

John Wheatley College

Board of Management

Personnel and Staffing Committee

Minutes of the meeting of the Personnel and Staffing Committee held on Tuesday, 24 April 2007 at 12.30pm in the Conference Room of Strathclyde European Partnership, 94 Elmbank Street, Glasgow.

1. Sederunt

The meeting commenced at 12.30pm and was attended by:

H Ostrycharz (Chair);
A Woolley;
D O'Brien;
R Venditozzi;
I Graham; and
M Axford (co-opted member).

Also in attendance:

Elsbeth MacArthur (observer and candidate member of the Board);
A Kirk (Depute Principal);
A Sherry (Assistant Principal);
D Sneddon (HR Manager); and
S Vaughan (for recording purposes only).

The Chair welcome E MacArthur to meeting as part of her induction to Board membership. She reminded members that E MacArthur would become a full member of the Board from 1 August 2007.

2. Apologies

There were no apologies.

3. Terms of Reference

Members noted the terms of reference for the Personnel and Staffing Committee. It was confirmed that the meeting was quorate with 5 members in attendance.

4. Declarations of Interest

There were no declarations of interest.

5. Minutes of the previous meeting of the Personnel and Staffing Committee held on 30 January 2007

The minutes were accepted as an accurate record of the meeting held on 30 January 2007.

6. Matters arising from the minutes of the previous meeting

Item 10 – Disability Equality Scheme and Action Plan

The Principal reported that the College had received feedback on its Disability Equality Scheme and Action Plan from the Disability Rights Commission (DRC). Regrettably, the Commission had concluded that the College had not undertaken sufficient consultation with disabled students and staff when producing the Scheme and Associated Action Plan. This conclusion had been disputed by the College. The DRC had also indicated that the College had neglected to make the Scheme and associated Action Plan readily available, by failing to display the documents on the College website until one day after publication. The Principal reported that the documentation had been approved by the Board prior the required publication date therefore in the view of the College this met the statutory requirements contained within the legislation (since the Scheme was available to the Public in its Libraries and Information Centres). I Graham informed members that the DRC had found the Disability Equality Schemes and Action Plans which had been produced by four Colleges to be unsatisfactory (the College was not, he reported, one of these).

Item 12 – Evaluation of Higher Education Role Analysis (HERA) Pilot

I Graham reported that the UNISON branch had expressed reservations about the HERA pilot and that the College would carefully consider its concerns. He informed members that the Scottish Trades Union Congress (STUC) had recently written the Association of Scotland's Colleges (ASC) contending that the HERA initiative was a National Scheme following meetings with representatives of HERA. He reminded members that the College had made it clear when it undertook the pilot that it did so on an individual basis and that it had not sought to represent any other organisations. Nevertheless ASC had indicated that the College had possibly compromised other colleges in Scotland by taking part in the HERA initiative. The Principal emphasised that the decision to proceed with HERA was made at an institutional level. It did not involve other colleges. The developers of the HERA system had contacted a wider group of stakeholders without the College's Knowledge or comment. This was regarded as an unacceptable breach of working practices.

In response to questions D Sneddon reported that a consultant had been appointed to adapt HERA to meet the College's purpose. This new version would known as the Further Education Development (and) Role Analysis (FEDRA).

Item 13 – Continuing Professional Development (CPD) Report 2005/06

The Principal informed members that the College had revised its CPD process to take more account of the Investors in People (IiP) standard.

7. Approved Committee Minutes for information:

a) Joint Consultative Committee – 3 November 2006

Item 15 – Employee Counselling Service (ECS) 1 August 2005 to 31 July 2006

In response to questions the Principal reported that the College received aggregate data from the ECS which detailed the broad issues which individuals had contacted ECS to discuss. However he emphasised that the identify of staff using the service was not divulged to the College. The Principal further informed members that the College paid ECS for its services.

Members subsequently noted the contents of the minutes.

b) Health and Safety Committee – 24 October 2006

Members noted the contents of the minutes.

8. Staff Attendance Report 1 November 2006 – 31 January 2007

The HR Manager spoke to the contents of the report apprising members of the attendance statistics for the period 1 November 2006 to 31 January 2007. She reported that the statistics for the month of February 2007 had been included for members' information. She informed members that the absence rate for permanent staff had decreased from 5.6% in the first quarter of 2006/07 (1 August 2006 to 31 October 2006) to 4.59% in the second quarter (1 November 2006 to 31 January 2007). This reduction was mainly attributable to an improvement in long-term absence. However, there had been an increase in the number of days lost due to short-term intermittent absence. The absence rate for the month of February 2007 showed a further decrease, from 3.9% in January 2007 to 3.35% in February 2007. She reminded members that a detailed report on the next quarter would be brought forward to an appropriate future meeting.

She further reported that the absence rate for support staff had decreased considerably from 7% in the first quarter to 4.57% in the second quarter. This was mainly due to an improvement in long-term absence with the number of days lost decreasing by over 50%. However the number of days lost due to short-term intermittent absence increased. Members noted that the absence rate for the month of February 2007 had shown a further decrease from 4.74% in January 2007 to 3.95% in February 2007.

Ms Sneddon proceeded to highlight the absence rate for permanent academic staff which increased slightly from 4.41% in the first quarter to 4.61% in the second quarter as a result of an increase in the number of days lost due to short-term intermittent absences and long-term absences. The absence rate for the month of February 2007 showed a decrease from 3.30% in January to 2.92% in February.

She also informed members that the absence rate for temporary academic staff had increased from 0.89% in the first quarter to 1.69%

in the second quarter as a consequence of an increase in the number of hours lost due to short-term intermittent absences. The absence rate for the month of February 2007 recorded a slight decrease in comparison to January 2007, from 1.96% to 1.61%.

The HR Manager reported that the absence rate for the second quarter in session 2005/06 was 5.65% and this reduced to 4.57% for the same period in session 2006/07. Overall a total of 147.5 days had been lost in the second quarter due to short-term absences compared to 89 days in the first quarter. However there was a reduction in the number of days lost due to long-term absences in the same period, from 378 to 239. She reminded members that the details of the categories of absence were revised to reflect the classifications recommended by the Absence Management toolkit produced in partnership by the Chartered Institute of Personnel and Development (CIPD), Health and Safety Executive (HSE) and the Arbitration Conciliation Advisory Service (ACAS).

D Sneddon reported that that a total of three employees were absent in the second quarter due to mental health conditions compared to six employees in the first quarter. Of the three employees, two had experienced personal difficulties but had now returned to duty. One staff member had indicated that their condition was related to a work issue. The employee concerned had been invited to complete an Individual Stress Risk Assessment and discuss the issue however this person had declined to do so and had subsequently left the employment of the College.

She reported that the College had experienced a decrease in incidents of long-term absence from 13 employees in the previous quarter to 7 employees in the current reporting period. In this reporting period a total of four permanent academic staff had a period of long-term absence the same figure as in the previous quarter. Of the four permanent academic staff, two members of staff had subsequently returned to duty and one member of staff had left the service of the College. It was anticipated that the member of staff who was currently absent would return to duty in the near future. In the same reporting period a total of three support staff had a period of long-term absence as opposed to nine in the previous quarter. Of the three support staff two members of staff had returned to duty. One member of staff was still absent and there was no indication of a return to work date in the near future. This absence was being managed in accordance with the College's Attendance at Work Policy and Procedure. There were no temporary academic staff absent on long-term sick leave.

She informed members that the direct cost of staff absence had increased from £47,731 in the first quarter to £49,234 in the second quarter.

She informed members that managers continued to be issued with attendance reports for their areas of responsibility on a monthly basis and that regular meetings were held with Associate Principals and senior managers to discuss overall attendance levels. She reported that a review of the College's Attendance Management Handbook for Managers would be undertaken later in session 2006/07 which would

take into consideration legislative changes such as the Disability Discrimination Act 2005 and documents such as those produced by the Chartered Institute of Personnel and Development (CIPD), which supported particular conditions. She reminded members that the aim of the Handbook was to support managers and staff in the attendance management process and to provide advice in relation to managing absence and rehabilitation approaches.

She further reported that the College was currently reviewing its Well-being Policy which would be revised to reflect the HSE Stress Management Standards, the outcome of a follow-up well-being survey which would be undertaken early in session 2007/08 and recommendations made by a representative of Healthy Working Lives (formerly SHAW). In response to questions D Sneddon informed members that the external agency which had assisted the College with the previous well-being survey conducted in session 2004/05 had been invited to assist with the follow-up survey. She also apprised members that in conjunction with the review of the Well-being Policy, the College was also reviewing its Dignity at Work Policy and Procedure.

Ms Sneddon also informed members that the College intended to conduct a staff survey in October 2007 in order to gain feedback on the College's HR policies.

The Principal informed members that the Baker Tilly had recently conducted an internal audit activity on staff attendance management and which had demonstrated that the College was experiencing a positive downward trend in staff absence rates. The internal audit report had only identified one failure to deal with absence according to the College's policies and this was because a member of staff and the appropriate line manager had been absent at the same time. He informed members that the report would be considered at the next scheduled meeting of the Audit Committee and subsequently the Personnel and Staffing Committee. The Principal reminded members that the most recent College SWOT (Strengths, Weaknesses, Opportunities and Threats) analysis had shown that staff absence was still perceived as a threat by the College's staff.

With no further discussion members agreed to:

- (i) note the contents of the report and its appendices; and
- (ii) request the Human Resources Manager to bring forward a further report at a future meeting of the Committee.

9. Analysis of Sickness Absence in the Civil Service 2005

The Human Resources Manager spoke to the contents of the report which highlighted the absence data reported by the Civil Service for the year 2005. She proceeded to highlight the main points of the report which included that:

- an average of 9.8 working days were lost per staff (in session 2005/06 College staff lost an average of 12 days);

- long-term absences had the greatest impact (this situation was similar within the College with 11% of all absences lasting 11 days or more);
- younger staff tended to have more spells of absence, but individual spells tended to last longer for older staff (this did not appear to be the case for the College, with spells of absence and length of absence being spread across the age ranges);
- more than half of all staff in the Civil Service took sickness absence in 2005. In session 2005/06, 72% of the College's staff took sickness absence;and
- Sixteen percent of all absences lasted longer than a week and that these long-term absences had the greatest impact on the Average Working Days Lost (AWDL) for the Civil Service. This was also the case in the College with 22% of all absence lasting 5 days or more and having the greatest impact on the number of days lost.

D Sneddon reported that the Civil Service used the data to help pinpoint specific areas which might benefit from particular actions or approaches, in order to ensure that appropriate initiatives were put in place to manage absence levels. She affirmed that this mirrored the College's approach. She opined that the report was very informative and good contextual evidence against which the College's position could potentially be benchmarked.

Members subsequently agreed to note the contents of the report and its appendix.

10. Scottish Funding Council Circular 12/07 – Health and Safety

The Principal spoke to the contents of the report which sought to apprise the Committee of the most recent Scottish Funding Council (SFC) circular (SFC/12/2007) in respect of Health and Safety. This circular provided further guidance from the SFC in respect of the future management of Health and Safety in Colleges and Universities. He reminded members that the College's Co-ordinating Health and Safety in Tertiary Education (CHASTE) Report had been discussed at the most recent meeting of the Board which had been held on 22 February, 2007. I Graham also reminded members that Donald Blue (of the CHASTE project) would attend the next scheduled Board Development Event to provide a more detailed overview of the work of this project.

The Principal reported that the circular placed the responsibility for the future management of Health and Safety within the context of the Financial Memorandum which defined the relationship between funded bodies and the SFC.

He further reminded members that they had already seen:

- i) the College's CHASTE Review (undertaken by Donald Blue);
and
- ii) the CHASTE Sector Report to the SFC.

The Principal highlighted that members had been informed, at the most recent meeting of the Board, of the action which the College had already taken to overtake the improvement 'pointers' made by D Blue. I Graham further reported that a representative from CHASTE would brief both Principals and Chairs of College Boards of their evaluation of the current situation in Scottish colleges of the management of Health and Safety.

He also reported that the College's Well Being Policy, which had been prepared by D Sneddon, was now being cited as an example of 'best practice' in the sector.

The Principal informed that the College's CHASTE report had already been considered by both the Health and Safety Committee and the Joint Consultative Committee and that it was proposed that this circular should also be considered by these committees.

With no further discussion members agreed to:

- i) note the contents of the Principal's report and its annex; and
- ii) request the Principal to place SFC circular 12/2007 on the agenda of both the College's JCC and its Health and Safety Committee (for the consideration of members).

11. Gender Equality Scheme – Overview

Ms Sneddon spoke to the contents of the report informing members of the progress to date in responding to the Gender Equality Duty. She reminded members that the Equality Act 2006 amended the Sex Discrimination Act 1975 introducing a public sector duty to promote gender equality. She informed members that the Gender Equality Duty had introduced a statutory duty on all public authorities, when carrying out their functions, to have due regard to the need to:

- eliminate unlawful discrimination and harassment; and
- promote equality of opportunity between men and women.

She reminded members that the Gender Equality Duty came into effect on 6 April 2007 and that all public authorities in Scotland must be able to evidence progress towards eliminating discrimination and, in addition, to promoting equality between women and men. As a consequence, public bodies had to analyse which of their activities (employment, policy-making or service delivery) could make a difference to gender equality and to prioritise action to achieve clear outcomes.

The HR Manager highlighted the specific duties which the College was required (by 29 June 2007) to:

- gather information on how its work affects men and women;
- consult employees, service users, trade unions and other stakeholders, such as College Board members and partner organisations;
- assess the different impact of policies and practices on both sexes and use this information to inform its work;

- identify priorities and set gender equality objectives, plan and take action to achieve those objectives; and
- publish a gender equality scheme, report annually and review progress every three years.

By 28 September 2007 the College was required to:

- publish an equal pay policy statement; and
- report on progress every three years.

D Sneddon reported that members would be aware that the College currently integrated all areas of equality into its management, strategic planning structure and development processes. However, in order to comply with the Gender Equality Duty, the College would need to specifically demonstrate how it had integrated gender matters into these processes. Whilst it was a College decision to select priorities for action in consultation with stakeholders, it would be necessary to take an evidence-based approach to developing these priorities and their associated objectives. Therefore it would be necessary for the College to consider what gender equality objectives were most relevant to the needs of staff, learners and other service users.

D Sneddon informed members that the College had in place existing systems which covered certain requirements of the gender equality duty and baseline information was available which would inform the development of a Gender Equality Scheme (GES). However some of the areas for action would include a review of:

- how the College currently gathers, analyses and uses the information it collects as part of its Annual Equality Review to ensure that the data is used effectively to identify priorities, set objectives and to assess impact;
- how the College currently collects and uses information across all of its work, including services, representation/decision-making, procurement and employment. This would include recruiting females and males into programmes for employment in non-traditional roles;
- existing consultation mechanisms;
- existing policies and procedures for staff and students;
- the current job evaluation system;
- all posts using the new job evaluation system within the next three years as part of the GES;
- how the College considered gender in community engagement activities; and
- the possible implications of transsexual and transgender aspects.

D Sneddon reported that the College's consultation process in relation to the preparation of its Gender Equality Scheme and Action Plan would commence in early May 2007. She informed members that the Scheme would be considered by the Board of Management at the meeting scheduled for 21 June 2007 and at the first meeting of the Personnel and Staffing Committee meeting in the next academic session.

Members subsequently agreed to note the contents of the report.

12. **Disability Equality Scheme – Scottish Parliament’s Equal Opportunities Committee**

The Human Resources Manager informed members that the Chair of the Scottish Parliament’s Equal Opportunities Committee (Cathy Peattie MSP) had recently written to Colleges advising them of recommendations that they should overtake to ensure that they were responding appropriately, and within statute, to the needs of learners and staff with disabilities.

She informed members that the report sought to apprise them of the College response to these recommendations in relation to staff with disabilities. D Sneddon reminded members that a report by the Principal in relation to the recommendations for learners had been considered by the Board of Management on 22 February 2007 and was available on request.

D Sneddon provided members with an overview of the College response to the recommendations highlighting that the existing policies and procedures ensure that appropriate systems were in place to meet statutory requirements. She reminded members that the College’s Disability Equality Scheme and Action Plan would require a further review of existing employment policies and procedures and that this Plan would form an integral part of the annual operational objectives established for the HR Team and other teams within the College. The Principal opined that the College’s response suggests that it went beyond statutory requirements.

There followed some discussion with regard to recommendation 21 in Ms Peattie’s letter, which recommended that “*the Scottish Executive should examine options for increasing school-age work experience and the promotion of job-trial approach for young people whilst at school*”. In response to questions A Sherry informed members that Kennyhill School was currently the only establishment which sought the support of the College in providing work experience for learners with additional support needs. R Venditozzi commented that Ashcraig School in Glasgow had pupils with additional support needs and opined that the pupils would welcome the opportunity to undertake work experience at the East End Campus. A Sherry acknowledged this but reported that, as far as he knew, the College had not received a formal request for such provision from the school.

The Principal commented that almost all of the College provision for learners with additional support needs was accredited at by the SQA using Access 1-3 levels.

There followed considerable discussion on the tracking the progress of learners following completion of their College courses. I Graham reminded members of the difficulties in obtaining post-course information and that even when such information was obtained the response rates were normally so low as to prevent any meaningful analysis of the data. He reminded members that the Funding Council had previously tried to track the progress of learners from the college

sector however its success rate had been lower than that previously achieved by individual establishments.

With no further discussion members agreed to note the contents of the report and its appendices.

13. Review of Procedures at Central College – Update Report (referred from Executive Committee)

The Principal spoke to the contents of the report, which sought to provide information about the amendments which the Scottish Funding Council (SFC) had made to the circular which had been published following the independent report on the Review of Procedures at Central College of Commerce in Glasgow. He also informed members that the report included a further update on progress on the College's review of its procedures following earlier advice in this respect from the SFC.

I Graham reported that following the publication of SFC circular: 66/2006 into matters considered by an Independent Review Panel into a range of employment-related issues which had arisen at Central College of Commerce following an Employment Tribunal adjudication the Council had published a further circular. This related to 'inaccuracies' in respect of submissions made by that College's EIS-FELA (Educational Institute of Scotland – Further Education Lecturers' Association) branch and Mr James O'Donovan, who had been the 'focus' of the application made to the Employment Tribunal. (The circular (81/2006) was attached as annex 1 to the report.)

The Principal reminded members that the Panel's original report had been considered at an earlier meeting. He reported that since that date, the Central College report had been discussed at a meeting of the College's Joint Consultative Committee (JCC) and the minutes of that discussion would be considered at a future meeting of the Personnel and Staffing Committee.

Furthermore the College had:

- i) sought the views of Miller Samuel (its employment law advisers) on aspects of the SFC response to the Independent Panel's recommendations and on the 'fitness-for-purpose' (within the law) of several of the College's employment policies. A superficial view had suggested that these were currently compliant with legal requirements, but possibly not with the Funding Council interpretation of the law and its own subsequent 'guidance'; and
- ii) established a short-life working group for the JCC to review the College's current policies and procedures in the light of the Panel's recommendations and the subsequent Council's 'guidance'.

The Principal reported that Miller Samuel had concluded that almost all of the relevant College policies represented *best practice* and there were no actions that the College required to take. Trade Union representatives at the College had also endorsed this conclusion. H

Ostrycharz stated that this action had brought this matter to a conclusion.

I Graham reminded members that the College expected to complete the review by the Spring 2007 with a view to recommending any changes which might now be required to its practices for inclusion in the next College Plan for academic session 2007/10.

Members subsequently agreed to note the contents of the Principal's report and its annexes.

14. Risk Management – Issues to be considered as a consequence of the consideration of the above agenda

Members agreed that there were no risk management issues that would have to be considered at the meeting.

15. Closure

The meeting closed at 1.20pm, with the Chair thanking all members for their attendance.

16. Date of Next Meeting

The date of the next meeting of the Personnel and Staffing Committee is to be confirmed at the June 2007 meeting of the Board of management.