

**BRECKLAND COUNCIL**

**At a Meeting of the**

**LOCAL JOINT CONSULTATIVE COMMITTEE**

**Held on Thursday, 14 February 2013 at 10.00 am in  
Norfolk Room, The Conference Suite, Elizabeth House, Dereham**

**PRESENT**

**Employers' Side**

Mr D.R. Williams JP (Chairman)  
Mr K. Martin  
Mrs S.M. Matthews  
Dr Z. Waterford (Vice-Chairman)

**Staff Side**

Ms S. Smith  
Mrs L. Warmer (Substitute Member)  
Mr D. Wilder  
Mr M J Nairn (Substitute Member)

**In Attendance**

Neil Fordham	- Payroll and Reward Manager
Natalie King	- HR Manager
Helen McAleer	- Senior Committee Officer
Alison Peart	- Interim Senior HR Advisor
Cal Spearman	- HR Business Partner
Robert Walker	- Assistant Director of Commissioning

**1/13 MINUTES (AGENDA ITEM 1)**

The Minutes of the meeting held on 22 November 2012 were confirmed as a correct record and signed by the Chairman and Vice-Chairman.

**2/13 APOLOGIES (AGENDA ITEM 2)**

Apologies for absence were received from Mr Kybird, Ms Moreton and Mrs Owen. Mr Nairn and Mrs Warner were in attendance as substitutes.

**3/13 LEGISLATION UPDATE (STANDING ITEM) (AGENDA ITEM 6)**

The HR Business Partner advised of the following changes to statutory rates:

- The cap on a weeks pay for the calculation of statutory redundancy pay had been increased to £450 from 1 February 2013.
- Statutory maternity pay, statutory paternity pay, statutory adoption pay and the Maternity Allowance had increased to £136.78 from 1 February 2013.

Scheduled changes to statutory rates

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- Statutory sick pay would increase to £86.70 from 6 April 2013.

Scheduled changes to non financial statutory rights and entitlements

- Unpaid parental leave was scheduled to increase to 18 weeks from 8 March 2013 (to be taken within the first 5 years of the child's life/following adoption).
- Collective redundancy (redundancies of 100+ employees) consultation period reduced from 90 to 45 days from 6 April 2013. Fixed term employees to be excluded from calculation of number of affected employees.
- Statutory right to request flexible working to be extended to all employees from 2014.

Employment Tribunal changes

- The cap on unfair dismissal compensation had increased to the lower of £74,200 or the value of the claimant's annual salary from 1 February.
- Employment Tribunal (ET) fees to be introduced in "Summer 2013", with the exact date to be confirmed. There would be two tiers to those claims as follows:
  - Tier 1 (less complex cases) carry a fee of £160 for the issuance and £230 for the hearing.
  - Tier 2 (cases more likely to be complex) carry a fee of £250 for issuance and £950 for hearing.

Anyone wishing to raise an ET claim would be required to register for conciliation via ACAS before an ET claim could be raised. There was however no obligation on the part of the employer to enter into the conciliation process. At the point where a conciliation claim was raised the 'clock' on ET time limits would be frozen until the end of the conciliation process. There would therefore be a level of uncertainty in the time limits that ET claims could be brought against an employer.

Other impending changes

The summer of 2013 would see the introduction of settlement agreements in the place of compromise agreements. There would be little practical difference between the two. However, Settlement Agreements would provide a greater level of protection for the employer in terms of pre-termination negotiations being inadmissible in unfair dismissal claims.

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It was **AGREED** that where the changes involved a change to the numbers only, there was no need for the Policy to be brought back to the Committee. However, where the changes caused an amendment to the wording, the Policy should be brought back to the Committee for review.

**4/13 PROPERTY INSPECTIONS AND VISITS POST IMPLEMENTATION (AGENDA ITEM 7)**

The Operations Manager (ARP) presented the report which was provided at the request of the LJCC to update them on the redesign and restructure of the Property Service Division with particular regard to changes in establishment.

The new structure had come into effect on 10 December 2012 and the Operations Manager thanked the HR Teams from all four authorities and Unison for their help in ensuring a smooth transition.

There had been no compulsory redundancies. All at risk staff had been offered alternative, suitable employment. One member of staff had requested and been granted voluntary redundancy.

The costs of the restructure were expected to be recouped by the end of the 2012/13 financial year. The Team was moving forward on a number of different platforms using new technology and staff were settling into their new roles.

The Chairman was very pleased that compulsory redundancies had been avoided.

Mr Martin asked if the staff given alternative employment were happy in their new roles and the Operations Manager advised that it was early days yet. A bi-monthly review would be reported to Directors. There were still some technical issues but the new structure was working at about 95% and producing the results forecast in the Business Case.

The report was noted.

**5/13 ARP HOME WORKING / HOME ENABLED POLICY (AGENDA ITEM 8)**

The Operations Manager (ARP) presented the report and explained the background.

Currently the ARP had three different sets of Terms and Conditions for staff from three partner authorities. The ARP HR Group, working with representatives from staff, Unison and the HR Teams, had looked at options and proposed a new scheme to harmonise Officers' Terms and Conditions. The revised Policy would be all encompassing with one set of Terms and Conditions understood by

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staff, making for easier management.

The new Policy would mean some changes for Breckland staff, but the aim had been to keep the scheme as open and flexible as possible. The Policy clearly set out the details and circumstances of who could work from home. In every instance a supporting business case was required to justify the cost (about £800) of providing the equipment required for home working.

There was still some work to be done by the HR Teams to bring allowances into line. Currently there were three different rates. Two of the authorities were planning to remove allowances for Broadband. Once agreement had been reached with the HR Teams the details would be reported back to the General Purposes Committee.

Mrs Warmer asked if psychometric testing would be used to determine suitability for homeworking and if so, whether the persons administering the test were qualified to assess the results.

The Operations Manager advised that psychometric software had been developed to specifically address ARP's business needs based on behaviours and competencies and that the Team Managers had been trained on how to use that tool.

Mrs Smith was concerned that staff using the Citrix link might lose work due to Broadband and phone link problems. It was clarified by the Assistant Director of Commissioning that the ARP ran a different system using an upgraded line. Homeworking had been taking place for some time without problems.

The Chairman questioned the provision for unplanned downtime and was concerned that it seemed that staff might be penalised for something that was not within their control.

The Operations Manager explained that the main thing was for officers to contact their line managers if there was a problem to discuss the options.

The Chairman felt that that was not made clear in the document, which might be interpreted differently by the different Councils. He suggested that it needed to be clarified that there should be flexible options available.

Mr Wilder asked about the termination of a homeworking agreement and whether it would be possible for an employee to reapply to work from home if their circumstances changed.

The Operations Manager advised that each application was looked at on its own merits. If an agreement ceased the Homeworking equipment was returned. If circumstances changed and it was

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considered appropriate it could be reissued.

The Vice-Chairman questioned the £2 allowance paid for Broadband provision. She asked if that covered the cost of power and heating as well and thought that it was too low.

The Operations Manager explained that it was a National rate set by HMRC which was reviewed annually.

It was agreed that the Policy should come back to the Committee for review in October.

**RESOLVED** to **RECOMMEND TO GENERAL PURPOSES COMMITTEE** that the new Homeworking and Home Enabled Policy be approved.

**6/13 ASSISTED CAR PURCHASE SCHEME (AGENDA ITEM 9)**

The Payroll & Reward Manager presented the report which proposed the re-introduction of a revised scheme. The Lease Car scheme had been phased out in September 2012. There was a similar scheme which had been operating at South Holland for some time and it was the intention to mirror that provision, particularly in relation to the calculation of interest rates.

To date there had been five or six expressions of firm interest in the new scheme, but more accurate figures were not yet known.

Mrs Warmer asked if the scheme would be for essential users only and what the tax implications would be.

It was confirmed that the scheme was aimed at Essential Users but there would be discretion for other key posts for recruitment and retention purposes. With regard to tax, the HMRC had two main thresholds. Any loan granted over £5,000 where the interest rate was lower than the official interest rate would be liable for tax as it was deemed to be a benefit in kind.

Mr Wilder asked what would happen if someone awarded a loan moved out of an essential user post. Would they be required to pay the loan back immediately?

The Assistant Director of Commissioning said that would not be the case unless the employee had left the Council. In those cases the Council would seek to recover the debt as soon as possible, dependent on individual circumstances.

The Vice-Chairman said that Unison had believed that the scheme would be part of the PRP package. She was happy with the policy but asked if it could be reviewed in six months to assess if it would be possible to open it up to all staff.

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The Assistant Director of Commissioning explained that CMT had decided to restrict the scheme to essential users. The rationale behind that was that essential users needed a car to carry out their role as an employee of the Council and those roles should be supported. There was also discretion to use the scheme as part of the recruitment/retention package. But it was not CMT's view that it should be rolled out to all casual users and he did not think that that view would change.

The Vice-Chairman understood the extra benefit for essential users, but thought that the scheme should be reviewed to look at the feasibility of rolling it out to all staff as part of the pay package. The terms offered to non-essential users could be at reduced rates and nil-cost to the Council.

The Assistant Director of Commissioning reiterated that it was CMT's view that the scheme should be restricted to those that needed their car for work.

The Chairman suggested that there could be two schemes; an essential user scheme and a bonus scheme. He noted that essential users still had the use of the car outside working hours. He suggested that CMT review the scheme after six months when the amount of people taking advantage of it would be clearer. The main problem would be cost and whether it would be affordable to extend it.

Mrs Smith noted that the interest to be charged was very low and asked whether it was enough to cover the costs of administering the scheme.

The Payroll & Rewards Manager advised that he would be absorbing that responsibility and it was noted that there would be less work involved than it currently took to administer the Lease Scheme.

It was confirmed that repayments would be deducted at source (direct from salary).

**RESOLVED to RECOMMEND TO GENERAL PURPOSES COMMITTEE** that:

- (1) the reintroduction and launch of the revised Assisted Car Purchase Scheme as attached at Appendix A to the report be approved; and
- (2) the Scheme be reviewed after six months.

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**7/13 NEXT MEETING (AGENDA ITEM 10)**

The arrangements for the next meeting to be held on 4 April 2013 at 10.00am in the Norfolk Room were noted.

The meeting closed at 10.57 am

CHAIRMAN

VICE-CHAIRMAN