

AGENDA ITEM NO: 4

To : Members of the Human Resources Committee

Councillors : Steve Comer, John Bees, Mark Wright, Charles Price,
Richard Eddy (subs:)

Copy to : Robert Britton, Head of Human Resources
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Fitton/ Siobhan Burke, relevant report authors.
Spares x 15

HUMAN RESOURCES COMMITTEE

2 APRIL 2009

PUBLIC FORUM STATEMENTS

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Trade Union response for Human Resources Committee 2 April 2009

Agenda item 5 Review of Mileage Allowances

In response to the information that full Council adopted a reduced mileage allowance through a budget amendment, I do not consider that this is possible. Only Human Resources Committee has the scope to vary employee's terms and conditions. If Human Resources Committee decides not to follow the full Council resolution any payment for mileage less than 42.9p per mile may be an unlawful deduction from wages.

The Authority receives a benefit from employees using a private motor vehicle for Council business. The alternative would be a reduction in productivity if staff relied on public transport to make necessary journeys.

The outcome of recent consultation with the Authority was that the mileage rate would remain at 42.9p so this proposal comes as a surprise. Paragraph 3.3 shows that the mileage allowance is to cover other running costs in addition to fuel. The total shows that employees make no 'profit' from providing a vehicle for work and are actually subsidising the Council in bringing a car to work.

Referring to Appendix E information from Core City comparators demonstrates that if the rate was reduced to 40p only Manchester pays marginally less. In comparison Leeds in their top band pays 46.75% more with 58.7p!

During Single Status consultation trade unions were advised that employees would make a small profit on their mileage at the 40p per mile rate. The report shows that this is now not the case so I urge Committee to retain the 42.9p rate.

Agenda item 6 Revisions to the existing Improving Performance Procedure

If the Council through its promotion of higher standards of performance will be initiating more of these Improving Performance meetings isn't it more necessary for the trade unions to be involved at the informal stage? Alternatively I agree with paragraph 2.1 that the informal part of the process should not be referred to as a 'stage' so paragraph 4 of the Policy should be amended accordingly.

In paragraph 5.7 I believe managers should give consideration to withholding incremental progression. This is because there may be mitigating circumstances in 3.2 to explain the under performance so increments should not be automatically withheld.

This process is should be regarded as a supportive process to bring employees up to the required standard. Therefore, employees with an overall PMDS score of 1 should not move straight to stage 3 of the Procedure. These employees may require a greater degree of support which they will not receive if they go straight to the final stage of the process prior to dismissal.

Agenda item 7 Changes in employment law

In response to paragraph 2.1 in Appendix B I believe there should be greater flexibility in convening a follow up hearing. Often the Authority sets a date for a Hearing without regard for trade union representative's diary commitments. The trade union member is entitled to have a representative of their choice but has no control over their availability. So there should be scope to go beyond five working days on occasions to ensure availability of relevant parties.

Steve Paines

Convenor



1st April 2009

GMB Submission to HR Committee – 2nd April 2009

The GMB wish to make the following statement:

Review of Mileage Allowances – Agenda Item 5

Last year the Council set up a working group to look at the mileage allowance in light of the significant increase in fuel costs and also to address the issue that the mileage allowance had not been considered since the mid 1990's. All trade unions were represented on this group.

The GMB would like to know how much officer and trade union time has been spent on this topic in terms of cost as it would appear that all their good work has been overturned by one reckless evening in the Council Chamber in February of this year and it was decided to ignore the findings of the working group on mileage allowances and cut the budget by £104,000 at a stroke – without any consultation or due consideration!

If Councillors had deemed to give their action some consideration prior to that Tuesday they would have seen from this report that in fact it is costing our members (their workers) 46.9p per mile if they have a car when cost costing upto £10,000 and an annual mileage of 5,000. Many of our members do not have the luxury of new cars and therefore their actual cost will be higher due to higher fuel consumption.

This report also demonstrates that whilst the Council is obsessed with comparing itself alongside other core cities and using this comparator to push down terms and conditions on this occasion their 'comparator' cities actually pay more as the majority have retained their essential status.

The GMB is therefore proposing that all mileage allowance should be increased in line with the report – 46.9p per mile as the majority of 'users' are some of the lowest paid workers in the Council. For example home care workers and social workers who lost their essential car allowance some years ago but are expected to use their own cars to transport clients across the city and beyond.

This is clearly not fair and unless there is a move by the City Council to invest in a significantly larger number of pool cars for use by these groups of workers then an adequate remuneration should be paid to reflect not only the fuel increase (with effect from today) but also the wear and tear on their vehicles and other statutory costs they incur in order to provide a vehicle to carry out their work on behalf of the city council.

The GMB asked the question at Tuesday's Council Meeting but did not receive a response so we are asking this HR Committee – has full Council now taken over the role of the HR Committee? If it has not then why is this Committee endorsing a decision made at full Council without any consultation with staff or their trade union representatives?

Revisions to the Existing Improving Performance Procedure – Agenda Item 6

The GMB cannot support the proposed changes relating to 4.1 (page 3). If any record of any 'informal' discussion is being documented then it is a 'formal' meeting and the employee should have the right to be accompanied.

Paragraph 4.3 may be the intention to encourage managers to deal with issue of poor performance as they arise, however, from the GMB's experience and not all managers (including some HR specialists) are adequately equipped to undertake this task without serious ramifications.

There is a difference between having a documented informal meeting put on someone's file and not being aware of any performance issues. Surely if there are some areas for concern this would be flagged up first within the PMDS appraisal procedure. This is a one to one between the employee and their manager and whilst being documented it is also the opportunity for the employee to instigate proposals to remedy/improve the area of concern.

The GMB will make further comments to this report at the HR Meeting but will be seeking clarification at the meeting from the Committee the purpose of these changes – are they to ensure the Council gets rid of staff as quickly as possible if they fall foul of this procedure – we have many instances where managers have used the threat of taking our members down the improving performance procedure as another way of bullying and harassing them – our biggest fear these revisions will allow those managers to succeed without challenge.

The GMB is clearly naïve to think the improving performance procedure is to support and assist staff who may find the job has changed (through no fault of their own) and need some additional input either through their team/manager or from another source to bring them up to the required standard in order to meet their targets.

However, how these policy changes are presented today we cannot accept it and we will ensure our members are properly consulted as to what action they wish us to take. As it stands currently we can only see this as a cost cutting exercise of shedding staff as quickly and as cheaply as possible in this current economic climate – the council should be ashamed of itself in proposing these draconian measures!

Rowena Hayward – Organisation Officer