

Colchester Institute Corporation

*Minutes of a Meeting of the Personnel Committee
held on 24 May 2011
at the Sheepen Road Campus*

Present

Beth Smith, in the Chair
Danny Clough
Lesley Cook

Patrik Minder
David Priest

In Attendance

Linda Cox Director of Human Resources and Projects
Hazel Paton Clerk to the Governors

Apologies for absence were received from Michael Dew, Ron McKay and Daren Shinnick

PART I

1. **Declaration of any conflicts of interest regarding any items on the agenda**

None.

2. **Minutes of the Meeting 22 February 2011**

The Minutes of the meeting held on 22 February 2011 (CIC/PC/11/2/1) were received and confirmed. The Chairman signed the minute book.

3. **Action Sheet and Matters Arising**

None, other than on the agenda.

4. **Health and Safety Committee**

CIC/PC/11/2/2, minutes of the Health and Safety Committee held on 6 May 2011, were received and considered.

Members raised a number of questions relating to the spring 2011 security report. They were advised that although there has been an increase in incidents at all sites compared to spring 2010, these were mainly minor incidents. The improvement in the reporting of incidents at The College at Braintree is indicative of a change in culture at the Braintree campus. The rise in the incidents of verbal abuse is the result of security staff challenging bad language. This is generally students. There are incidents and complaints relating to staff. This is not tolerated and is dealt with through the disciplinary procedure.

Members noted that attendance at the Health and Safety Committee is an issue. The Committee was pleased to see that this is being tackled with membership being reviewed on an annual basis and those who do not attend regularly being asked to stand down to enable new members to attend. It was reported that it is often the Trade Union Representatives who do not attend, which is disappointing. The Director of Human Resources and Projects reported that she encourages the Unions to send representatives and put items on the

agenda during her regular meetings with them. She thought it may be that the Union do not feel the need to attend as they raise issues with her outside the meeting.

The Committee reviewed the accident reports and was pleased to note that eye protection was now being worn as a matter of course. This has been an area of concern for the Committee for a number of years.

5. **Policies/Procedures**

5.1. **Staff discipline procedure**

CIC/PC/11/2/3, revised staff discipline procedure, was received and considered. It was confirmed that the Trade Unions had been consulted and had agreed the revised policy.

Members discussed clause 2.2, which is very prescriptive about who can accompany an employee at formal disciplinary meetings. They were advised that this is in line with the legislation and has been the policy in use by the College for a number of years. Members noted that clause 3.3 referred to work colleague instead of fellow worker and agreed that there should be consistency of terminology throughout the policy.

There was considerable discussion around the informal procedure and the fact that an oral warning no longer appears in the formal procedure. Members accepted that cases of minor misconduct are often best dealt with informally, but were concerned that informal oral warnings or reprimands will not be centrally recorded. Members agreed that no records should be kept if it is found that there is no case to answer, but felt strongly there should be a robust paper trail of all informal warnings in case there are further incidents and the formal procedure is invoked. They were advised that the legislation has changed and it is no longer necessary to include oral warnings in the procedure. Oral warnings tended to be seen as written warnings because of the practice of confirming them in writing. The Unions have supported the College's decision to remove oral warnings from the formal procedure. Members were reassured that Managers will keep their own records of informal warnings which can be referred to as part of an investigation, subject to the records being expunged after a defined period of time in line with normal College practice.

Subject to the above it was AGREED to recommend the procedure to the Board for approval.

5.2. **Whistleblowing policy/procedure**

CIC/PC/11/2/4, revised whistleblowing policy and procedure, was received and considered. There was considerable discussion about section 6, outcome of the process. Members noted that if the employee or student is unhappy with the outcome they are advised to contact Public Concern at Work for advice, but questioned whether there should be an internal right of appeal before this stage is invoked. They were advised that if the concern is raised with Management in the first instance it can be escalated to the Clerk to the Governors if the complainant is not happy with the outcome. The Committee asked for this to be included in the procedure.

Subject to the above it was AGREED to recommend the procedure to the Board for approval.

5.3. **Gifts and Corporate Hospitality**

CIC/PC/11/2/5, Gifts and Corporate Hospitality Policy, was received and considered. The policy was being introduced in response to the new Bribery Act which comes into force on 1st July 2011. Members agreed it was acceptable to give/receive token gifts for legitimate and reasonable marketing purposes but, notwithstanding the difficulty in putting a value on gifts received, asked whether a monetary value for such gifts should be included in policy as a guide for staff. Members believed there used to be a limit for income tax purposes and agreed it would be useful to include this in the policy if it was still applicable.

Subject to the above it was AGREED to recommend the procedure to the Board for approval.

5.4. **Paternity Leave policy/procedure**

CIC/PC/11/2/6, Paternity Leave Policy and Procedure was received, considered and approved for recommendation to the Board. It was noted that the policy and procedure updated existing College procedures to take account of new paternity provisions which were introduced from April 2011. There will be no additional cost to the College associated with the additional leave provision as the College can claim back the statutory paternity pay.

5.5. **Equality and Diversity Policy**

CIC/PC/11/2/7, revised Equality and Diversity Policy, was received, considered and approved for recommendation to the Board. The main change is to section 2, key principles, which now lists the protected characteristics covered by the legislation.

6. **Student Union Constitution**

CIC/PC/11/2/8, revised Student Union Constitution, was received and considered. Members considered it inappropriate for the Constitution to specify how the Student Governors were to be appointed, as this is a matter for the Board to agree in line with the Instrument of Government, and asked for section seven to be amended.

Subject to the above it was AGREED to recommend the Constitution to the Board for approval.

7. **Personnel Committee Terms of Reference**

CIC/PC/11/2/9, revised Personnel Committee Terms of Reference, were received, considered and approved for recommendation to the Board, subject to minor amendment.

8. **Date of Next Meeting**

Tuesday, 18 October 2011 at 4.30 pm.

9. **Any Other Urgent Business**

None.

Part IIa - these minutes are non-confidential although some of the associated papers may be.

10. **2011 Pay Review**

It was reported that the Unions are asking for a pay award of 4%, underpinned with a minimum £750 flat rate increase. For the Employers the National Joint Forum have responded that 4% is not affordable and that they are not prepared to consider a pay rise unless the Unions co-operate locally to discuss flexibility and productivity and continue discussions on guidance for sick leave that reflects a less prescriptive approach to sick pay. A further meeting is scheduled for 23 May.

Members noted that 4% would be a significant increase, and would be an issue for the College, which has always implemented the nationally negotiated pay award.

11. **Safeguarding Report**

CIC/PC/11/2/11, report on safeguarding cases since the February meeting of the Personnel Committee, was received and considered. Members noted that safeguarding has become much more high profile in recent years and is now a significant element of the College's work.

Part IIb - these minutes are non-confidential although some of the associated papers may be.

12. **Part IIb Minutes**

The Part IIb Minutes of the meeting held on 22 February 2011 (CIC/PC/11/2/12) were received and confirmed. The Chairman signed the minute book.