



Leicester
City Council

MINUTE EXTRACT

Minutes of the Meeting of the
RESOURCES AND EQUAL OPPORTUNITIES SCRUTINY COMMITTEE

Held: THURSDAY, 22 SEPTEMBER 2005 at 5.00pm

P R E S E N T :

Councillor Willmott - Chair
Councillor Renold – Liberal Democrat Spokesperson
Councillor Porter – Conservative Spokesperson

Councillor Hunt

Councillor Karim

Councillor Kitterick

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42. MEMBER INVOLVEMENT IN OPERATIONAL PERSONNEL MANAGEMENT

The Corporate Director of Resources, Access and Diversity submitted a report setting out proposals to devolve responsibility, for certain human resource appeals processes, from elected members to senior officers.

The Chair queried why this report was coming back to the Committee as he felt that they had expressed a clear view on the proposals when they had considered a similar report in November 2004. The Service Director, Human Resources and Equalities stated that it wasn't dealt with fully last November and that the report had been amended and it was scheduled to go to Cabinet on 26 September, followed by Full Council.

Janet McKenna from UNISON addressed the meeting and made the following points.

- UNISON was not made aware that this issue was being revisited until papers for this meeting were received.
- The report gives the impression that further consultation had taken place since last November, this wasn't the case.
- She felt that this issue would continue to be raised in the hope that it would be approved by default.
- She couldn't see any further justification in the report that warranted any change to current procedures.
- She felt that the Committee's previous recommendations had not been addressed and there was no clarity in the intervening period.
- She commented that it would be equally difficult to arrange a meeting with two service directors as it would with Councillors.
- She queried whether there had been criticisms of the Council's procedures.
- If the aim was to speed up the process, she felt that UNISON members would

probably prefer a delay to proceedings to ensure that the procedure was correct.

- She commented that a person's livelihood was not a day to day matter and required special attention.
- UNISON would continue to resist any change and requested an undertaking that members would be willing to support this view.

Members of the Committee made a number of comments. They felt there was no evidence to demonstrate any change since the last meeting and therefore their previous comments remain unchanged. It was felt that the number of appeals wasn't onerous and willing Councillors could easily be found to take part in them.

Members of the Committee felt that it was important that they were involved in matters regarding people's livelihoods and that the Council's management shouldn't be the 'judge and jury' in such cases.

Concerns were raised about the information about consultation in the report. It was noted that no further discussions had taken place with the unions since the last report. One member of the Committee recommended that the Town Clerk should undertake an investigation into why a potentially misleading report was submitted to the Committee.

Members expressed further concerns about the impression that these changes would give to employees. It was thought that it would give the impression that Councillors didn't care about employees by removing themselves from dealing with industrial relations matters. It was also felt that by removing internal processes then the likelihood was that employees would turn to lawyers which could cause the Council greater problems.

The Service Director, Human Resources and Equalities stated that he accepted the views of the Committee. He noted that the matter hadn't been concluded previously and that the changes in the report were made due to the initial consultation. He felt that the case for the change to the new system was in the report backed up by evidence. He felt there was perhaps a wider debate to be had about the role of Councillors in management matters. He noted that views on this matter differed between authorities. He noted that recent law changes meant further risks and that there had been problems in the Council with the timing of appeals. Consultation indicated that there were opposite views on the matter from respective stakeholders. He felt that the way forward was to develop a system that had the support of staff, management, unions and Councillors.

Further comments were made regarding concerns about consultation on this report particularly with regard to the implication in the report that consultation had recently taken place. A further call was made for the Town Clerk to investigate the matter. The Housing Personnel Manager commented that a steer was given to officers to revisit the issue which hadn't previously been concluded. The recommendations had been amended in the favour of the Trade Unions. He noted that there hadn't been sufficient changes to the report

to warrant a fresh round of consultation.

A Committee member also recommended that if there were problems with getting Councillors to sit on appeals panels that the matter be raised with Whips and party leaders if necessary.

The Chair summed up the discussion noting that the Committee was in full agreement.

RESOLVED:

- (1) that the Committee reiterates the points it made at the meeting in November;
- (2) that the Committee expresses its concerns that the report indicates that consultation had taken place on the changes made since November 2004 but that this had not taken place;
- (3) that there should be an appeals system in place which has the support of all those involved, including staff, management, trade unions, and Councillors; and
- (4) that the Committee strongly recommends that the report be withdrawn from the Cabinet and Council agendas because the case has not been made for any change and that this Committee is in all party agreement on the matter.