

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE HUMAN RESOURCES COMMITTEE

HELD AT 7.30 P.M.ON WEDNESDAY, 14 NOVEMBER 2012

**MEETING ROOM MP702, 7TH FLOOR, TOWN HALL, MULBERRY PLACE, 5
CLOVE CRESCENT, LONDON, E14 2BG**

Members Present:

Councillor M. A. Mukit MBE (Chair)

Councillor Rajib Ahmed
Councillor Zenith Rahman
Councillor Alibor Choudhury
Councillor Gloria Thienel
Councillor John Pierce

Officers Present:

Isabella Freeman	Asst. CE (Legal Services)
Simon Kilbey	Service Head HR and Workforce Development
Gordon McFarlene	Senior Manager - HR Operations
Evelyn Akoto	Committee Officer

1. APOLOGIES FOR ABSENCE

No apology for absence was received

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

No declarations of disclosable pecuniary interest were made.

3. UNRESTRICTED MINUTES

RESOLVED

That the unrestricted minutes of the meeting of Human Resources Committee held on 18 July 2012 be agreed and signed by the Chair, as a correct record of the proceedings.

4. REPORTS OF CORPORATE DIRECTOR, RESOURCES

4.1 Acting and Honoraria Payments and related pay matters

Simon Kilbey, Service Head Human Resources and Workforce Development at the request of the chair, introduced the report, highlighting the following points:

- Members requested information on the council's Acting and Honoraria policy and also information on the London Living Wage in relation to contractors.
- There has been a general downward trend in Honoraria payments, but this has recently increased given the context of the organisation shrinking.

The governance arrangements mean that Service Heads have to agree payments, and reports go to the People Board for monitoring purposes. The People Board's terms of reference include the review and monitoring of Acting and Honoraria payments and a review of existing policy and practice is underway.

- With regards to the Council's position on the London Living Wage (LLW) and contractors, Tower Hamlets has made a commitment to encourage contractors to include costs of paying the LLW when bidding for contracts. A considerable number of contracts awarded reflect that the LLW is being paid.

In response to Members' questions, officers provided the following answers:

- Currently, Acting and Honoraria payments are provided for in the Council's Pay Policy, allowing for additional payments and allowances to be made to staff as appropriate. In each case the relevant Manager has to provide a business case setting out the reasons for the payment, which has to be agreed by the relevant Service Head. The People Board can challenge the period of payment.
- The Council did review the policies of neighbouring boroughs to establish best practice. Most local authorities have a system of paying Honoraria. Additionally, there is no benchmarking data available on spend as it will vary based on specific Borough policies. Honoraria and Acting up arrangements can be a useful tool in facilitating the development of staff and a reward for onerous duties, but the principles have to be fairly applied.
- The Council cannot force contractors to pay staff the LLW, It is about a duty of best value, ensuring that the bidding process competitive and encouraging contractors to submit bids with and without LLW.
- With regards to the recent LLW rate increase, the Council is looking to pay the lowest paid employers this new rate by December 2012. In addition, the Council is awaiting LLW accreditation.

RESOLVED

That the committee note the report

4.2 Whistleblowing Process

Simon Kilbey, Service Head Human Resources and Workforce Development at the request of the chair, introduced the report and made the following points:

- The Human Resources Committee requested a report at its 18 July meeting, but it should be noted that the monitoring of whistleblowing is under the Audit Committee's remit.
- The report provides information on the Council's current whistleblowing process and lists the different routes which staff, members and partners can raise concerns anonymously. There have been very few accounts of whistleblowing relating to staffing issues so statistics have not been collected. This can be taken as an indication that other HR procedures and reporting routes in place are effective and are working well.

In response to Members' questions, officers provided the following answers:

- The majority of other local authorities are in a similar position to Tower Hamlets. If there are good HR procedures in place and being used, whistleblowing procedures are not widely used.
- Most of the open cases form part of fraud investigations, which can take time to complete. The Audit Committee are regularly updated.
- The National Fraud Initiative data matches are another way to detect fraud. Other referrals can come from various sources such as letters, and management referrals. If any such issues are brought to a manager's attention they will have to be investigated.
- There is statutory protection for those who use the whistleblowing process in most investigations, except in criminal cases. If a local authority has decided to investigate a case as a result of whistleblowing, arrangements can be made to protect the anonymity of witnesses and those who whistleblow (who can do this anonymously).

RESOLVED

That the committee note the report

4.3 Tower Hamlets Graduate Programme

Simon Kilbey, Service Head Human Resources and Workforce Development, in his introduction highlighted the many concerns previously raised by Members, and also spoke of future actions to address these concerns:

- The HR Committee requested that a report be brought to the committee, which provides information on the process of recruiting people onto the graduate programme. This report provides a breakdown of the graduate recruitment and selection process as well as the equalities issues.

- As a result of Member concerns about the equalities data presented on candidates, the Council intends to change a number of the processes for the next graduate recruitment round in order to achieve better representation from all sectors of the community. There will be publicity and targeted recruitment with under-represented groups such as women and the Somali community in order to attract a more diverse group of applicants. The issue was not that females were not appointable but that in a number of cases the male candidates came with more relevant background qualifications.
- There will be closer working with community groups to attract a diverse representation of the community, as well as offering interview skills workshops to candidates selected for interviews.

In response to Members' questions, officers provided the following answers:

- The graduate programme was previously publicised on the Council's website, East End Life and other locations within the borough. In the future publicity will extend to community organisations, supermarkets, Somali community centres and possibly local colleges. However, as one of the criteria of the graduate programme is that applicants have to live within the borough, publicity has to be carefully targeted.
- Officers involved in the recruitment and selection of the graduates are very experienced and have been involved in previous graduate and apprenticeship programmes over a number of years. They appoint on merit, however more help via interview workshops etc. will be provided to various key groups.
- Out of the 21 graduates selected, 3 have already secured permanent jobs within the Council.
- The law allows certain action to be taken when figures suggest there is an under-representation in certain groups, but positive discrimination is illegal. As an example of positive action, pre interview training could target women but still allow men to apply, and positive statements can also be made on advertising.

Members suggested the following ways for the Council to improve future advertising in order to secure a more representative cohort:

- Target disability groups to tap into their resources.
- Advertising on Facebook and other similar social networking sites can reach a wider audience.
- Consider other potential schemes such as a graduate internship scheme and other possible schemes open to non- graduates.

RESOLVED

That the committee note the report

4.4 Quarterly report - new starters

Simon Kilbey, Service Head Human Resources and Workforce Development at the request of the chair, introduced the report which provides details of new starters for the period between January to March 2012 and April and June 2012.

In response to Member's questions, officers provided the following answers:

- The report provides details of new starters; the list does not include internal staff moving between posts within the Council, or agency staff.
- The number of new starters is consistent between the two quarters.

RESOLVED

That the committee note the report

5. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

With regards to the recent Supreme Court ruling in Birmingham that workers now have six years to make an equal pay claim, a member queried whether the Council may be at risk of similar claims. Officers stated that currently the risk is deemed low, as the majority of the six year 'claim period' is covered by the Council's Single Status agreement. Analysis is being undertaken to ascertain details of any leavers at the beginning of the period in question.

6. EXCLUSION OF THE PRESS AND PUBLIC

In view of the nature of agenda item 6.1, the Committee **RESOLVED:**

"That, under the provisions of Section 100A of the Local Government Act, 1972 as amended by the Local Government (Access to Information) Act, 1985, the Press and Public be excluded from the remainder of the meeting for the consideration of the Section Two business on the grounds that it contains information defined as Exempt in Part 1 of Schedule 12A paragraphs 4 and 5 to the Local Government, Act 1972".

[Note: Exempt information is defined in section 100I and, by reference, Schedule 12A of the Local Government Act 1972 ("the 1972 Act"). To be exempt, information must fall within one of the categories listed in paragraphs 1 to 7 of Schedule 12A, must not fall within one of the excluded categories in paragraphs 8 and 9 and the public interest in maintaining the exemption must outweigh the public interest in disclosing the information.

Agenda items 6.1 "Restricted Minutes" contained information relating to paragraph 4 (information relating to any consultations or negotiations or contemplated consultations or negotiations, in connections with any labour relations matters arising between the authority, or a Minister of the Crown and employees of, or office holders, under the authority) and paragraph 5

(information in respect of which a claim to legal professional privilege could be maintained in legal proceedings).

The Committee considered the above information and the public interest favouring public access to local authority meetings, and in this case the Human Resources Committee concluded that given the information contained in Agenda item 6.1 "Restricted Minutes" the public interest in maintaining the exemption on the information outweighed the public interest in disclosing it.]

6.1 Restricted Minutes

RESOLVED

That the restricted minutes of the meeting of Human Resources Committee held on 18 July 2012 be agreed and signed by the Chair, as a correct record of the proceedings.

7. ANY OTHER RESTRICTED BUSINESS WHICH THE CHAIR CONSIDERS URGENT

The meeting ended at 8.30 p.m.

Chair, Councillor M. A. Mukit MBE
Human Resources Committee