

PLEASE NOTE VENUE

PERFORMANCE PORTFOLIO DECISION SCHEDULE



Friday 21 September 2007

at 3.00 pm

**in Conference Room 3, Belle Vue Community,
Sports and Youth Centre, Kendal Road**

Councillor Hargreaves, Cabinet Member responsible for Performance will consider the following items.

1. KEY DECISIONS
None.

2. OTHER ITEMS REQUIRING DECISION

- 2.1 Improving the qualification at attainment level of the workforce – *Chief Personnel Officer*
- 2.2 Corporate Disciplinary Procedure – *Chief Personnel Officer*
- 2.3 Christmas & New Year Arrangements – *Chief Personnel Officer*

3. REPORTS FROM OVERVIEW OF SCRUTINY FORUMS
None.

PERFORMANCE PORTFOLIO

Report To Portfolio Holder

21 September 2007



Report of: Chief Personnel Officer

Subject: IMPROVING THE QUALIFICATION ATTAINMENT
LEVEL OF THE WORKFORCE

SUMMARY

1. PURPOSE OF REPORT

To inform the Portfolio Holder of the proposed programme to up skill the workforce to ensure all have a minimum of NVQ level 2 qualification or equivalent as per the recommendation within the recent national government skills review undertaken by Lord Sandy Leitch.

2. SUMMARY OF CONTENTS

The report provides details of the actions taken to date, the proposed scheme and the delivery arrangements.

3. RELEVANCE TO PORTFOLIO HOLDER

Portfolio Holder is responsible for Workforce Development issues.

4. TYPE OF DECISION

Non Key

5. DECISION MAKING ROUTE

Portfolio Holder only.

6. DECISION(S) REQUIRED

Note the report and endorse planned actions.

Report of: Chief Personnel Officer

Subject: IMPROVING THE QUALIFICATION ATTAINMENT
LEVEL OF THE WORKFORCE

1. PURPOSE OF REPORT

- 1.1 To inform the Portfolio Holder of the proposed programme to upskill the workforce to ensure all have a minimum of NVQ level 2 qualification or equivalent as per the recommendation within the recent national government skills review undertaken by Lord Sandy Leitch.

2. BACKGROUND

- 2.1 The Government commissioned Lord Sandy Leitch in 2004 to undertake an independent review of the UK's long term skills needs. The Review published its interim report "Skills in the UK: the long term challenge" in December 2005. It committed the Review, in its final report, to identify the UK's optimal skills mix for 2020 to maximise economic growth, productivity and social justice, set out the balance of responsibility for achieving that skills profile and consider the policy framework required to support it.
- 2.2 The final report of the Leitch Review of Skills, Prosperity for all in the global economy - world class skills, was published on 5th December 2006.
- 2.3 The Review sets out a compelling vision for the UK. It shows that the UK must urgently raise achievements at all levels of skills and recommends that it commit to becoming a world leader in skills by 2020, benchmarked against the upper quartile of the Organisation for Economic Co-operation and Development (OECD). The OECD has been one of the world's largest and most reliable sources of comparable statistics, and economic and social data. As well as collecting data, the OECD monitors trends, analyses and forecasts economic developments. . This means doubling attainment at most levels of skill. Responsibility for achieving ambitions must be shared between Government, employers and individuals.
- 2.4 Following the publication of the report, employers nationally were asked to voluntarily sign a "skills pledge" committing them to the vision described by Lord Leitch. In June 2007, Hartlepool Borough Council (HBC) made both the national and regional skills pledge at events organised by the Learning and Skills Council (LSC).

- 2.5 The Workforce Development Strategy 2007-2012, published in April 2007, had already identified that action at a corporate level was required to audit the workforce to identify those employees without a first NVQ level 2 or equivalent qualification and make provision for this to be rectified.

3. PROPOSED ARRANGEMENTS

- 3.1 Working with areas within Neighbourhood Services, the Corporate Workforce Development Manager has held meetings with various service heads who have a large proportion of their team employed as manual workers and to date areas such as building cleaning, wardens and enforcement, horticulture, refuse and recycling and street cleansing have been identified as areas which would benefit from being part of a scheme such as this.
- 3.2 Using funding available from the LSC nationally via an initiative called Train to Gain, employers are able to access formal qualifications for their employees at no cost providing the employee meets the eligibility criteria for the funding i.e. doesn't already have a NVQ 2 qualification or equivalent. In some cases this funding will also cover first NVQ level 3 or equivalent qualifications.
- 3.3 The LSC have employed "Skills Brokers" to assist employers to source training provision that meets their needs locally in service specific areas. Training providers must hold a LSC Train to Gain contract to be considered for this project. To date the LSC has provided HBC with details of training providers who can provide NVQ level 2 in Community Warden Occupations, Catering, Building Cleaning, Street Cleaning, Refuse & Recycling, Highways and will continue to do this as we move across different areas.
- 3.4 The proposed scheme involves a number of stages. The first being the identification of the staff in a specific area and briefing them on the scheme – this will include the involvement of the Trade Union Learning Reps acting on behalf of the Together Project.
- 3.5 Following this, a small team from within the council will undertake a very basic audit of the employees to ascertain those who would be eligible for funding and those that might not.
- 3.6 The providers identified by the LSC in each area will then be contacted and asked to prepare a presentation on how they would deliver a project and what added value they could bring to the authority. Ideally, we would be looking for providers to absorb the cost of those employees who are not eligible for the funding as part of the programme, meaning the HBC would not need to pay for any of the non-eligible employees to have the same opportunity to achieve the service specific qualifications to be delivered.

- 3.7 As this scheme will not physically incur any costs for the training delivery (the LSC will pay the training provider directly) this scheme is exempt from procurement rules and guidelines and this has been confirmed by the Procurement Team. The legal division have also been asked for their view and they feel it is not a procurement issue and recommend a service level agreement to ensure all providers have clear aims, objectives and responsibilities.
- 3.8 This will be a long-term rolling project and will hopefully extend to other areas of HBC once the delivery model has been tried, tested and evaluated. It is proposed that a pilot group of 40 building cleaning staff at one location pilot this prior to further roll-out over the coming months.
- 3.9 Participant data and outcomes will be reported to the portfolio holder in the twice yearly Workforce Development reports.

4 RECOMMENDATION

- 4.1 That the Portfolio Member note the report and endorse the proposals outlined.

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PERFORMANCE PORTFOLIO

Report to Portfolio Holder

21 September 2007



Report of: Chief Personnel Officer

Subject: CORPORATE DISCIPLINARY PROCEDURE

SUMMARY

1. PURPOSE OF REPORT

To seek Portfolio Holder endorsement to amend the Council's disciplinary Policy for employees.

2. SUMMARY OF CONTENTS

The report sets out the proposed amendment and the reasons for change.

3. RELEVANCE TO PORTFOLIO MEMBER

Corporate issues.

4. TYPE OF DECISION

Non-key decision.

5. DECISION MAKING ROUTE

Portfolio Holder only.

6. DECISION(S) REQUIRED

That the Portfolio Holder decided whether to endorse the proposed change to the Corporate Disciplinary Procedure.

Report of: Chief Personnel Officer

Subject: CORPORATE DISCIPLINARY PROCEDURE

1. PURPOSE OF REPORT

- 1.1 To seek Portfolio Holder endorsement to amend the Council's disciplinary Policy for employees.

2.2. PROPOSED AMENDMENTS TO CORPORATE DISCIPLINARY PROCEDURE

- 2.1 The current Corporate Disciplinary Procedure was updated in November 2002 and is available to all employees on the Council's intranet.
- 2.2 The Corporate Disciplinary Procedure states that the final internal stage of a disciplinary appeal is heard by the General Purposes (Appeals & Staffing) Committee and the specific procedure for the hearing is set out as Appendix A. The highlighted items of (k), (l) & (m) of the procedure sets out that the Chief Personnel Services Officer withdraw from the proceedings as the Panel deliberates and makes a decision.
- 2.3 It is proposed that the Procedure is amended to reflect the arrangements set out in the Corporate Grievance Procedure which provides for the Chief Personnel Services Officer to be in attendance throughout deliberations in order to advise members. Appendix B sets out the relevant part of the Corporate Grievance Procedure. Any revisions would refer to the Chief Personnel Officer as the post-title was changed in 2005.

3. REASONS FOR PROPOSED AMENDMENT

- 3.1 The General Purposes (Appeals & Staffing) Committee meets infrequently to hear Stage 3 appeals against disciplinary decisions. In the last three years the Committee has heard only one appeal against dismissal. The nature of the Committee structure means that Members may rarely hear more than one or two appeals whilst serving on the Committee and therefore have very little opportunity to build up any experience and understanding of relevant issues.
- 3.2 There is a risk that without appropriate Officer support decisions may be made and notified to appellants that cannot be implemented for legal or organisational reasons or because the decision(s) may not be expressed clearly enough. It is also important to ensure that Members views and considerations are clear should it be necessary to justify a decision of the Committee to an external appeal body e.g. Employment Tribunal.

4. TRADE UNION COMMENTS

- 4.1 The Hartlepool Joint Trade Union Committee (HJYUC) has been consulted on the proposed amendment. The comments of the HJTUC will be reported at the meeting.

5. RECOMMENDATION

- 5.1 It is recommended that the Portfolio Holder determine whether the Corporate Disciplinary Procedure be amended as proposed.

6. CONTACT OFFICER

- 6.1 The Contact Officer is Joanne Machers, Chief Personnel Officer, available on 01429 523003 or joanne.machers@hartlepool.gov.uk

Appendix A

Extract from HBC Corporate Disciplinary Procedure, Appx G – Appeals Against Warnings & Dismissals, (Section 3 F)

- a)** The management representative and/or personnel representative shall state the case.
- (b)** The management representative and/or personnel representative may call witnesses and the procedure for each witness shall be:-
- Management and/or personnel representative to question.
 - Employee and/or representative to question.
 - Each member of the Committee and the Chief Personnel Services Officer or representative to be invited to ask any questions.
 - Management and/or personnel representative to re-examine.
 - Witness to retire.
- (c)** The employee or representative may ask questions of the management representative and/or personnel representative.
- (d)** The Committee members and the Chief Personnel Services Officer or representative may ask questions of the management representatives and/or personnel representative.
- (e)** The employee or representative to state the case.
- (f)** The employee or representative may call witnesses and the procedure for each witness shall be:-
- Employee and/or representative to question.
 - Management representative and/or personnel representative to question.
 - Each member of the Committee and the Chief Personnel Services Officer or representative to be invited to ask any questions.
 - Employee and/or representative to re-examine.
 - Witness to retire
- (g)** The management representative and/or personnel representative may ask questions of the employee.
- (h)** The Committee members and the Chief Personnel Services Officer or representative may ask questions of the employee and/or representative.
- (i)** The management representative and/or personnel representative to have the opportunity to sum up the case if wished.
- (j)** The employee and/or representative to have the opportunity to sum up the case if wished.
- (k)** The management representative and personnel representative, the employee and representative and the Chief Personnel Services Officer or representative to withdraw .
- (l)** The Committee to deliberate in private with only the Secretary in attendance recalling the management representative, personnel representative, the employee and representative and Chief Personnel Services Officer or representative only if clarification of evidence already given, procedural advice or advice on employment law is required. In such instances all parties should be recalled even though clarification may be required from only one party.

- (m) The Committee shall in the presence of the Chief Personnel Services Officer or representative announce its decision to both parties unless further time for deliberation is needed, in which case both parties will be advised of this.
- (n) The decision of the Committee and the terms of this will be notified to both parties in writing within 7 days of the hearing.

Appendix B

Extract of HBC Grievance Procedure, Stage 3 – Procedure

- (k) The management and personnel representative and the appellant and representative to withdraw.
- (l) The Committee to deliberate recalling management and employee/representative only if clarification of evidence already given is required. In such instances both parties should be recalled even though clarification may be required from only one side. The Chief Personnel Services Officer will be in attendance throughout deliberations in order to advise members.
- (m) The Committee shall announce its decision to both sides unless further time for deliberation is needed, in which case both sides will be advised of this.
- (n) The decision of the Committee will be notified to both sides in writing within 7 days of the hearing.

PERFORMANCE PORTFOLIO
Report to Portfolio Holder
21 September 2007



Report of: Chief Personnel Officer

Subject: CHRISTMAS AND NEW YEAR ARRANGEMENTS

SUMMARY

1. PURPOSE OF REPORT

To obtain a decision on the closure of most of the main administrative buildings during the Christmas and New Year period in 2007/08.

2. SUMMARY OF CONTENTS

The report advises that in previous years this Council had closed most of its administrative buildings for the period in between Christmas and New Year and employees have taken annual leave as appropriate.

3. RELEVANCE TO PORTFOLIO HOLDER

Corporate significance.

4. TYPE OF DECISION

Non-key decision.

5. DECISION MAKING ROUTE

Portfolio Holder only.

6. DECISION(S) REQUIRED

To agree to the closure of the main administrative buildings between Christmas and New Year (27th, 28th and 31st December 2007) and associated arrangements and consider an additional day of closure on 24th December 2007.

Report of: Chief Personnel Officer

Subject: CHRISTMAS AND NEW YEAR ARRANGEMENTS

1. PURPOSE OF REPORT

- 1.1 To obtain a decision on the closure of most of the main administrative buildings during the Christmas and New Year period in 2007/08.

2. BACKGROUND

- 2.1 In previous years Hartlepool Borough Council has closed most of its main administrative buildings for the period in between Christmas and New Year and employees have taken three or four days annual leave, as appropriate. Arrangements have been made to accommodate any employees wishing to work on some or all of these days, if possible, and the arrangements have been discussed with local Trade Unions each year. Essential, emergency, on-call and some other services such as libraries etc. are provided and publicised widely. Hartlepool Borough Council employees used to be allocated an extra three days leave for the closure but this has long since been added to the leave entitlement. Cabinet, at its meeting on 20 September 2004:

- a) gave support, in principle, to the closure of the administrative buildings during the Christmas and New Year period every year, in line with past practice and
- b) agreed that leave arrangements at Christmas and New Year continue to form part of the on-going discussions with trade unions, regarding leave arrangements.

3. PROPOSALS FOR 2007/08

- 3.1 This year the Christmas and New Year holidays are as follows:

Normal working day	Monday 24 December
Christmas Day	Tuesday 25 December
Boxing Day	Wednesday 26 December
Normal working day	Thursday 27 December
Normal working day	Friday 28 December
Normal working day	Monday 31 December
New Years Day	Tuesday 1 January 2008
Normal working day	Wednesday 2 January

- 3.2 There will be three days between the Christmas and New Year bank holidays when the main administration buildings could be open and which could, therefore, be normal working days for employees in these buildings. If previous

years practice were followed then most of the main administrative buildings would close on these days.

- 3.3 Additionally this year, 24th December falls on a Monday and there is the additional option of closing the buildings on this day also, which provides property management and energy efficiencies.

4. VIEWS OF THE TRADE UNIONS

- 4.1 Trade Unions are supportive of the closure of most of the main administrative buildings on a similar basis to previous years.

5. REVIEW OF LEAVE ARRANGEMENTS

- 5.1 In previous years it was decided that the leave arrangements at Christmas and New Year form part of the ongoing discussions with the Trade Unions regarding leave generally and are part of the on-going Single Status negotiations. It is hoped that a longer-term agreement can be reached for future years.

6. CHIEF EXECUTIVE'S VIEW

- 6.1 The Chief Executive is supportive of closure of most of the main administration buildings for 2007/08 as set out in this report.

7. RECOMMENDATION

- 7.1 That most of the main administrative buildings be closed between Christmas 2007 and New Year 2008 (i.e. 27th, 28th and 31st December) with employees taking leave from their current leave entitlement, and that the usual essential, emergency, on-call and some other service arrangements apply and be publicised (e.g. Libraries).
- 7.2 That consideration be given to the closure of the buildings on Monday 24th December.
- 7.3 The leave arrangement at Christmas and New Year continue to form part of the ongoing Single Status discussions with the Trade Unions regarding leave generally.