

Agenda Item 11.ii

The Highland Council Staff Partnership Forum – Elected Members/Staff Side Group

Minutes of Meeting of The Highland Council Staff Partnership Forum held in Council Headquarters, Glenurquhart Road, Inverness on Friday 7 February, 2020 at 10.30 a.m.

Present:

Employer's Representatives:

Mrs Margaret Davidson
Mr John Finlayson

Ms Linda Munro (by telephone conference)
Mrs Trish Robertson

Staff Side Representatives:

Ms Liz MacKay (UNISON)
Mr John Gibson (UNISON)
Mr Paul MacPherson (GMB)
Mr Rikki Selkirk (GMB)

Mr Ian Macleman (UNITE/UCATT)
Mr Richard Whyte (UNITE)
Ms Sam Purdie (RCN) (substitute)

In attendance:

Mrs D Manson, Chief Executive
Mr A Bell, Joint Secretary, Teachers' Side
Ms L Denovan, Executive Chief Officer – Resources
Mrs C McDiarmid, Executive Chief Officer – Communities and Place
Ms K Lackie, Executive Chief Officer – Performance & Governance
Mr M Rodgers, Executive Chief Officer – Housing & Property
Ms E Barrie, Interim Head of HR, Corporate Resources Service
Mr A Gunn, Interim Chief Officer – Resources, Care and Learning
Mr A MacInnes, Administrative Assistant, Chief Executive's Service

Mrs M Davidson in the Chair

SUBJECT/DECISION

ACTION

1. Apologies for Absence

Apologies for absence were intimated on behalf of Mr A Christie, Mr A Henderson, Mr A MacKinnon and Ms M Smith from the Elected Members Side, Ms M Macrae from the Staff Side and Mr M MacLeod, Executive Chief Officer – Infrastructure and Environment and Ms L Weber, Executive Chief Officer – Health & Social Care.

2. Declarations of Interest

Mrs M Davidson declared a non financial interest as her son was an employee of The Highland Council but, having applied the test

outlined in Paragraphs 5.2 and 5.3 of the Councillors' Code of Conduct, concluded that the interest did not preclude her from taking part in the discussion at the meeting.

3. Minutes of Last Meeting

There had been circulated the Minutes of the last meeting of the Forum held on 1 November, 2019, the terms of which were **APPROVED**.

4. Matters Arising from Minutes

Arising from the Minutes the following matters were raised:-

i. Service Point, Town House – the Service Point would temporarily be relocated to the former Tourist Centre on Bridge Street, Inverness as part of the continuing refurbishment works at the Town House.

ii. Ward Managers – It was clarified that the ward management function sits within the Communities and Place service. There had been discussions with Ward Managers in their last quarterly meeting on how their role might develop within the different functions of Communities and Place structure. A meeting had also been held with all Managers within the C&P structure to discuss the new service, new ways of working and how improvements could be made and this included the City and Senior Ward Managers.

iii. General Election – 12 December, 2019 – Reference was made to an error in guidance issued to all staff for the recent General Election on how staff should conduct themselves during the Election period. The same guidance had been issued again for the Eilean a Cheo By Election, but it was advised that the error in the guidance was still there. The guidance referred to an Appendix 1 containing a list of politically restricted posts, but there was no Appendix 1 in the guidance. It was confirmed that this would be corrected.

**Interim
Head of
HR**

In terms of feedback on the General Election, there had been positive remarks from staff and Political groups regarding the venue for the Election Count. Arrangements for a debrief with staff involved in the Election would be made. The Staff Side welcomed this.

**CEX/
Interim
Head of
HR**

5. Service Trade Union Liaison Meetings

There had been circulated the following Trade Union Liaison Minutes of Meetings for information:-

- (i) Care and Learning Service – 30 October, 2019; and
- (ii) Community Services – 22 November, 2019.

Arising from the minutes, the following matters were raised:-

i. Care and Learning Service – 30 October, 2019

Lack of Technology for Community Staff – it was explained that the ICT device refresh had been very slow which had an impact particularly for community staff (Health Visitors & School Nursing Teams) working in remote community areas. For example, one member of staff had no access to any ICT equipment that worked in the locations she was required to visit, which was a lone working safety concern. Community staff were using their own personal phones instead and there was a lone working group on their personal phones. Highland Council mobile phones were old phones that were no longer adequate.

There was also a significant General Data Protection Regulation (GDPR) issue in terms of personal information for the Council and The Highland Council's Acceptable Use Policy states that staff have a legal duty to protect the information on their ICT devices. This could not be done on staff phones as they were not password or pin number protected. Therefore, there was a safety issue for staff lone working and for the Council in terms of GDPR. It was advised that Managers had been asked to contact ICT Services for these issues to be addressed.

**ECO
Resource
/ICO
Resource
C&L//Occ
upational,
Health,
Safety &
Wellbeing
Manager**

An undertaking was given to address the issues raised out with the Forum meeting.

ii. Community Services Minute: – 22 November, 2019

Diriebught Welfare facilities – It was advised that the site had been cleared and revised plans for a single storey portacabin had been approved. The Building Control completion certificate had still to be approved, but works were expected to be complete by end of February, 2020. Mitigation measures would be put in place for staff until the new welfare facilities were completed. Once the works were completed arrangements for a visit by the Leader and Chief Executive would be made.

**ECO –
Property
&Housing**

An important lesson from this project was that when staff were being relocated, welfare provision had to be considered in the early planning stages.

A point was made that Staff Side Health and Safety Representatives had not been involved sufficiently in this project.

It was also emphasised that the same health and welfare

provision should be made for staff who moved as a result of, for example, the ASN Transformation.

Strategic Review of Council Buildings - The Executive Chief Officer Housing and Property was now in post and would be reviewing all buildings across all Services; what investment in properties was required; health and safety issues to be addressed and to prioritise works in accordance with the resources available. There would also be a joint commitment with High Life Highland on the review of buildings.

Early Learning and Childcare - Reference was made to an Early Learning workplace health and safety inspection which had found serious health and safety issues. It was advised that there would be an Early Learning and Childcare delivery programme and there was now a corporate risk on this in the Council's Risk Register. Further information on this would be provided at the Care and Learning Service Trade Union Liaison meeting to be held later in the day.

There was to be a change in the Council's approach to risks and there would now be monthly meetings of a Corporate Risk Board. Consideration would be given to how the Staff Side could be part of the Corporate Risks monitoring process.

**ECO
Performance &
Governance**

Team Structure - it was advised that Harbours had now been moved to the Infrastructure and Environment Service.

Subsistence Rates – it was confirmed that the rates for subsistence had been agreed. However, there was a tax issue and clarification on this was being sought. An undertaking was given to notify the Staff Side once the increased subsistence rates had been implemented.

**Interim
Head of
HR**

6 Budget Update

The Executive Chief Officer Resources provided a budget update. By way of summary, it was advised that the Scottish Government had now announced the budget settlement. The Finance team were working through the information to ascertain what the settlement would be for The Highland Council. From the information provided, the Council would receive an increase in Revenue Expenditure of 1.7%. However, this would not cover the Council's budgetary pressures and therefore it was anticipated that once pressures had been taken into account, the Council would receive the same amount of money this year as it received last year (a flat cash settlement). There would also be challenges in years 2 & 3 of the budget and any savings made now would ease pressures in the future years budgets.

The Capital grant settlement had been reduced by 30% which was disappointing and therefore more revenue funding would be required to pay for capital investment.

It was emphasised that the budget settlement for the Council may change as the budget had still to be approved by the Scottish Parliament and the UK Budget settlement was still unknown.

It was highlighted that the Capital grant settlement was critical to the Highlands for its capital programme ambitions. Also, the Public Works Loan Board had increased their loan charges by 1% which was a significant amount of money to be paid for by the Council for its capital investments.

The point was made that a large proportion of the Council's budget was ringfenced for priorities set by the Scottish Government, These were not necessarily Highland priorities, such as Homecare and Roads.

An undertaking was given to provide the Staff Side with areas of concern on the budget which they could use when lobbying Scottish Government Ministers for a better financial settlement for Highland.

**CEX/ECO
Resource**

In terms of the deal that the Council has with NHS Highland in terms of Adult and Children Services, it was queried if this included an amount of capital funding and if not, perhaps this could be renegotiated in terms of the new HC/NHS Partnership Agreement.

The Forum **NOTED** the position.

7. Redesign of the Highland Council

The Chief Executive provided an update on the Redesign of the Highland Council.

It was reported that a communication had been issued to staff with details of the new organisational structure. In terms of improving the Council there was a need for funds to do this. The Council's Change Fund had enabled a number of benefits to the operation of the Council and further financial support would be sought in the next budget to continue this good work, for example, funding to develop an apprenticeship scheme to bring Trades Services in-house.

There was a need to invest in Services to achieve better performance and the Change Fund would enable staff to do this. This would involve looking a best practice elsewhere and trade unions were welcome to be involved in these visits.

The Forum **NOTED** the position.

8. Wellbeing Workshops

The Interim Head of HR provided an update on the Wellbeing Workshops.

It was advised that money had been received from the Council's Change Fund to publicise and run Wellbeing Workshops in order to help staff take responsibility for their own health, diet, exercise, outside activities and work life balance. There had been 300 attendees at the courses to date with another 300 booked in for future courses and there was still capacity for another 300 at these future courses. If it was not possible to continue with the workshops, consideration was being given to strategies for continuing the benefits from these workshops.

There were more mental health representatives being recruited, with over 70 of them currently within the Council. Further, an Employee Assistance Programme would be introduced from 1 April, 2020. This service would also be open to Elected Members.

In terms of the Wellbeing Workshops, there were many staff who did not have access to computers and who may not be aware of these courses. It was acknowledged that there were gaps in the dissemination of information to staff and more needed to be done to ensure all staff received general staff communications and this should include meetings between Managers and their staff.

**All
Executive
Chief
Officers**

The Forum **NOTED** the position.

9. Wider Wallet – Pension Contribution Decision

The Staff Side advised that there was a problem with the Wider Wallet scheme where staff were paying pension contributions. Initially when staff purchased additional holidays, the guidance they got was that if they did this, and if it was a considerable saving to the Council, then their pension contributions would be maintained.

However, It turned out that this guidance was incorrect and staff pension contributions had been affected. While their pension contributions had been corrected for this year, a decision was to be made as to whether or not the Council would make up the pension contributions in previous years. The Council's final position on this was requested as was a communication from the Council to staff affected alerting them to this issue.

In response, it had been recognised that there had been an error in the initial guidance issued to staff on the holiday purchase scheme. This incorrect guidance had come from the Supplier of the additional holiday purchase offer and not the Council. Annual Pension

Statements were issued to staff and it was only in year 3 of the scheme that this error was noticed. However, it was not a simple case of the Council making up the deduction in pension contributions as there were tax implications.

Therefore, the Council would write to staff affected advising them that if they wished their pension contributions to be maintained, the cost to them of doing this. The Council would also pay its employer contribution. It was requested that the communication to staff be shared with the Staff Side prior to issue.

**Interim
Head of
HR**

Thereafter, the Forum **NOTED** that a letter would be issued to staff who had taken up the Wider Wallet additional holiday purchase offer in the first 3 years of the scheme advising them that if they wished their pension contributions to be maintained, the cost to them of doing this.

**Interim
Head of
HR**

10. Holiday Pay Update

The Interim Head of HR explained that it had been agreed at the last meeting to set out a timetable in order to progress discussions on holiday pay between trade unions and HR.

Since then, there had been a meeting and follow up information had been provided indicating that there were 78 potential Employment Tribunal claims lodged by UNITE, and the Council had an obligation to conclude those claims with the trade union's solicitors. The Council was waiting on a response from the trade union solicitors to confirm what the trade unions position was.

Given this was a long standing issue, it was requested that Officers of the Council and trade union representatives meet out with the Forum, in order to resolve this preferably by the end of this financial year, so that the staff affected could receive their money.

The Staff Side understood that the Council had taken the position that they would only be considering the Employment Tribunal claims and that the staff who had not got ET claims would now be excluded. It was confirmed that the Council did have an obligation to consider ET claims, but no obligation to consider other claims for backdated holiday pay. The Council was waiting on the trade unions legal advice on the trade union position.

**ECO –
Resource
/Interim
Head of
HR/
Staff Side**

Thereafter, it was **AGREED** that a meeting between Officers of the Council and trade union representatives would be arranged as soon as practicable to resolve the holiday pay issue.

11. Dates for Meetings in 2020

The Forum **APPROVED** the following dates of meetings for the Forum for the remainder of 2020:-

Friday, 1 May; Friday, 14 August; Friday, 13 November

All the meetings would be held at Council Headquarters, Inverness commencing at 10.30 a.m.

The meeting was concluded at 12.15 p.m.