

EAST AYRSHIRE COUNCIL**PERSONNEL SUB-COMMITTEE OF THE POLICY & RESOURCES COMMITTEE****MINUTES OF MEETING HELD ON TUESDAY 16 JANUARY 1996
AT 1000 HRS IN THE LONDON ROAD CENTRE, LONDON ROAD, KILMARNOCK**

PRESENT: Councillors McIntyre (Chair), Reeves, Stirling, O'Neill, Hall, Beattie, Ross, Sneller and Boyd

ATTENDING: Chief Executive (D Montgomery); Depute Chief Executive (F Lees); Director of Personnel (I McLachlan); Director of Support Services (B Haughan); Depute Director of Personnel (G Haugh); and Support Unit (A M Carr)

APOLOGIES: Councillors Coffey and Turnbull

DRAFT TERMS OF REFERENCE AND QUORUM

1. There was submitted a report dated 8 January 1996 (circulated) by the Director of Personnel outlining the proposed terms of reference and quorum for the Personnel Sub-Committee.

It was agreed to adopt the terms of reference as detailed in Appendix 1 to these Minutes and that the quorum be set at four Members.

STAFF COMMISSION CIRCULAR 8/95 - APPEALS MACHINERY

2. There was submitted a report dated 8 January 1996 (circulated) by the Director of Personnel recommending an appeals procedure in accordance with Staff Commission Circular 8/95 to consider grievances arising from Local Government Reorganisation.

It was agreed:-

- (i) to note the content of the Local Government Staff Commission (Scotland) Circular 8/95 as detailed in Appendix 1 of the report;
- (ii) to approve the Individual Appeals Procedure as detailed in Appendix 2 of the report; and
- (iii) to approve the Committee Stage appeals hearing procedure as detailed in Appendix 3 of the report.

INTERIM CONDITIONS OF SERVICE

3. There was submitted a report dated 8 January 1996 (circulated) by the Director of Personnel Services seeking adoption by East Ayrshire Council of the Conditions of Service issued by the Joint Negotiating Committee (JNC) for Chief Officials of Local Authorities in Scotland and requesting authority to issue these conditions to employees who have been appointed to the Council on a full-time basis.

It was agreed:

- (i) to adopt the JNC Conditions of Service for Chief Officials of Local Authorities (Scotland) as detailed in the summary statement attached as Appendix 1 of the report; and
- (ii) to authorise the Director of Personnel Services to issue these conditions to appropriate employees of East Ayrshire Council, as an interim measure pending discussions with Trade Unions.

Councillors Stirling and Hall joined the meeting during discussion of the above item.

ADDITIONAL ITEM

4. It was agreed that the undernoted item be considered as an additional item of business.

PROPOSED APPEALS SUB-COMMITTEE - ESTABLISHMENT, QUORUM AND TERMS OF REFERENCE

5. There was submitted a report dated 11 January 1996 (circulated) by the Director of Personnel Services recommending the establishment, quorum and terms of reference for an Appeals Sub-Committee of the Policy and Resources Committee to exercise the delegated power to uphold or reject grievance, grading or disciplinary appeals, or to order the varying of disciplinary action taken in respect of administrative, professional, technical and clerical staff and manual workers and craft operatives, and also to decide upon grievances arising from Local Government Reorganisation.

It was agreed:-

- (i) that appeals by Administrative, Professional, Technical and Clerical staff and Manual Workers and Craftsmen relating to grievances, grading, disciplinary action or Local Government Reorganisation be heard and determined by a panel of elected Members constituted as a separate Appeals Sub-Committee;
- (ii) that the separate Appeals Sub-Committee comprise four available elected Members of the Personnel Sub-Committee (three administration and one opposition);

- (iii) that Members for the individual panels be called by the Chief Executive;
- (iv) that the Chair of an Appeals Sub-Committee be the Chair of the Personnel Sub-Committee or one of two other members whose appointment to serve as potential Chairs be remitted to the Policy and Resources Committee.
- (v) that the Chair and Members of an Appeals Sub-Committee will not include the Chair of the relevant Service Committee for the department in which the appellant is employed or the local Member of the ward in which the appellant resides;
- (vi) that the terms of reference for the Appeals Sub-Committee be as detailed in Appendix 2 to these Minutes;
- (vii) that it be remitted to the Director of Personnel to arrange training for elected Members in relation to the Appeals Sub-Committee process; and
- (viii) that the quorum for the Appeals Sub-Committee be fixed at three Members.

EXCLUSION OF PRESS AND PUBLIC

- 6. The Committee resolved, in terms of Section 50A(4) of the Local Government (Scotland) Act 1973 that the press and public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 7A of the Act.

INTERIM DEPARTMENTAL STRUCTURES

- 7. There was submitted an update report dated 8 January 1996 (circulated) by the Director of Personnel requesting approval of alterations to the departmental structure and matching proposals in respect of the Department of Commercial Operations, confirming that letters had been issued to all employees due to transfer to East Ayrshire Council on 1 April 1996 and confirming their transfer arrangements, and seeking authorisation for Senior Officers to make appointments to established posts resulting from current advertisements and the "restricted interview" process.

It was agreed:-

- (i) to approve the revised gradings of certain posts in the Department of Commercial Operations as detailed in the attached statement to the report;

- (ii) to approve the amended list of staff to be matched to posts in the Department of Commercial Operations as detailed in the attached list to the report;
- (iii) to note that letters had been issued in December 1995 to all employees transferring to East Ayrshire Council with effect from 1 April 1996;
- (iv) to authorise Senior Officers to make appointments to established posts as a result of the current advertisements and the "restricted interview" process;
- (v) that the Director of Personnel submit a report to a future Personnel Sub-Committee meeting regarding a comprehensive Recruitment and Selection policy for the Council; and
- (vi) to note that the previously approved staffing structures for East Ayrshire Council would be subject to further review as appropriate and that a compendium of the proposals approved to date be issued by the Director of Personnel to Members in 'loose-leaf' format to facilitate subsequent updating.

Councillor Ross joined the meeting during discussion of the above item.

The meeting terminated at 1020 hours.

PERSONNEL SUB-COMMITTEE**TERMS OF REFERENCE**

- (1) To advise on the allocation of personnel resources.
- (2) To oversee personnel services including remuneration, allowances and conditions of service of Council personnel (other than for teachers, where the Education Committee will take the lead role).
- (3) To establish procedures and implement as necessary, arrangements for disciplinary appeals and grievance hearings.
- (4) To advise the Policy and Resources Committee and the Council on the overall planning of the most effective, economic and efficient use of the Council's personnel resources.
- (5) Apart from issues specifically referred to other Committees, to consider all aspects relating to the provision of personnel services including in particular the following:-
 - (a) matters relating to the recruitment, training, salaries, wages and conditions of service of all employees of the Council's departments;
 - (b) departmental structures, establishments and gradings and any alterations which are at any time proposed;
 - (c) matters relating to employment legislation, contracts of employment, redundancy payments and industrial relations;
 - (d) matters relating to training, education, career development, health, safety and welfare of employees;
 - (e) matters relating to the transfer to and from the service of the Council of any person as a consequence of local government reorganisation;
 - (f) the introduction and continued monitoring of incentive and productivity schemes and other such related matters as and when considered appropriate;
 - (g) negotiations with Trade Unions, as necessary, on matters affecting employees; and
 - (h) to deal with and make recommendations to the Policy and Resources Committee and the Council on any other matters relating to any employees of the Council as deemed necessary from time to time;

- (6) To secure the provision and maintenance of an adequate supply of labour to enable all departments of the Council to achieve their objectives;
- (7) To be responsible for the supervision and control of the Personnel Department;
- (8) To supervise and so far as necessary administer the Council's grievance and disciplinary procedures;
- (9) To consider grievance and grading appeals by employees in terms of the Scheme of Salaries and Conditions of Service for administrative, professional, technical and clerical staff and the Scheme of Pay and Conditions of Service for manual workers and craft operatives and to make decisions thereon;
- (10) To exercise the delegated power to uphold or reject such appeals or to order the varying of the disciplinary action taken in respect of administrative, professional, technical and clerical staff and manual workers and craft operatives;
- (11) to afford facilities for regular consultation and where appropriate, negotiations between the Council and its recognised Trade Unions representing chief officers, administrative, professional, technical and clerical staff, manual workers and craft operatives;
- (12) To secure joint agreement and action between the Council and its recognised Trade Unions for the development and improvement of the work of the Council.
- (13) To consider any reference from the Policy and Resources Committee of the Council or its Trade Unions in matters affecting their mutual interest and to make recommendations to the appropriate Committee of the Council.

APPEALS SUB-COMMITTEE**TERMS OF REFERENCE**

1. To consider grievance in grading appeals by employees in terms of the Scheme of Salaries and Conditions of Service for administrative, professional, technical and clerical staff and the Scheme of Pay and Conditions of Service for Manual Workers and Craft Operatives and to make decisions thereon.
2. To determine appeals against:-
 - (a) fixed term punitive suspensions;
 - (b) reductions in grade;
 - (c) withholding of annual increment;
 - (d) dismissals;
 - (e) final warnings administered by Directors in terms of the Council's disciplinary procedures; and
 - (f) to uphold or reject such appeals or order the varying of the disciplinary action taken in respect of Administrative, Professional, Technical and Clerical Staff and Manual Workers and Craft Operatives; and
 - (g) to decide upon grievances raised by employees in connection with local government reorganisation relative to the alleged non-application of the advice of the Local Government Staff Commission (Scotland) on the matching of staff to posts.