

**MINUTES OF A MEETING OF THE
PERSONNEL BOARD
HELD ON 13 JANUARY 2023 FROM 7.00 PM TO 8.25 PM**

Committee Members Present

Councillors: Rachel Bishop-Firth (Chair), Clive Jones (Vice-Chair), Prue Bray, Stephen Conway, Pauline Helliar-Symons and Pauline Jorgensen

Officers Present

Madeleine Shopland, Democratic and Electoral Services Specialist
Sally Watkins, Chief Operating Officer
Louise Livingston, Assistant Director HR

41. APOLOGIES

An apology for absence was submitted from Councillor Stuart Munro.

42. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Board held on 4 October 2022 were confirmed as a correct record and signed by the Chair.

43. DECLARATION OF INTEREST

There were no declarations of interest received.

44. PUBLIC QUESTION TIME

There were no public questions.

45. MEMBER QUESTION TIME

There were no Member questions.

46. REVISED GRIEVANCE POLICY

The Board received the revised Grievance Policy.

During the discussion of this item, the following points were made:

- Louise Livingston, Assistant Director HR, presented the revised Grievance Policy. There had been some concerns around the existing policy including a lack of clarity around expectations and timeframes.
- Consultation had taken place with the Unions, staff networks and managers.
- Improvements included early resolution where possible, clear timescales in order to prevent grievances taking longer than necessary, and the inclusion of a process flow chart which set out required actions at each stage. Further clarity was provided regarding roles and available support.
- Councillor Helliar Symons commented that the number of grievances had risen and that this had led to complaints about the current process. She was pleased that the revised policy sought to address issues and that staff had been consulted.
- Councillor Helliar Symons was of the opinion that the five working day turnaround with grievance or appeal outcome decisions was reasonable. She went on to state that she was pleased to see that with regards to bullying and harassment complaints, the new policy recommended that an initial meeting be held with the aim to resolve informally where possible, in line with the ACAS code of Conduct. The current policy stated that such complaints would go straight to investigation.

- Councillor Jorgensen questioned if guidelines on how long an investigation was expected to take was included in the policy. Louise Livingston explained that this was not included in the policy, and that the HR team would look to establish these parameters early in the process, depending on the complexity of the case. 21 working days was common elsewhere.
- Councillor Jorgensen queried how a hearing manager was selected. Louise Livingston responded that it depended on several factors such as the complexity of the grievance, where the person sat within the organisation, and the level of experience required. The informal stage could be a useful scenario for those managers who were newer to the process.
- Councillor Jorgensen expressed surprise that people could raise a grievance for a certain number of weeks after they had left the Council. The Chief Operating Officer indicated that this had been confirmed with the HR Consultant and Legal. Councillor Bishop-Firth added that for the past few years it had been a legal requirement to hear a grievance after someone had left.
- Councillor Jorgensen questioned how Councillors fit in to the process. Louise Livingston clarified that Councillors could be involved in a separate process for statutory officers, which was outside of the policy.
- Councillor Bray questioned how effective an informal resolution meeting would be in the instances of grievances relating to bullying and harassment. She thought that those submitting the complaint may feel that they did not want to speak outside of a formal process. There was a need to protect those who had been bullied and harassed. Louise Livingston stated that it was a matter of reviewing the facts, and assessing as required whether it was strong management or bullying and harassment. HR was careful to work in line with the ACAS code.
- In response to a question from Councillor Conway it was confirmed that the Unions and staff networks had been provided with a draft of the revised policy.
- Councillor Conway asked about grievances raised against Councillors and was informed that this was dealt with via a separate process, but that the principles were the same. Members felt that this should be clarified in the scope of the policy.
- It was noted that the right for Agency workers to raise a grievance using the Council process had been removed and that they must raise this direct with their Agency as their employer. Louise Livingston commented that she would ensure that the Agency Policy was up to date and in line with the Grievance Policy. Councillor Jones stated that agencies should inform the Council of a grievance being submitted by one of their workers, within a certain number of days. It was noted that this would be agreed in the Council's contracts with the agencies.
- Councillor Jorgensen was of the opinion that the scope could be clearer about which staff could use the policy to make a complaint or have a complaint submitted against them. It was agreed that this would be clarified.
- Louise Livingston informed Members on how the updated policy would be communicated to staff.

RESOLVED: That the revised Grievance Policy be agreed, subject to the amendments discussed in the meeting.

47. UPDATE ON SENIOR RECRUITMENT

Members were provided with an update on senior recruitment.

During the discussion of this item, the following points were made:

- The current Interim Director Place and Growth would leave the Council at the end of the month. The appointment process had been moved forward to allow his continued involvement in the process.
- Members were informed that technical interviews would take place on 18 January. Shortlisting would take place on 23rd January and interviews would be held on 6 February.
- Councillor Jorgensen expressed concern that the shortlisting meeting clashed with an Overview and Scrutiny Committee meeting. It was explained that there were very few available meeting dates.
- Councillor Jones indicated that he would be substituted by Councillor Ferris for the process, and Councillor Bray indicated that she would be substituted by Councillor Fishwick, during the process.

RESOLVED: That the update on senior recruitment be noted.

48. EXCLUSION OF THE PUBLIC

RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act (as amended) as appropriate.

49. AGENCY WORKER USAGE Q2 2022/2023

The Board considered the Q2 Agency worker usage Q2 2022/23 report.

RESOLVED: That

- 1) Recommendation 1 be agreed subject to the amendments discussed during the meeting;
- 2) Recommendation 2 be agreed.