

# **STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL**

## **JOINT CONSULTATIVE COMMITTEE MEETING**

### **Minutes**

**TUESDAY, 17 APRIL 2018  
(10.30 AM)**

PRESENT: Councillor A Forrester (Chairman) S Robinson (Vice-Chair)

**Representing the Council:**

Councillors M Bowen, L D Lea and C Wood. Also I Lawson and D Ogden

**Representing the Employees:**

J. Percival, D Wright and A Capulet-Buxton -

**Officers**

A Stokes, T Cooper, D Owen, D Smith and P Trafford -

APOLOGIES: Councillors C R Jebb, B Johnson and C Pearce. A Swithenbank

Steve Robinson introduced the 2 new union representatives to members

**Background Papers to these Minutes are exempt by virtue of the provisions of Section 100A (4) of the Local Government Act 1972 - Part 1 of Schedule 12A, Paragraph 1 (Information relating to an individual) or Paragraph 4 (Labour relations matters).**

**Please note: These minutes are subject to approval by Cabinet.**

#### 16 **MINUTES OF THE PREVIOUS MEETING**

**RESOLVED** – That the Minutes of the meeting held on 31 October 2017 be approved as a correct record and signed by the Chair.

#### **MATTERS ARISING –**

- David Owen advised that, further to Minute No. 10 (1<sup>st</sup> bullet point) relating to Counter-Terrorism training, he had since spoken to Cllr. Forrester and now needed to speak to Cllr. Ralphs in order to agree on provision of training sessions for the Staffordshire Moorlands staff and members;
- David referred to Minute No. 11 (Asbestos Personal Protective Equipment) stating that the Corporate Health & Safety Policy had now been amended to comply with changes in legislation;
- Steve Robinson asked whether the pay anomalies referred to in Minute No. 10 (4<sup>th</sup> bullet point) had been addressed? Tanya Cooper was able to confirm that the pay-scale bar had been lifted and affected staff had since been back-paid to April 2017;
- Steve asked whether the split between operational/office staff had been researched, as referred to in Minute No. 12? Tanya confirmed that the split

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would be displayed in the Sickness Absence Report from 2018/19, but that the split was 70% / 30% operational/office staff;

- Steve asked, under Minute No. 13 (Union questions) whether a comparison exercise had been carried out regarding pay levels for Refuse Drivers? Tanya clarified that the exercise had been carried out with other Staffordshire authorities. SMDC featured 4<sup>th</sup> out of 7 compared. The top 3 were – Newcastle under Lyme BC, Stoke on Trent CC and ANSA. It was pointed out, however, that this was not a ‘like-for-like’ comparison due to existing individual local agreements.

### 17 **REVISED WORKPLACE INSPECTIONS PROCEDURE**

The Council’s insurer – Zurich Municipal – had carried out an audit of the Workplace Inspections Procedures and found a number of anomalies relating to Car Parks and Estates inspections.

The resultant revisions to the Policy and Inspection Form – appended to the report – were recommended in order to align the procedures to give a consistent approach to such matters.

**RESOLVED** – That the report be **NOTED**.

**FURTHER RESOLVED** – That the revised Policy and Inspection Sheet/Risk Assessments be **APPROVED**.

### 18 **TOOL BOX TALK - CARPAL TUNNEL SYNDROME - VERBAL UPDATE**

David Owen advised that there were a total of 46 Tool Box Talks (TBT’s) currently in place in the authority. They were seen to be a good way of conveying Health & Safety-related messages to staff members.

Carpal Tunnel Syndrome (CTS) was known to be related to some health conditions such as diabetes and joint injuries and in some cases, to Hand Arm Vibration Syndrome (HAVS). This TBT was contained in the agenda for this particular meeting with a link to the following agenda item.

### 19 **HEALTH & SAFETY EXECUTIVE VISIT - MARCH 2018 + SUBSEQUENT POLICY AMENDMENT**

A recent visit by the Health & Safety Executive (HSE) Inspector – Rachel Pargeter - resulted from a situation which occurred over a 2 ½ year timespan. In June 2015, a High Peak Community Housing (HPCH) employee was diagnosed as suffering with HAVS. At that point in time, HPCH had not been taken fully under the Alliance umbrella and, as a result, the Health & Safety arrangements were not the responsibility of the Alliance. The Manager subsequently left HPCH and continuity of Health & Safety reporting arrangements failed in this instance.

In the meantime, in October 2017, the same employee – now an Alliance employee – was diagnosed with CTS, which may well have developed from the original HAVS. The continuity failure referred to above was identified and the relevant RIDDOR

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(Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995) report was submitted.

The above HSE visit was the result of this and in general, the Inspector was very happy with the Health and Safety practices in place. However, as there had been a failure to report situation High Peak Borough Council was to be served with a 'Notice of Contravention', DGO advised that he had already planned to update the HAVS Policy, this has been achieved and the revised policy sent to the HSE for comment.

The revised Corporate Policy was contained on the agenda, with revisions showing in red. Application of the policy would ensure that this type of occurrence would not happen again. By definition, it would ensure that all relevant parties would be involved (Responsible Manager, individual concerned, Human Resources Business Partner and Corporate Health & Safety Adviser).

David clarified that none of the working practices within the Alliance were likely to expose employees to vibration levels anywhere near the daily exposure action value – quoted in the Policy as  $2.5 \text{ m/s}^2 \text{ A}(8)$ .

### 20 **SICKNESS ABSENCE REPORT - DECEMBER 2017**

Tanya Cooper introduced the report to members, showing the picture for the period April to November 2017. At that time, an average of 5.21 days per full-time employee had been lost to sickness, which was 'on-track' for the annual target of 9 days. However, since that time the amount of time lost had increased, so that the target had been missed. The exact figure would be reported to the next meeting of the committee.

Of the sickness cases, 19 were classified as 'long-term', which accounted for 682.5 out of the total of 872 days. The main contributory cause for sickness was, as previously, Musculo-Skeletal problems, accounting for 38.9% of all absence.

#### Actions

- By 31 December 2017, there had been 30 'stage 1' and 13 'stage 2' interviews;
- 2 cases were seeking redeployment;
- 4 staff had a phased/supported return to work plan in place;
- 2 staff were on temporarily adjusted duties;
- There had been 14 stress-related cases, 2 of which were work related, 10 were personal and 2 were a combination of work/personal;
- 55 cases had been referred to Occupational Health;
- Flu clinics had been held in Leek and Buxton.

### 21 **DOMESTIC VIOLENCE REPORT & POLICY**

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David Smith presented the document “Support for Domestic Abuse Victims at Work”, which outlined the support that would be provided by the Council to any employee who was a victim of domestic abuse and the steps that would be taken to protect them from the risk of violent attacks or further abuse from partners, ex-partners or family members while at work.

The policy was one of the priorities of the Police & Crime Commissioner and was based on a template provided by Staffordshire Women’s Aid and set out:-

- The Council’s commitment to supporting victims of Domestic Abuse;
- The support available for employees;
- Guidance for managers and those in support management roles; and
- The Council’s position on those that are perpetrating domestic abuse.

To support the introduction of the Policy, the Council had appointed and trained 2 ‘Domestic Abuse Champions’ to provide support for council employees. The training had been based around the ‘5 R’s model’:-

- Raise awareness;
- Recognise signs;
- Respond;
- Refer; and
- Record.

Members were uncomfortable with the title ‘Domestic Abuse Champions’ and asked whether an alternative could be found. David agreed to look into this.

**RESOLVED** – That the report be **NOTED** and that the policy on support for domestic abuse victims at work be **APPROVED**, subject to a potential change in the title from ‘Domestic Abuse Champions’ as referred to above.

## 22 QUARTERLY UNION MEETING - MATTERS ARISING

Andrew Stokes reported discussions which had taken place at the recent meeting with the union representatives. Subjects discussed were:-

### Flexible Working Policy

Most issues now sorted out.

### Gender Pay Gap

SMDC were below the reporting threshold (250 employees) whilst HPBC were above it. The calculation was done for both authorities anyway, showing a ‘negative’ pay gap in each case (females paid more than males) – SM 6%, HP 4.8%.

### Alliance Environmental Services (AES)

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Phase 2 of the transfer was due to take place (transfer of SMDC staff to AES). All managers within the service had been thoroughly briefed on the process. Steve Robinson reported that staff involved felt that there had been insufficient consultation, leading to rumours regarding vehicle procurement, use of temporary employees and rights to union representation. Assurances were being sought on pay & conditions within AES.

Andrew Stokes confirmed that the retention of current pay & conditions was 1 of the 3 main priorities for AES, of which he and Simon Baker were both Directors and therefore formed part of the Shareholders' Board. There was also a Commissioning Board with membership made up including SMDC councillors. By default, Alliance policies would apply to AES as a starting point. There was also a Joint Waste Working Group made up of a mixture of SMDC and HPBC councillors, with officer representation as and when required. One of the Human Resources Business Partners was to transfer to AES in order to assist in continuity of service.

There was to be a change in the way vehicles were procured, in that AES would source them and SMDC/HPBC would pay for them, simply as an efficiency to get the best possible price to purchase and maintain them.

A report was to go before the SMDC Cabinet on 24 April 2018 which, subject to approval and Call-in, would then enable detailed discussions with staff to commence.

Cabinet members present at the meeting confirmed their support for the staff and hoped for continuation of the excellent standards currently experienced.

Dave Wright referred to the use of seasonal workers who would conclude their fixed term contract, then re-commence work the following day on an agency basis.

Andy Capulet-Buxton expressed a worry on behalf of union members regarding any potential drop in standards, stressing that good communications were the key to maintaining good staff morale.

David Owen referred to the fact that all partner organisations involved had attained the ROSPA Gold status. There was, therefore, no significant change envisaged regarding Health & Safety.

### 23 **DATE OF NEXT MEETING**

The date of the next meeting will be published within the agenda for Full Council, to be held on Wednesday 16 May 2018.

### 24 **ANY OTHER BUSINESS**

The meeting closed at 12.05 pm

\_\_\_\_\_Chair \_\_\_\_\_Date