



POLICY AND RESOURCES COMMITTEE
EMPLOYEES' JOINT CONSULTATIVE COMMITTEE

MONDAY, 14 MARCH, 2016, at 2.00 P.M.

Your attendance is requested at a meeting of the EMPLOYEES' JOINT CONSULTATIVE COMMITTEE to be held in COMMITTEE ROOM NO. 5, WOODHILL HOUSE, ABERDEEN, on MONDAY, 14 MARCH, 2016, at 2.00 P.M.

A pre-meeting of the Employers' Side (members and service representatives) will be held in Committee Room 5 at 1.30 p.m. Committee Room No. 2 will be available from 1.00 p.m. for the use of trade union representatives.

7 March, 2016

Director of Business Services

To: Councillors J N Gifford (Chair), R Christie, K L Clark, R Cowling, J B Cox, A Evison, F C P Hood, M C Kitts-Hayes, S W Pratt and N J Smith.

Councillors H Vernal and A S Grant (ex officio).

Ms I Teece, Mr W Edwards and Ms K Ramsden, UNISON
Mr J Black, Mr K Madill, Mr D Smith and Ms W Walker, LNCT
Mr J Black and Ms J Lynch, GMB
Mr T McGivern, UNITE

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B U S I N E S S

1. Declaration of Members' Interests
2. Resolution - Public Sector Equality Duty

Consider, and if so decided, adopt the following resolution:-

- (1) to have due regard to the need to:-
 - (a) eliminate discrimination, harassment and victimisation;
 - (b) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
 - (c) foster good relations between those who share a protected characteristic and persons who do not share it.
- (2) where an Equality Impact Assessment is provided, to consider its contents and take those into account when reaching a decision.

3. Minute of Meeting of the Joint Consultative Committee of 5 March, 2014
4. Budget Update - Oral Report
5. Political Priorities - Oral Report
6. Teacher Recruitment - Oral Report
7. Management/Workforce Information - Oral Report

PUBLIC SECTOR EQUALITY DUTY – GUIDANCE FOR MEMBERS

What is the duty?

In making decisions on the attached reports, Members are reminded of their legal duty under section 149 of the Equality Act 2010 to have due regard to the need to:-

- (i) eliminate discrimination, harassment and victimisation;
- (ii) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
- (iii) foster good relations between those who share a protected characteristic and persons who do not share it.

The “protected characteristics” under the legislation are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; and (in relation to point (i) above only) marriage and civil partnership.

How can Members discharge the duty?

To ‘have due regard’ means that in making decisions, Members must consciously consider the need to do the three things set out above. This requires a conscious approach and state of mind. The duty must influence the final decision.

However, it is not a duty to achieve a particular result (e.g. to eliminate unlawful racial discrimination or to promote good relations between persons of different racial groups). It is a duty to have due regard to the need to achieve these goals.

How much regard is ‘due’ will depend upon the circumstances and in particular on the relevance of the needs to the decision in question. The greater the relevance and potential impact that a decision may have on people with protected characteristics, the higher the regard required by the duty.

What does this mean for Committee/Full Council decisions?

Members are directed to the section in reports headed ‘Equalities, Staffing and Financial Implications’. This will indicate whether or not an Equality Impact Assessment (EIA) has been carried out as part of the development of the proposals and, if so, what the outcome of that assessment is.

An EIA will be appended to a report where it is likely that the action recommended in the report could have a differential impact (either positive or negative) upon people from different protected groups. The report author will have assessed whether or not an EIA is required. If one is not required, the report author will explain why that is.

Where an EIA is provided, Members should consider its contents and take those into account when reaching their decision. Members should also be satisfied that the assessment is sufficiently robust and that they have enough of an understanding of the issues to be able to discharge their legal duty satisfactorily.

For more detailed guidance please refer to the following link:-
http://www.equalityhumanrights.com/uploaded_files/EqualityAct/psed_technical_guidance_scotland.doc

POLICY AND RESOURCES COMMITTEE
EMPLOYEES' JOINT CONSULTATIVE COMMITTEE
WOODHILL HOUSE, ABERDEEN, 5 MARCH, 2014

- Present:** Councillors J N Gifford (Chair), R Christie, R Cowling, A Evison (as substitute for Councillor K L Clark), F C P Hood, M C Kitts-Hayes and J J Strathdee.
- UNISON Representatives:** Mr W Edwards and Ms I Teece.
- LNCT Representative:** Mr P Flanagan.
- GMB Representatives:** Ms J Adams, Ms J Lynch and Mr T Masson.
- Unite Representative:** Mr T McGivern.
- Apologies** Councillors K L Clark, J B Cox, S W Pratt and N J Smith; Ms K Ramsden (UNISON); Mr J Barnett, Mr G West and Ms J Callander (LNCT).
- Officers:** Director of Corporate Services, Director of Education, Learning and Leisure, Director of Infrastructure Services, Head of Housing, Head of Human Resources and Organisational Development, Chief Officer (Health and Social Care Integration) and Principal Committee Officer.

**1. MINUTE OF MEETING OF THE JOINT CONSULTATIVE COMMITTEE OF
8 OCTOBER, 2012**

The Committee **noted** and **approved** the circulated Minute of Meeting of the Committee of 8 October, 2012.

**2. BUSINESS TRANSFORMATION BOARD - OPTIONS 4 ADMIN AND EMPLOYEE
RELATIONSHIP MANAGEMENT (ERM) PROJECT**

The Director of Corporate Services gave a presentation on the work of the Business Transformation Board, which she chaired. The Board had met in its current format in January and would be meeting on a three monthly basis. Membership included all services and a representative from the trade unions. There were seven steering groups covering different workstreams which fed information to the Board and helped to shape the direction of the projects and teams they oversaw. These covered Supporting Employees, Customer Services, workSPACE, Options4Admin, Procurement, ICT and Corporate Improvement. Progress with the groups was variable depending on the size and complexity of their remit, and in some cases progress with one group was dependent on the work of another. It was acknowledged that there was a need to ensure that staff were well informed and a monthly newsletter would be issued electronically. A communications strategy and roadshows were also being considered.

The Committee heard from the Joint Secretaries that uncertainty was the big concern due to the unprecedented amount of change and that staff still needed to be convinced of the benefits of change. Not all staff had access to electronic communications and these were not always passed on. Centralisation was seen by some as involving a loss of control.

Thereafter, the Committee **noted** the presentation and looked forward to further updates being reported to future meetings.

3. HEALTH AND SOCIAL CARE INTEGRATION

The Chief Officer (Health and Social Care Integration) gave a presentation on the provisions of the Integration of Adult Health and Social Care Bill to create Health and Social Care Partnerships to replace Community Health Partnerships, which would be the joint and equal responsibility of Health Boards and local authorities. The spirit of the integration was focused on improving services for the person in the street. Health Boards and local authorities had different rules and regulations and the aim was to provide a joined-up service with staff working together. A Transitional Liaison Group had been established as a shadow form of Joint Integration Board, comprising five councillors and five Health Board members with voting rights, together with a number of advisers and third sector representatives. Four working groups had been set up, covering Pathways, Resources, Engagement and Governance, and these along with the Transitional Liaison Group all had places for trade union representation. There would be sessions arranged to consult staff to see if they agreed with the vision going forward and it was hoped that everyone would feel they had a chance to voice their opinion. A number of roadshows would be held in April and May and details would be publicised next week.

The Committee heard concerns from the Joint Secretaries that the processes followed by the two organisations were very different and that the trade union officials on the health side represented their members in different ways from the local authority side. There were also very different pay and grading models which could cause problems when staff from both organisations were working alongside each other.

Thereafter, the Committee **noted** the presentation and looked forward to further updates being reported to future meetings.

4. WORKFORCE FIT FOR THE FUTURE

The Head of Human Resources and Organisational Development gave a presentation on initiatives being undertaken to ensure that the Council had a workforce fit for the future in light of budget pressures, public sector reform and increased customer expectations. Various areas were being looked at to ensure that the Council had the necessary skills. There were challenges with recruitment and a requirement to be more creative. Wellbeing was important to protect the health of staff.

The Committee heard concerns from the Joint Secretaries that there was anecdotal evidence of stress among employees. There was perceived to be a lack of means of addressing issues and some staff were reluctant to use formal procedures.

Thereafter, the Committee **noted** the presentation and that HR&OD wanted to be made aware of any issues so that they could be addressed.

5. ABSENCE MANAGEMENT

The Head of Human Resources and Organisational Development gave a presentation on absence management which explained the financial and operational effects of sickness absence and detailed initiatives being taken to improve employee health and wellbeing. The age profile of employees and sickness absence rates were increasing. Procedures had been amended to ensure that employees had to give a reason for absence. There were issues about how some managers handled absences which HR&OD were aware of.

Matters raised during discussion were about whether the Council offered flu injections to staff, the need to strike the right balance of staff returning to work before being completely clear of infection, the need to be consistent in relation to employees being referred to the occupational health provider before returning to work, and whether longer term absences were being tracked and supported.

Thereafter, the Committee **noted** the presentation.

6. FUTURE MEETING DATE

After consideration of a circulated report dated 14 February, 2014, by the Director of Corporate Services, the Committee **agreed** that the next meeting would be held on 5 September, 2014, at 10.15 a.m.