

CORPORATE RESOURCES COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 16 November 2005

Chair:

Councillor Pat Watters (Chair)

Councillors Present:

David Baillie, Pam Clearie, Stewart Crawford, Jim Docherty, Bev Gauld, Liz Handibode, Carol Hughes, Davy Keirs, Billy McCaig, Brian McCaig, Michael McCann, John McGuinness, Ian McInnes, Denis McKenna, David McLachlan, John Ormiston, Patricia Osborne, William Ross (Senior Depute), Betty Rush, May Smith

Councillors' Apologies:

Archie Buchanan, Jim Daisley, Gerry Docherty (Depute), Tommy Gilligan, Hector Macdonald, Edward McAvoy, Mary McNeill, Henry Mitchell, Graham Scott, David Shearer, Jim Wardhaugh

Attending:

Corporate Resources

S Abbott, Administration Assistant; G Killin, Head of Personnel Services; S McLeod, Administration Officer; A Wilson, Employee Relations and Involvement Manager

Finance and Information Technology Resources

A Murray, Assistant Finance Manager (Accounting and Budgeting)

1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the Corporate Resources Committee held on 21 September 2005 were submitted for approval as a correct record.

The Committee decided: that the minutes be approved as a correct record.

3 Revenue Budget Monitoring 2005/2006 - Corporate Resources

A joint report dated 20 October 2005 by the Executive Directors (Corporate Resources) and (Finance and Information Technology Resources) was submitted comparing actual expenditure at 7 October 2005 against budgeted expenditure for 2005/2006 for Corporate Resources.

The Committee decided: that the report be noted.

[Reference: Minutes of 21 September 2005 (Paragraph 3)]

4 Capital Budget Monitoring 2005/2006 - Corporate Resources

A joint report dated 20 October 2005 by the Executive Directors (Corporate Resources) and (Finance and Information Technology Resources) was submitted advising of progress on Corporate Resources' capital programme for 2005/2006 and summarising the expenditure position at 7 October 2005.

The Committee decided: that the report be noted.

[Reference: Minutes of 21 September 2005 (Paragraph 4)]

5 Corporate Resources' Workforce Monitoring – August and September 2005

A report dated 17 October 2005 by the Executive Director (Corporate Resources) was submitted on the following employee information for Corporate Resources for the period August and September 2005:-

- ◆ attendance statistics
- ◆ occupational health statistics
- ◆ accident/incident statistics
- ◆ disciplinary hearings, grievances and Dignity at Work cases
- ◆ analysis of leavers
- ◆ Joint Staffing Watch as at 10 September 2005

The Committee decided: that the report be noted.

[Reference: Minutes of 21 September 2005 (Paragraph 5)]

6 Council-wide Workforce Monitoring - August and September 2005

A report dated 17 October 2005 by the Executive Director (Corporate Resources) was submitted on the following Council-wide employee information for the period August and September 2005:-

- ◆ attendance statistics
- ◆ occupational health statistics
- ◆ accident/incident statistics
- ◆ disciplinary hearings, grievances and Dignity at Work cases
- ◆ analysis of leavers
- ◆ labour turnover
- ◆ recruitment monitoring
- ◆ Joint Staffing Watch as at 10 September 2005

The Committee decided: that the report be noted.

[Reference: Minutes of 21 September 2005 (Paragraph 6)]

7 Occupational Health and Safety Management System

A report dated 24 October 2005 by the Executive Director (Corporate Resources) was submitted on an occupational health and safety management system to replace the existing Health and Safety Manual.

The provision of the health and safety service within the Council had been reviewed in 2003 and a devolved structure implemented for Community, Enterprise, Housing and Technical and Social Work Resources. The Corporate Health and Safety and Contingency Planning Team had assumed responsibility for Education, Finance and Information Technology Resources, Lanarkshire Valuation Joint Board and South Lanarkshire Leisure.

A priority for the Corporate Team had included the review of the Health and Safety Manual to ensure that health and safety guidance:-

- ◆ reflected the devolved structure and revised responsibilities
- ◆ incorporated flexible procedures which could be adapted to enable Resources to deal with specific health and safety issues
- ◆ included standards against which health and safety performance could be measured

A review of the policy and the overall provision of health and safety had been undertaken involving key Resource health and safety representatives as well as Trade Union representatives.

The proposed occupational health and safety management system had been modelled on HSG 65, the Health and Safety Executive (HSE) guidance document "Successful Health and Safety Management". It incorporated a methodology for stress risk assessment and provided managers with comprehensive guidance notes and work instructions on a wide range of occupational health and safety issues which were based on legislative requirements, best practice and published HSE guidance and approved codes of practice.

The management system was designed to:-

- ◆ facilitate the management of health and safety within a corporate framework
- ◆ provide flexibility for Resources to develop operational health and safety systems and procedures to meet their specific needs
- ◆ improve the sharing of good practice in health and safety issues across the Council
- ◆ avoid duplication of effort

Details were provided on arrangements to communicate the implementation of the new management system to managers and employees.

The Committee decided:

- (1) that the occupational health and safety management system be introduced to replace the existing Health and Safety Manual; and
- (2) that the arrangements for communicating the implementation of the system across the Council be as detailed in the Executive Director's report.

[Reference: Minutes of 16 November 1999 (Paragraph 3)]

8 Regulation of Investigatory Powers (Scotland) Act 2000 - Outcome of Inspection and Proposed Changes to Procedures

A report dated 3 October 2005 by the Executive Director (Corporate Resources) was submitted on proposed changes to the Council's protocols and procedures in relation to the authorisation of covert surveillance.

To ensure compliance with the Regulation of Investigatory Powers (Scotland) Act 2000, the Council was periodically inspected by an Inspector from the Office of the Surveillance Commissioners. An inspection had been carried out on 22 August 2005. The report detailing the findings was generally favourable, however, the following recommendations had been suggested to improve the Council's procedures:-

- ◆ all applications for authorisation to be processed through single points of contact in Legal Services before the applications were passed to the authorising officers in each Resource. Legal Services would ensure that there was sufficient information contained in the application before it was passed to the authorising officer for consideration. If there was insufficient information, the application would be refused by the single points of contact and would not be passed to the authorising officer
- ◆ only the Chief Executive, or in his absence an Executive Director, be delegated the authority to deal with applications for the use of covert human intelligence sources (CHIS) to ensure confidentiality

Further minor amendments to the protocols had been recommended, however, clarification on those had been requested from the Inspector. It was proposed that the Chief Executive and Head of Legal Services be authorised to make any minor amendments to the protocols and procedures considered necessary to implement the remainder of the recommendations.

The Committee decided:

- (1) that the protocols and procedures in relation to the authorisation of covert surveillance be amended as detailed in the report;
- (2) that powers be delegated to the Chief Executive or, in his absence, an Executive Director, to deal with applications for CHIS; and
- (3) that the Chief Executive and Head of Legal Services be authorised to make other amendments to the Council's protocols and procedures considered necessary to implement the recommendations made by the Inspector for the Office of the Surveillance Commissioners in August 2005.

[Reference: Minutes of 11 February 2004 (Paragraph 15)]

9 Outcome of the Consultation Process on the Council's Race Equality Scheme for 2005/2008

A report dated 27 October 2005 by the Executive Director (Corporate Resources) was submitted on the outcome of the consultation on the Council's revised Race Equality Scheme for 2005/2008.

Following approval of the draft revised Race Equality Scheme at the meeting of the Committee on 29 June 2005, the Scheme had been issued to a range of organisations including the:-

- ◆ Lanarkshire Ethnic Minority Action Group (Lemag)
- ◆ Black and Ethnic Minority Employee Forum
- ◆ Commission for Racial Equality

The draft revised Scheme had also been published on the Council's website and an article had been published in "The Works" magazine to alert employees to the process.

A consultation evening had been held on 30 August 2005 to provide organisations with an opportunity to meet representatives from the Council to discuss any issues or request further information. The evening had been well attended and the feedback had been positive.

Following the consultation, there had been no need to amend the draft revised Scheme and it was proposed that arrangements be made to publish the Scheme by the specified date of 30 November 2005. Copies of the Scheme would be available in text and electronic versions and a summary version would be available in alternative languages.

The Committee decided:

- (1) that the outcome of the consultation process for the Council's revised Race Equality Scheme be noted; and
- (2) that the necessary arrangements be made to publish the Council's revised Race Equality Scheme for 2005/2008 by the required date of 30 November 2005.

[Reference: Minutes of 29 June 2005 (Paragraph 7)]

10 Appeals Panel

The minutes of the meeting of the Appeals Panel held on 3 October 2005 were submitted for approval as a correct record.

The Committee decided: that the minutes be approved as a correct record.

11 Disability Equality Scheme

A report dated 24 October 2005 by the Executive Director (Corporate Resources) was submitted on arrangements for developing a Disability Equality Scheme.

The Disability Discrimination Act 2005 introduced a new duty to promote equality for disabled people. There was a general duty and also specific duties with core requirements. A key element was the requirement for public authorities to publish a Disability Equality Scheme by December 2006. The Scheme would require to cover a 3 year period and include both employment and service delivery and would need to be reviewed and updated every 3 years.

The General Duty of the Act Section 49A stated that every public authority had, in carrying out its functions, to have due regard to the need to:-

- ◆ eliminate unlawful discrimination
- ◆ eliminate unlawful harassment
- ◆ promote equality of opportunity between disabled persons and other persons
- ◆ take steps to take account of disabled persons' disabilities, even where that involved treating disabled persons more favourably than other persons

The Specific Duties were intended to assist public authorities in meeting the General Duty. Regulations 2, 3 and 4 of the Disability Discrimination (Public Authorities) (Statutory Duties) Regulations 2005 set out the core requirements. The Scheme, therefore, had to include:-

- ◆ disabled people in its development and a statement of the ways in which they had been involved
- ◆ the authority's methods for assessing the impact of its policies and practices
- ◆ steps proposed to fulfil the General Duty in the format of an action plan
- ◆ arrangements for information gathering on the effect of policies and practices on disabled persons
- ◆ measurable indicators, specific outcomes and a realistic timetable
- ◆ arrangements for the monitoring and review of actions
- ◆ provision for publishing an Annual Report

Issues regarding the involvement of disabled people would require to be addressed in the development of a Scheme. The inclusion of carers and befrienders in the process would also require to be considered.

The Equal Opportunities Officer Working Group had held discussions with Social Work officials with experience in communicating with people with learning difficulties and would engage with Education Resources to ensure younger people were involved in the process. The development of a communications strategy would be done in conjunction with Corporate Communications and Public Affairs and, similarly, a consultation strategy would be developed with the Council's Consultation Unit. An article about the need to develop a Disability Equality Scheme would be included in "The Works" magazine in November to raise employee awareness generally.

Details were provided on the consultation timetable for developing the Council's Disability Equality Scheme.

The Committee decided: that the report be noted.

12 Chartered Institute of Public Relations Awards 2005/2006 - Holocaust Memorial Day

A report dated 31 October 2005 by the Executive Director (Corporate Resources) was submitted on the success of the Council in winning the following 2 Gold Awards at the Chartered Institute of Public Relations (CIPR) 2005/2006 Awards for its coverage of the Holocaust Memorial Day:-

- ◆ Best Integrated Public Relations Campaign
- ◆ Best Public Sector Programme

The comments made by the Chartered Institute of Public Relations panel of judges on the communications strategy for the Holocaust event were extremely positive and complimentary.

In addition, the Chair advised that the Council had also won an award for the Best Mixed Media Public Relations Campaign at the Good Communication Awards in London.

The Committee decided: that the success of the Council in winning recognition for its Holocaust Memorial Day coverage be noted.

13 Early Retirement and Redeployment

A joint report dated 21 October 2005 by the Executive Directors (Corporate Resources) and (Finance and Information Technology Resources) was submitted on early retirements, re-employment of early retirees and the redeployment exercise during the period 1 April 2005 to 30 September 2005.

The Committee decided: that the report be noted.

[Reference: Minutes of 4 May 2005 (Paragraph 11)]

14 Statutory Grievance Procedure

A report dated 24 October 2005 by the Executive Director (Corporate Resources) was submitted on the requirement to implement a new statutory grievance procedure.

In terms of the Employment Act 2002, prior to lodging a claim at an Employment Tribunal, employees were required to submit a statutory grievance which the employer had to deal with in a prescribed way and within a set timescale.

The existing grievance procedures, which had been agreed with the Trade Unions and followed national models, would be used in nearly all cases. However, if an employee insisted on invoking the statutory procedure, there was a requirement to hold a grievance meeting and, if necessary, a final appeal within 28 days of the grievance being submitted. Failure by the employer to comply with this would result in any Tribunal award being automatically increased by between 10% and 50%. It would not be possible to comply with this timescale in terms of the existing procedure and, therefore, a specific "statutory grievance procedure" was required. Details of the proposed procedure were contained in the appendix to the report.

In view of the timescales involved and in terms of Standing Order No 36(c), the Executive Director (Corporate Resources), in consultation with the Chair and an ex officio member, had implemented the new statutory grievance procedure.

The Committee decided: that the action taken, in terms of Standing Order No 36(c), by the Executive Director (Corporate Resources), in consultation with the Chair and an ex officio member, to implement the new statutory grievance procedure, be noted.

15 Urgent Business

There were no items of urgent business.