

The Highland Council

Joint Consultation Group (Administrative etc, Manual and Crafts Staffing)

Minutes of Meeting of the Joint Consultation Group (Administrative etc, Manual and Crafts Staffing) held in the Council Chamber, Council Headquarters, Glenurquhart Road, Inverness on Friday 8 August 2014 at 11.00 am.

Present:

Employer's Representatives:

Dr D Alston
Dr I Cockburn
Mr R Laird
Mr D Mackay

Mr A Mackinnon
Mr F Parr
Ms M Smith

Staff Side Representatives:

Mr C Cameron (UCATT) (Substitute)
Mr J Gibson (UNISON)
Mr M Haymer (GMB)

Ms L MacKay (UNISON)
Ms M Macrae (RCN)
Mr A Wemyss (UNITE)

In attendance:

Ms M Morris, Depute Chief Executive/Director of Corporate Development
Mr D Yule, Director of Finance
Mr J Batchelor, Head of People and Performance, Corporate Development Service
Mr B Porter, Head of Resources, Care and Learning Service
Ms G Falconer, Occupational Health, Safety and Wellbeing Manager, Corporate Development Service
Ms L Urquhart, Business Change Manager, Corporate Development Service
Miss M Murray, Committee Administrator, Corporate Development Service

Business

1. Appointment of Chair and Vice Chair

The Group was informed that, in terms of its Constitution, following an Election of Councillors and annually thereafter, it was required to appoint a Chair and Vice Chair from amongst its members. If the Chair appointed was one of the Employer's representatives, the Vice-Chair should be one of the Staff Side representatives, and vice versa.

Ms M Smith, seconded by Dr I Cockburn, moved that Mr R Laird be appointed as Chair. There being no other nominations, Mr Laird was duly appointed and took the Chair.

Ms L MacKay, seconded by Mr C Cameron, then moved that Mr J Gibson be appointed as Vice Chair. There being no other nominations, Mr J Gibson was duly appointed.

2. Apologies for Absence

Apologies for absence were intimated on behalf of Miss J Campbell, Mr H Morrison, Ms S Arch (CSP), Mr M Murphy (UCATT), Ms M Nicholson (UNISON), Mr G Pirie (BDA) and Mr R Selkirk (GMB).

3. Declarations of Interest

Mr A Mackinnon declared a financial interest in the items to be discussed at the meeting on the grounds that his spouse was an employee of the Council but, having applied the test outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that his interest did not preclude his involvement in the discussion.

4. Minutes of Last Meeting

There had been circulated Minutes of the last meeting of the Group held on 11 April 2014, the terms of which were **APPROVED**.

At this stage, Ms M Macrae commented that she had not received the papers for today's meeting and requested that they be sent electronically in the future.

The Chair confirmed that it would be checked why the RCN trade union representative had not received her papers for the meeting.

5. Matters Arising from the Minutes

Arising from the Minutes, the following issues were raised:-

- i. Item 3i - Support for Apprentices – the Staff Side expressed concern that their representatives on the Employability Board, Mr C Cameron (UCATT) and Mr A Wemyss (UNITE), had received insufficient notice of the meeting on 3 June 2014 and had not received accurate information regarding the date and location of future meetings.

In response, the Depute Chief Executive apologised and confirmed that she would take the matter up with the relevant Service Director and ensure that future invitations were issued timeously. The Staff Side were assured that Union participation was vital and all staff, whether manual or clerical etc, were equally important.

- ii. Item 7 – Maintenance of Community Services Depots – the Staff Side queried whether the provision of laundry facilities at landfill sites had been considered by the Director of Community Services.

In response, the Head of People and Performance advised that he had received an update from the Director of Community Services confirming that there was access to laundry facilities at all landfill sites.

6. Staff Savings Proposals 2014/15

There had been circulated Report No. JCG/10/14 by the Director of Finance which explained that the revenue budget for 2014/15 had been agreed in December 2013 and a savings package of £12.1m was required to ensure a balanced budget. The report provided an update on the staffing impact of the agreed savings proposals.

It was explained that it had originally been estimated that the savings proposals would involve a reduction of 103.9 Full Time Equivalent (FTE) posts. The appendix to the report, which contained the latest information from Services, showed that the total post reduction was slightly less than anticipated at 90.2 FTE. The appendix also attempted to categorise staff reduction under a number of headings, the majority having been achieved through vacancy management or the formal deletion of posts that had been vacant for some time. Progress on delivering the agreed savings was varied and the monitoring information for the first quarter of the financial year, which would be reported to the Resources Committee on 27 August, projected a small deficit which would require to be addressed.

During discussion, the Staff Side expressed concern regarding the impact of not filling vacant posts on an ad hoc basis and information was sought on whether risk assessments were carried out. Clarification was requested in relation to redeployment and it was suggested that Staff Savings Proposals should be a standing item on future agendas. In addition, a report had previously been requested on how Services were achieving the agreed savings targets and a request was made that this be presented to the next meeting of the Group.

In response to the issues raised, it was explained that the Council had a policy of avoiding compulsory redundancies wherever possible and one way of achieving that was to take opportunities, when they arose, to delay the filling of posts or delete posts that were not going to be filled. In such circumstances, the impact, in terms of service delivery and pressure on remaining staff, was taken into account. It was inevitable that vacant posts would be targeted to achieve savings but this was only part of a package of measures used to manage budgets. Looking to the future, it was intended to do more formal workforce planning. In relation to redeployment, it was confirmed that this was usually within the Service in the first instance, although staff could be redeployed across Services.

In response to a question received from the Staff Side, the Director of Finance then gave a verbal update on the Council's Revenue Budget, during which it was explained that the latest position, as reported to the Council on 26 June 2014, was an overall budget shortfall of approximately £64m for the period 2015-2019. The slight increase was as a result of a reduction of around £1m in Scottish Government funding. In relation to 2015/16, the funding gap was in the region of £24m and Services had been asked to consider options to deliver savings of 4%, which equated to approximately £18.5m. Proposals had been requested by Monday 11 August 2014 and would then be subject to further scrutiny. The scale of the challenge was significant but it was hoped that focusing on transformational change would protect frontline services to some extent and that, by making savings of 4%, a balanced budget could be delivered. However, going forward, it was recognised that there would be less flexibility as budgets continued to reduce.

During discussion, the Staff Side expressed concern that services could not be sustained if budgets continued to reduce year after year and, in relation to the forthcoming Referendum on Scottish Independence, questioned whether the outcome would affect the budgetary position.

The Employer's Side reiterated that the budget shortfall was approximately £64m over the next four years, after which it was impossible to predict. There was a legal requirement to balance the budget and it was necessary to be realistic and examine every opportunity to deliver savings. However, an assurance was given that there had been no change to the Council's policy of avoiding compulsory redundancies wherever possible. With regard to the Referendum, the outcome and any subsequent changes could not be predicted and it was necessary to continue to plan on the basis of the budget as it stood at present.

Thereafter, the Group:-

- i. **NOTED** the report;
- ii. **AGREED** that Staff Savings Proposals would be a standing item on future agendas; and
- iii. **AGREED** that a progress report on how Services were achieving the agreed savings targets be presented to the next meeting of the Group.

7. Corporate Improvement Programme 2

There had been circulated Report No. JCG/11/14 by the Programme Manager, Corporate Improvement Programme (CIP) which explained that CIP 2 was in its second year with projects progressing satisfactorily and savings targets of £5.93m over the two years having been met. Projects were sponsored by members of the Executive Leadership Team and CIP team staff were involved in supporting the budget setting process by identifying transformation projects that could deliver savings. Detailed aspects of the Programme were discussed with Trade Unions on a six-weekly basis at the CIP Trade Union Liaison Group.

The report provided an update on a number of projects. In particular, it was highlighted that the Personnel Admin Project Phase 1, the new SharePoint Human Resources (HR) Portal, successfully went live on 1 July 2014. This was a significant change and Business Support had an important role to play in terms of supporting managers to use the new Portal. The Council's new website went live on 29 May 2014 and had been handed over to the "Business As Usual" team, led by the newly appointed Digital Services Manager. In relation to Mobile and Flexible Working (MFW), there was a requirement to revisit Service Plans given the recent changes to Services and structures. The Programme Manager was working with Services in this regard and HR Business Partners were providing a supporting role to Service Management Teams.

During discussion, the Staff Side referred to the new Total Mobile system and suggested it would be helpful for Trade Union representatives to receive a demonstration. Reference was made to instances of equipment not working resulting in staff having to revert to paper based systems and housing repairs being passed on on handwritten notes that did not include the necessary health and safety information. The importance of rolling out the new system to all areas as soon as

possible was emphasised, both to improve cost-effectiveness and to provide the best system for staff.

In response, it was confirmed that the possibility of a demonstration would be discussed with the Programme Manager and that the issues raised would be taken up with the Director of Community Works.

In relation to MFW, whilst acknowledging the need to revisit Service Plans and welcoming the work taking place, there did not appear to be a timescale and information was sought on whether Service Directors had been given a deadline. With regard to the staff survey carried out within the Finance Service, this had delivered some unexpected results and showed a way forward for the Service. It was an example of good practice and it was suggested that other Services should follow suit.

In response, it was explained that there was a commitment for all Services to produce Plans to show how they were going to implement MFW but no deadline was in place at present. Whilst there was no commitment in place to survey all staff, it was recognised that the Finance survey was good practice and had yielded positive results. The Depute Chief Executive confirmed that she would raise both issues with the Executive Leadership Team.

With regard to the Customer Services Review, the Staff Side welcomed the recognition that one solution did not suit all communities. However, concern was expressed that the longer the Customer Services Board's deliberations went on, the longer the period of strain and uncertainty for the staff involved. In addition, if a decision was taken to close a Service Point or change the way services were delivered, there would be less time to redeploy staff.

The Chair explained that the Board was conscious of the strain on staff and had agreed to take a phased approach, examining and reaching a decision on one geographical area at a time. A timescale had been agreed and it would be helpful if this could be shared with staff to let them know when decisions on particular Service Points would be reached.

Returning to MFW, prior to the Service restructure, the Staff Side advised that the former Head of Roads and Community Works had held meetings with Trade Unions to discuss various work patterns, such as annualised hours and shifts. Since the restructure, there had been no further meetings and concern was expressed that annualised hours were being put forward as potential future savings.

The Depute Chief Executive confirmed that the Director of Community Services was examining issues such as annualised hours and was very aware of the need for consultation and engagement with Trade Unions. However, she would raise the Staff Side's concerns with him.

The Business Change Manager then undertook a presentation during which it was explained that the CIP 2 Business Support project comprised three phases. Phase 1 was the SharePoint HR Portal which went live on 1 July 2014. This turned what was previously a predominantly paper-based exercise into a much more efficient process, with all forms able to be completed electronically. Phase 2 was the Self Service Portal, which would make use of Resourcelink to manage HR data and allow staff to

request expenses, view/print payslips, request annual leave etc. Phase 3 was Management Information. Following the implementation of Phases 1 and 2, access to management information in relation to HR and the staffing establishment would be much improved, as would links with financial information. A detailed demonstration of the HR and Self Service Portals was then undertaken.

In response to concerns regarding access to sensitive information, it was explained that equal opportunities data was currently gathered as part of the recruitment process as Councils were required to report on it. However, the Group was assured that there was a User Access Policy, maintained by the Head of People and Performance and his team, and only those who required the information for reporting purposes would have access to it.

It was confirmed that manual processes would remain in place for staff who were unable to access the Self Service Portal. However, in other local authorities that had implemented a similar system, such as Moray Council, almost 100% of staff used it. There could be confidence in the data, whether gathered manually or electronically, but the online system was more efficient and that was the ultimate aim.

In response to a question raised at the previous meeting, it was confirmed that SharePoint was accessible across the corporate network which included Head Teachers and school office staff.

The Staff Side commented that there were some areas with large groups of staff but a limited number of computers and information was sought on whether training and additional computers would be provided. It was recognised that there may be a need to provide additional terminals to allow staff to access the system and it was confirmed that these issues would be considered as part of the implementation plan for the project.

Thereafter, the Group:-

- i. **NOTED** the progress of the Programme and the engagement with staff and Trade Unions;
- ii. **AGREED** that the possibility of a Total Mobile demonstration for Trade Union representatives be explored by the Programme Manager; and
- iii. **AGREED** that the issues raised in relation to the Total Mobile system and Mobile and Flexible working be taken up with the Director of Community Services.

8. Engagement & Partnership Framework – Update

There had been circulated Report No. JCG/12/14 by the Head of People and Performance which set out progress on the Highland Council Engagement and Partnership Framework.

It was explained that, at its meeting on 6 September 2013, the Group had agreed to support the implementation of a Highland Council Engagement and Partnership Framework. The objective of the Framework was to facilitate the success of the Council in its democratic role and in delivering high quality public services. The report summarised the benefits and principles of the framework as well as the consultation that had taken place to date.

There had also been circulated supplementary Report No JCG/14/14 by the Head of People and Performance which provided an update on a number of outstanding issues, namely, quantification of Trade Union time to support the Partnership Framework; funding of facilitation time; allocation of facilitation time between the different Trade Unions; membership and format of the Highland Council Partnership Forum; schedule of meetings; and timescales. In terms of next steps, it was proposed that an early meeting of the Joint Working Group be convened to progress the issues.

In addition, the staff side wished to know how the Highland Council were ensuring, applying and monitoring the Terms & Conditions and Partnership Information Network (PIN) Policies of NHS Highland, which were still applicable to staff who transferred to the Highland Council from NHS Highland as a result of Integration.

In response, the Head of People and Performance explained that there had been an issue in terms of how the Council was informed of new PIN Policies and this had now been addressed with NHS Highland. In relation to how such Policies were applied, the possibility of running joint training sessions with NHS Highland was being explored, in addition to the current training sessions being run by the Council.

During discussion, the Staff Side expressed disappointment that they had not been involved in the discussions that led to the supplementary report. In response, the Head of People and Performance explained that he had been asked by the Staff Side for an update on the outstanding issues and had consulted with the Council's Executive Leadership Team on the proposals to be put to the Staff Side. It was emphasised that there would be full consideration by the Joint Working Group and the proposals were simply a starting point for discussion.

The Staff Side also expressed concern in relation to the proposed Schedule of Meetings and the need to consider the format of the Central Safety Committee. In response, it was explained that the Central Safety Committee was a statutory requirement and an assurance was given that its role would not be diminished.

Thereafter, the Group:-

- i. **NOTED** the progress to date; and
- ii. **AGREED TO RECOMMEND** that an early meeting of the Joint Working Group be convened to progress discussion and consideration of the outstanding issues.

9. Violence and Aggression

There had been circulated Report No. JCG/13/14 by the Head of People and Performance which provided a statistical analysis of violent incidents caused by children/young adults.

It was explained that, from 1 April 2013 to 31 March 2014, 569 incidents of violence and aggression by children/young adults were reported in schools and care settings. Of these, 1 was reported in an office, 30 at residential premises, 27 at secondary schools, 136 at Additional Support Needs (ASN) schools and 375 at primary schools. Verbal abuse accounted for 37 incidents while the others were physical or involved

both physical and verbal elements. 19 individuals were each responsible for 10 or more incidents with one individual being responsible for 40 incidents.

Following the school holidays, it was intended to establish a Working Group, consisting of teaching and care staff, the ASN team, health and safety staff and Trade Union representatives, to review this type of incident.

During discussion, the Staff Side expressed surprise at the low number of incidents in residential settings. In response, it was explained that the figures reflected what had been reported. Under-reporting was an issue and this would be examined by the proposed Working Group, including what steps could be taken to encourage people to report appropriately.

Thereafter, the Group **NOTED** the report.

Staff Side Items

10. Pupil Support Assistants

The Staff Side were extremely concerned at how the annual review of Pupil Support Assistant (PSA) hours was then implemented upon the staff and, in particular, how they were treated during this process. The staff side called for a review of this process and asked the JCG to request a review. The staff side were concerned that this review had not only an impact upon the individual staff, but also the children in school and their education.

During discussion, the Staff Side went on to state that, in the current year, there had been a reduction of 1100 PSA hours which equated to 30.2 FTE posts. They advised that there had been no consultation with staff prior to the reduction being implemented and this was unacceptable, particularly when compared with the extensive consultation carried out as part of other Service restructures. Information was sought on whether an Equalities Impact Assessment had been carried out as part of the review process. In addition, at the same time as PSA hours were being reduced, the Care and Learning Service was recruiting for nursery staff and it was suggested that there should have been more joined up thinking in that regard.

The Chair advised that he was happy to accede to the request for a review and the Head of People of Performance confirmed that he would look in to the issues raised in consultation with the Head of Resources, Care and Learning Service, and Trade Union representatives. Confirmation would be sought from the Service that an Equalities Impact Assessment had been carried out and a copy would be circulated to the Group.

The Head of Resources, Care and Learning Service, explained that the level of change in the current year had been more significant than had traditionally been the case due to the policy decision to implement the ASN allocation model. However, it was acknowledged that there were lessons to be learnt from the review process and consideration was being given to a process of forward planning for future years.

Thereafter, the Group:-

- i. **AGREED TO RECOMMEND** that a review of the Pupil Support Assistant review process be carried out; and
- ii. **AGREED** that confirmation be sought from the Service that an Equalities Impact Assessment had been carried out and a copy be circulated to the Group.

11. Annual Leave Pay

The staff side were aware that there had been a legal ruling on 22 May 2014 in The Court of Justice of the European Union that found that a workers annual leave pay should include commission payments if these were part of their normal pay. The staff side wished to know if the Highland Council was aware of this ruling and how it affected its staff.

In response, the Head of People and Performance explained that the Council was aware of the ruling and was currently making an assessment of how it may impact upon staff. This was a significant exercise and it was not possible, at this stage, to say how long it would take to conclude but it was being dealt with as a matter of urgency. It was confirmed that the Staff Side would be advised of any issues arising from the assessment.

The Group **NOTED** the position.

The meeting concluded at 12.45 pm.

Date of Next Meeting – Friday 24 October 2014 at 11.00 am.