

**MINUTES OF A MEETING OF THE EMPLOYMENT AND APPEALS COMMITTEE
HELD AT COUNTY HALL, LLANDRINDOD WELLS ON
THURSDAY 13TH NOVEMBER 2014**

PRESENT:

County Councillor J.G. Morris (Chair)

County Councillors S.M. Hayes, D.C. Jones, S. McNicholas, P.J. Medicott, D.W. Meredith, R.H. Mills, G. Morgan, G.W. Ratcliffe, K.M. Roberts-Jones, KF. Tampin, J.M. Williams and E.A. York

1.	APOLOGIES	EAC15 – 2014
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Apologies for absence were received from County Councillors J.H. Brunt, A. Holloway, P.E. Lewis, G.D. Price and J.G. Shearer and from the Head of Professional Services and Commissioning.

2.	MINUTES	EAC16 – 2014
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The Chair was authorised to sign the minutes of the meeting held on 22nd May 2014 as a correct record.

3.	DECLARATIONS OF INTEREST	EAC17 – 2014
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There were no declarations of interest reported.

4.	SUB COMMITTEE MINUTES	EAC18 – 2014
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The Chair was authorised to sign the minutes of the following Sub Committees as correct records:

4 June 2014 Shortlisting Sub Committee
25 June 2014 Appointments Sub Committee
11th August 2014 Shortlisting Sub Committee
1st September 2014 Appointments Sub Committee.

5.	UPDATE ON CASE LOAD	EAC19 – 2014
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The Committee received an update on the number of appeals cases being handled by HR and was advised that there were currently 27 cases being dealt with. The trend for the year was downward and this was being achieved with the help of service managers taking on low level cases themselves. The involvement of service managers was reflected in the high level of take up of training organised by HR who had doubled the number of training courses organised in the last year. The Committee commended managers and HR for their efforts in reducing the number of appeals and asked for their thanks to be reported to managers.

6.	APPEAL PROCEDURES	EAC20 – 2014
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The Committee was advised that all Welsh local authorities were reviewing Member participation in appeals. Not all involved Members in their appeal process. Members debated the issue and the Committee was of the view that the overriding principle should be fairness. If Member involvement in appeals was to end the Committee would have to be assured that managers had received adequate training and that the downward trend in the number of appeals was being maintained.

County Councillor G.W. Ratcliffe proposed a motion that “The Committee is minded to end Member involvement in Grievance Appeals subject to a timeline of 12 months for information to come back to the Committee so that Members can be assured that training is in place for Managers and on the number of appeals involved.”

This would give time in which to review the current arrangements and allow for consultation with the trade unions.

RESOLVED that the Committee is minded to end Member involvement in Grievance Appeals subject to a timeline of 12 months for information to come back to the Committee so that Members can be assured that training is in place for Managers and on the number of appeals involved.

The Committee also asked that the Portfolio Holder for HR receive a formal invitation to future meetings.

7.	EMPLOYMENT TRIBUNALS	EAC21 – 2014
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The Solicitor to the Council reported on the successful outcome of two Employment Tribunals. In both cases there were learning points which officers in HR were considering and would apply in future cases.

The Solicitor to the Council circulated a paper on the outcome of the recent case considered by the Employment Appeal Tribunal which had ruled that non-guaranteed overtime should be included in the calculation of a worker’s holiday pay. The GMB union had written to ask what the Council would be doing and they had been advised, in line with WLGA guidance, that the Council was considering its position and would await the outcome of an appeal to the Court of Appeal.

8.	EMPLOYMENT POLICY UPDATE	EAC22 – 2014
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Steve Holcroft, Employment Policy and Service Development Business Partner, gave a presentation on the employment policies that had been and were being reviewed. He extended an invitation to members of the committee to take part in the monthly Employment Policy Forum meetings.

Councillor David Meredith raised an issue over the policy for dealing with redundancies in schools. When a redundancy situation arose in a school the school

was required to undertake a skills audit of the whole school which may result in specialist teachers losing their jobs even when the departments in which they taught did not have surplus positions.

The Chair said he would raise the issue with the Portfolio Holders for HR and Education and ask Councillor Meredith to join him in the discussion.

J.G. MORRIS
Chairman