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Human Resources and Council Tax
Committee

24 September 2018

**MINUTES OF THE MEETING OF THE HUMAN RESOURCES AND COUNCIL TAX
COMMITTEE,
HELD ON MONDAY, 24TH SEPTEMBER, 2018 AT 7.30 PM
IN THE COUNCIL CHAMBER, COUNCIL OFFICES, THORPE ROAD, WEELEY,
CO16 9AJ**

Present:	Councillors Callender (Chairman), Chapman (Vice-Chairman), Alexander, Griffiths, S Honeywood, Khan, King, Porter and Raby
Also Present:	Councillors Broderick, P B Honeywood and Newton
In Attendance:	Anastasia Simpson (Head of People, Performance and Projects), Carol Magnus (Organisational Development Manager), Katie Wilkins (Human Resources and Business Manager), Judy Barker (Data Protection and IT Services Manager), John Higgins (Head of IT and Corporate Resilience), Clare Lewis (Fraud and Risk Manager), William Lodge (Communications Manager), Debbie Bunce (Legal and Governance Administration Officer) and Charlotte Cooper (Leadership Support Officer)

1. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillors Calver and Ferguson (with no substitutes) and Chittock (with Councillor Alexander substituting).

2. MINUTES OF THE FINAL MEETING OF THE HUMAN RESOURCES COMMITTEE HELD ON 1 NOVEMBER 2017

The minutes of the final meeting of the Human Resources Committee held on 1 November 2017, were approved as a correct record and signed by the Chairman.

3. MINUTES OF THE FINAL MEETING OF THE COUNCIL TAX COMMITTEE HELD ON 21 FEBRUARY 2018

The minutes of the final meeting of the Council Tax Committee, held on 21 February 2018, were approved as a correct record and signed by the Chairman.

4. DECLARATIONS OF INTEREST

Councillor Griffiths declared an interest in the Agenda items in that he was a Shop Steward for the GMB Union, but not for the Council.

Later on in the meeting as reported under Minute 14 below Councillor S A Honeywood declared a personal interest insofar as her son worked in the Council's Planning Department.

5. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 37

There were none.

6. UPDATE ON APPRENTICESHIPS

The Council's Organisational Development Manager (Carol Magnus) provided the Committee with a presentation on Apprenticeships and Career Track within the Council.

The main points covered included:

- (1) What is an Apprenticeship, the Frameworks & Standards;
- (2) Tending statistics including within the District Council, external employers and vacancies;
- (3) Apprentice Reform and the Levy

Members raised questions which were responded to by the Organisational Development Manager. The Chairman thanked the Organisational Development Manager for her attendance.

7. REPORT OF DEPUTY CHIEF EXECUTIVE - A.1 - HEALTH AND SAFETY POLICY UPDATE

There was submitted a report by the Deputy Chief Executive, presented by the Fraud and Risk Manager (Clare Lewis), which updated Members regarding the changes made to the Council's current Health and Safety policy. The Health and Safety policy had been last updated in June 2014.

It was reported that Health and Safety responsibilities had been removed from Environmental Services under Operational Services and transferred to Corporate Services within the Fraud and Risk Team in April 2017.

The Health and Safety team were committed to identifying gaps in the Council's training requirements relating to all Health and Safety matters. Since Health and Safety was moved to Corporate Services in August 2017 a number of Health and Safety related training requirements had been carried out. This ensured the Council was complying with the responsibilities of the Health and Safety at Work Act 1974, to provide necessary information, instruction, training and supervision to enable employees to safely carry out their job role. Failing to provide this training could leave the Council open to risk of accident or incident.

The Committee was further informed that the Health and Safety team would continue to identify gaps in the Council's training needs relating to Health and Safety to ensure the Council was not put at risk of fine by the Health and Safety Executive (HSE) or by prosecution by an employee for a work related incident and to ensure staff continued to receive the training they needed to carry out their role effectively and as safely as possible.

Members were advised that the Policy stated that it should be reviewed yearly. This would ensure that changes in regulations could be taken into account to ensure the Council was up-to-date with its legal responsibilities.

It was reported that the following amendments had been made. Additional wording had been added to the statement of intent.

- “2.4 Additional wording added to show that the Chief Executive has overall responsibility for Health and Safety.
- 2.4.1 Additional bullet point added at the end of the subject.
- 2.4.3 New wording added to subject.
- 2.4.4 Additional bullet point added at the end of the subject.
- 2.4.5 Additional wording added relating to working at height training.
- 2.5 Service managers removed and Head of Departments added.
- 2.5.4 Wording changed to show incident report forms to be emailed to healthandsafety@tendringdc.gov.uk.
- 2.5.4 Data Protection Act 1998 replaced by General Data Protection Regulations 2018.
- 2.5.7 New header and wording.
- 2.8 Additional wording added to statement.
- 2.8 Changes made to the wording on the last two bullet points.
- 3 Safety at work regulations added to header.
- 3 Service managers removed and Head of Departments added.
- 3.2 Service managers removed and Head of Departments added.
- 3.2 Second paragraph wording changed.
- 3.2 Third paragraph wording updated
- 3.3 First bullet changed to include the wording “all relevant staff”
- 3.3 Second bullet changed to include first aid.
- 3.3 Additional paragraph added at the end of the subject.
- 3.4.1 RIDDOR website added
- 3.4.3 Service managers removed and Head of Departments added.
- 3.4.4 Health and safety email added to second paragraph.
- 3.4.5 Details of the personal protective equipment regulation added.
- 3.4.5 Service managers removed and Head of Departments added.
- 3.4.6 First paragraph wording changed.
- 3.4.7 New wording added to subject.
- 3.4.8 New wording added to subject.
- 3.4.10 Regulation details added to header.
- 3.5 Service managers removed and Head of Departments added.
- 3.5.2 Service managers removed and Head of Departments added.
- 3.5.2 Inspection frequency added to paragraph three.”

As part of the Council’s consultation processes UNISON had been consulted on all updates to the Health and Safety Policy.

Members raised questions which were responded to by the Fraud and Risk Manager.

It was moved by Councillor Callender, seconded by Councillor Chapman and unanimously **RESOLVED** that:

- (a) the contents of the Health and Safety Policy 2018 be agreed and adopted.
- (b) that the Deputy Chief Executive be authorised to update the Policy with any future legislative or best practice changes, in consultation with the Fraud and Risk Manager.

8. REPORT OF DEPUTY CHIEF EXECUTIVE - A.2 - "TIME TO CHANGE" EMPLOYER PLEDGE ACTION PLAN

There was submitted a report by the Deputy Chief Executive, presented by the HR & Business Manager (Katie Wilkins), which presented the 'Time to Change' Employer Pledge Action Plan.

The Committee recalled that at its meeting held on 1 November 2017 it had agreed with Officer proposals to further develop the work around staff health and wellbeing through a focus on mental health. This included a commitment to:-

- (1) Raise awareness and promote positive mental health in the workplace; and
- (2) Develop an action plan to include:
 - (i) Training for staff and managers to increase understanding of mental health; what it is, what mental ill health actually means and recognising signs and symptoms.
 - (ii) Identify, initially 8 staff to be trained as Mental Health First Aiders (Training provider: Mental Health First Aid England).
 - (iii) Further development of the Intranet to enhance the information on mental health e.g. the mental health mapping tool, self-help and where staff can go for further support.
 - (iv) Continuation of the conversation around mental health through initiatives as part of TDC's livewell/workwell programme.
 - (v) Signing the Time to Change Employer Pledge.

Members were reminded that there was significant evidence to demonstrate that looking after the mental health of employees made clear business sense as mental ill-health was the leading cause of sickness absence in the UK, costing an average of £1,035 per employee, per year (*1 in 4 British workers are affected by conditions like anxiety, depression and stress every year*). The same evidence reported that tackling the stigma of mental ill-health could make a measurable difference to sickness absence rates, presenteeism levels, staff wellbeing, productivity and retention.

It was reported that Officers had now developed a detailed action plan for submission to the 'Time to Change' organisation (*run by Mind and Rethink Mental Illness*). The plan outlines the Council's current and proposed activity against the 7 key principles of the pledge, in an attempt to establish change in how the workplace thought about and acted on mental health problems:-

1. Demonstrate senior level buy-in;
2. Demonstrate accountability and recruit Employee Champions;
3. Raise awareness about mental health;

4. Update and implement policies to address mental health problems in the workplace;
5. Ask your employees to share their personal experiences of mental health problems;
6. Equip line managers to have conversations about mental health;
7. Provide information about mental health and signpost to support services.

It was important to note that the action plan should be a 'living' document, which was reviewed regularly and edited as the organisation's plans evolved.

Members were advised that following submission of the action plan, the 'Time to Change' team would provide detailed feedback within 4 weeks, to which, the Council would have two weeks to respond and resubmit the plan (if necessary). Once agreed, the Employer Pledge would be issued.

In achieving the Employer Pledge, the Council would be able to demonstrate a commitment to not only change how it thought about and acted on mental health in the workplace but also ensured that employees who were facing those problems felt supported.

It was moved by Councillor Raby, duly seconded and unanimously **RESOLVED** that:

- (a) the contents of the report be noted; and
- (b) that the submission of the 'Time to Change' Employer Pledge Action Plan, to enable the Council to attain the Employer Pledge be approved.

9. REPORT OF THE DEPUTY CHIEF EXECUTIVE - A.4 - STAFF STATISTICS REPORT

There was submitted a report by the Corporate Director (Corporate Services) presented by the HR & Business Manager (Katie Wilkins), which provided the Committee with updated and current staffing statistics including:

- (1) Number of Staff Employed – Full-Time and Part-Time;
- (2) Gender Profile;
- (3) Age Profile;
- (4) Disability Profile;
- (5) Ethnicity Profile; and
- (6) Sickness Absence (information was included on the management procedures and preventative action taken).

Following discussion and questions it was **RESOLVED** that the contents of the report be noted.

10. REPORT OF DEPUTY CHIEF EXECUTIVE - A.3 - SOCIAL MEDIA POLICY

There was submitted a report by the Deputy Chief Executive, presented by the Communications Manager (Will Lodge), on the updated Council's Social Media Policy.

It was reported that the new Social Media Policy aimed to codify best practice with regards to the Council's use of social media channels. It covered broadly three areas: staff members' personal use of social media; use of corporate social media accounts; and processes associated with corporate social media accounts. The Policy specifically set out that inappropriate use of social media by staff could potentially result in disciplinary action, and what could constitute inappropriate use. Currently any such inappropriate use of social media, either personally or professionally, would be considered in a wider disciplinary context. It also built in safeguards for the Council by enshrining best practice, such as having multiple account admins, into policy.

The Committee was made aware that the Policy did not seek to control staff members' own personal social media accounts. However, it did remind staff to be careful about what information they shared about themselves online, and the potential impact their profile and posts could have not only on themselves, but on the Council.

With regards to business use of social media, the Policy set out the basic principles the Council – through its staff – should adhere to. This covered areas such as copyright and defamation. It also built in safeguards for the Council by enshrining best practice, such as having multiple account admins, into policy. By establishing a clear process for establishing social media channels and running them – such as who is authorised to do so – it allowed the Council to speak with a consistent message. The Policy also placed an emphasis on training of staff to use social media correctly and effectively, and on managers to identify training needs.

Attached to the report for Members' reference were the new Social Media Guidelines, which captured essential best practice in the practical use of social media, and the Social Media Strategy, which set out how the Council would use social media. However, it was the Policy which the Committee was being asked to review, comment on and adopt.

It was moved by Councillor Porter, seconded by Councillor Chapman and **RESOLVED** that:

- (a) the introduction of the new Officers' Social Media Policy be approved and adopted.
- (b) the Deputy Chief Executive be authorised to update the Policy with any future legislative or best practice changes in consultation with the Council's Communications Manager and the Head of People, Performance and Projects.

11. REPORT OF DEPUTY CHIEF EXECUTIVE - A.5 - CORPORATE INFORMATION SECURITY POLICY

There was submitted a report by the Deputy Chief Executive, presented by the Head of IT and Corporate Resilience (John Higgins) and the Information Governance and IT Services Manager (Judy Barker), on the adoption of the Data Protection and Information Security Policies that would contribute towards the Council's corporate legal compliance with the European General Data Protection Regulations and the UK Data Protection Act 2018, which had come into force on 25 May 2018.

It was reported that the Policies had been created to provide a statement of corporate compliance and assurance that the Council recognised and met its obligations in this regard.

The report recommended that the Corporate Information Security Policy and the Data Protection Policy (Appendices A & B to the report) be endorsed and adopted. Those policies would replace the existing outdated policies which would then be withdrawn from publication.

Members were made aware that the Information Security Policy (Appendix A) was a replacement policy that addressed and correctly reflected the new legislative references and adopted the standard format of other policies. In addition it clearly defined the various roles and responsibilities of the Council's Information Governance structure and its obligations when processing valuable data and using corporate IT services.

The following was a summary of the changes required to achieve a legislative compliant Data Protection Policy (Appendix B) :-

- Reinforced the need for the Council to share data in order to protect the public funds it administered by preventing and detecting fraud;
- Updated the legal Principles to include the need to be transparent about how and why we processed personal information;
- Reinforced the need to comply with our corporate retention policy to ensure the Council did not store information for longer than was necessary for the purpose it was collected;
- Explained the requirement to appoint a Data Protection Officer and what the role involved;
- Supported the need for appropriate security measures, including impact risk assessments;
- Highlighted the updated Rights for individuals, such as the right to be informed, right to rectification, etc.
- Identified the need for a lawful basis or, if none existed, the need to obtain informed and explicit consent for processing; and
- Covered the mandatory reporting of any 'serious' data breaches that met the Information Commissioner's (ICO) criteria.

Members raised questions which were responded to by the Officers. It was agreed that Officers would review the wording of Paragraph 7.5 and if any further changes were required any updates would be circulated to Committee members.

It was moved by Councillor Raby, seconded by Councillor Callender and **RESOLVED** that:

- (a) the Corporate Information Security Policy (Appendix A) be approved and adopted with immediate effect;
- (b) the Data Protection Policy (Appendix B) be approved and adopted with immediate effect; and
- (c) That the Deputy Chief Executive be authorised to update these policies with any future legislative and/or administrative changes in order to ensure they continued to be fit for purpose and to meet legal compliance requirements.

12. EXCLUSION OF PRESS AND PUBLIC

It was moved, seconded and **RESOLVED:**

That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of Agenda Item 13 on the grounds that it involves the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 12A, as amended, of the Act.

13. REPORT OF DEPUTY CHIEF EXECUTIVE - B.1 - A MARKET FORCES REPORT FOR THE PLANNING SERVICE

RESOLVED:

That the Market Forces Supplement applied for all qualified (first degree in Planning or the Postgraduate degree in Planning) Planning Officers be continued for a further two years in line with the Council's approved Market Forces Policy, at which point a further review will be undertaken.

The meeting was declared closed at 8.30 pm

Chairman