

FINANCE AND CORPORATE SERVICES PORTFOLIO DECISION SCHEDULE



13 February 2013

at 3.00 pm

in Committee Room C, Civic Centre, Hartlepool

Councillor Paul Thompson, Cabinet Member responsible for Finance and Corporate Services will consider the following items.

1. KEY DECISIONS

No items

2. OTHER ITEMS REQUIRING DECISION

- 2.1 Irrecoverable Debts – National Non Domestic Rates (Business Rates) – *Chief Finance Officer*
- 2.2 General Purposes (Appeals and Staffing) Committee – Redundancy Dismissal Appeals Procedure – *HR Business Partners*

3. ITEMS FOR INFORMATION

- 3.1 Third Quarter Sickness Absence – *HR Business Partners*
- 3.2 Workforce Equality Report 2011/12 – *Organisational Development Manager*

4. REPORTS FROM OVERVIEW OF SCRUTINY FORUMS

No Items



FINANCE AND CORPORATE SERVICES PORTFOLIO

Report to Portfolio Holder
13 February 2013



Report of: Chief Finance Officer

Subject: IRRECOVERABLE DEBTS – NATIONAL NON
DOMESTIC RATES (Business Rates)

1. TYPE OF DECISION/APPLICABLE CATEGORY

Non Key Decision

2. PURPOSE OF REPORT

- 2.1 To seek the Portfolio Holder's approval to write-out a number of National Non Domestic Rates (NNDR), which are now considered to be irrecoverable.

3. BACKGROUND

- 3.1 The Council's financial procedure rules provide that any debt due to the Council of £1000 or more can only be written-out with the express permission of the Portfolio Holder.
- 3.2. The council currently bills and collects on behalf of central government for a national business rates pool about £29million of business rates each year. This system will change on 1st April under the Localisation of Business Rates framework.
- 3.3. The Council's performance in collection of NNDR is positive with 98% of NNDR being collected within the financial year it is billed. After 5 years in excess of 99.5% of NNDR due will have been collected. Whilst every effort is made to collect these sums due for which the council is responsible for collecting, certain debts become irrecoverable, and this report seeks the Portfolio Holder's agreement for their write-out.
- 3.4. Some of the write-outs included in the attached schedules are debts relating to businesses that have gone into liquidation. In these cases

the Council's options to recover the outstanding debt are limited to submitting a claim in insolvency proceedings. As the Council is rarely successful in recovering the debt via these proceedings, the debt is written out of the accounting system in the first instance, with the proviso that the debt will be reinstated on the system if a payment is subsequently received.

4. FINANCIAL IMPLICATIONS

- 4.1. Any NNDR / business rates debts assessed as irrecoverable are written out against the business rate yield for the central government national business rates pool and therefore have no direct impact on local council taxpayers.
- 4.2. The appendices attached to this report detail the individual business rates debts over £1000, and the reasons why each debt remains unrecovered:

Appendix A – Companies in Liquidation / Dissolved

Appendix B – Sole Traders / Partnerships *

Appendix C - Limited Company Ceased Trading

*** Appendix B contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely (para 3), information relating to the financial or business affairs of any particular person (including the authority holding that information)**

All debts submitted for write-out from the accounting records have been comprehensively scrutinised by officers.

5. RECOMMENDATION

- 5.1. That the Portfolio Holder agrees to write-out irrecoverable National Non Domestic Rates debts to the value of £175,192.19.

6. REASONS FOR RECOMMENDATION

- 6.1 To ensure the appropriate accounting treatment of debtors within the council's financial systems.

7. APPENDICES AVAILABLE ON REQUEST, IN THE MEMBERS LIBRARY AND ON-LINE

- 7.1 Not applicable.

8 BACKGROUND PAPERS

- 8.1. No background papers.

9. CONTACT OFFICER

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Company Liquidation / Dissolved

From April 12

APPENDIX A

Account Ref	Name	Address	Total Due	Paid	BALANCE	From	To	Reason for write off
9050314317	C&K Enterprise Ltd	The Office, 51/52 Church Street	£5,544.93	£0.00	£5,544.93	15/12/09	31/03/10	Dissolved
9050317472	Beyond Group Ltd	Unit 26 Hartlepool Workshops	£1,588.40		£1,588.40	01/12/10	30/04/11	Liquidation
9050303897	North East Hotels Ltd	Seaton Hotel , The Front	£11,321.06	£4,186.68	£7,134.38	04/08/09	03/11/10	Dissolved
9050298273	Easy Skips (Ne) Ltd	J.Codd, Thomlinson Road	£9,164.76	£889.23	£8,275.53	01/04/09	03/10/10	Liquidation
9050317626	Reflex Polymers Ltd	Units N-Q, Teesbay Business Park, Brenda Road	£17,898.46		£17,898.46	01/12/08	30/06/11	Dissolved
9050309194	Inn Take (UK)Ltd	Rossmere Hotel, Balmoral Road	£1,362.36		£1,362.36	14/12/09	16/05/10	Liquidation
905030298X	QRS Group Ltd	Unit 2, Queens Meadow Road	£23,252.05	£3,539.91	£19,712.14	01/04/10	06/07/11	Liquidation
9050306632	Youngs Recycling Group Ltd	104/105 Graythorp Industrial Estate	£48,392.61		£48,392.61	03/06/09	18/07/11	Liquidation
9050309852	Tees Trade Academy Ltd	Bt 60/15 Tofts Farm Industrial Estate	£3,875.71		£3,875.71	01/04/11	12/08/11	Dissolved
9050317871	Ugo Stores Ltd	Kwiksave Supermarket, Winterbottom Avenue	£52,100.76	£39,682.55	£12,418.21	14/04/11	08/02/12	Liquidation
9050315089	Deli Hut Ltd	121 York Road	£6,383.78	£2,230.75	£4,153.03	27/09/10	19/06/12	Dissolved
9050310141	Golden Chips Ltd	Unit 1, 224 Owton Manor Lane	£1,774.95	£2.85	£1,772.10	01/03/10	30/01/12	Dissolved
9050281427	Focus Homecentres	Unit 1, High Point Retail Park	£132,222.88	£121,250.00	£10,972.88	23/08/06	05/05/11	Liquidation
9050316158	Tees Valley Coach Travel Ltd	Parsons Bus Centre, Brenda Road	£5,921.07	£581.11	£5,339.96	01/10/10	31/05/11	Liquidation
9050313191	The Dome Ltd	The Lighthouse, Church Street	£4,358.36	£0.00	£4,358.36	26/11/09	07/07/10	Dissolved
		Totals	£325,162.14	£172,363.08	£152,799.06			
	Submitted 1 Feb 2013							

Limited Company - Ceased Trading

From April 12

APPENDIX C

Account Ref	Name	Address	Total Due	Paid	BALANCE	From	To	Reason for write off
9050306314	Thomas Chilton Ltd	Unit 5, Hartlepool Workshops	£1,996.63	£0.00	£1,996.63	01/07/09	31/03/11	Ceased trading
	Submitted 1 Feb 2013							
		Totals	<u>£1,996.63</u>	<u>£0.00</u>	<u>£1,996.63</u>			

FINANCE AND CORPORATE SERVICES PORTFOLIO

Report To Portfolio Holder
13th February 2013



Report of: HR BUSINESS PARTNERS

Subject: General Purposes (Appeals & Staffing) Committee -
Redundancy Dismissal Appeals Procedure

1. TYPE OF DECISION/APPLICABLE CATEGORY

Non Key Decision.

2. PURPOSE OF REPORT

- 2.1 To review and agree a new appendix to the Reorganisation, Redundancy and Redeployment Policy to include the revised General Purposes (Appeals & Staffing) Committee Redundancy Dismissal Appeals Procedure.

3. BACKGROUND

- 3.1 Hartlepool Borough Council has a Reorganisation, Redundancy and Redeployment Policy. This references the redundancy dismissal appeals process and it would make sense to link the process to this policy as an appendix.

There is currently a section within the stand-alone Redundancy Dismissal Appeal process which indicates that if members uphold the appeal then a review is instigated which then needs to submit its findings back to the Committee. This need for a review has caused a number of issues, including a delay in a final decision to the employee, and therefore all parties involved in discussions on this process have agreed that the need for a review should be removed and should Members need further clarification before making a decision then they still have the option to adjourn the appeal.

This policy amendment has been agreed through Single Table, Corporate Management Team Support Group and the General Purposes Committee.

4. PROPOSED AMENDMENTS

4.1 The new Appendix is attached at Appendix 1 for information. However the main changes include:

- Ensuring clarity as to the decisions that can be made as a result of an appeal
- Removal of the need for a review process
- Introduction of flow chart for ease of reference
- Updated job title reference for those involved in the appeal

5. RECOMMENDATION

5.1 That a decision is made to approve the proposed new appendix so the policy can be updated.

6. REASONS FOR RECOMMENDATIONS

To advise the Portfolio Holder

7. APPENDICES AVAILABLE ON REQUEST, IN THE MEMBERS LIBRARY AND ON-LINE

Not applicable

8. BACKGROUND PAPERS

None

9. CONTACT OFFICER

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Appendix 1

General Purposes (Appeals & Staffing) Committee

Appeals against Redundancy Dismissal

Constitution of Appeals Committee

Appeals against redundancy dismissal are heard by a duly convened and quorate General Purposes (Appeals and Staffing) Committee of the Council. The Constitution defines the make up of the Committee and how many Members constitute a quorum.

Members who have had any direct prior involvement in the case will be excluded from sitting. A Human Resource Representative will attend appeals against redundancy dismissal to provide advice (including procedural and employment law advice) to the Committee and to assist Members generally in establishing the arguments and facts being presented to them.

Normal Council Democratic Services support will be provided to the Committee. The Democratic Services Officer shall record the decision of the Committee but is not present to provide any form of advice other than on administrative matters.

Written Statements

Both management and the employee will be invited to submit written statements of case which will be forwarded to Committee Members by the notified report deadline. Where both parties have provided statements these will also be exchanged at the same time. If one party does not produce a statement, they will receive the other party's statement as early as practicable or on the day of the hearing.

Within 3 days of the hearing both the management representative and the employee must notify the Human Resource Representative advising the Committee, of the names of any witnesses that will be called to support their case. The names of these individuals will be notified to both parties in advance of the hearing.

Representation and Attendance

The normal procedure will be for the Employee plus their Representative, and the dismissing Chief Officer, the relevant Service Manager, plus a Human Resources representative, to attend the hearing and present their cases. Witnesses will be called in turn, to give evidence and will then leave the hearing. It is at the discretion of the Committee to permit either party to bring additional representatives/managers and to decide whether they may attend in an observer or participant capacity.

Decisions

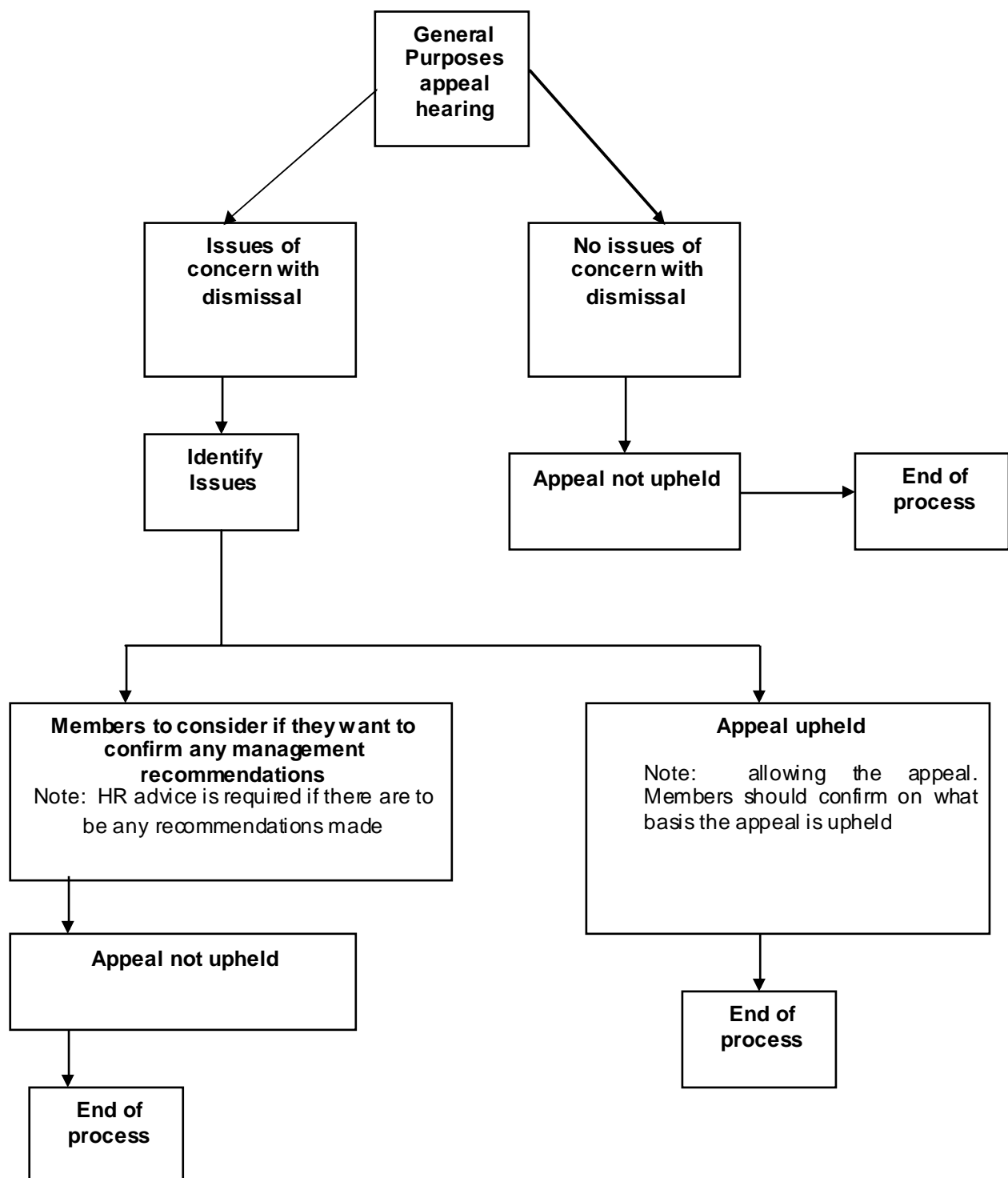
Decisions generally will fall into two categories, namely:

- (a)** Appeal Not Upheld: not allowing the appeal in which case the employee's redundancy dismissal is confirmed.
- (b)** Appeal Upheld: allowing the appeal. Members should confirm on what basis the appeal is upheld.

Members should refer to the process flowchart in this procedure (Flowchart 1: Guide for Members / Appeals against Redundancy Dismissal Process) below.

The General Purposes (Appeals and Staffing) Committee shall give its decision in full detail in the presence of both parties and the Human Resources Representative advising the Committee, and clarification may be sought by any party.

Flowchart 1: Guide for Members / Appeals against Redundancy Dismissal Process



Guide to the format of the Hearing

The procedure will be as follows: -

Management Case

1. The Management Representative and/or Human Resource Representative shall state the case.
2. The Management Representative and/or Human Resource Representative may call witnesses and the procedure for questioning each witness shall be:
 - Management and/or Human Resource Representative to question
 - Employee and/or Representative to question
 - Each Member of the Committee and the Human Resource Representative advising the panel, to be invited to ask any questions
 - Management and/or Human Resource Representative to re-examine
 - Witness to retire
3. The Employee or Representative may ask questions of the Management Representative and/or Human Resource Representative.
4. The Committee Members and the Human Resource Representative advising the panel may ask questions of the Management Representatives and/or Human Resource Representative

Employee Case / Response

5. The Employee or Representative shall state the case.
6. The Employee or Representative may call witnesses and the procedure for questioning each witness shall be:
 - Employee and/or Representative to question.
 - Management representative and/or Human Resource Representative to question.
 - Each Member of the Committee and the Human Resource Representative advising the panel to be invited to ask any questions.
 - Employee and/or Representative to re-examine.
 - Witness to retire
7. The Management Representative and/or Human Resource Representative may ask questions of the Employee.
8. The Committee Members and the Human Resource Representative advising the panel, may ask questions of the employee and/or representative.

Summing Up

9. The Management Representative and/or Human Resource Representative to have the opportunity to sum up the case, if they choose to.
10. The Employee and/or Representative to have the opportunity to sum up the case, if they choose to.
11. The Management Representative and Human Resource Representative, the Employee and Representative to withdraw.
12. The Committee to deliberate in private with only the Human Resource Representative to the panel, and Democratic Services Officer in attendance recalling the Management Representative, Human Resource Representative, the Employee and Representative only if clarification of evidence already given is required. In such instances all parties should be recalled even though clarification may be required from only one party.

Decision

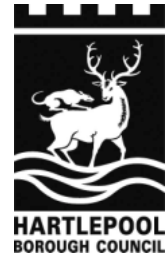
13. The Committee shall announce its decision to both parties unless further time for deliberation is needed; in which case both parties will be advised of this.
14. The decision of the Committee and the terms of this will be notified to both parties in writing within 7 calendar days of the hearing.

General Notes

1. The provision for summing up at (9) and (10) does not include the right to introduce new evidence at this stage in the procedure. If this becomes necessary, then the other party should be given the right of reply.
2. Any matters not covered by the above procedure will be for the Committee to determine.
3. The Employee Representative must be a Trade Union representative or colleague from work.
4. When advising the Committee, the Human Resource Representative shall not have had any involvement in the original decision to dismiss.

FINANCE AND CORPORATE SERVICES PORTFOLIO

Report To Portfolio Holder
13th February 2013



Report of: HR Business Partners

Subject: 3RD QUARTER SICKNESS ABSENCE

1. TYPE OF DECISION/APPLICABLE CATEGORY

Non Key Decision

2. PURPOSE OF REPORT

- 2.1 To update the Portfolio Holder on sickness absence performance up to the third quarter of 2012/13.

3. BACKGROUND

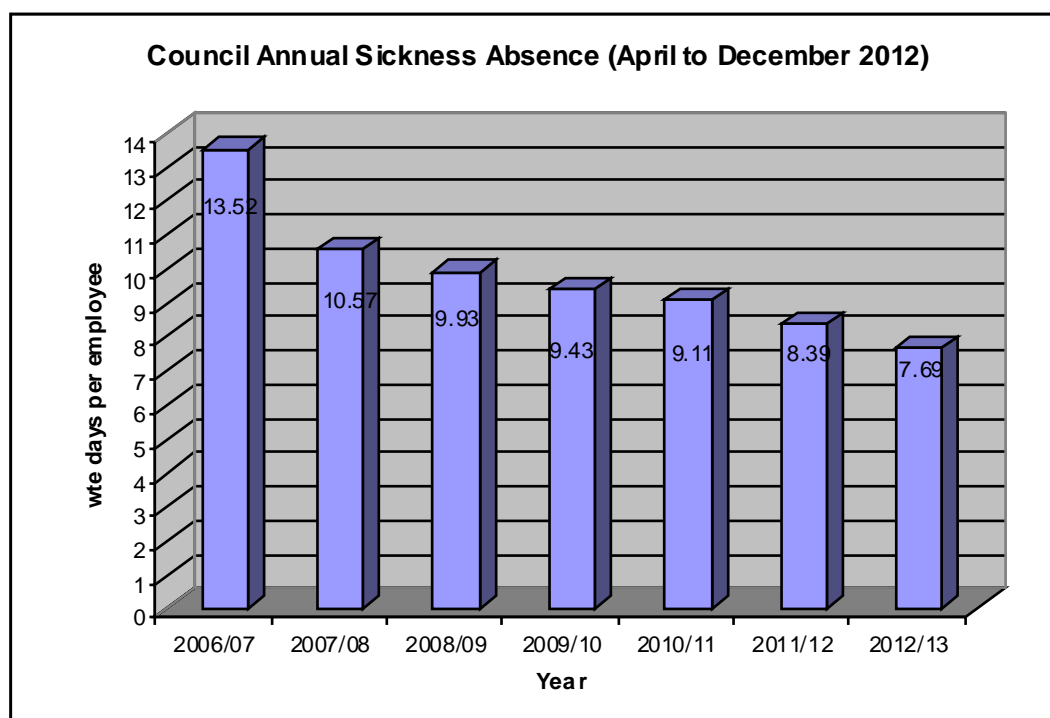
- 3.1 The extent to which employees are absent from work due to illness has a direct impact on the quality, level and cost of the provision of services. As such the Council have included this as a Local Performance Indicator (HRPI 5A) – The number of working days/shifts lost due to sickness absence in its group of Corporate Health Performance Indicators.

4. PROPOSALS

- 4.1 There are no proposals associated with this report.

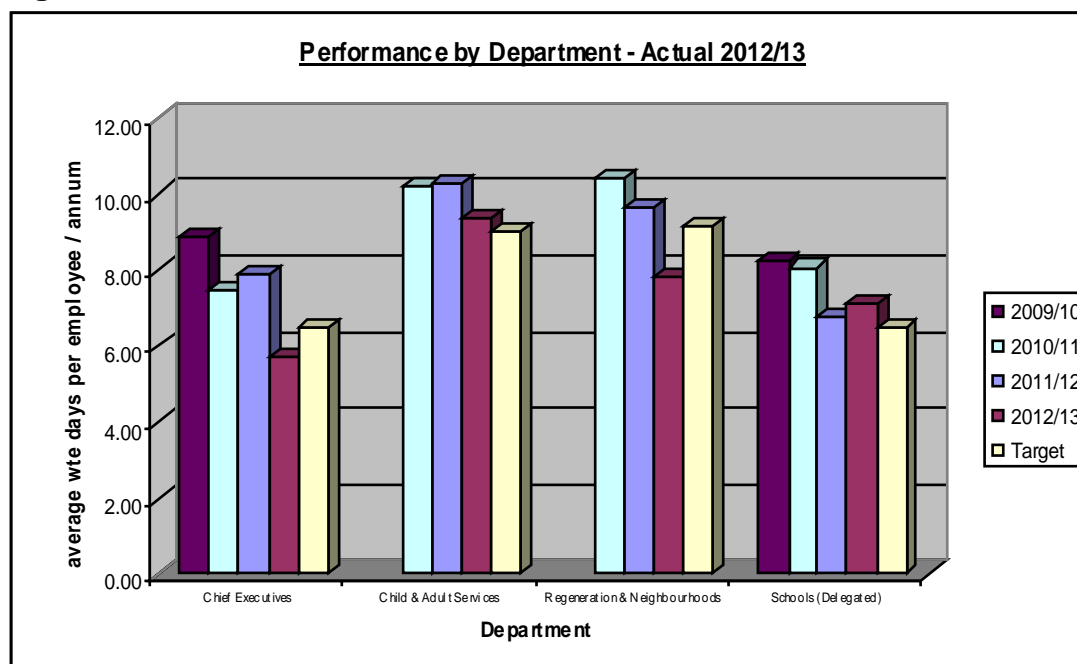
5. THE COUNCIL'S PERFORMANCE UP TO THE 3rd QUARTER OF 2012/13

- 5.1 The target figure for 2012/13 for the Council is 7.70 days absence per wte employee (whole time equivalent). The actual sickness rate at the end of the 3rd quarter shows the Council's performance is on target at 7.69 days per wte per employee per annum as illustrated in Figure 1 below. The Council continues to focus on sickness absence management to ensure achievement of its 7.70 wte average sickness per employee target at the end of the reporting year.

Figure 1

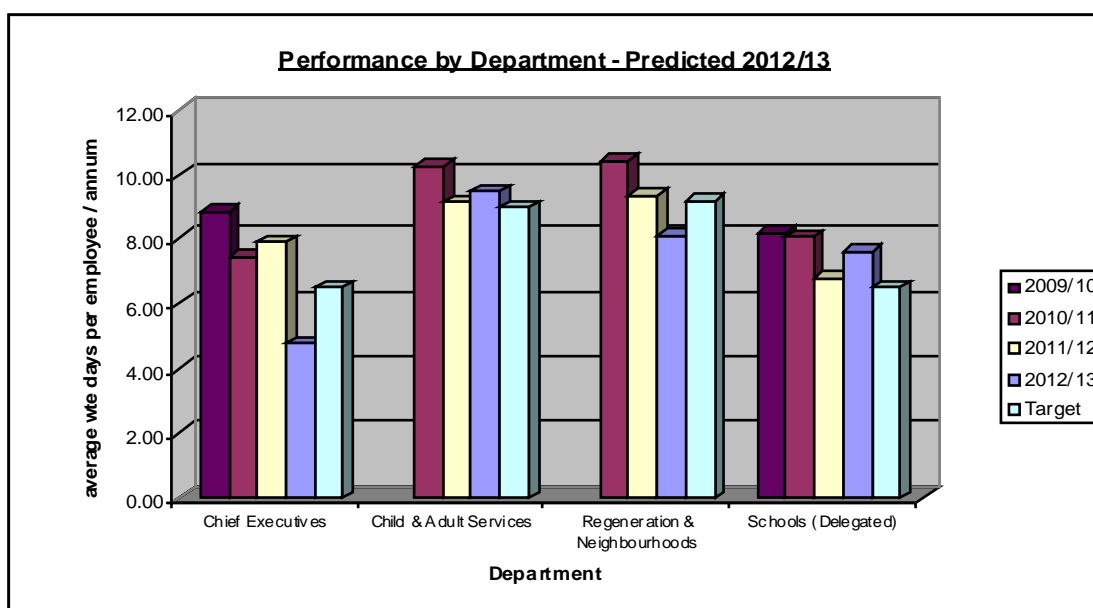
5.2 Figure 2 below illustrates the actual performance for each Department and Schools as at 31st December 2012. This can be compared to performance over the last three years for Chief Executives and Schools. The data for Child & Adult Services and Regeneration & Neighbourhoods shows the last two years rates due to the corporate restructure that formed the new Departments and therefore the lack of comparable data for 2009/10. The final column shows the 2012/13 annual target set by each Department and Schools.

The figure identifies that there is an overall downward trend in sickness absence rates across all Departments compared with the last three years. However for Schools there is a slight increase in sickness rates compared to the previous year. It shows, at this stage in the year, the Council has reached the challenging target set for this year but expect, through robust sickness absence management over the remaining months, to will meet its overall sickness absence target for the year.

Figure 2

5.3 Figure 3 below identifies the end of year predicted figures (forecast for the annual year 2012/13) for each Department and Schools as at 31st December 2012. This can be compared to the actual performance over the last three years. The final column shows the approved 2012/13 annual target for each Department, and Schools.

These figures illustrate that a decrease in sickness rates is needed for Child & Adult Services and Schools to meet their targets set for 2012/13, as the current predicted levels of sickness are higher.

Figure 3

5.4 Long, Medium and Short Term Sickness Absence Analysis

Figure 4 below shows a breakdown of long, medium and short term sickness absence in the Council for the past 6 years and up to 31st December 2012 for the 2012/13 year. The final column shows the impact this had on the overall Council sickness absence figure.

In 2012 there is a decline in long and medium sickness but no change in the overall short term sickness absence. Overall for the Council there is a downward trend reflecting the improvement in the current year's figures to date. The Council ensures it targets resources to the management of long terms sickness absence cases which accounts for the majority of sickness. Overall this shows a year on year improvement in the management of sickness absence for the Council to date.

Figure 4

Council Long Medium and Short Terms Sickness 3rd Quarter Analysis
20012/13

Long term = 20 days plus
Medium term = 5 to 20 days
Short term = under 5 days

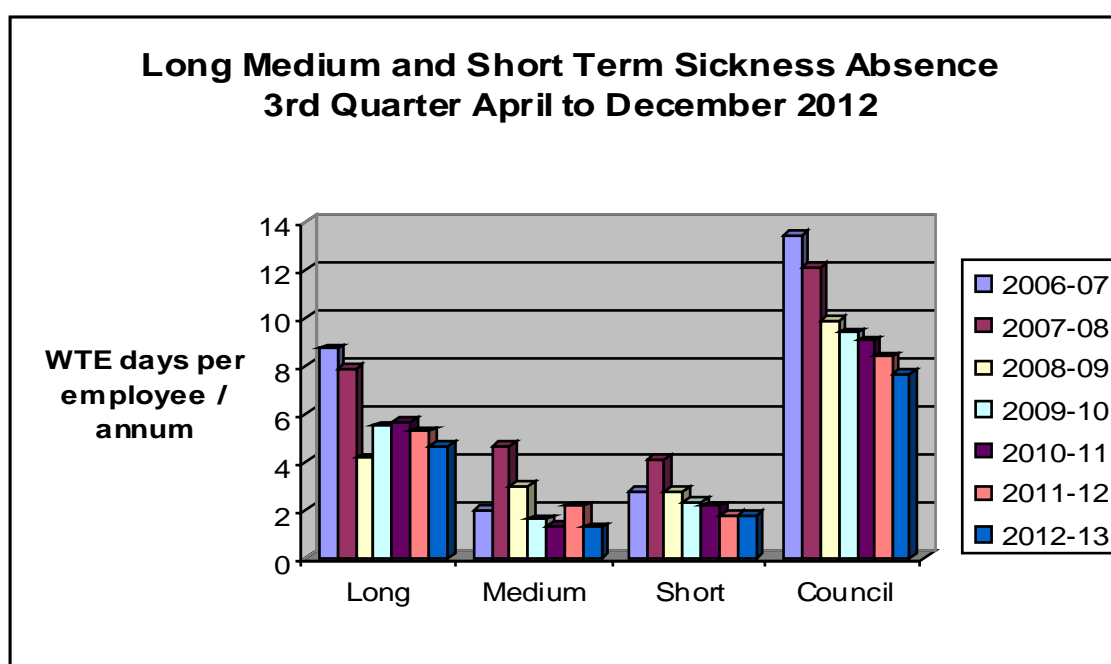
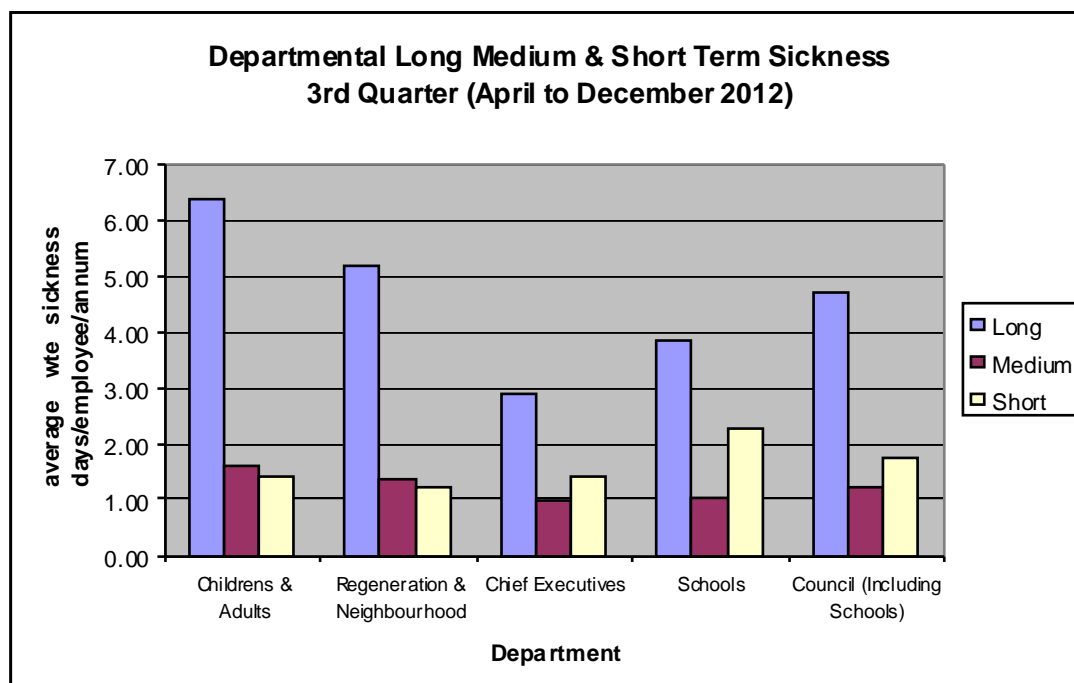


Figure 5:

Departmental Long, Medium and Short Term Sickness 2012/13 (April to December 2012 figures)



As we can see from the information in Figure 5, long term sickness absence continues to account for the majority of the Council's sickness absence. The Council is focusing resources to support managers on the long term cases through individual case management and early intervention to support employees to return to work as quickly as possible. The HR support to Schools is currently focusing on the increase in short term sickness which is currently higher than the Council.

5.5 Corporate Actions for 2012/13

A number of actions are ongoing for 2012/13 and they are expected to help in achieving sickness targets in the future. These are set out below and it should be noted that many are long term strategic actions so they will remain valid over time.

Policy Actions

- Continued review of the Council's Wellbeing Strategy to promote the health, safety and general wellbeing of the Council's employees. The Council continues to be very active for the healthy workforce from fast track physiotherapy, wellbeing sessions, weight management groups, non-smoking groups, health checks, and the introduction of the cycle salary sacrifice scheme
- Continue to proactively promote and market Occupational Health Services and employee support initiatives to positively increase the

options for employees who fall ill and in turn, impact on the sickness absence rates

- Ongoing development of the Council's commitment to managing stress at work as part of a wider Mental Health strategy across the Council
- Continuous review of the Council's sickness absence policy and management arrangements
- Explore withholding or deducting an employee's annual pay spine increments for poor sickness absence records
- Review and development of statistics and monitoring information as a result of the plans for the implementation of a computerised Human Resources Information System (Resource Link)
- Continue to promote flexible working measures, including home working, may impact on the rates in the future
- Maintain the close partnership with trade unions to work together to manage sickness absence in the Council

Departmental Actions / HR Business Team Actions

- Continued attendance of HR Business Officers to senior departmental and management team meetings updating them of sickness cases and management performance for sickness absence management
- Monitoring of sickness at lower trigger points of 3 sickness occasions / 10th day of sickness in previous 12 months
- Continued provision of absence management tool kit for line managers
- Continued provision of Sickness Absence Management training for all managers developed and facilitated by the HR Business Team
- Focus on early intervention home visits for those employees likely to be suffering from medium / longer term illness to ensure contact is made at the earliest opportunity to offer support and if appropriate to discuss a return to work plan or referrals triggered where appropriate
- Director / Assistant Director reinforcement of key messages to managers and employees for effective sickness absence management of cases and the need for early notification to HR Business Teams of potential long term sickness cases

6. RECOMMENDATIONS

That employee absence rates up to the third quarter of 2012/13 are noted.

7. REASONS FOR RECOMMENDATIONS

To advise the Portfolio Holder

8. APPENDICES AVAILABLE ON REQUEST, IN THE MEMBERS LIBRARY AND ON-LINE

Not applicable

9. BACKGROUND PAPERS

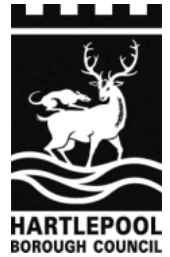
None

10. CONTACT OFFICER

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FINANCE & CORPORATE SERVICES PORTFOLIO

Report to Portfolio Holder
13th February 2013



Report of: Organisational Development Manager

Subject: WORKFORCE EQUALITY REPORT 2011/12

1. TYPE OF DECISION/APPLICABLE CATEGORY

Non Key Decision.

2. PURPOSE OF REPORT

- 2.1 To advise the Portfolio Holder of the statutory workforce equality data reporting requirements and how these have been complied with.

3. BACKGROUND

- 3.1 The Equality Act 2010 (Specific Duties) Regulations 2011 place workforce equality data reporting requirements on public bodies which employ 150 or more employees, information on the effect that the public body's policies and practices have had on employees who share a protected characteristic must be published.

- 3.2 The Equality Act 2010 defines the protected characteristics as

- age
- disability
- gender reassignment
- pregnancy and maternity
- race
- religion or belief
- sex, and
- sexual orientation

Marriage and civil partnership are also protected characteristics, but only in respect of the requirement of the general duty to have due regard to the need to eliminate discrimination.

- 3.3 The Regulations provided that the Council published their first workforce equality report not later than 31st January 2011. Information about employees in schools where the Council is (technically) the employer i.e. Community Schools and Voluntary Controlled Schools is included in the Council information and does not need to be published separately. Other Schools (Aided, Foundation, Academy etc) with 150 or more employees had until 6 April 2012 to publish the information. Having published the information, it must be updated and published at least once every year, following the last date of publication. Aided and Foundation schools with less than 150 employees do not have to publish any information.
- 3.4 For a number of years the Council has published workforce profile reports and published its first Workforce Equality Report in January 2012.
- 3.5 Two schools who buy back the Council's HR services (High Tunstall and English Martyrs) have more than 150 employees and will be provided with some equality information to help enable them to comply with the requirement to publish data.

4. PUBLISHING THE WORKFORCE EQUALITY REPORT 2011/12

- 4.1 The Workforce Equality Report 2011/12 has been published (http://www.hartlepool.gov.uk/downloads/file/9463/workforce_equality_information)

5. RECOMMENDATIONS

- 5.1 That the Portfolio Holder notes the publication of the Workforce Equality Report 2011-12.

6. REASONS FOR RECOMMENDATIONS

- 6.1 To advise the Portfolio Holder

7. BACKGROUND PAPERS

Performance Portfolio report 18 January 2012
Performance Portfolio report 14 February 2012

8. CONTACT OFFICER

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