

**PERSONNEL COMMITTEE**

**Tuesday, 29th September, 2009**

**at 10.30 am**







Peter Sass  
Head of Democratic Services and Local Leadership  
(01622) 694002

**Thursday, 24 September 2009**

*Please note that any background documents referred to in the accompanying papers maybe inspected by arrangement with the officer responsible for preparing the relevant report.*

**KENT COUNTY COUNCIL****PERSONNEL COMMITTEE**

Minutes of a meeting of the Personnel Committee held at Sessions House, County Hall, Maidstone on Wednesday 13 May 2009.

PRESENT: Mr P B Carter (Chairman), Mr N J D Chard, Mr K Ferrin (Substitute for Mr D A Hirst), Ms A Harrison, Mr C Hart, Mr A J King, Mr K G Lynes and Mr G Rowe.

IN ATTENDANCE: Ms A Beer (Director of Personnel and Development) and Mr G Mills (Legal & Democratic Services).

**UNRESTRICTED ITEMS****1. Minutes**  
*(Item 2)*

(1) Mr King referred to paragraph 29 of the Minutes and said the Council had received a letter from the Local Government Employers thanking it for officers from the Personnel Department attending an employer event in London to talk about the work undertaken in producing the Work and Wellbeing Framework. The LGE expressed the hope that this work could form part of a future case study to highlight good practice in employee wellbeing in local government.

(2) RESOLVED that the Minutes of the meeting held on 30 January 2009 are correctly recorded and that they be signed by the Chairman.

**2. Personnel Committee - Terms of Reference and Delegations**  
*(Item 3 – report by Mr Geoff Wild, Director of Law and Governance)*

(1) This report asked the Committee to consider recommending a change to the Constitution in order to remove an anomaly in the approval of changes to staff terms and conditions.

(2) Mr Wild said that among the functions delegated by the Council to the Personnel Committee as set out in the Constitution was the responsibility for appointing Managing Directors and the senior managers who report directly to them and to determine their terms and conditions, which would include pay. This particular delegation appeared to be at odds with the role of the Chief Executive who, elsewhere in the Constitution, was said to have the responsibility for agreeing the starting salaries and subsequent pay movement for staff above Grade L. In order to remove any uncertainty in the wording of the Constitution, the Committee was asked to confirm that responsibility for appointing Senior Managers should continue to rest with the Personnel Committee, whilst responsibility for determining senior managers terms and conditions (including starting salary and subsequent pay movement) should rest with the Chief Executive, after consultation with the Leader of the Council.

(3) During the course of detailed discussion the Members of the Personnel Committee said it had to be elected Members who took the responsibility and therefore the control over the appointment of everyone of Grade M and above and

therefore it should equally be the responsibility of Members to take the responsibility for agreeing their terms and conditions, including pay, with the advice of the Chief Executive. This was agreed. The Personnel Committee therefore agreed that the Constitution and therefore the terms of reference of the Personnel Committee be amended as follows:-

Resolved:

1. that Appendix 2 Part 2 paragraph 2.3(b) of the Constitution (Personnel Committee terms of reference) be amended as follows:

From: "appointing Managing Directors and the senior managers who report direct to them and determining their terms and conditions and those of the Chief Executive"

To: "appointing Chief and Senior Officers on Grade M or above and determining their terms and conditions and those of the Chief Executive (including subsequent pay movement)"

2. Appendix 2 Part 6 of the Constitution (Personnel Management Rules) be amended as follows:

*(a) Paragraph 2*

From: "In these rules "Senior Manager" means officers (other than Managing Directors) on Grade M or above who report directly to the Chief Executive or to Managing Directors."

To: "In these rules "Senior Manager" means Chief and Senior Officers on Grade M or above."

*(b) Paragraph 4*

From: "Rules 4-9 apply to the appointment of the Chief Executive, Managing Directors and Senior Managers."

To: "Rules 4-9 apply to the appointment of the Chief Executive and Senior Managers."

*(c) Paragraph 6*

From:

<b>Post</b>	<b>Appointing Body</b>	<b>Adviser</b>
Chief Executive	Personnel Committee to interview and report to Council with recommendation	As determined by the Committee
Managing Director	Personnel Committee or Member Panel (Sub-Committee)	Chief Executive
Senior Manager	Member Panel (Sub-Committee)	Managing Director or Chief Executive

To:

<b>Post</b>	<b>Appointing Body</b>	<b>Adviser</b>
Chief Executive	Personnel Committee to interview and report to Council with recommendation	As determined by the Committee
Senior Manager	Personnel Committee or Member Panel (Sub-Committee)	Chief Executive and/or Senior Manager

(d) All other references to “Managing Director” be deleted and replaced by “Senior Manager”.

(e) The delegation to the Chief Executive to agree starting salaries and subsequent pay movement for staff above Grade L be deleted.

***The Chairman declared considerations of Items 4, 5 and 6 of the agenda for this meeting to be urgent on the grounds that they could not be despatched at the time of the main agenda because information relevant to their content and accuracy was not available at that time.***

### **3. Annual Workforce Profile Report**

*(Item 4 – report by Mr Alex King, Deputy Leader, Corporate Support and External Affairs and Ms Amanda Beer, Director of Personnel and Development)*

*(Mr Graham Cox of Personnel and Development was present for this item)*

(1) This report detailed the staffing levels as at 31 March 2009, and provided comparative staffing information from previous years. The report also included the reasons for changes in staffing levels over previous years together with information on the demographics and diversity of Kent County Council's current workforce. Graham Cox also demonstrated to the Committee IT software which was now being used to improve the way data was being used to both record and present information relevant to the County Council's personnel function both across the authority as a whole and also on a directorate by directorate basis.

(2) During the course of discussion Members said that they welcomed the introduction of the new software as it provided managers with a range of personnel information relevant to their staff which could be presented and analysed more efficiently and quickly. This information could be made readily available almost on a day by day basis. It was confirmed that this information would be placed on the website on a restricted basis and therefore it could only be accessed through having a specific login code. It was also confirmed that the system would enable the Council to analyse those areas in which it was doing well and other areas where the data suggested actions may need to be taken to address particular concerns.

(3) It was also said that there needed to be more rigour and transparency around the way that assessments were made in relation to performance reward and how that was managed, particularly for those who were at the top of their scales. Also performance management needed to be seen as an integral part of business planning and staffing issues had to be integrated as part of that process. Ms Beer said these matters were being looked at by officers as part of the Total Contribution Pay system and she would arrange to bring forward a report to the September meeting of the Committee.

(4) RESOLVED that:-

- (a) the information on staffing levels and the ways that these are now being collated and presented through the introduction of new IT software be endorsed and that it be noted that future reports would include information related to all grades not just those up to L;
- (b) a report on performance reward be presented to the Committee at its meeting in September 2009;
- (c) as the use of technology was changing the way information was being managed there needed be a quality discussion through the Chief Officer Group, Cabinet and this Committee around how this information could help the Council better understand personnel data and how that was interpreted and used to inform future policy. It was agreed that these matters would be discussed again at the Committee's next meeting.
- (d) there would be a report to Cabinet and possibly the Personnel Committee about posts which were externally funded and what the impact would be on the Council and employees in externally funded posts should that hypothecated funding be withdrawn.

**4. Disciplinary and Grievance Activity - 6 monthly**

*(Item 5 – report by Mr Alex King, Deputy Leader, Corporate Support and External Affairs and Ms Amanda Beer, Director of Personnel and Development)*

(1) This report updated the Personnel Committee on disciplinary and grievance activity over the year ending March 2009 including details of Personnel appeal cases.

(2) Following discussion the Committee resolved that the report of employee relations activity and that of recent appeal hearings be noted.

**5. Discretionary Payments**

*(Item 6 – report by Mr Alex King, Deputy Leader, Corporate Support and External Affairs and Ms Amanda Beer, Director of Personnel and Development)*

(1) The Committee had previously agreed the introduction of policies whereby the County Council had discretion over the level of payments made in specific areas where it was difficult to attract and retain staff. This report therefore provided an update on the latest trends and figures relevant to posts which attracted a market premium.

(2) RESOLVED that the report be noted.

## KENT COUNTY COUNCIL

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### PERSONNEL COMMITTEE

MINUTES of a meeting of the Personnel Committee held in Swale 3, Sessions House, County Hall, Maidstone on Monday, 20 July 2009.

PRESENT: Mr P B Carter (Chairman), Mr N J D Chard, Mr D S Daley (Substitute for Mr T Prater), Mr R W Gough, Mr D A Hirst, Mr A J King, MBE, Mr K G Lynes and Mr J D Simmonds.

IN ATTENDANCE: Ms A Beer (Director of Personnel & Development), Mr G Wild (Director of Law and Governance) and Mr G Mills (Democratic Services Manager (Executive)).

(This is an unrestricted minute of a matter which was exempt under Section 100A of the Local Government Act 1972, on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 12A of the Act)

#### **1. Senior Manager Contract**

*(Item 3)*

- (1) Members had before them an exempt report which invited the Personnel Committee to consider an exit package for a member of staff within the Environment, Highways and Waste Directorate.
- (2) Following discussion the Personnel Committee agreed to the exit package detailed in the exempt report and that as appropriate comments should be sought from the Audit Commission.

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By: Director of Personnel & Development  
To: Personnel Committee - 29 September 2009  
Subject: Performance Management of senior managers  
Classification: Unrestricted

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SUMMARY: The Personnel Committee will receive a presentation on how the performance management of senior managers in KCC is conducted and make suggestions on how it can be further enhanced

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1. **BACKGROUND**

KCC's Strategy for Staff underpins the importance of having an excellent workforce and there is a robust performance management process in place to help make this a reality. The need to have effective and high quality performance management is essential at all levels in the organisation. It is intended to deliver a presentation to Personnel Committee to highlight the procedures currently in place for the appraisal of senior officers and suggest ways in which extra rigour could be brought to the assessment.

The presentation will cover:

- Current appraisal processes
- Objective setting
- Feedback from Members
- Possible enhancements

2. **RECOMMENDATION**

Personnel Committee will be invited to note and comment on the content of the presentation, and agreed the most appropriate mechanism for obtaining feedback from relevant Members.

**Amanda Beer**  
**Director of Personnel & Development**  
**Ext 4136**

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By: Director of Personnel & Development  
 To: Personnel Committee - 29 September 2009  
 Subject: Maternity Support Pay & Leave Pilot Evaluation  
 Classification: Unrestricted

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**SUMMARY:** Personnel Committee agreed a one year pilot from 1 June 07 providing contractual paternity leave and pay which was extended until 31 August 09 to allow for full evaluation. It was one element of a wider family leave pilot which included provision for carer leave; this has now been incorporated into terms and conditions on a permanent basis. This report presents the evaluation of paternity leave and pay and recommends they be adopted on a permanent basis.

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### **Introduction**

1. The pilot offered paternity pay and leave of 2 weeks on full pay. The statutory minimum paternity pay, introduced in 2003, is £123.06 per week. The main reason for men not taking statutory paternity leave is that they cannot afford to lose pay around the birth of their child<sup>1</sup>.
2. During the pilot, following a customer impact assessment, the provision was renamed, 'maternity support' to reflect that it covers not only the biological father but also the civil partner or partner of either sex of the child's mother.

### **Feedback and Evaluation**

3. On average 2 to 3 employees take maternity support leave & pay each month.
4. Telephone feedback from employees who received this benefit during the pilot indicated that they found it very helpful to be able to have time off around the time of the birth without any reduction in pay. Managers considered it was important to support their staff at such an important time in their life.

### **National Developments**

5. By May 2010, the Government is aiming to give employed fathers extended rights to take additional paid time off work to care for their child in its first year. In the meantime, offering maternity support pay and leave is consistent with the trend towards increased support to the family unit around the time of birth and is in step with provisions already offered by many local authorities and other progressive employers.
6. The Equality & Human Rights Commission has published a report recommending a change of policy to create a 'gender neutral' system of family leave to make leave more equally available to both fathers and mothers. The report found that 69% of fathers who took paternity leave said it improved the quality of family life and 56% said it led them to take a greater role in caring for the children.<sup>2</sup>

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<sup>1</sup> 'Working Better', Meeting the changing needs of families, workers and employers in the 21<sup>st</sup> century, Equality & Human Rights Commission, March 09.

<sup>2</sup> As above.

7. The research indicates that men who take paternity leave tend to be more involved in bringing up their children when their babies are nine months old and in reading to their children when they are three.
8. Early, active involvement by fathers can lead to a range of positive outcomes for children, including 'better peer relationships; few behaviour problems; lower criminality and substance abuse; higher educational and occupational mobility relative to their parents' employment and higher self-esteem'. Conversely, low involvement by fathers is linked with negative outcomes for children and the links tend to be stronger for vulnerable children.<sup>3</sup> The provision of maternity support leave without a reduction in pay would support the employee in the early stages of bonding.

## **Conclusion**

9. Evaluation of the pilot has shown that maternity support leave and pay have an intrinsic value in supporting staff in managing care needs and are universally welcomed within KCC, enhancing KCC's attractiveness as an employer of choice. Offering these provisions on a permanent basis would be in keeping with the developing trend amongst employers to increase the portfolio of benefits which help support working families.

## **RECOMMENDATION**

1. That contractual maternity support leave and pay of two weeks on full pay should become part of Kent Scheme terms and conditions on a permanent basis, with effect from 1 September 2009.

**Amanda Beer**  
**Director of Personnel & Development**  
**Ext 4136**

Lucy Freeman  
Ext 6825

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<sup>3</sup> Flouri and Buchannan, 2003