

AGENDA

Meeting: STAFFING POLICY COMMITTEE
Place: Orkney Room, 2nd Floor, County Hall East Wing, Trowbridge
Date: Wednesday 23 November 2011
Time: 10.30 am

Please direct any enquiries on this Agenda to Roger Bishton, of Democratic and Members' Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713035 or email roger.bishton@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225) 713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Membership:

Cllr Allison Bucknell
Cllr Rod Eaton
Cllr Mike Hewitt
Cllr Jon Hubbard
Cllr Francis Morland

Cllr John Noeken
Cllr Mark Packard
Cllr Jane Scott OBE
Cllr John Smale

Substitutes:

Cllr Rosemary Brown
Cllr Chris Caswill
Cllr Ernie Clark
Cllr Mary Douglas
Cllr Malcolm Hewson

Cllr George Jeans
Cllr Bill Moss
Cllr Christopher Newbury
Cllr Jonathon Seed

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PART I

Items to be considered while the meeting is open to the public

1. **Apologies for absence**

2. **Minutes of Previous Meeting** *(Pages 1 - 6)*

To confirm the minutes of the meeting held on 21 September 2011. (Copy attached)

3. **Declarations of Interest**

To receive any declarations of personal or prejudicial interests or dispensations granted by the Standards Committee.

4. **Chairman's Announcements**

5. **Public Participation**

The Council welcomes contributions from members of the public.

Statements

If you would like to make a statement at this meeting on any item on this agenda, please register to do so at least 10 minutes prior to the meeting. Up to 3 speakers are permitted to speak for up to 3 minutes each on any agenda item. Please contact the officer named on the front of the agenda for any further clarification.

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of the agenda no later than 5pm on **Wednesday 16 November 2011**. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website.

6. **Travel Expenses Policy** *(Pages 7 - 18)*

A report by the Service Director HR & OD is attached.

7. **Smoking Policy & Procedure** *(Pages 19 - 32)*

A report by the Service Director HR & OD is attached.

8. **Moving Home Allowance (New Employee) Policy** *(Pages 33 - 40)*

A report by the Service Director HR & OD is attached.

9. **Quarterly Workforce Measures - Delivering the Business Plan** *(Pages 41 - 46)*

A report by the Service Director HR & OD is attached.

10. **Annual Equality & Diversity Report 2010/11** *(Pages 47 - 58)*

A report by the Service Director HR & OD is attached.

11. **Trade Union Recognition Facilities Agreement** *(Pages 59 - 84)*

A joint report by the Service Director HR & OD and the Secretary Wiltshire UNISON is attached.

12. **Senior Officers Employment Sub-Committee** *(Pages 85 - 88)*

The minutes of the Senior Officers Employment Sub-Committee held on 2 November 2011 are attached for information only.

13. **Date of Next Meeting**

To note that the next meeting is scheduled to be held on Wednesday 11 January 2012, starting at 10.30am.

14. **Urgent Items**

Any other items of business which, in the opinion of the Chairman, should be considered as a matter of urgency. Urgent items of a confidential nature may be considered under Part II of this agenda.

15. **Exclusion of the Public**

To consider passing the following resolution:-

To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Item No. 16 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 1 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

PART II

Items during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed

16. **Local Government Pension Scheme (LGPS) Employer Discretions - Early Retirement on Compassionate Grounds** *(Pages 89 - 98)*

A confidential report by the Service Director HR & OD and the Service Director, Adult Care is attached.

STAFFING POLICY COMMITTEE

DRAFT MINUTES OF THE STAFFING POLICY COMMITTEE MEETING HELD ON 21 SEPTEMBER 2011 AT ORKNEY ROOM, 2ND FLOOR, COUNTY HALL EAST WING, TROWBRIDGE.

Present:

Cllr Allison Bucknell (Chairman), Cllr Rod Eaton, Cllr Malcolm Hewson (Substitute), Cllr Francis Morland, Cllr Bill Moss (Substitute), Cllr John Noeken, Cllr Mark Packard and Cllr John Smale

68. Apologies for absence

Apologies for absence were received from Cllr Mike Hewitt, Cllr Jon Hubbard (who was substituted by Cllr Malcolm Hewson) and Cllr Jane Scott (who was substituted by Cllr Bill Moss).

69. Minutes of Previous Meeting

Resolved:

To confirm and sign the minutes of the Committee meeting held on 20 July 2011.

70. Declarations of Interest

There were no declarations of interest.

71. Chairman's Announcements

The Chairman announced that a number of Trade Unions were looking to stage a joint day of strike action, possibly on 30 November, 2011, followed by targeted action into next year, against the Government's proposals about Pensions. Public sector unions to have so far declared their intention to ballot their members included Unison, GMB and Unite.

Committee members would be kept informed of developments but in the meantime would be sent copies of the recently updated Industrial Action Procedure and a briefing note on potential industrial action.

72. **Public Participation**

There were no members of the public present or councillors' questions.

73. **Appointment of Sub-Committees**

On receiving nominations from the Liberal Democrat and Independent Groups and also on hearing from the Conservative Group,

Resolved:

(1) To appoint members to serve on the sub-committees of this Committee in respect of the outstanding vacancies for the ensuing year as set out below:-

(a) **Senior Officers Employment Sub-Committee**

Cllr Jon Hubbard

(Substitute Member: Cllr Mark Packard)

(b) **Appeals Sub-Committee**

Cllr Mark Packard

(Substitute Member: Cllr Jon Hubbard)

(c) **Grievance Appeals Sub-Committee**

Cllr Francis Morland

(Substitute Members: Cllr Ernie Clarke, Cllr George Jeans and Cllr Christopher Newbury)

(2) To appoint Cllr John Noeken as a member of the Senior Officers Employment Sub-Committee in place of Cllr Jane Scott for the ensuing year.

74. **III Health Retirement Procedure**

On considering a report by the Service Director HR & OD,

Resolved:

To approve the amended III Health Retirement Procedure for early release of pension benefits.

75. **Religion and Belief in the Workplace Policy and Procedure**

Consideration was given to a report by the Service Director HR & OD which presented a new religion and belief in the workplace policy and procedure which amalgamated existing religious beliefs and practices information and was in line with the Equality Act 2010.

After some discussion,

Resolved:

To approve the Religion and Belief in the Workplace Policy and Procedure, subject to:-

- (1) The inclusion of a statement that relevant consideration would be given to health & safety duty of care in paragraphs 55 & 56 of the document.**
- (2) Reference to Health & Safety legislation being included in the summary of relevant legislation at the end of the document.**

76. **Time Off for Elections Policy and Procedure**

Consideration was given to a report by the Service Director HR & OD which sought approval to a revised Time Off for Elections Policy and Procedure which would apply to all Wiltshire Council employees.

Resolved:

To approve the revised Time Off for Elections Policy and Procedure.

77. **Annual Leave & Bank Holiday Entitlement Policy and Procedure**

On considering a report by the Service Director HR & OD,

Resolved:

To approve the revised Annual Leave & Bank Holiday Policy and Procedure.

78. **Apprenticeship Programme Policy**

Consideration was given to a report by the Service Director HR & OD which introduced a new Apprenticeship Programme Policy which had been produced to support the development of an apprenticeship programme within the Council.

During discussion Members warmly welcomed this initiative and suggested that such a policy be used as an additional aid and incentive to the recruitment of young people.

Resolved:

To approve the Apprenticeship Programme Policy, subject to the removal of the highlighted section “Why use an Apprentice?” at para.6 of the policy.

79. **Leaver Procedure**

The Committee considered a report by the Service Director HR & OD setting out the current process for managing leavers. It was noted that the report had been prepared in response to a request made by the Staffing Policy Committee at its meeting on 20 July 2011 for additional information about the leaver process.

Resolved:

To note the current leaver process and guidance.

80. **Quarterly Workforce Measures - Delivering the Business Plan**

The Committee received quarterly workforce reports excluding schools for the quarter ended 30 June 2011 concerning:-

Staffing Levels
Workforce Information
Sickness Absence
Health and Safety
Voluntary Staff Turnover
Disciplinary and Grievance Cases

The report also set out information relating to Workforce Costs and Benchmark Data.

Resolved:

To note the contents of the report and to express the Committee’s thanks to Paul Rouemaine, HR Information Manager, on his production of a clear and concise report.

81. **Leisure Services Staff Use of Leisure Facilities**

On considering a joint report by the Service Director HR & OD and the Head of Leisure, Department of Neighbourhood & Planning,

Resolved:

To agree to the introduction of a single harmonised scheme for Leisure Services staff directly responsible for the management or operation of one of the Council owned and managed leisure facilities, which should be introduced immediately as part of the Leisure Services restructure.

82. **Date of Next Meeting**

Resolved:

To note that the next meeting was due to be held on Wednesday 23 November 2011, starting at 10.30am.

83. **Urgent Items**

There were no items of urgent business.

84. **Exclusion of the Public**

Resolved:

To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Minute No. 85 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 1 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

85. **Local Government Pension Scheme (LGPS) - Employer Discretions
Payment of Deferred Payments**

On considering a confidential report by the Service Director HR & OD,

Resolved:

To approve the release of a member of staff's deferred LGPS pension benefits, with actuarial reduction, as set out in the report.

(Duration of meeting: 10.30 am - 12.00 pm)

The Officer who has produced these minutes is Roger Bishton, of Democratic & Members' Services, direct line 01225 713035, e-mail roger.bishton@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

WILTSHIRE COUNCIL

STAFFING POLICY COMMITTEE 23rd NOVEMBER 2011

Travel Expenses Policy

Purpose of Report

1. To present the Travel Expenses policy, with the inclusion of several smaller related policies, to clarify the arrangements and circumstances when travel expenses will be paid. This policy applies to all Wiltshire Council employees (with the exception of teaching staff in locally managed schools).

Background

2. Following an internal audit of officers' expense claims in February 2011, it was evident that the travel expenses policy required updating to provide clear detail on processes, procedures and allowance rates to ensure the accuracy and appropriateness of claims.
3. In addition, following the recent trade union ballot on the changes to terms and conditions, the travel expenses policy needed updating to reflect the new arrangements.
4. The travel allowances/expenses have not changed. However, the policy has been rewritten as new clarification of the processes and procedures will help to ensure the accuracy and appropriateness of claims.

Main Considerations for the Council

5. Human Resources aims to create policies which are consistent in format, easy to read and understand and are fit for purpose. This procedure is in the new format which supports these aims.
6. The main points of the policy include:
 - Travel and mileage allowances for cars, motorbikes, bicycles and public transport.
 - Guidelines for acceptable mileage between hubs
 - Use of private, lease and council owned vehicles
 - Public transport
 - Excess travel expenses due to relocation
 - Protection of parking benefits

- Making and authorisation of claims
 - Roles and responsibilities of managers and employees
7. The procedure has been created and formatted in line with the new HR policy template.

Consultation

8. The policy was approved and ratified by JCC on 20 October 2011 following consultation with HR, Legal, Union representatives and other key stakeholders.

Environmental Impact of the Proposal

9. None

Equalities Impact of the Proposal

10. No negative impacts have been identified.

Risk Assessment

11. None

Options considered

12. None

Recommendation

13. To recommend that Staffing Policy Committee approve the Apprenticeship Programme policy.

Barry Pirie
Service Director
HR & OD

Report Author: Rebecca Williams, Human Resources Policy & Reward team

The following unpublished documents have been relied on in the preparation of this report: None

Draft - Travel Expense Policy

This policy can be made available in other languages and formats such as large print and audio on [request](#).

What is it?

This policy provides advice and guidance on travel expense claims.

Go straight to the section:

- [Who does it apply to](#)
- [When does it apply](#)
- [Main Points](#)
- [Business mileage rates](#)
- [Car Business mileage](#)
- [Use of private vehicles](#)
- [Use of Wiltshire Council vehicles](#)
- [Use of hire Cars](#)
- [Car parking whilst on business](#)
- [Protection of parking benefits](#)
- [Excess travel expenses due to relocation](#)
- [Public transport – rail/bus/taxis](#)
- [Public transport rate](#)
- [Making a claim](#)
- [Supporting receipts and documents](#)
- [Authorisation of claims](#)
- [Roles and Responsibilities](#)
- [FAQ's](#)

Who does it apply to?

This is a harmonised policy and applies to all Wiltshire council employees with the exception of teaching staff employed in locally managed schools.

When does it apply?

The guidelines apply to the following:

- Travel and mileage allowances – car, motorbike ,bicycle and public transport
- Excess travel expenses due to relocation
- Protection of parking benefits
- Use of private and lease vehicles policy
- Use of council owned vehicles

What are the main points?

Business Mileage rates

1. You are entitled to claim a mileage allowance for any business miles undertaken for Wiltshire Council. The table below contains the mileage allowances payable;

	First 10,000 miles	Following 10,000 miles
Car	45p	25p
Motorbike	24p	24p
Bicycle	40p	40p
Public transport	40p	40p
Green Car Salary Sacrifice Scheme	Please refer to the HRMC website for current advisory fuel rates.	

Figures are based on business miles undertaken in the tax year (April to March)

Car business mileage

2. You can only claim business mileage for any miles undertaken in excess of normal home to work mileage.
3. Business mileage claims are for the shortest reasonable route. The RAC Route planner available, on "The Wire", can be used to give recommended routes. Claims for excessive mileage will be not be processed without sufficient explanation.
4. As a guideline only the following distances apply: i.e. main office/hubs.

County Hall	Monkton Park	14 miles
County Hall	Browfort	12 miles
County Hall	Bourne Hill	33 miles
County Hall	Shurnhold	8 miles
Bourne Hill	Monkton Park	36miles
Monkton Park	Browfort	11 miles
Bourne Hill	Browfort	26 miles

Use of private vehicles

5. If you drive on Wiltshire Council business, including travel to and from training courses, you must have valid insurance covering business travel for the vehicle used, a current MOT certificate (if applicable) and possess a current driving licence.
6. The council has a duty to do all that it reasonably can to ensure that you meet these requirements and must be able to demonstrate that there are proper systems in place to meet the requirements of the health and safety legislation in this regard.
7. Fleet Services will be responsible for annually checking that all employees who drive on Wiltshire Council business, and propose to use their own vehicles have produced:
 - An insurance certificate to cover business use for the vehicle used;
 - A current MOT certificate (if the car is over three years old);
 - A valid driving licence.

8. If you drive on council business you have a duty to inform your line manager, in writing, of any prosecution for offences under the Road Traffic Acts, which may result in your disqualification from driving or endorsements. You are also required to inform your line manager if you become aware of any fact (e.g. medical condition), which could render you unable to drive safely.
9. If you cycle to council meetings or on council business, your bicycle should be roadworthy and you should wear appropriate high visibility clothing and a helmet. Distances should be 'reasonable' in terms of time and cost effectiveness.

Use of a Wiltshire Council vehicle (Including [Pool Cars](#))

10. Vehicles are strictly for official business use for Wiltshire Council and are not insured for private use. They cannot be kept overnight unless overnight accommodation is booked for conferences or training, or there are exceptional circumstances. E.g. Early journey start time.
11. If you drive a Wiltshire Council vehicle you must:
 - Hold a valid Driving Licence
 - Have held the licence for at least one complete year.
12. If you have an endorsement on your licence you may be prevented, under the terms of the council's insurance arrangements, from driving council vehicles. If you receive any driving penalties and use council vehicles, you must inform your manager.
13. For full details on use of private or council vehicles please refer to the [pool car](#) section on The Wire and the [driving at work policy](#).

Use of a Hire car

14. Where it is cheaper to hire a car rather than pay you to travel in your own car your manager may instruct you to use a hire car.

Car Sharing

15. Wiltshire Council encourages you to [share transport](#) when attending business meetings. The driver of the vehicle can claim an additional passenger rate of 1p per mile.

Car parking whilst on business

16. Car parking expenses will only be refunded if you provide the relevant parking tickets. Parking penalties/fines will not be reimbursed as it is your responsibility to ensure the correct ticket price is paid. Only legal parking expenses will be paid.

Protection of parking benefits (car parking nil detriment)

This is a temporary arrangement pending the introduction of the new harmonised car parking policy expected late 2011/early 2012.

17. You should not be financially worse off due to a change in your parking arrangements if you move job due to:
 - the move to the unitary council; or
 - a departmental restructure.
18. This applies when the new job is at your original or different work base and applies when there is a:
 - lateral move
 - promotion
 - redeployment opportunity
19. This policy applies regardless of whether you are in receipt of pay protection.
20. If you had free or subsidised parking before your job moved or changed this arrangement should continue until new policies are implemented.
21. If it is not possible to match your previous arrangements exactly, your manager will confirm how this policy will be implemented to ensure that you do not suffer any financial detriment.

This may include:

 - arranging for a parking permit or appropriate authorisation to park at or near the work base;
 - reimbursing parking costs via a monthly claim form;

Excess travel expenses due to relocation

22. This section is only applicable if you were in receipt of excess travel expenses prior to 1st September 2011.
23. Excess mileage can only be claimed for 3 years from the date of the work base change.
24. Excess travel can be claimed for the difference between your home and old contracted work base, and your home and new contracted work base if it exceeds 3 miles, or more.
25. The applicable mileage rates are listed in section 1 above.

Public Transport

26. **Rail travel** should be 2nd class. 1st class tickets will not be reimbursed. Please follow the council's procedure for [ticket purchases](#).
27. **Taxis** will not be reimbursed unless there is a genuine reason for their use. E.g. Where an employee is put at risk due to early morning or late night travel following attendance of a course, where no public transport is available, or where there are accessibility issues and reasonable adjustments are required

for disabled employees. This will need to be agreed in advance by your manager.

28. **Bus/coach** travel is reimbursed at cost.

The public transport rate

29. This is paid for mileage for [training courses](#), moving home allowance to reimburse mileage when you travel to and from your previous home, and for external interview expenses. The current rate is 40p per mile.

Making a claim for mileage expenses

30. You can make a claim using [SAP](#). If you do not have access to SAP a completed expenses form with relevant documentation must be submitted for authorisation by your manager.
31. [Expense forms](#) can be found on HR Direct or if you do not have access to a PC your manager can provide you with one.
32. Claims should be made monthly. Claims must be made within 3 months of the travel date, otherwise your claim will not be processed.

Supporting receipts and documents

33. All expense claims require you to provide original receipts, parking tickets and documentation.
34. It is your authorising managers' responsibility to check off receipts and supporting documentation before authorising your claim.
35. Fuel expense claims, for when a hire car or Wiltshire Council owned vehicle is used, will only be processed if the claim is accompanied by a VAT receipt. You will need to ask for a VAT receipt when paying – this is readily available on request and includes a breakdown of VAT paid. For tax purposes, the receipt must predate the journey to support the claim.

Authorisation of claims

36. Claims submitted via SAP should be authorised in SAP by your manager by the 10th of the month in order to be included in that month's pay.
37. Paper claims must be submitted by the 1st of the month.

Roles and responsibilities

Employee responsibilities

38. Ensure all receipts and paperwork is processed with your expense claim.
39. Provide accurate records and details for all claims.

Line manager responsibilities

40. Thoroughly checking claims - e.g. checking mileage not excessive.

41. Ensuring correct receipts accompany claims.
42. Ensuring appropriate paperwork is passed to HR payroll administration in the correct pre printed envelope.
43. Ensure claims submitted via SAP are authorised within the system by the 10th of the following month to be included in that months pay.
44. Complete all fields within SAP to maintain an audit trail.
45. To identify employees who are affected by a move or change to their job caused by the move to the unitary council or a departmental restructure.
46. To make arrangements to ensure affected employees are not suffering financial detriment as a result of their parking arrangements changing.
47. If a claim is not authorised you will need to inform the employee and let them know why so they can amend and re-submit the claim.

HR responsibilities

48. Ensure receipts and documentation are correctly filed/stored to ensure that claims can be retraced if required.

Frequently asked questions

49. I still have a lease car. What mileage rate can I claim?

Staff participating in the Car Leasing Scheme are paid at 12.7p per mile for official business mileage from 1 April 2009. This allowance may be subject to tax subject to the Inland Revenue regulations at the time of claiming the allowance.

50. I now have a car from the Green Car Salary Sacrifice Scheme. What business mileage rate can I claim?

This rate is governed by the HMRC and your car is classed as a company car. The rates are updated regularly and depend on the type of fuel your car uses and the engine size. For the current rates please refer to the HMRC website : http://www.hmrc.gov.uk/cars/advisory_fuel_current.htm

51. My job has moved from an ex-district hub, where I had free parking, to a base where parking is for permit holders only. Will I automatically get a permit?

You should speak to your manager about whether you are eligible for a permit to park at your new work base. It may not be possible to issue everyone with parking permits due to the lack of available parking spaces.

If you are not eligible for a permit, and you pay to park in another car park, you will be reimbursed for any parking costs.

52. I claim excess travel expenses as my work base was moved from County Hall to Shurnhold. If I travel from home to a meeting at a different site, can I still make a claim for excess travel?

Yes. You can claim for the excess mileage from your home to the alternative site by applying the same terms of the scheme.

For example : – an employee lives in Trowbridge and used to work in County Hall, but now has to travel to Shurnhold. Their journey to work used to be 2 miles each way. As Melksham is 7 miles away, they can claim 5 miles excess travel each way. The same employee has a meeting in Devizes and wants to travel there directly from home – a distance of 9 miles. For the journey each way, they cannot claim for the first 2 miles – but can claim 5 miles under the excess travel expense scheme and the remaining 2 miles will be claimed as business mileage.

53. I sometimes work from home and go to meetings from there. Where do I claim business mileage from ? Home or work address?

As you are not classed as a home worker in your contract of employment, you are not eligible to claim business mileage to travel to your normal work address, so any business mileage would be calculated from your work address to the meeting venue.

For example, you normally drive 2 miles to work. To attend a meeting you drive 14 miles each way. You claim 12 miles business mileage each way.

54. I overstayed in a car park because my work meeting went on longer than expected. Will the council pay for my parking fine?

No, this policy only covers legal parking charges. The council will not pick up the cost for penalty notices occurred for illegal parking.

55. I am sometimes “On Call” as part of my role. Can I claim from my home address if I am called out when not during normal working hours?

Yes. As this is in addition to your normal daily arrangements you can claim from your home address.

56. I was entitled to free parking at my previous work base but now my job has moved I walk to work – can I still claim for the parking I would pay if I brought my car to work?

No, this policy is on the basis on “nil detriment”. This means that you should not be financially worse off as a result of your move. If you are not suffering any financial loss by walking to work then you are not entitled to claim anything.

57. What are the Tax implications for business mileage?

Inland Revenue rates for cars and motorbike are subject to tax, however public transport and bicycle rates are not inland revenue rates and are therefore non taxable.

58. Will excess mileage due to the move to Shurnhold be taxed? I thought that mileage paid due to temporary moves is not taxable.

Yes - you will pay tax and NI on any excess mileage claimed. The HMRC has a very complicated definition of what can (and cannot) be called a "temporary" workplace. We have looked into this very carefully and unfortunately the Shurnhold move does not fall under this definition and therefore this mileage is not tax-exempt.

59. Can I claim for excess mileage if I cycle to work?

Yes - please make sure you clearly mark on the claim form that you are using a bicycle so that the appropriate rate can be paid.

60. Due to my disability I do not drive but have a support worker who drives my vehicle. Does this policy apply to me?

Yes this policy is applicable; however you will be responsible for ensuring your driver holds a current driving licence and is insured to drive your car.

Definitions

Home Worker – an employee who's contracted work base is their home address rather than the employers' workplace.

Flexible Working – the ability to work flexibly, including working from home, where your contracted work base is a council office. E.g. You are able to work from home up to 2 days per week but your main workplace is a council office.

Business journey – any journey made during the course of the working day for work purposes which includes, but is not limited to, dropping off or collecting people/items to other departments (even if it is at the beginning or end of the working day) and going to a meeting at another site other than your usual place of work.

Equal Opportunities

This policy has been Equality Impact Assessed ([link to EIA for policy](#)) to identify opportunities to promote equality and mitigate any negative or adverse impacts on particular groups.

Managers will make any necessary adjustments to ensure that all employees are treated fairly. For further information see the guidance on equal opportunities in ([link to equal opps guidance](#))

Legislation

This policy has been reviewed by the legal department to ensure compliance with our statutory duties.

Advice and guidance

If you require help in understanding this policy you should contact your line manager or trade union representative if you are a member.

If, due to the nature of your query, it is not appropriate to contact your line manager you should contact your head of service who will nominate an appropriate manager or colleague to help you.

Further information

There are a number of related policies and procedures that you should be aware of including:

- Driving at Work
- [Pool car booking](#)
- [Travel and commuting](#)

For further information please speak to your supervisor, manager, service director or contact your [HR advisor](#).

Policy author	HR Policy and Reward Team – (RW)
Policy implemented	DD-MM-YYYY
Policy last updated	7-10-2011

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WILTSHIRE COUNCIL

STAFFING POLICY COMMITTEE 23rd NOVEMBER 2011

Smoking Policy and Procedure

Purpose of Report

1. This report presents the new smoking policy and procedure.

Background

2. Wiltshire Council currently has 5 smoking policies implemented prior to April 2009. These policies need to be harmonised into one policy that provides a consistent approach across the organisation.
3. In June 2010, the Joint Central Health and Safety Committee discussed the proposal to harmonise the policies to a smoke-free environment policy adopting the old county council and north Wiltshire district council policies of smoke-free sites. It was agreed that a formal proposal be put forward for comment.
4. UNISON submitted a statement against this initial proposal to adopt the old county council and north Wiltshire district council policies of smoke-free sites. UNISON did not support a total smoking ban from all Wiltshire Council work sites.
5. In May 2011, the Staffing Policy Committee considered the options for implementing a consistent approach to smoking across the organisation. The committee supported the recommendation that a policy be developed that allows smoking on-site in the larger workplaces at a designated area and reasonable unpaid smoking breaks in agreement with the line manager. Reasons for this decision include the public perception of Wiltshire Council in relation to employees smoking in public places and the impact that this has upon the council's reputation. In recent years, complaints have been received from members of the public as a result of employees smoking in public places.

Main Considerations for the Council

6. The procedure has been created and formatted in line with the new HR policy template.
7. The main points of the smoking policy and procedure include:

- The support available to employees should they wish to stop smoking through NHS Wiltshire or the occupational health service.
 - Arrangements for designated smoking areas at the main Wiltshire Council workplaces. These areas will not be shelters but an area where employees are signposted should they wish to smoke.
 - Arrangements for smoking breaks in addition to the normal authorised rest breaks (lunchtime or shift breaks). These are unpaid and are dependent upon the agreement of the line manager based upon impact on service delivery and other employees. Any time taken should be made up during the same working day.
 - Arrangements to maintain smoke-free vehicles for council commercial fleet, pool cars, lease cars and salary sacrifice cars and recommendations for privately owned vehicles.
8. The procedure also includes clarification regarding HR, occupational health, line manager and employee roles and responsibilities.

Consultation

9. The policy was approved by JCC on 20th October 2011 following consultation with HR, union representatives and other key stakeholders.

Environmental Impact of the Proposal

10. None

Equalities Impact of the Proposal

11. No negative impacts have been identified.

Risk Assessment

12. None

Financial Implications

13. It is estimated that each designated smoking area will cost approximately £250 for a cigarette bin and appropriate signage with a maximum of 10 areas across the organisation.

Options considered

14. None

Recommendation

15. To recommend that Staffing Policy Committee approve the new policy and procedure.

**Barry Pirie
Service Director
HR & OD**

Report Author: Laura Butcher, Human Resources Policy & Reward team

The following unpublished documents have been relied on in the preparation of this report: None

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Wiltshire Council Human Resources

Smoking Policy and Procedure

This policy can be made available in other languages and formats such as large print and audio on [request](#).

What is it?

This policy and procedure details the arrangements to promote a smoke-free environment for employees to reduce the health risks associated with smoking.

It acknowledges that some employees may wish to smoke and therefore includes arrangements for individuals to smoke during their working day.

It also provides information and support for individuals who wish to stop smoking.

Go straight to the section:

- [Support to stop smoking](#)
- [Designated smoking areas](#)
- [Smoking at other Wiltshire Council sites](#)
- [Designated smoking breaks](#)
- [Customer facing roles](#)
- [Council owned vehicles \(commercial fleet\)](#)
- [Pool vehicles](#)
- [Privately owned vehicles](#)
- [Lease and salary sacrifice vehicles](#)
- [Visitors to Wiltshire Council sites](#)
- [Roles and responsibilities](#)
- [Frequently asked questions](#)

Who does it apply to?

This policy applies to all Wiltshire Council employees (with the exception of teaching and non-teaching staff employed in locally managed schools).

This is a harmonised policy and applies to both Wiltshire Council and ex-district TUPE employees.

This policy also applies to councillors, temporary employees, casuals, contractors, sub-contractors, consultants, agency workers, staff seconded from other organisations, volunteers and visitors and members of the public.

When does it apply?

This policy applies to all Wiltshire Council premises, grounds and vehicles.

What are the main points?

Support to stop smoking

1. If you wish to stop smoking, support is available from occupational health or NHS Wiltshire. Support includes (but is not limited to):
 - Access to a smoking cessation advisor
 - Information about local support groups or 1-2-1 sessions
 - Time off (with the agreement of your manager) to attend a stop-smoking programme
 - Funding for one 12 week course of stop-smoking treatment (with the agreement of your manager and based on the NHS prescription charge to include a maximum of 6 prescription charges)
2. You should wherever possible arrange to attend stop smoking support sessions out of work time. Where this is not possible, paid time off may be authorised. This is subject to a limit of one session per week for 6 weeks (or equivalent) and once claimed may not be claimed for any future programmes unless in exceptional circumstances.
3. For further information about the support available please contact occupational health or the NHS at www.wiltshire.nhs.uk, www.smokefree.nhs.uk, or by telephoning 01380 733891.

Designated smoking areas

4. Wiltshire Council is committed to providing a smoke-free environment for employees and the public and therefore all the council's premises and grounds are smoke-free except for where designated smoking areas have been identified.
5. Designated smoking areas are located at the main Wiltshire Council workplaces of:
 - Bourne Hill in Salisbury

- Bradley Road in Trowbridge
 - Browfort in Devizes
 - County Hall in Trowbridge
 - Monkton Park in Chippenham
 - Shurnhold in Melksham
 - Other specific sites where specific arrangements apply
6. Smoking outside of the designated smoking areas is not permitted.
 7. You are only permitted to smoke at one of the designated smoking areas when you are on a smoking break that has been agreed by your manager.
 8. The designated smoking areas are clearly identifiable and signposted. Cigarette bins are provided and you should ensure that any litter is cleared away.
 9. The existing shelters at Bradley Road and Riverway depot will continue to be in place until they become beyond repair. When this occurs, a designated area will be allocated in their place.

Smoking at other Wiltshire Council sites

10. If you wish to smoke at a Wiltshire Council site that does not have a designated area, smoking is not permitted within the grounds.
11. You should smoke away from Wiltshire Council grounds and ensure that you are not exposing any other individual to second-hand smoke such as making sure that you are away from windows and entrances to any buildings.
12. At these sites the arrangements for smoking breaks still apply and you must ensure that you only smoke on an agreed break.

Designated smoking breaks

13. It is accepted that some employees may wish to smoke during the working day. However, smoking breaks must not detract from work duties and must not cause disruption to other employees. Any smoking breaks must be agreed with your manager.
14. You may be permitted unpaid smoking breaks during the working day other than your normal authorised rest breaks (e.g. lunchtime / shift breaks) at the discretion of your manager. Your manager will consider

the impact of this break upon service delivery and the normal arrangements for breaks within your team.

15. If your manager agrees that you may take a smoking break, they will agree the maximum number of smoking breaks that you may take and when these may be taken. Smoking breaks should never exceed an extra 30 minutes per day in addition to your normal authorised rest breaks (lunchtime / shift breaks).
16. You are not permitted to smoke during paid work time. Any time taken for a smoking break will be unpaid and you should discuss with your manager how the time taken will be made up during your working day. For example, you should consider:
 - using flexitime
 - extending the hours that you are at work
 - reducing the length of your normal authorised rest break (lunchtime / shift break) subject to the required minimum of 30 minutes for every 6 hours worked as stated in the [flexitime policy](#).

Customer facing roles

17. If you work in a customer facing role that involves visiting members of the public in their own homes or similar establishments, you must not smoke during these visits whilst on work duties.
18. If you are in a customer facing role (such as grounds staff) you must not smoke whilst on work duties. If you wish to smoke, any smoking breaks should be discussed with your manager who may make arrangements taking into account your individual circumstances and the normal arrangements for authorised rest breaks within your team.

Council owned vehicles (council commercial fleet)

19. All council owned vehicles are smoke-free and should display the appropriate signage showing that they are non-smoking areas.
20. Your manager has the right to inspect council owned vehicles to ensure that they remain smoke-free.

Pool vehicles

21. All pool vehicles are smoke-free and should display the appropriate signage showing that they are non-smoking.

22. Fleet services will be responsible for checking that the pool cars remain smoke-free.

Privately owned vehicles

23. If you use your own private vehicle for work purposes and are carrying colleagues on work duties on an ad-hoc basis you are requested to refrain from smoking.
24. If you use your own private vehicle for work purposes and are required to transport colleagues, clients or service users regularly, you are not permitted to smoke whilst on these duties.
25. Privately owned vehicles parked within the grounds of Wiltshire Council sites must not be used as smoking areas.

Lease and salary sacrifice vehicles

26. All lease cars and vehicles through the salary sacrifice scheme are smoke-free and should display the appropriate signage.
27. If you are found to have been smoking in the vehicle, on its return to the provider you may incur a penalty charge to cover the costs of cleaning the vehicle.

Visitors to Wiltshire Council sites

28. Visitors to council premises will be required to follow this policy and procedure.
29. You should advise any visitors of the smoking policy. Should they wish to smoke, you should direct them off of the council's premises or to a designated smoking area (where provided).

Roles and responsibilities

Employee responsibilities

30. To comply with the arrangements set out in this policy. Failure to do so will be treated in accordance with the [disciplinary policy and procedure](#).
31. To ensure that any visitors to Wiltshire Council comply with the arrangements set out in the policy.

Line manager responsibilities

32. To ensure that employees comply with the smoking policy.
33. To make arrangements where appropriate for employees who wish to smoke during the working day based upon the team's normal arrangements for authorised rest breaks (lunchtime / shift breaks) and impact upon service delivery.
34. To ensure that any visitors to Wiltshire Council comply with the arrangements set out in the policy.
35. To check any council owned vehicle (council commercial fleet) used by your employees to ensure that it remains smoke-free.

HR responsibilities

36. To provide advice and guidance on this policy and procedure and to support the line manager where appropriate.

Occupational health responsibilities

37. To provide signposting to stop-smoking programmes and support groups for employees wishing to stop smoking.

Facilities management responsibilities

38. To maintain the designated smoking areas including providing appropriate signage and bins for any litter.

Frequently asked questions

39. What support is available to me if I want to stop smoking?

If you wish to stop smoking, support is available from NHS Wiltshire (stop smoking service) at www.wiltshire.nhs.uk, www.smokefree.nhs.uk or by telephoning 01380 733891. A smoking cessation advisor can be accessed through occupational health.

40. I need to take a smoking break, what should I do?

You should discuss your needs with your manager. They will agree whether it is appropriate for you to take smoking breaks based upon your individual circumstances, the normal arrangements for breaks for the team and service delivery.

41. I wish to smoke but there is not a designated smoking area at the building that I work.

If you work at a building that does not have a designated smoking area, you may only smoke off the premises and grounds. You should ensure that you are away from any windows and entrances and do not create second-hand smoke that has an impact on any other person.

42. I work in a residential establishment, which does not have a designated smoking area and I am unable to leave the grounds to smoke due to the nature of my work.

You should discuss your wish to smoke with your manager. Local arrangements may already be in place where you work to allow employees to smoke on an authorised rest break or agreed smoking break.

43. My work is particularly stressful at the moment and I need to take more smoking breaks than normal. Am I able to do so?

You should discuss this with your manager who will look at ways to reduce your stress levels. If you require an additional smoking break to those agreed, you should discuss this with your manager in advance.

44. I have a lease car through Wiltshire Council's lease car scheme. Am I allowed to smoke in the car?

No. You are not permitted to smoke in your lease car.

45. I have a salary sacrifice car through the green car scheme. Am I allowed to smoke in the car?

No. You are not permitted to smoke in your salary sacrifice car.

46. My job involves visiting members of the public in their own homes. Will I be expected to visit them if they smoke?

Your employer is responsible for protecting you from any risks to your health. Your manager will carry out a risk assessment of all of the significant risks that you may face with carrying out your work duties and will make arrangements to avoid these risks.

47. I am car sharing on work duties with a colleague who smokes in their own car. Will I be expected to car share with them if they smoke?

If the employee as the owner of the vehicle is a smoker and you do not wish to travel in the vehicle you should raise this with your manager who will consider arrangements for alternative transport for work duties.

Equal Opportunities

This policy has been [Equality Impact Assessed](#) to identify opportunities to promote equality and mitigate any negative or adverse impacts on particular groups.

Legislation

Health Act 2006

The Smoke-free (Premises and Enforcement) Regulations 2006

The Smoke-free (Exemptions and Vehicles) Regulations 2007

The Smoke-free (Vehicle Operators and Penalty Notices) Regulations 2007

This policy has been reviewed by an external legal organisation to ensure compliance with (the above legislation and) our statutory duties.

Advice and guidance

If you require help in accessing or understanding this policy you should contact your line manager or trade union representative if you are a member.

If, due to the nature of your query, it is not appropriate to contact your line manager you should contact your head of service who will nominate an appropriate manager or colleague to help you.

See [guidance for managers – giving advice on policies](#).

Further information

Related information that you should be aware of includes:

www.smokefreeworking.com

www.smokefree.nhs.co.uk

There is also a manager guidance to use when following this policy and procedure.

For further information please speak to your supervisor, manager, service director or contact your HR advisor.

Policy author	HR Policy and Reward Team – LB
Policy implemented	DD-MM-YYYY
Policy last updated	25-10-2011

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WILTSHIRE COUNCIL

STAFFING POLICY COMMITTEE 23rd NOVEMBER 2011

Moving home allowance (new employee) policy

Purpose of Report

1. This report presents changes to the moving home allowance policy.

Background

2. The moving home allowance policy for new employees was amended and approved by Staffing Policy Committee in April 2009 as part of the unitary merger.
3. In June 2010 it was reformatted in line with the new HR policy format.
4. The recent economic downturn has led to a situation where an employee has been unable to achieve their relocation within the timescales specified by the policy due to factors outside of their control.
5. This scenario was not covered by the existing policy.
6. A new process has therefore been created, in conjunction with the section 151/monitoring officer and head of paid service, to ensure consistency of approach to repayment of relocation expenses in these situations.
7. The new procedure is presented within the highlighted section of the attached Moving Home Allowance policy.

Main Considerations for the Council

8. An employee who, despite their best efforts, has been unable to achieve their relocation within 24 months of commencing employment with Wiltshire Council can apply for an extension to these timescales, of up to 6 months, to the head of paid service.
9. During any agreed extension period the employee cannot claim any further lodging, travel or commuting expenses.
10. If, after this extension period, the employee is still unable to achieve their move they can apply to the head of paid service for those expenses already paid to them to be waived.

11. These expenses may include:
 - lodging (max over 24 months = £14,400) and travel (actual costs x 2 per month), or
 - commuting (max. £100 per week, possible maximum of £10,400 over 24 months)
12. Any application for repayment of expenses to be waived will be considered by the head of paid service in conjunction with the section 151 officer.
13. Each case will be reviewed on its own merits and a decision made and communicated to the employee within 14 days.
14. There will be no internal right of appeal against the decision of the head of paid service.

Consultation

15. The head of paid service and section 151 officer have agreed the new procedure and policy wording.
16. The unions have been informed of the new procedure and policy wording and have confirmed they have no concerns.

Environmental Impact of the Proposal

17. None

Equalities Impact of the Proposal

18. No negative impacts have been identified.

Risk Assessment

19. None

Financial Implications

20. We only have one employee that we are aware of who is currently in this situation. Total expenses claimed by this employee over the 24 months period are £7,136.
21. Only a small number of employees claim under this policy each year (currently an average of 8 employees claiming each month across the council).

Recommendation

22. To recommend that Staffing Policy Committee approve the changes to the policy and procedure.

Barry Pirie
Service Director
HR & OD

Report Author: Paula Marsh, Human Resources Policy & Reward team

The following unpublished documents have been relied on in the preparation of this report: None

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Wiltshire Council Human Resources

Moving Home Allowance Policy

This policy can be made available in other languages and formats such as large print and audio on [request](#).

What is it?

This policy explains the entitlements available for new employees who are relocating in order to work for Wiltshire Council, and therefore need to sell or purchase a new home.

Who is entitled?

Newly appointed employees on a permanent contract, or temporary with a minimum of 3 years fixed term contract, who live more than 15 miles from their centre of work, and need to sell or purchase a new home in order to move within 15 miles of their new workplace.

Employees on fixed term contracts of less than 3 years, or who are moving from fixed term to permanent contracts are not entitled to this allowance.

What is my entitlement?

Relocation expenses

1. If you are currently a home owner and you sell that home and buy another you can claim up to £6,500 inclusive of VAT.
2. If you buy a house, but do not sell one - or sell a house but do not buy one, you are entitled to claim up to £3,800 including VAT.
3. In both cases, you can make the claim for the following expenses:
 - Removal expenses based upon the lower of 2 quotes
 - Furniture storage for up to 3 months
 - Estate agent, legal, stamp duty, valuation and search fees.
4. An advance of up to £700 may be claimed.

In addition to relocation expenses you may also claim incidental expenses, travel allowance and lodging allowance as set out below.

Incidental expenses

5. You are eligible to claim incidental expenses of up to £1,500 if:
 - You sell and buy a house
 - You buy a house but do not sell one

- You sell a house but do not buy one
 - You move from rented unfurnished accommodation to rented unfurnished accommodation
6. Incidental expenses may be claimed towards items which were used at the old home but were unsuitable or unable to be moved to the new home. This could include new carpets, curtains or white goods.

Travel Allowance

7. Whilst in temporary accommodation you can claim for the cost of one person to travel home twice a month.
8. If your family visit you instead, you can claim your normal travelling home cost towards their journey.
9. The journey can be made by rail (standard ticket) or by car (mileage paid at the public transport rate) or by air if this is less than the cost of rail.

Lodging Allowance

10. If you are living temporarily away from home and are still maintaining that home you are eligible to claim an allowance of up to £600 per month (£138.50 per week) towards the cost of lodgings. This rate is based on the current market for rental property in Wiltshire, and is reviewed annually by Human Resources.
11. If, instead of living in lodgings, you choose to travel daily from your home to work pending your permanent move, you may claim a travel allowance based on a standard rail fare or the public transport rate. This is capped at a daily rate of up to £20 and a weekly total of £100 including VAT.

Making a claim

12. You must make your claims within 24 months of commencing employment at Wiltshire Council, and attach relevant VAT receipts or mileage forms to the claim forms.
13. To make a claim for relocation expenses, you should use the [Moving Home Allowance form \(MH1\)](#).
14. To make a claim for lodging and/or travel allowances you should use the [Lodging/travel allowance form \(MH2\)](#).

Repaying expenses

15. If you leave the employment of Wiltshire Council within 4 years of receiving the final claim for your expenses, you will be required to repay all the expenses claimed, including relocation, incidental, lodging travel and commuting expenses, on the following scale:
- If you leave up to 24 months from the date of the final payment being made to you 100% of expenses are repayable;

- If you leave between 24 months and 48 months of the date of the final payment being made to you 50% of expenses are repayable.
- 16. You must sign the claim form to agree that any monies owed to the council will be deducted from your salary or from any superannuation refund due.
- 17. If you are still employed but, despite your best efforts, do not move house within 24 months of your start date with Wiltshire Council (due to such circumstances as falling house prices, economic downturn, etc.) you may apply to the head of paid service on the Application for extension to moving home allowances form (MH3) for an extension of up to 6 months to the timescales during which you need to move. However, during this period you will not be able to continue to claim lodging, travel and commuting expenses.
- 18. If you do not move within 24 months (or any extended period agreed by the head of paid service) you will be required to repay 100% of all expenses paid to you including relocation, incidental, lodging, travel and commuting expenses.
- 19. Where you believe that there are exceptional circumstances which mean that, although you have made every effort to move you have been unable to do so, you may apply to the head of paid service to waive the repayment of expenses using Application to waive repayment of relocation expenses form (MH4).
- 20. If repayment is waived you will not be entitled to claim any further expenses under this policy, even if you do subsequently relocate.
- 21. Each case will be considered by the head of paid service, in conjunction with the section 151/monitoring officer, on its own merits.
- 22. The outcome will be confirmed to you within 14 days. There is no internal right of appeal against the decision of the head of paid service.

What are my responsibilities as a line manager?

- 23. You must ensure that a vat receipt is produced for each expense claimed.
- 24. You must ensure that the employee has signed and understands the undertaking to repay each expense should they leave the employment of the council with 48 months of employment, or should they fail to move with 24 months.

Are there any exemptions?

This scheme does not apply if you are moving from your parental home or if your spouse/partner is eligible to receive similar allowances.

FAQs

I am concerned that I will not be able to move house within 2 years - what can I do?

If there are exceptional circumstances which have prevented you from moving house this period may be extended for an additional 6 months with the agreement of the head of paid service.

If you are still unable to achieve your move within this extension period any expenses already paid to you will have to be repaid in full, unless waived by the head of paid service in conjunction with the section 151 officer.

What if I need an advance of pay prior to me moving?

An advance of up to £700 may be claimed. This will be offset against your total amount claimed.

I am moving from rented furnished accommodation - am I entitled to claim anything?

If you are buying a property you can claim up to £3,800 in relocation expenses plus incidental expenses up to £1,500.

If you are moving to a rented property you cannot claim relocation or incidental expenses but you may claim travel expenses under this policy.

Further Information

For further information please speak to your manager, corporate director or contact a member of your [human resources advisory team](#).

Policy author	HR Policy and Reward Team – (PM)
Date implemented	April 2009
Last updated	October 2011

QUARTERLY WORKFORCE MEASURES – DELIVERING THE BUSINESS PLAN

Delivering the Business Plan - Quarter ending September 2011

Notes on the figures:

- All reported figures exclude casual employees and agency/professional services staff (unless stated)
- Wiltshire Council figures exclude Fire, Police and Schools
 - **Headcount** = Number of positions that are filled not individual people
 - **FTE** = “Full Time Equivalents” which take into account actual working hours to show accurate staffing levels
- Information is based on the structures in place post the senior management restructure to ensure consistency throughout the year e.g. DTR and DNP have been reflected.
- “**Annualised**” means we take the measured amount divide it by the months it covers and multiply it by 12 to give an estimate of the rate that would be seen throughout the year.
- “**YTD**” means year to date i.e. all reportable information since April 2011 has been included.
- The **Voluntary staff turnover** section does not include information for those who leave due to statutory retirement, ill health, compulsory or voluntary redundancy, dismissals, end of contract, unsatisfactory probation and TUPE transfers as these are classified as compulsory reasons. Only Voluntary leavers are included as these are the individuals that have decided to leave for their own reasons and therefore it may not be in Wiltshire’s best interest. Overall turnover rates will be higher and can be analysed upon request.
- Although the cost associated with turnover is not readily available, CIPD estimate that the recruitment cost of replacing a leaver is £2930. Based on last year’s turnover rate (11.7%) we could estimate that 617 employee’s will leave Wiltshire Council during 2011-12 resulting in costs of **£1,807,810**.
- **% <1 year turnover rate**: The cost of turnover in this group is generally higher as the investment in recruitment, induction and training is unlikely to be recovered within such a short time period.
- **Redundancy figures** relate to all redundancies made not just those as part of major service reviews.

If you have any queries on these reports or requests for further information, please contact Paul Rouemaine, HR Information Manager, on 01225 756159 or Paul.Rouemaine@Wiltshire.gov.uk

QUARTERLY WORKFORCE MEASURES – DELIVERING THE BUSINESS PLAN

WILTSHIRE COUNCIL (excl. schools) Quarter ended: **September 2011**

Management Information Team Observations:

- During this quarter, Wiltshire Council's (WC) headcount reduced by 178 (3.4%) to 5092, and the FTE by 68 (1.7%) to 4049.
- The number of employees per manager has increased to eight employees for every manager across WC. The Department of Neighbourhood and Planning (DNP) now has the greatest manager to employee ratio of 1:9; this was 1:7 for the previous quarter. The Department of Children and Education (DCE) and The Department of Transformation and Resources (DTR) increased their ratios by two employees for every manager since the last quarter.
- The FTE of managers has decreased this quarter to 613 (-53). These reductions have taken place equally across all departments as part of the savings required within the business plan.
- An expected seasonal increase in sickness rates took place, 8.3 days per FTE (+0.4 days), this quarter. This is consistent with the increase observed for the same time last year (from 8.0 days to 8.4 days). Sickness rates remain below the lower quartile benchmark figure of 8.7 days.
- The lowest levels of sickness, were once again, observed within DTR with only 5.9 days lost per FTE.
- Stress/Depression/Mental Health/Fatigue reasons continue to account for the highest recorded days lost (18.9%).
- The annualised voluntary turnover rate increased slightly this quarter to 9.9%. The highest levels of voluntary turnover were observed in DCE at 13.2% (+1.6%) with 33% of these employees resigning for other employment not with a local authority. The lowest levels of voluntary redundancy were maintained in the Chief Executive Department (CHEX) at 2.1% (-1.1%).
- The number of health and safety incidents per 1000 employees remain below the local authorities' median of 5.9.
- Disciplinary and grievance cases have both decreased this quarter to 4.7 (-0.6) and 2.4 (-2.9) cases per 1000 employees respectively.
- This quarter, the ratio of starters to leavers for WC is 1:1.9. CHEX showed the greatest ratio of one starter to every 14.6 FTE leavers; this was mostly due to the Finance service which saw 17 FTE leavers (7.4 FTE of these due to voluntary redundancy) and no new starters for this period. DNP continued to see the lowest ratio of 1:0.9 due to having 52 FTE starters this quarter, 45 of these in Amenities/Leisure in the Neighbourhood Services section of DNP. This forms part of the restructure within DNP where workers are being transferred to WC contracts post harmonised terms and conditions, job roles and equal pay levels being agreed.
- The cost of sick pay (ytd) is £1,073,539, which equates to £2,147,079 when annualised. Due to Wiltshire Council having lower sickness rates this annualised cost is now £250,908 below the cost that would be expected for an organisation of this size (based upon the median sickness rate seen across local government).
- WC made another saving of £194,098.68 from the organisational pay bill due to employees reducing their hours within this period.

QUARTERLY WORKFORCE MEASURES – DELIVERING THE BUSINESS PLAN

This page gives you information relating to important employee measures:

The number of positions that are filled by contracted staff

Staffing levels		
Measure	WC	Change since last period
Relating to Quarter (unless stated)		
Headcount (as at end of period)	5092	-178 (-3.8%)
FTE (as at end of period)	4049	-68 (-1.7%)
FTE change due to TUPE transfers in vs. out	3.7	8.6
FTE change due to employee hour changes	-12.61	-6.79
Ratio of starters to leavers (FTE)	1:1.9	1:4.3

"Full Time Equivalents" which take into account actual working hours to show accurate staffing levels

Part of the FTE/HC change above may be explained by these measures

How many leavers we have had for every one starter

Workforce Information		
Measure	WC	Last period
Ratio of managers to employees	1:8	1:7
% Exit questionnaires completed (YTD)	17%	10%
% of total vacancies filled by internal appointment - year to date	53%	73%
% management posts filled by internal appointment - year to date	88%	100%
FTE of managers	612	665
Number of redundancies made during quarter	74	98

The % of posts filled by an internal candidate

The % of leavers who completed an exit interview

The FTE of people management posts

The percentage of absences that last for over 20 days (deemed to be long term)

Sickness Absence		
Measure	WC	Last period
Working days lost per FTE (ytd annualised)	8.3 days	7.9 days
% of total absences over 20 days (ytd)	48.1%	46.0%

The number of RIDDOR incidents that have occurred. <http://www.hse.gov.uk/riddor/riddor.htm>.

Health and Safety		
Measure	WC	Last period
No. of workplace incidents/injuries reported per 1000 employees (ytd annualised)	2.7	3.8

Disciplinary and Grievance Cases

Measure	WC	Last period
New disciplinary cases per 1000 employees (annualised)	4.7	5.3
New grievance cases per 1000 employees (annualised)	2.4	5.3

The number of individuals that left voluntarily before completing one year service as a percentage of the employees in post with less than one year's service.

Voluntary Staff Turnover		
Measure	WC	Last period
% staff turnover (ytd annualised)	9.9%	8.4%
% <1 year turnover rate (ytd annualised)	30.5%	23.0%
Average leavers' length of service	9.3 years	10.9 years

QUARTERLY WORKFORCE MEASURES – DELIVERING THE BUSINESS PLAN

This section gives you information relating to your workforce costs:

Employees paid over £50,000 basic salary		
Measure	WC	Last period
% of headcount (above) paid over £50,000 annual salary	2.10%	2.07%
% of headcount (above) paid over £100,000 annual salary	0.10%	0.09%
% of headcount (above) paid over £150,000 annual salary	0.02%	0.02%

Why this is important: Regulation 4 of the accounts and Audit (amendment no.2) introduces a new legal requirement to increase transparency and accountability in local government. We now need to disclose the names and data for individuals earning over £50,000 and therefore we should be looking to keep these figures as low as possible.

Additional financial information		
Measure (If the figure is a negative a saving has been achieved)	WC	Last period
Cost of sick pay (ytd)	£1,073,539.93	£538,184.81
Cost/saving of employee hour changes (during period)	-£194,098.68	-£244,979.52

The cost or saving made by employee's changing the hours they work

Why this is important: Sick pay amounted to £2,900,000 across Wiltshire Council during the 2010-11 financial year and therefore this is a substantial area of spend that should be minimised whenever possible. Some services may also be looking to employees to work more hours than they previously have done to cover gaps where a reduction in the headcount of employees has been made. It is therefore important that we keep track of the change in FTE resulting from employees changing their hours.

QUARTERLY WORKFORCE MEASURES – DELIVERING THE BUSINESS PLAN

BENCHMARK DATA

Benchmark figures are supplied by DLA Piper Benchmarker. The Local Authority benchmarks represent combined data from 54 subscriber Local Authorities. The Private Sector benchmarks represent data from approximately 250 private sector organisations classified as “large” (over 1000 employees), consisting of a mix of Financial, Professional and Support Services; Manufacturing, Engineering and Processing; and Retail and Leisure.

Sickness Absence			
Measure	Local Authorities Median	Local Authorities lower Quartile	Private Sector Median
Working days lost per FTE	9.9	8.7 (lower q.)	5.7
Average length of absence (FTE days)	5.8	4.9	3.5
% of absences over 20 days	55%	42%	40.5%

Health and Safety			
Measure	Local Authorities Median	Local Authorities Lower Quartile	Private Sector Median
No. of workplace incidents/injuries reported per 1000 employees	5.9	2.8	8.0

Voluntary Turnover			
Measure	Local Authorities Median	Local Authorities Lower Quartile	Private Sector Median
% staff turnover	7.0%	5.6%	10.5%
% staff turnover of leavers within first year's service	n/a	n/a	n/a

Disciplinary and Grievance Cases			
Measure	Local Authorities Median	Local Authorities Lower Quartile	Private Sector Median
No. of disciplinary cases per 1000 employees	9.2	5.0	44.8
No. of grievance cases per 1000 employees	3.8	2.8	6.4

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WILTSHIRE COUNCIL

STAFFING POLICY COMMITTEE

23 November 2011

Annual Equality & Diversity Report 2010/11

Purpose of Report

1. To provide workforce and recruitment information for the year relating to 2010/11.
2. To identify the actions that Wiltshire Council has, and is taking to meet both statutory requirements and our employment commitments under the Equality Act 2010, and subsequent public sector equality duties.

Background Information

3. Within the Appendices, comparisons are given between information as at 1st April 2010, and as at 31st March 2011.
4. Where information is specifically referred to in the text the relating statistics are highlighted in yellow.
5. It should also be noted that there is still a significant amount of unknown information with regards to both ethnicity and disability.

Workforce Information

6. **Staff In Post** - This information is attached in **Appendix 1** and in summary is a straight forward headcount of staff with Full Time Equivalent (FTE) and Part-Time (P/T) information included.
 - The overall headcount of non schools staff has decreased by 237 staff (4.2%).
 - The breakdown between the % of full time and part time staff, however, remains virtually unchanged at 56.82% full time staff and 43.18% part time staff.
7. **Ethnicity**
 - Whilst the numbers of non schools white British and white/other staff have decreased there has been an increase of 5 BME staff in the past year from 77 to 82 staff.
 - There has again been an improvement in the total of unknown ethnicity of non schools staff from 21.5% last year down to 20.5% this year.
8. **Disability**
 - Again whilst the numbers of non disabled staff have decreased the number of non schools staff, who have declared that they consider themselves to have a disability has increased from 115 to 133 staff. Within the schools data the figure has significantly decreased from 36 last year to 10 staff this year. Schools, are responsible for their own data collection and monitoring and is this is unlikely to be a true reflection of the actual figures.

9. **Gender**

- The ratio of males to females remains unchanged for the second year running.

10. **Age**

- The breakdown of staff across the age bands also remains virtually unchanged.

Leavers and Remuneration Information

11. Leavers - Information on leavers includes schools staff. See **Appendix 2**.
12. There were 2516 leavers in the year to 31st March 2011 where the ethnicity was unknown for 705 employees equating to 28%. Of the leavers 1382 (55%) were white British, 36 (1.4%) were BME staff and 78 (3.1%) were white/other.
13. The disability status was unknown for 1037 (41.2%) of the leavers. The number of leavers who considered themselves disabled, was 33 staff (1.3%).
14. There were 2011 (80%) female leavers compared with 505 (20%) male leavers.
15. The highest % of leavers was from the under 25 year age band with 33.7% leavers within that category (209 out of 620 staff). The next highest % was from the 65 + age group where 30.6% of the age band left 84 out of 274 staff.
16. Remuneration - The table in **Appendix 2** includes schools staff and is based on full time equivalent salary not actual salary paid.
17. By far the highest % of males employees are paid within the highest pay band (40.39%) and in contrast the lowest % of females are paid within the highest pay band (59.61%), although due to the vast majority of employees being female there are still more females in the highest pay band than males.
18. The lowest % of BME staff are within the highest salary banding (0.52%). The highest % of BME and white/other staff are in the under £13,000 pa category, (2.10%) and (3.06%) respectively.
19. However, since last year the percentages of females, BME and disabled staff have slightly increased in the highest salary band level earning above £40,000 pro rata and the number of males has slightly decreased. In the lowest salary band the percentage of white Irish/white other staff, has decreased from 6.59% to 3.06%. Other figures remain very similar to last year.

Applicants for Employment

20. The information relating to Applicants for Employment is attached as **Appendix 3**. This information is taken from the Tribal e-recruitment system but excludes school data as they do not use e-recruitment and monitor their own data which we do not have access to.
21. The % of BME applicants has decreased compared with last year from 8.1% to 5.5% with 23.6% of BME applicants then being shortlisted. The number of white/other applicants has substantially decreased from 2.1% last year to 0.6% this year with 34.1% of white/other applicants then being shortlisted. The % of white British applicants has remained the virtually the same.

22. The % of disabled applicants shortlisted (40.7%) is again higher than the % of non disabled applicants shortlisted (38.8%) indicating that the Council's commitment to the Jobcentre Plus awarded 'Positive About Disabled People' (the Double Tick Scheme) is successful where all disabled applicants meeting the essential requirements of the job description are guaranteed an interview.
23. The % of both males and females applying for posts remains unchanged from last year. There was higher % of females shortlisted and a slightly higher % of females appointed.
24. The % of under 25 year olds shortlisted is lower than within the other age categories however once reaching the shortlisting stage have a higher % of being appointed.

Equality Act 2010 and The Public Sector Equality Duties

25. The introduction of the Equality Act last October has required us to review a significant number of our HR policies (e.g. the Recruitment and Selection Policy).
26. The Equality Act has extended the protection from discrimination to nine 'protected characteristics' these are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
27. We have also produced a new Equality and Diversity Policy and Procedure, a new Disability Support in the Workplace Policy and Procedure, and have drafted a new Religion and Belief Policy and Procedure currently being finalised.
28. The Equality Act, imposes a duty known as the Public Sector Equality Duty on public authorities, to have due regard to three specified matters, which came into effect from 6th April 2011. Those matters are the need to:
 - a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
29. In September 2011, Specific Duties, were published to support the equality duties above, placing further statutory requirements on local authorities. The purpose of the specific duties are to ensure better performance by public authorities and to have due regard to the matters set out above.
30. The objective behind the duties, is to ensure that consideration of equality issues forms part of the routine, day-to-day decision making and operational delivery of public authorities, the specific duties require us to:
 - a) Publish information to demonstrate our compliance with the duty by 31st January 2012 and then at least annually.

- b) Publish information relating to persons who share a relevant protected characteristic who are affected by their policies and practices. Public authorities with 150 or more staff are also required to publish this information in relation to their employees, again by 31st January 2012.
 - c) Prepare and publish one or more specific and measurable equality objective/s, that it thinks it should achieve to further the aims set out in the duty. We are required to publish these objectives no later than 6th April 2012 and at least every 4 years after.
31. In order to meet these statutory requirements the following programme of work is about to be undertaken:
- a) Developing guidance and implementing a corporate approach to collecting, monitoring, analysing and publishing data with positive actions, which affects both service users and workforce. We currently collect data on gender, disability, ethnicity and age but this now has to be extended to other protected characteristics. This will need to be implemented with sensitivity, careful explanation and clarification to ensure that staff and service users feel 'safe' to disclose this information.
 - b) Reviewing the current Equality Impact Assessment process. Under the Equality Act we no longer have to undertake EIA's in the same way that was statutory required. However, a series of recent court decisions have shown the importance of considering the impact of decisions on those protected by the statutory equalities duties and in consulting those affected. Any funding decision must have a compelling and clearly recorded audit trail supported by consultation in which an Equality Impact Assessment can be key. Whilst authorities cannot avoid controversial and difficult decisions, the risk of successful challenges can be reduced by ensuring that the decision-making process is rigorously undertaken and carefully recorded. We now have the opportunity to undertake a less bureaucratic way of achieving the same outcome, incorporating the newly produced equality profile reports' findings as research and analysis. This process will take into account the difference for internal HR policies affecting staff.
 - c) Developing equality objectives. Work has already being undertaken with lead officers from partner organisations to use the national Equality Framework for Local Government to measure our progress. It would therefore be prudent to set our objectives based on this framework.
 - e) We are also reviewing the HR 'People Strategy' which will include equality focussed initiatives for continuing to promote and embrace equality and diversity within the workplace.

Equalities Impact of the Proposal

32. This report seeks to continue to support and develop policy and good practice towards ensuring that all existing staff and applicants do not face barriers or discrimination whilst at work in order to both meet statutory obligations and to further promote diversity in the workplace. Specific Equality Impact Assessments will be undertaken on any new processes prior to being implemented.

Risk Assessment

33. N/A

Financial Implications

34. At present it is anticipated that the development of new initiatives and positive action will be met within existing budget allocations

Legal Implications

35. We have statutory duties to comply with under the following legislation:
- Equality Act 2010
 - Human Rights Act 1998

Conclusions

36. Equality Impact of Staff Reductions
37. Whilst we have reduced by just over 4% of our non schools staff, the % figures of full time and part time staff remain virtually the same as last year. This would indicate that the reduction of staff has been spread evenly between men and women, given that women are more likely to be part time and there appears to have been no adverse impact on this group of staff numbers. This is confirmed by the gender statistics which show that the ratio of men to women remains exactly the same as last year at about 70%/30% females to males employed.
38. Likewise the numbers of BME staff and disabled staff have both slightly increased whilst non BME and non disabled staff have decreased also indicating that the staff reductions have not disproportionately impacted on those groups of staff.
39. There has been virtually no impact on the % age range across the workforce following staff reductions.
40. Equality Impact on Recruitment and Selection
41. There has been less external recruitment undertaken and fewer applications from BME and white/other applicants but a higher % of disabled applicants. However, the % of both BME and disabled staff shortlisted and subsequently appointed have increased since last year. This indicates that we take our commitment to the Double Tick Symbol Award seriously and promote it to recruiting managers appropriately. We are due to submit our application to retain this award in September 2011. Also more recruitment and selection training has been offered with the review of the Recruitment and Selection Policy and Procedure, and is ongoing.
42. The data still shows significant unknown information. This should improve with the ongoing use of the e-recruitment system which captures data electronically and efforts need to continue to encourage existing staff to use the Employee Self Service function within SAP to review and amend their own personal data.

Recommendations

43. That the Committee note the contents of this report.

Barry Pirie
Service Director, HR and OD

Report Author: Amanda Collyer

**The following unpublished documents have been relied on in the preparation of this Report:
None**

Appendix 1

Staff in Post

Staff in Post – A headcount of staff in post as at 31st March 2011

Numbers	Headcount	FTE	PT	%	FT	%
Non Schools	5401	4283	2332	43.18%	3069	56.82%
1.4.10	5638	4492	2386	42.32%	3252	57.68%
Schools	9724	5600	6977	71.75%	2747	28.25%
1.4.10	10032	5567	7222	71.99%	2810	28.01%
Total	15125	9883	9309	61.55%	5816	38.45%
Total 1.4.10	15670	10059	9608	61.31%	6062	38.69%

By Ethnicity – As at 31st March 2011 (%'s given relate to total number of employees not of known ethnicity)

Ethnicity	BME	%	White British	%	White Other	%	Total Known	%	Total Unknown	%	Total
Non Schools	82	1.52%	4027	74.56%	187	3.46%	4296	79.54%	1105	20.46%	5401
1.4.10	77	1.37%	4146	73.5%	200	3.55%	4423	78.45%	1215	21.5%	5638
Schools	84	0.86%	6264	64.42%	145	1.49%	6493	66.77%	3231	33.23%	9724
1.4.10	89	0.89%	6676	66.54%	127	1.26%	6892	68.7%	3140	31.30%	10032
Total	166	1.10%	10291	68.04%	332	2.20%	10789	71.33%	4336	28.67%	15125
Total 1.4.10	166	1.06%	10822	69.06%	327	2.09%	11315	72.2%	4355	27.79%	15670

By Disability – As at 31st March 2011 (%'s given relate to total number of employees not of known disability)

Disability	Disabled	%	Not Disabled	%	Total Known	%	Total Unknown	%	Total
Non Schools	133	2.46%	3356	62.14%	3489	64.60%	1912	35.40%	5401
1.4.10	115	2.05%	3403	60.35%	3518	62.40%	2120	37.60%	5638
Schools	10	0.10%	5348	55%	5358	55.10%	4366	44.90%	9724
1.4.10	36	0.36%	6015	57.54%	6015	60.32%	3981	40.58%	10032
Total	143	0.95%	8704	57.55%	8847	58.49%	6278	41.51%	15125
Total 1.4.10	151	0.96%	9418	60.10%	9569	61.06%	6101	38.94%	15670

By Gender – As at 31st March 2011

Gender	Female	%	Male	%	Total
Non Schools	3825	70.82	1576	29.18	5401
1.4.10	3988	70.73%	1650	29.27	5638
Schools	8550	87.9%	1286	12.82%	9724
1.4.10	8746	87.18%	1286	12.82%	10032
Total	12375	81.82%	2750	18.18%	15125
Total 1.4.10	12734	81.26%	2936	18.74%	15670

By Age – As at 31st March 2011

Age	under 25	%	25-34	%	35-44	%	45-54	%	55-64	%	65+	%	Total
Non Schools	344	6.37%	969	17.94%	1257	23.27%	1593	29.49%	1118	20.70%	120	2.22%	5401
1.4.10	381	6.76%	967	17.15%	1353	24 %	1666	29.55%	1151	20.42%	120	2.13%	5638
Schools	276	2.84%	1437	14.78%	3186	32.76%	3182	32.72%	1489	15.31%	154	1.58%	9724
1.4.09	327	3.26%	1544	15.39%	3257	32.47%	3185	31.75%	1581	15.76	138	1.38%	10032
Total	620	4.10%	2406	15.91%	4443	29.38%	4775	31.57%	2607	17.24%	274	1.81%	15125
Total 1.4.09	708	4.52%	2511	16.02%	4610	29.42%	4851	30.96%	2732	17.43%	258	1.65%	15670

Appendix 2

Leavers and Remuneration (inc schools)

Leavers by Ethnicity

	White British	%	BME	%	White/Other	%	Unknown	%	Total Leavers
2010/11	1382	54.9%	36	1.4%	78	3.1%	705	28%	2516
2009/10	1382	62.4%	35	1.6%	50	2.3%	747	33.7%	2214

Leavers by Disability

	Not Disabled	%	Disabled	%	Unknown	%	Total leavers
2010/11	1446	57.5	33	1.3%	1037	41.2%	2516
2009/10	1184	53.5%	25	1.1%	1005	45.4%	2214

Leavers By Gender

	Female	%	Male	%	Total leavers
2010/11	2011	79.9%	505	20.1%	2516
2009/10	1811	81.8%	403	18.2%	2214

Leavers By Age

2010 - 2011	Under 25	25-35	35-45	45-65	65+	Total
Leavers	209	418	659	1146	84	2516
No. in Age Band	620	2406	4443	7382	274	15125
Turnover in band 2010/11	33.7%	17.4%	14.8%	15.5%	30.6%	16.6%
Turnover in Band 2009/10	25.4%	14.3%	13.8%	12.4%	37.6%	14.1%

By Remuneration 1 – As at 31st March 2011 (including figures as at 1.4.10)

Remuneration	Numbers within band	Gender				Ethnicity				Disability	
		% Female		% Male		% BME		% White Irish/ WO		% Disabled	
FTE Salary Band £		2011	2010	2011	2010	2011	2010	2011	2010	2011	2010
£0-13,000	620 (334)	82.26	81.44	17.74	18.56	2.10	2.99	3.06	6.59	0.48	0.90
£13-20,000	7464 (7952)	87.65	87.34	12.35	12.66	1.21	1.16	1.98	1.80	0.83	0.93
£20-30,000	3369 (3403)	78.42	78.31	21.58	21.69	1.10	1.03	2.58	2.47	1.40	0.85
£30-40,000	2907 (3174)	76.54	75.39	23.46	24.61	0.76	0.82	2.06	1.86	0.72	1.13
£40,000+		59.61	56.88	40.39	43.12	0.52	0.37	2.35	2.35	1.31	1.12

Applicants, Shortlisted Candidates and Starters

Applicants and Shortlisted data – This information is for the period 20010/11 and has been taken from the Tribal e-recruitment system but excludes school data as they do not use e-recruitment and monitor their own data which we do not have access to. **Starters data** – This has been taken from SAP but also excludes Schools data for comparison purposes.

By Ethnicity

	White British	%	BME	%	White Other	%	Unknown	%	Total Applicants
Applicants 2010/11	5891	88.5%	365	5.5%	41	0.6%	361	5.4%	6659
Applicants 2009/10	9745	89.2%	881	8.1%	228	2.1	68	0.6	10922
Shortlisted 2010/11	2373	91.7%	86	3.3%	14	0.5%	115	4.4%	2588
Shortlisted 2009/10	3124	91.6%	152	4.5%	24	0.7	14	0.4	3408
Appointed 2010/11	723	93.5%	18	2.3%	4	0.5%	28	3.6%	773
Appointed 2009/10	382	87%	11	2.5%	8	1.8%	38	8.7%	439

	White British	BME	White Other	Total Applicants
% of applicants in group shortlisted 2010/11	40.3% (32%)	23.6% (17.2%)	34.1% (10.5%)	38.9% (31.2%)
% of shortlisted applicants appointed 2010/11	30.5% (12.2%)	20.9% (7.2%)	28.6% (33.3%)	29.9% (12.9%)

By Disability

	Not Disabled	%	Disabled	%	Unknown	%	Total Applicants
Applicants 2010/11	6372	95.7%	268	4%	19	0.3%	6659
Applicants 2009/10	10289	94.2%	342	3.1%	291	2.7%	10922
Shortlisted 2010/11	2471	95.5%	109	4.2%	8	0.3%	2588
Shortlisted 2009/10	3258	95.6%	129	3.8%	21	0.6%	3408
Appointed 2010/11	747	96.6%	23	3%	1	0.1%	773
Appointed 2009/10	368	83.8%	10	2.3%	61	13.9%	439

	Not Disabled	Disabled	Total Applicants
% of applicants in group shortlisted 2010/11	38.8% (31.7%)	40.7% (37.7%)	38.9% (31.2%)
% of shortlisted applicants appointed	30.2% (11.2%)	21.9% (7.75%)	29.9% (12.9%)

2010/11			
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By Gender

	Female	%	Male	%	Unknown	%	Total Applicants
Applicants 2010/11	4463	67%	283	32.8%	0	0	6659
Applicants 2009/10	7266	66.5%	3568	32.7%	88	0.8%	10922
Shortlisted 2010/11	1845	71.3%	737	28.55%	0	0	2588
Shortlisted 2009/10	2344	68.8%	1043	30.6%	21	0.6%	3408
Appointed 2010/11	571	73.9	199	25.7%	0	0	773
Appointed 2009/10	295	67.2%	144	32.8%	0	0%	439

	Female	Male	Total Applicants
% of applicants in group shortlisted 2010/11	41.3% (32.2%)	33.8% (29.2%)	38.9% (31.2%)
% of shortlisted applicants appointed 2010/11	30.9% (12.6%)	27% (13.8%)	29.9% (12.9%)

By Age

	under 25	%	25-45	%	Over 45	%	Unknown	%	Total Applicants
Applicants 2010/11	1738	26.1%	3039	45.7%	1877	28.1%	0	0	6659
Applicants 2009/10	2491	22.8%	5495	50.3%	2839	25.9%	97	1%	10922
Shortlisted 2010/11	569	22%	1213	46.9%	802	31%	0	0	2588
Shortlisted 2009/10	554	16.2%	1813	53.2%	1018	29.9%	23	0.7%	3408
Appointed 2010/11	193	25%	357	46.2%	221	28.6%	0	0	773
Appointed 2009/10	87	19.8%	187	42.5%	165	37.7%	0	0%	439

	under 25	25-45	Over 45	Total Applicants
% of applicants in group shortlisted 2010/11	32.7 % (22.2%)	39.39% (32.9%)	42.7% (35.9%)	38.9% (31.2%)
% of shortlisted applicants appointed 2010/11	33.9% (15.7%)	29.4% (10.3%)	27.6% (16.2%)	29.9% (12.9%)

WILTSHIRE COUNCIL

STAFFING POLICY COMMITTEE 23 NOVEMBER 2011

Trade Union Recognition and Facilities Agreement

Purpose of Report

1. To ask Staffing Policy Committee to review the current Trade Union Recognition and Facilities Agreement.

Background

2. In July 2010 Staffing Policy Committee agreed a revised Trade Union Recognition and Facilities Agreement on the proviso that this be reviewed in 12 months time. A copy of the agreement is attached as Appendix A.

Main Considerations for the Council

3. At its meeting on 28 July 2010 Staffing Policy Committee resolved:
“To request that a systematic recording of approved time off be continued and that a report on this be presented to the Committee in six months’ time”
4. A report was presented to Staffing Policy Committee on 9 March 2011, with the recommendation that the time recording system remain in place and be reviewed together with the revised Trade Union Recognition and Facilities Agreement in July 2011.
5. Like most organisations, both within the public and private sector, Wiltshire Council has been, and will continue to go through a difficult employee relations period. This has included having had to reduce the number of staff employed, and make redundancies as part of the management review exercise, service reviews and 12% savings review. In addition the authority has to consider the option of changing and in some case reducing, some employee’s terms and conditions in order to achieve the savings that we are required to make.
6. In spite of this Wiltshire Council currently continues to enjoy a positive and constructive employee relations climate and this in part is down to the current Recognition and Facilities Agreement.
7. Just to remind Staffing Policy Committee a Recognition Agreement outlines the Trade Union(s) or Professional Associations(s) formally recognised by an employer for the purposes of collective bargaining and employee consultation. The facilities element of such an agreement defines the facilities such as accommodation, equipment etc that will be made available as well as any time off arrangements.

8. Wiltshire UNISON, in discussion with HR, wish to propose two amendments to the Recognition and Facilities Agreement, these are:

Currently there is the facility for up to 80 days off per month for UNISON branch officer roles which are individually specified in section 10.2. It is proposed that the total number of days per month remains unchanged but that the allocation to the branch officer roles is jointly agreed with the Director of HR & OD and Wiltshire Secretary, and reported to this committee, each March and implemented from 1 April annually.

10.4 of the Facilities and Recognition Agreement refers to funding of £15,000 received by Wiltshire UNISON on 1 April each year to assist with organisational costs incurred by the branch. The Branch Secretary's post has recently been evaluated and as from 1 October 2011 Wiltshire UNISON wishes to use part of this funding to cover the additional salary costs for the current post holder. We are therefore proposing that the wording of this section is amended to reflect this arrangement.

9. In consideration of whether to accept the Recognition and Facilities Agreement Staffing Policy Committee may want to consider the following.

Wiltshire Council encourages staff to belong to a trade union on the basis that this:

- Promotes a positive and constructive industrial relations climate
- Facilities good communication between the authority and staff
- Promotes the union as representatives of staff and staff interests in collective consultation and negotiation
- Most, if not all, local authorities and larger organisation have Trade Union Recognition and Facilities Agreements. This is in acknowledgement of the mutual benefits of staff being fully consulted and represented by properly constituted trade unions

10. Given the above and the mutual benefits it is recommended that Staffing Policy Committee accept the Trade Union Recognition and Facilities Agreement in its entirety, including time off and review in a further 12 months i.e. July 2012.

Environment Impact of the Proposal

11. None

Risk Assessment

12. Not having a clearly defined agreement could lead to a disharmonious employee relations climate.

Financial Implications

13. The proposed agreement continues to provide £38,000 per annum towards UNISON trade union activities.
14. In addition there is the facility for up to 80 days off per month from various UNISON branch officer roles. A summary of the time off taken between April 2010 and April 2011 is attached as Appendix B. There is no central funding for this; it is funded by individual departments.

The current arrangements allow for 960 UNISON days per annum. Although the take up of this allowance from 1/4/10 to 31/3/11 was 491 days there is no recommended proposal to change this.

Legal Implications

15. Where a Recognition Agreement exists, an employee who is an official of an independent recognised Trade Union has a statutory right to reasonable paid time off during working hours to carry out trade union duties.

Proposal

16. Staffing Policy Committee is asked to note the above and:
 - a) Agree to the proposed amendments to the Trade Union Recognition and Facilities Agreement.
 - b) Agree the amended Trade Union Recognition and Facilities Agreement for a further 12 months

Barry Pirie
Service Director, HR & OD

Sue Anderson
Secretary, Wiltshire UNISON

Report Author: Jane Tagg, HR Business Partner, Transformation & Resources Team

Appendices:

Appendix A Trade Union Recognition and Facilities Agreement

Appendix B Summary of UNISON official Time Off: April 2010 – March 2011

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Wiltshire Council

Trade Union Recognition and Facilities agreement

1 Parties

1.1 This agreement is made between Wiltshire Council (the Council) and the following Trade Unions:

UNISON
GMB
Unite

2 Scope

2.1 The agreement applies to all employees of the Council, other than those covered by separate agreements.

3 Purpose

3.1 The purpose of the agreement is to

- afford recognition to the above Trade Unions as the sole bargaining agent for all relevant employees
- outline the general principles
- define the union representatives roles
- define the duties and responsibilities of representatives
- define which items are negotiable and which are for consultation
- detail the negotiating and consultative constitution and procedures
- outline the administrative and operational facilities and procedures
- co-operate in achieving positive industrial relations based on a partnership approach
- engage in effective communications with employees
- work towards high quality public services

4 Principles

4.1 All parties affirm that they share a common aim in ensuring the efficiency and effectiveness of the Council for the benefit of the public it serves.

4.2 All parties recognise their mutual interdependence in securing the future success of the Council and the best interests of its employees

4.3 All parties recognise that their pursuit of these common objectives under this Agreement shall be by informal and formal communication, consultation and negotiation.

- 4.4 All parties agree that at each stage of the procedure as set out in this Agreement every attempt will be made to resolve issues raised.
- 4.5 The Council recognises that it is to the mutual benefit of the Council and its employees for those employees to be fully consulted and represented by a properly constituted trade union and will inform its employees that it encourages membership of a trade union in the Statement of Particulars issued to all new employees.
- 4.6 To this end the Council affirms its intention as a good employer to maintain a constructive relationship with the recognised Trade Unions.
- 4.7 The Unions undertake to represent fairly the interests of all employees covered by this agreement.
- 4.8 The Council shall not take any unilateral action and the Unions shall not take industrial action in relation to any matters covered by this agreement until the procedures for resolving issues as defined in the Agreement have been exhausted. Neither side should prejudice the national machinery.
- 4.9 The Council acknowledges the need to make information available on issues affecting the staff or business of the organisation.
- 4.10 It is recognised that it is management's responsibility to plan, organise and manage the activities of the organisation.
- 4.11 It is recognised that it is the union's responsibility to represent the interests of its members and work to improve their conditions of employment.
- 4.12 There is a commitment to protect the right of employees to join trade unions and encourage trade union membership.
- 4.13 There is a joint commitment to adhere to and develop policies on equal opportunities.

5 **Representation**

- 5.1 Representatives will carry out the duties prescribed by the Trade Unions' rules and represent members in accordance with the terms of this agreement.
- 5.2 The number of representatives in units/areas within which they will act will be agreed between the Council and Trade Unions. The principle will be to ensure that there is adequate and fair representation.
- 5.3 In order to stand for election as a representative, an employee must have the required Trade Union membership.

- 5.4 Representatives will be elected in accordance with relevant Trade Union rules.
- 5.5 The Trade Unions will notify the Council in writing of the names of representatives as soon as possible after an election.

6 **Negotiable Terms**

The following is a list of negotiable terms subject to this agreement. Some, where indicated, are primarily subject to national negotiation but which may have some local elements or variations -

- Terms and conditions of employment (national)
- Pay awards (national)
- Job descriptions
- Job grading and job evaluation
- Hours of work (national)
- Holiday and sickness arrangements (national)
- Pensions (national)
- Overall salary structure
- Health, safety and welfare
- Equal opportunities and workforce diversity
- Redundancy and redeployment
- Disciplinary, grievance and procedures
- Any other item which both sides agree to refer

7 **Consultative Items**

7.1 The Council will consult the recognised trade unions on significant changes in working practices or the organisation of work. The Council will not proceed without first obtaining and considering the views of those trade unions with a view to reaching agreement.

7.2 The following is a list of items which may be subject to consultation with the trade unions (but does not exclude any other changes not listed but which affect employees of the Council) –

- New technology or equipment (where it significantly affects working practices and jobs)
- Staff amenities
- Restructures of jobs and departments
- Privatisation
- Business transfers
- Collective redundancies
- Reorganisation of staff and relocation of offices
- Training and development

- 7.3 The Council or trade union(s) shall refer proposals for change to the other party.

8 Negotiation and Consultation Procedure

- 8.1 All parties agree that it is in their mutual interests to observe a consultative/negotiating procedure by which all issues arising between them can be considered and resolved at the lowest level as early and as speedily as possible.

Line Management

- 8.2 In the first instance any collective matters of concern will be raised by the appropriate Trade Union with the appropriate line manager with the intention of resolving them at this level.
- 8.3 If it is not possible to resolve the matter at this level then it will be referred to a regular meeting of Human Resources and the trade unions.

Meetings between Trade Unions and Human Resources

- 8.4 Meetings between the recognised Trade Unions and Human Resources will take place on a monthly basis. Matters of mutual interest, concern, operational issues and information sharing will be raised at these meetings, or at other times if needed, with the intention of resolving them at this level.

Joint Consultative Committee

- 8.5 See appendix 1 for the constitution and terms of reference of the Wiltshire Council JCC.

School's Joint Consultative Committee

- 8.6 See appendix 2 for the constitution and terms of reference for the Schools JCC.

Health and Safety Committee

- 8.7 The Council will set up in agreement with the trade unions a central Health and Safety Committee according to the guidance in the Safety Representatives and Safety Representatives Regulations 1977 and the Health and Safety Consultation with Employees Regulations 1996. The Council will also agree directorate, departmental and area health and safety consultation arrangements with the trade unions. The Health and safety Committee will meet quarterly.
- 8.8 See appendix 3 for the constitution and terms of reference for the Health and Safety Committee.

9 **Administrative Facilities for the Trade Unions and their Accredited Representatives**

- 9.1 Meetings between representatives of the Council and Trade Unions will be held during normal working hours (except in exceptional circumstances and by joint agreement) and on the Council's premises.
- 9.2 The Council will provide free meeting room facilities for the Trade Unions to hold Branch Executive meetings.
- 9.3 Reasonable facilities will be provided by the Council at no cost, at the Trade Unions' request to enable Trade Union members to meet on Council premises.
- 9.4 The Council will provide secure and private offices at each of its area hubs (i.e. Salisbury, Chippenham, Devizes & Trowbridge) for the exclusive use of UNISON.
- 9.5 The Council will provide the following facilities - a telephone line, computer (with intranet/internet access and software and hardware support), printer, a desk, chair and filing cabinet
- 9.6 Photocopying and printing facilities will be made available by the Council.
- 9.7 The Council will make available reasonable use of the internal and external mail distribution facilities for Trade Union communications.
- 9.8 The Council will make available reasonable access to the Council's e-mail system and intranet.
- 9.9 The Council will make reasonable noticeboard space available for the use of the trade unions with dedicated boards at each large workplace.
- 9.10 The Council will provide a facility under which employee subscriptions to Trade Unions may be deducted from salary at the request of the employee and provide a monthly list of such deductions to the Trade Union.
- 9.11 The Council will provide to the unions, on a monthly basis, a list of all new employees, except those that withdraw their permission to do so, and a list of those who are leaving the Council. The Council will also allow the Trade Unions access to induction sessions for new staff to inform and encourage employees of Trade Union membership.

10 **Dedicated Facilities Time**

- 10.1 The Council will make available to each trade union the following dedicated secondment time –

10.2 UNISON a total of 80 days per month. The specific allocation of this time to individual branch officers will be agreed and implemented on the 1 April each year.

10.3 The Council has set aside a budget of £23,000 to use to part backfill the seconded time undertaken by UNISON branch officers. The allocation of this funding will be subject to annual agreement between the Council and Wiltshire UNISON following the election of branch officers at the Annual General Meetings, usually held in February, and implemented from 1 April each year.

There is an additional fund of £15,000, subject to 12 months notice of withdrawal, paid annually to Wiltshire UNISON on 1 April each year to assist with organisational costs incurred by the branch in conducting its business. Part of this fund will be used to pay additional salary secondment costs of the branch secretary.

NB: any full-time secondment will be governed by the Wiltshire Council secondment policy.

11 Trade Union Duties

11.1 In addition to his/her work as an employee an accredited Trade Union representative has the following Trade Union duties for which reasonable paid time off will be granted when those duties fall within his/her working hours (this is not an exhaustive list).

- To prepare and make representations to management on behalf of a member or group of members, including representation as part of the Disciplinary, Capability or Grievance procedures.
- To attend meetings of the JCC, Safety Committee and any sub-committees and to represent the Trade Union in the joint negotiating or consultative machinery at local, regional or national level.
- Attendance at Branch Executive meetings as an elected representative.
- Attendance at meetings of stewards (e.g. UNISON area steward's group meetings) where Wiltshire Council matters are discussed.
- To attend management initiated meetings where the manager concerned has requested the attendance of the union representative.
- To attend appropriate trade union training (see below).
- To prepare and appear on behalf of his/her members before an outside body, such as an employment tribunal, or other organisation which is dealing with a matter relating to current or past employment within the Council.
- To inform employees of the role and function of the Trade Unions and encourage membership of those organisations.

- To carry out the following duties with prior arrangement and agreement of appropriate management
 - to attend staff induction sessions
 - to meet employees
 - to hold surgeries
 - To attend national conferences annually as an elected delegate, the size of the delegation to be in accordance with union rules, and by agreement to include an observer.
 - To attend regional or national service group meetings.
 - To attend as a delegate of their Trade Union at meetings of a committee or sub-committee of the TUC.
 - To undertake arrangements for and conduct workplace meetings and ballots of the membership as required by law.
- 11.2 Timing and time off arrangements for meetings with members will be agreed in discussion with line management in advance and where matters deal with work related issues the assumption will be that reasonable time off will be granted. If meetings are held outside normal working hours time off in lieu will be granted.
- 11.3 Overtime payments will not be made for any time spent on union duties over and above normal working hours.
- 11.4 Management will always endeavour to ensure that any meetings they arrange that involve Trade Union representatives will occur during normal working hours.
- 12 Training**
- 12.1 The Council and Trade Unions agree on the need for representatives to understand clearly their duties and rights, and agree jointly to encourage their representatives to undergo union accredited training so that they may achieve the skills required to carry out their responsibilities in the best interests of their members and the Council.
- 12.2 The Council will ensure that representatives experience no loss in pay as a result of such agreed training. The Council will not pay overtime for time spent on Trade Union training over and above normal working hours.
- 12.3 The timing of training must be agreed with the representative's line manager and will not be unreasonably refused.
- 12.4 In addition HR will provide specific training to trade union stewards on the HR Policies.
- 12.5 Appendix 4 summarises the trade union lay roles.
- 13 Interpretation, Variation and Termination**

- 13.1 Any disputes as to the interpretation of this Agreement shall be referred to the Joint Consultative Committee (JCC) in the first instance. If the JCC cannot resolve the matter or if there are financial or policy implications, it will be referred to Council's Cabinet. In the event of a failure to agree, the Council and Trade Unions shall take such further steps as may be necessary to resolve their differences, which may include referring the matter to Provincial Council, National Joint Council and/or ACAS.
- 13.2 Either side may submit proposals to amend this Agreement. Such proposals will be in writing and will be the subject of joint negotiations through the JCC in line with 13.1 above. Both parties agree to review this Agreement within 12 months.

Signed –

For the Council –

For UNISON –

For GMB –

For Unite –

Wiltshire Council JOINT CONSULTATIVE COMMITTEE (WCJCC)

1. Objectives:

Without prejudice to the right of management to manage and of staff to make representations either directly or through recognised trade unions, the general objectives of the WCJCC is:

To afford a regular channel for consultation and negotiation as appropriate between Wiltshire Council and the recognised trade unions on matters relating to industrial relations, working arrangements and terms and conditions of service that are not reserved for negotiation at national or other agreed levels.

1 Functions and Scope

1.1 To establish and maintain regular methods of negotiation and consultation between the Council and its employees so as to maintain and improve employee/industrial relations.

1.2 To provide for the participation of staff in decisions that effect their working lives by establishing a regular channel where Council policies may be discussed, differences resolved and representation made.

1.3 To consider any employee/industrial relations matter referred to it by the Council and any Trade Union recognised under this agreement.

1.4 The JCC and its designated sub-committees (which may be set up at any time to discuss specific issues with the agreement of the JCC) will act as a consultative and negotiating body, to deal with all terms and conditions of employment and all other matters referred to throughout these procedures (as per paragraphs ? and ? of the agreement).

1.5 The Council will take full account of the information requirements for collective bargaining purposes as set out in ACAS Code of Practice "Disclosure of Information to Trade Unions for Collective Bargaining Purposes".

1.6 The matters for discussion at the JCC shall be all those covered by paragraphs ? and ? of the Trade Union recognition agreement.

1.7 The Health and Safety Committee of the Council will report to the JCC.

2 Membership of the Full JCC

2.1 The Management side shall consist of seven members.

2.2. The trade union side shall consist of seven members of which four seats shall be for UNISON, two for GMB and one for Unite. These members shall be employees of the Council.

3. Co-option

3.1 Both sides may co-opt additional members as required, for specific items on the agenda by notice to the Joint Secretaries.

4 Secretaries

4.1 There shall be Joint Secretaries to the JCC, one from the Management Side and one from the trade union side.

5. Attendance and Appointment.

5.1 The trade unions, through their own procedures, will nominate their representative(s) to the JCC. In the event of a JCC member being unable to attend any meeting, the appropriate Trade Union may delegate a person to attend in his or her place, and such substitute shall be entitled to take a full part in the proceedings.

5.2 On the occurrence of a casual vacancy, a new member shall be appointed by the Trade Union in whose representation the vacancy occurs, as the case may be, and shall sit until the end of the period for which his or her predecessor was appointed.

5.3 Regional or National Officers of the Trades Unions recognised by the Council and the Wiltshire UNISON Branch Organiser may attend and participate in meetings of the JCC as ex-officio members and will be written into the Proceedings. Regional or National Officers must register their intention to attend with the Trade union side Secretary (who will convey this intention to the Management Side Secretary) by the day before the meeting at the latest. Attendances may be refused should this intention not be registered.

6. The Chair

6.1 The Chair shall be held in alternate years by the Management Side Chairperson and the Trade Union side Chairperson.

7. Meetings

7.1 Meetings will be held quarterly.

7.2 At least ten days' notice in writing shall be given of meetings and agenda items. For this purpose, notice shall be given to the Joint Secretaries as soon as possible of any matter intended to be raised at this meeting.

7.3 The Council shall provide accommodation for meetings and also the cost of the secretarial and administrative support will be borne by the Council.

7.4 A special meeting of the JCC may be called by the agreement of both Chairpersons. The business to be discussed at the special meeting shall be limited to matters stated on the notice summoning the meeting. Notice of meetings will be as long as possible, but it is recognised that on occasions it will be necessary to call meetings at short notice, and both chairpersons may agree to vary paragraph ? above in these circumstances.

8. Quorum

8.1 A quorum shall consist of at least four members on both sides of the JCC.

9 Failure to agree

9.1 In the event of a failure to agree, the Management and Trade Union Sides shall take further steps as may be necessary to resolve their differences. This may include, with the agreement of Management and Trade Union Sides, reference to Forum, Provincial Council, National Joint Council and/or ACAS for the purposes of arbitration.

Wiltshire Council

Joint Consultative Committee for Teachers

Constitution 2007

1 Title

The title of the committee shall be the Joint Consultative Committee for Teachers, referred to hereinafter as 'the Committee'. For the purposes of this committee, 'teachers' shall mean teachers employed at Wiltshire local authority maintained primary, secondary and special schools and other teachers employed by Wiltshire Council.

2 Objects

Without prejudice to the right of management to manage and of the teachers to make representations in their interests through the teachers' unions and associations, the general objects of the Committee are:

- 2.1 to effect a regular exchange of views and to establish a consultative procedure between the Council and the recognised teachers' unions and associations;
- 2.2 to afford a regular channel for consultation and negotiation as appropriate between the Council and the recognised teachers' unions and associations on matters relating to industrial relations, working arrangements and terms and conditions of service that are not reserved for negotiation at national or other agreed levels.

3 Functions

- 3.1 Information: to provide information on administrative and organisational matters so that teachers' unions and associations are kept fully informed of plans and intentions that are likely to affect teaching staff.
- 3.2 Consultation: on matters that are for the Council to decide, to provide an opportunity for comment and discussion in order to assist the Council in making those decisions.
- 3.3 Negotiation: to negotiate on local terms and conditions of service not reserved to national or other agreed procedures.

4 Constitution

- 4.1 Membership: the Committee shall comprise the following representatives. Vacancies may be filled as they arise.
 - 4.1.1 Representatives of the County Council:
 - the Director of the Department for Children and Education or their nominee
 - the Human Resources Business Partner for Children and Education

4.1.2 Representatives of the recognised teachers' unions and associations:

The Association of School and College Leaders representative	1
The Association of Teachers and Lecturers representatives	3
The National Association of Head Teachers representatives	2
The National Association of Schoolmasters Union of Women Teachers representatives	3
The National Union of Teachers representatives	3
The Professional Association of Teachers representative	1

4.1.3 Two representatives of the education support staff unions as observers

These observers may speak, at the chair's discretion, but may not vote.

They may be excluded from the meeting for specific agenda items on a

simple majority vote of the representatives named in 4.1.1 and 4.1.2 present and voting. (Abstentions are not votes.)

4.2 The Chair of the Committee shall be the Director of the Department for Children and Education or their nominee.

4.3 Advisers: the Committee shall have the right to invite to the meeting any person whose knowledge and expertise is likely to enable it to conduct its business more effectively.

5 Procedure

5.1 Meetings of the Committee shall be held during working hours not less than three times a year, but special meetings may be called at the request of either the representatives of the Council or the representatives of the recognised teachers' unions and associations.

5.2 The agenda for each meeting shall be sent, by post or by electronic mail, to each member of the Committee no later than ten working days before the meeting. Items of business may be added to the agenda at the meeting only with the consent of the representatives of the Council and of every recognised teachers' union and association present.

5.3 The quorum for a meeting shall be one representative of the County Council and one representative of each of three of the recognised teachers' unions and associations.

5.4 Reports and recommendations emanating from the Committee shall be submitted to the appropriate committees, panels and other representatives of the Council.

5.5 Minutes of the proceedings of the Committee shall be prepared by a representative of the Council, who will send them to the Chair of the Committee, and to the nominated Chair of the recognised teachers'

unions and associations, for accuracy checks within 10 working days of the meeting. Thereafter the minutes will be issued by post or by electronic mail, to each member of the Committee within 30 days of the last meeting date.

- 5.6 The representatives of the teachers' unions and associations and the observers shall be paid their ordinary rates of pay and reimbursed travelling expenses.
- 5.7 The representatives of the Council, the representatives of the teachers' unions and associations and the observers shall each be responsible for their own administrative expenses.

**Constitution of the Wiltshire Council
Joint Central Health and Safety Committee**

1. Purpose

The Committee exists to provide the means for management to consult staff representatives about the management of health and safety as it affects the Council's business and its employees.

2. Functions

- a) To secure the effective co-operation of all employees in ensuring the health, safety and welfare of those persons represented;
- b) To encourage a uniform approach and best practice by all departments, by developing knowledge, raising awareness and promoting a pro-active management approach;
- c) To consider the impact of new legislation;
- d) To consider and develop policy;
- e) To promote communications and publicity within the Authority;
- f) To promote and monitor the effectiveness of the safety content of employee training;
- g) To analyse and consider the implications of information and reports from Enforcing Authorities;
- h) To examine safety reports on a similar basis;
- i) To develop, introduce and monitor safety rules and safe systems of work;
- j) To study accident/notifiable disease statistics and trends so that reports can be made to management on unsafe or unhealthy conditions and practices, along with recommendations for remedial action;
- k) To watch over the adequacy of health and safety communication and publicity in the workplace;
- l) To keep the effectiveness of the Safety Policy under review and as necessary recommending changes to it;

- m) To consider and recommend action where local management has been unable to resolve a health and safety issue satisfactorily.

3. **Membership**

The Committee shall comprise:

- a) Representing the Council:

- i) The SST Service Director responsible for OH&S
- ii) 1 nominated officer from each of:
 - Transport, Environment and Leisure
 - Economic Development, Planning and Housing
 - Resources
 - Children and Education
 - Community Services

- b) Representing staff:

Staff representatives can attend as per the tariff below. Nominees are at the discretion of individual unions but should be union-appointed Safety Representatives or Safety Officers and reflect the whole of the County Council's workforce.

UNISON	4 representatives inc. the UNISON Health and Safety Officer
GMB	1 representative
Unite	1 representative

- c) The Council's Occupational Health and Safety Manager, Insurance and Risk Manager and an Occupational Health Nursing Adviser shall be permanent advisers to the Forum. The UNISON Branch Organiser will also be a permanent adviser to the Committee. Other internal advisers from either side of the Forum and other external advisers may attend from time to time subject to prior notice being given to both sides.
- d) The number of management representatives should not exceed the number of employee representatives.
- e) Management representation should be aimed at ensuring adequate authority to give proper consideration to views and recommendations.

- f) Additional management representatives may attend the Forum for items of interest.
- g) Substitutes will be allowed for both sides.
- h) Membership of the safety committee must be regarded as part of an individual's normal work. He/she should suffer no loss of pay through attendance at meetings of the committee or at other agreed activities, such as safety inspections undertaken by, or on behalf of, the committee.

4 Conduct of Business

- a) The committee will meet at least quarterly, and more frequently if business demands, on dates agreed generally one year in advance. A quorum will comprise of 3 persons per side.
- b) The Chair will rotate annually between the Council and staff side.
- c) Management agenda items will be prepared by the Occupational Health and Safety Manager. Items from employee representatives should be submitted to the Occupational Health and Safety Manager at least 10 working days before the day of the meeting. All members of the Committee are encouraged to put forward items.
- d) All members of the committee should have equal voting rights. Neither side is responsible to, or for, the other.
- e) In the event of the committee being unable to resolve any matter satisfactorily or if the committee has continuing serious concerns about a particular issue, then the Chairman will have the means to refer to the Corporate Directors and/or Portfolio Holder.
- f) Minutes of the meeting will be taken by a secretary appointed by the Chairman and circulated as soon as possible after the meeting. Minutes will be submitted to the Council's Regulatory Committee and the Joint Consultative Committee and will be available to all employees via the Intranet.
- g) This Constitution will be reviewed annually or at any other time at the request of either side.

5 Schools Safety Forum

A forum for management and trade union representatives in schools will be held on a regular basis to discuss all schools related health and safety issues. Notes from these meetings, general policy matters and

unresolved issues will be referred to the Council's Joint Central Health and Safety Committee.

Trade Union Lay Roles Recognised by the Council

Steward – elected Trade Union representative whose role includes organising, recruiting, representing and communication with union members.

Convenor – senior steward elected from amongst a group of stewards covering a directorate, department or geographical area.

Health and Safety Representative – elected Trade Union representative whose role includes representing union members and employees on all matters which concern employee health, safety and welfare at work.

Lifelong Learning Representative – elected Trade Union representative whose function involves encouraging employees to access lifelong learning and training opportunities, enabling such access and liaising with management in all training matters.

Workplace Contact – informal role undertaken by Trade Union members in areas without a steward who may distribute union literature in the workplace and put up notices.

UNISON Branch Officers

(for a description of the duties contact the UNISON Branch Secretary)

- **Chairperson**
- **Secretary**
- **Treasurer**
- **Education Co-ordinator**
- **Life-long Learning Co-ordinator**
- **Health and Safety Officer**
- **Equalities Officer (s) – e.g. Women's, Black and Ethnic Minorities, Lesbian Gay and Transgender, Disabled, Young Members**
- **Communications Officer**
- **Membership Officer**
- **International Officer**
- **Welfare Officer**
- **Service Conditions Officer**
- **Assistant/Vice Chairperson**
- **Assistant Secretary**

The Council will be notified about the appointment of persons to any positions not listed above and will be informed about their duties.

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Appendix B

Role	Apr-10	May-10	Jun-10	Jul-10	Aug-10	Sep-10	Oct-10	Nov-10	Dec-10	Jan-11	Feb-11	Mar-11	Grand Total
Labour Link/Environmental Officer/treasurer			£ 80.76	£ 267.52									£ 348.28
Membership officer			£ 671.58	£ 87.95					£ 79.95				£ 839.48
Convenor			£ 490.60	£ 198.47	£ 89.20	£ 312.20	£ 33.45						£ 1,123.92
South Convenor									£ 9.56	£ 19.12	£ 14.34	£ 19.12	£ 62.14
Education Co-ordinator				£ 27.24									£ 27.24
Health & Safety Rep		£ 224.22	£ 336.33	£ 515.10					£ 60.60				£ 1,136.25
Treasurer				£ 33.45	£ 22.30	£ 16.73							£ 72.48
Assistant Branch Secretary	£ 343.84	£ 290.67	£ 307.00	£ 577.16				£ 171.92	£ 227.18	£ 460.50	£ 402.78		£ 2,781.05
Women's Officer	£ 153.00	£ 34.00								£ 176.80	£ 428.40		£ 792.20
H&S reps								£ 356.80					£ 356.80
Branch Organiser			£ 450.75	£ 326.98					£ 237.80				£ 1,015.52
H&S/Equalities Officer	£ 218.66	£ 249.17	£ 167.81	£ 177.98				£ 76.28	£ 40.68	£ 208.49	£ 172.89		£ 1,311.93
Chair			£ 303.81	£ 159.90									£ 463.71
Welfare Officer	£ 87.20	£ 43.60	£ 69.76	£ 100.28				£ 165.68	£ 74.12	£ 30.52	£ 43.60	£ 43.60	£ 658.36
LGBT Officer								£ 168.00	£ 99.20	£ 28.00	£ -	£ 40.00	£ 335.20
East Convenor								£ 113.97	£ 122.88	£ 34.69	£ 84.24	£ 49.55	£ 405.32
Retired members secretary			£ 1,202.31	£ 482.90					£ 197.10				£ 1,882.31
Branch Secretary	£ 2,649.20	£ 2,649.20	£ 2,649.20	£ 2,649.20	£ 2,649.20	£ 2,649.20	£ 2,649.20	£ 2,649.20	£ 2,649.20	£ 2,649.20	£ 2,649.20	£ 2,649.20	£ 31,790.40
West Convenor	£ 1,046.40	£ 1,046.40	£ 1,046.40	£ 1,046.40	£ 1,046.40	£ 1,046.40	£ 1,046.40	£ 1,046.40	£ 1,046.40	£ 1,046.40	£ 1,046.40	£ 1,046.40	£ 12,556.80
Grand Total	£ 4,498.30	£ 4,537.25	£ 7,776.30	£ 6,650.51	£ 3,807.10	£ 4,024.53	£ 3,729.05	£ 4,748.24	£ 4,844.67	£ 4,653.71	£ 4,841.85	£ 3,847.87	£ 57,959.38

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SENIOR OFFICERS EMPLOYMENT SUB-COMMITTEE

DRAFT MINUTES OF THE SENIOR OFFICERS EMPLOYMENT SUB-COMMITTEE MEETING HELD ON 2 NOVEMBER 2011 AT COMMITTEE ROOM III - COUNTY HALL, TROWBRIDGE.

Present:

Cllr Mike Hewitt, Cllr Jon Hubbard and Cllr John Noeken

Also Present:

Cllr Jane Scott OBE

1. **Election of Chairman**

Resolved:

That Councillor John Noeken be elected Chairman.

Councillor John Noeken in the Chair

2. **Apologies for Absence**

All members were present.

3. **Declarations of Interest**

There were no declarations of interest.

4. **Minutes of previous meeting**

The Chairman clarified that the minutes of the last meeting held on 18 January 2010 could in fact be received during Part 1 of the meeting (in open session).

Resolved:

That the minutes of the meeting held on 18 January 2010 be approved as a correct record and signed by the Chairman.

5. **Chairman's Announcements**

No announcements were made.

6. **Public Participation**

No requests for public participation had been received.

7. **Exclusion of the Press and Public**

Resolved:

That in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Minute Number 8 below as it was likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 1 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

8. **Proposed Termination of Employment on the Grounds of Redundancy - Chief Executive**

The Chairman explained the purpose of this meeting was to consider the termination of employment of Andrew Kerr, Chief Executive and Head of Paid Service on the grounds of redundancy on terms to be agreed. Any such decision by the Sub-Committee would be subject to the statutory process of consultation with members of Cabinet and confirmation by Council at its meeting on 8 November 2011.

As background information, the report of the Leader considered by Cabinet on the 6 October 2011 and corresponding minute were presented. The Leader attended the meeting to respond to any questions.

The Leader's report to the Sub-Committee explained the proposed termination of the Chief Executive's employment on the grounds of redundancy arose as a result of the Cabinet's decision on 6 October 2011 to make changes to the Council's senior management structure which involved the removal of the post of Chief Executive (and one of the four Corporate Directors). There was no alternative employment available for the Chief Executive at a suitably senior level within the organisation. The Chief Executive's post was therefore redundant within the statutory definition of redundancy.

It was noted that, subject to the Sub-Committee's decision, and in the event of Council confirming the termination of employment of the Chief Executive, Council would also be asked to consider a number of consequential matters. These included the appointment of the Head of Paid Service, Electoral

Registration Officer and Returning Officer and the Clerk of the Lieutenancy and consequential amendments to the scheme of delegation to officers.

The Sub-Committee was advised that the Chief Executive had submitted an application for voluntary redundancy in accordance with the Council's redundancy policy and procedure. The application had been agreed, subject to approval of the terms of the proposed termination of employment.

The Sub-Committee considered the proposed severance terms which were presented at the meeting. The Solicitor to the Council reported that the Council's external auditors, KPMG, had been consulted and had noted that these were in line with the Council's policy. Their formal response would be reported to the Council.

Subject to Council's approval, the Sub-Committee agreed that the proposed termination date would be 11 November 2011 as it was accepted that it would be in neither party's interests to require the Chief Executive to serve out his notice period. This would enable the Council to press ahead with the implementation of the new arrangements.

The Leader advised that the Council was committed to concluding the termination process in as open and transparent way as possible, whilst recognising the Chief Executive's rights in respect of the disclosure of personal information. The Sub-Committee was satisfied that due process had been followed in accordance with the Council's established policies.

The Chairman referred to and endorsed comments made at Cabinet where the Chief Executive was thanked 'for all his hard work and commitment to Wiltshire. His contribution in delivering a clear strategic plan for the next few years had provided a strong foundation for the Council to now move forward and be in a position to adopt a new model of leadership'.

The Sub-Committee, therefore,

Recommended to Council:

To terminate the employment of Andrew Kerr as Chief Executive and Head of Paid Service on the grounds of redundancy on the terms presented.

(Duration of meeting: 10.00 - 10.30 am)

The Officer who has produced these minutes is Yamina Rhouati, of Democratic & Members' Services, direct line 01225 718024,
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