who were engaged in County Council business elsewhere.

117. 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.

118. MINUTES

The Minutes of the meeting held on 8 February 2012 were confirmed as a correct record and signed by the Chairman. There were no matters arising.

119. CHAIRMAN'S ANNOUNCEMENTS

There were no announcements on this occasion.

120. PROGRESS UPDATE ON THE SUCCESS OF THE REDUNDANCY ARRANGEMENTS

The Committee considered the report of the Chief Executive, County Treasurer and Director of Human Resources (Item 5 in the Minute Book) updating the Committee on the contribution that the County Council's redundancy arrangements have made and the benefits derived.

In considering the report, the Committee noted the low number of compulsory redundancies that had been made (16.56 FTE) during a time of unprecedented challenge and inevitable changes for local authority employers. The successful delivery to date of savings to the County Council's staffing costs has led to less disruption to vital public services and to staff morale, and had enabled the organisation to make necessary budget savings in two years rather than four. The Committee also noted that the number of office premises used by the County Council had reduced significantly and recognised other successful re-engineering and re-investment initiatives such as the redevelopment of the former Ashburton Court to increase flexible working practices and the introduction of a Contact Centre – 100 people now handle calls at a return rate of 98%, which is being achieved with 25% less staff. Finally the Committee expressed their disappointment in regard to misleading press reports which had regrettably led to a lack of understanding of what the County Council had achieved by way of its redundancy arrangements.

RESOLVED:

The Committee noted the progress with the County Council's redundancy arrangements, as outlined in the report. In particular the Committee commended all those involved in ensuring that the number of compulsory redundancies had been kept to a minimum; the timescale in which the achievements had been made to reduce disruption to service delivery and staff morale, and the efficient way in which the arrangements had been managed.

121. EMPLOYMENT LAW REVIEW

The Committee considered the report of the Director of Human Resources (Item 6 in the Minute book) which provided an overview of the Government's Employment Law Review as part of the Red Tape Challenge which was launched in April 2011. The Challenge, which is part of the Government's wider Growth Review, aims to review over 21,000 statutory rules and regulations that are active in the UK. The invitation to submit views is open to all, including individuals, businesses and representative bodies. In specific regard to the Employment Law Review, employers and employees are being encouraged to comment.

In presenting the report the Director highlighted actions the Government has taken since the announcement of the Review, such as the consultation on a package of reforms to the current Employment Tribunal system aimed at encouraging earlier resolution of disputes in the workplace and reducing the number of Tribunal cases. The Government's response was published on 23 November 2011 and confirmed the proposals which are intended to be taken forward. This included an increase to the qualification period for unfair dismissal from

one to two years with effect from 1 April 2012, and to consult on the introduction of fees for anyone wishing to make a claim to an Employment Tribunal to encourage claimants to seriously consider the validity of their claim, which may lead to a reduction in the rising number of vexatious claims.

Other notable action includes:

- an independent review of the system for managing sickness absence, the findings of which were published on 21 November 2011 - it is considered that the current system of GPs providing a note to confirm that an individual is fit to return to their job is not working well
- intention to create a universally portable CRB check that can be viewed by employers instantly online from early 2013 – publications of the Government's proposals are awaited
- a Call for Evidence (23 November 2011 to 31 January 2012) on the effectiveness of the Transfer of Undertakings (Protection of Employment) (TUPE) Regulations 2006, which have become very complicated

The full list of actions to date and the implications for the County Council was appended to the report.

RESOLVED:

- a) that the Government's proposals in relation to the Employment Law Review be noted; and
- b) noted the potential impact on the County Council and that its employment policies be updated, as necessary, in response to any changes in employment legislation.

122. MANAGING MISCONDUCT AND INCAPABILITY – PROPOSED CHANGES TO THE CURRENT ARRANGEMENTS

The Director of Human Resources proposed deferral of this item to a future meeting of the Committee to allow time for additional work to be carried out.

RESOLVED:

That the Committee agreed to defer this report to a future meeting to allow the Director of Human Resources to carry out additional work in preparation of bringing a report forward for consideration.

123. FLEXIBLE RETIREMENT POLICY FOR NON TEACHING STAFF

The Committee considered the report of the Director of Human Resources and the County Treasurer (Item 8 in the Minute Book) seeking approval to amend the flexible retirement policy and pension discretionary policy statement for non teaching staff. In presenting the report, the Director of Human Resources highlighted the proposal that requests for flexible retirement would involve a minimum reduction in salary (either through reduced hours or responsibility) of 40 per cent unless there is no pension fund strain cost, in which case some flexibility might be applied at the discretion of the employer.

The Committee were supportive of the proposals as set out in the report and accordingly

RESOLVED:

- a) that the amendments to the Flexible Retirement Policy and governance arrangements, as summarised in paragraph 4.1 of the report, be approved; and
- b) that the revised wording for the Statement of Decisions and Policy, as set out in paragraph 4.1 of the report, be approved.