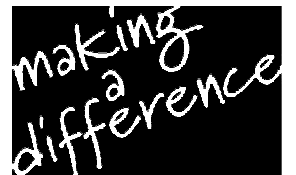


additional papers 1

# Overview and Scrutiny Committee

Tue 11 Sep  
2012  
6.30 pm

Committee Room Two  
Town Hall  
Redditch



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Democratic Services Officers**

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# Welcome to today's meeting.

## Guidance for the Public

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### ***Agenda Papers***

The **Agenda List** at the front of the Agenda summarises the issues to be discussed and is followed by the Officers' full supporting **Reports**.

### ***Chair***

The Chair is responsible for the proper conduct of the meeting. Generally to one side of the Chair is the Committee Support Officer who gives advice on the proper conduct of the meeting and ensures that the debate and the decisions are properly recorded. On the Chair's other side are the relevant Council Officers. The Councillors ("Members") of the Committee occupy the remaining seats around the table.

### ***Running Order***

Items will normally be taken in the order printed but, in particular circumstances, the Chair may agree to vary the order.

***Refreshments*** : tea, coffee and water are normally available at meetings - please serve yourself.

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# Overview and Scrutiny

Tuesday, 11th September, 2012

6.30 pm

Committee Room 2 Town Hall

## Committee

### Agenda

#### Membership:

Cllrs:                      Juliet Brunner                      Andrew Fry  
   (Chair)                                      Pattie Hill  
   Simon Chalk (Vice-                      Gay Hopkins  
   Chair)                                      Pat Witherspoon  
   Andrew Brazier  
   David Bush  
   John Fisher

Co-opted                      Ms Trish Buckley  
Members                      and Mr Ron  
   Colebrook (Unison).

#### **5.    Sickness Policy Pre-Decision Scrutiny and Short, Sharp Review**

(Pages 1 - 16)

Acting Human Resources and Development Manager, Councillor John Fisher, Councillor Pat Witherspoon

To receive the Sickness Policy for pre-decision scrutiny and to determine what recommendations, if any, to make on the subject.

The following reports will be considered for this item during the meeting:

- Sickness Absence Policy Review (to follow); and
- Sickness Policy Short, Sharp Review – Final Report (report attached)

**(No Specific Ward Relevance);**

#### **6.    Concessionary Rents - Pre-Decision Scrutiny**

(Pages 17 - 26)

T Kristunas, Head of Finance and Resources, Councillor Andrew Brazier, Councillor Juliet Brunner

To consider a report on the subject of concessionary rents and to determine what recommendations, if any, to make on the subject to the Executive Committee.

The following reports are attached for the Committee's consideration:

- Policy For Leases Of Council Land & Property At A Concessionary Rent (to follow); and
- Concessionary Rents Short, Sharp Review – Final Report (report attached)

**(No Specific Ward Relevance);**



**OVERVIEW AND SCRUTINY  
COMMITTEE**

11th September 2012

**SICKNESS POLICY PRE-SCRUTINY SHORT, SHARP REVIEW GROUP – FINAL  
REPORT**

Relevant Portfolio Holder	Councillor Phil Mould, Portfolio Holder for Corporate Management.
Portfolio Holder Consulted	Yes, the Portfolio Holder was interviewed by the group.
Relevant Head of Service	Teresa Kristunas, Head of Finance and Resources.
Ward(s) Affected	No specific ward relevance.
Non-Key Decision	

**1. SUMMARY OF PROPOSALS**

- 1.1 This report contains a summary of the Sickness Policy Pre-Scrutiny Short, Sharp Review Group's work. The report should be considered alongside the Sickness Absence Policy Review produced by Officers for the consideration of Members.
- 1.2 The group was not permitted to view the content of the Sickness Absence Policy Review prior to the time of writing, though did receive an overview outlining the proposals that were due to be made by Officers on the subject.

**2. RECOMMENDATIONS**

**The Committee is asked to RECOMMEND that**

- 1) the Council's Sickness Absence Policy should be updated and reduced in length, in order to clarify the structure and process for managing both short-term and long-term sickness absences;**
- 2) the terms and conditions proposed by Officers in the new version of the Council's Sickness Absence Policy should be approved, subject to the terminology used in the policy being sensitive to the needs of staff experiencing sickness;**
- 3) an A5 guide to the Council's Sickness Absence Policy should be provided for the use of managers and staff;**
- 4) all changes to the Council's Sickness Absence Policy should be communicated to managers and staff;**
- 5) the Sickness Absence Policy should be included in the induction process for new staff and managers employed by the Council;**
  - a) staff and managers should also receive regular refresher training;**

## **OVERVIEW AND SCRUTINY COMMITTEE**

11th September 2012

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- 6) the Sickness Absence Policy should be applied consistently to staff across all service areas, but managers should be encouraged to use their common sense in applying the policy when appropriate;
- 7) each service team should deliver weekly updates to Human Resources regarding staff absences due to sickness;
- 8) the occupational health service available to staff experiencing sickness should be reviewed;
- 9) a joint consultative body involving managerial, trade union and elected Member representation, similar to the former Employment Liaison Committee, should be established to facilitate confidence in the application of employment related policies at the Council;
  - a) consideration should be given to consultation methods that could be used to involve staff who are not members of a trade union in this body; and
- 10) communication should form an integral part of the transformation process to ensure that staff understand the reasons for changes made to services as part of the transformation process and how transformation may impact on them; and

**RESOLVE that**

**the report be noted.**

### **3. KEY ISSUES**

#### **Background**

- 3.1 The Sickness Policy Pre-Scrutiny Short, Sharp Review was launched by the Overview and Scrutiny Committee in July 2012. Two elected Members, Councillors John Fisher and Pat Witherspoon, were appointed to complete the review on behalf of the Committee.
- 3.2 The review was launched by the Overview and Scrutiny Committee as a pre decision scrutiny exercise. For pre-decision scrutiny exercises Members focus on reports that are due to be considered by the Executive Committee at a later date. Scrutiny recommendations are designed to assist the Executive Committee when making decisions about the subject. The Short, Sharp Review approach to pre-scrutinising this subject was selected to ensure that Scrutiny Members could base their recommendations on evidence based research.



**OVERVIEW AND SCRUTINY  
COMMITTEE**11th September 2012

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- 3.3 The group gathered evidence from a variety of sources at six separate meetings. This included scrutinising the contents of the Council's existing Sickness Absence Policy. Information about the changes to the policy that had been proposed by Officers to the policy and the reasons for these changes was also considered during interviews with relevant Officers.
- 3.4 The group agreed that in order to review the subject effectively it was important to consider relevant practices and procedures followed by comparable local authorities. As part of this process the content of the sickness absence policies for the following local authorities were considered by the group: Boston Borough Council, Bromsgrove District Council, Oadby and Wigston Borough Council and Rugby Borough Council.
- 3.5 Staff payments during periods of sickness absence were discussed during the review. Members discovered that some local authorities did not pay staff during the first few days of sickness absence. Members were concerned about the impact that this approach to managing sickness absence might have on staff morale and service delivery. For this reason the group concluded that a similar approach would not be suitable at Redditch Borough Council at this stage.
- 3.6 The group was aware that a number of staff employed by Redditch Borough Council are members of a trade union. Interviews were therefore held with representatives of both Unison and UCATT as part of the review process. The group also invited representatives of the GMB union to submit evidence for consideration as part of the review. Unfortunately no feedback had been received by the time of writing.
- 3.7 All of the evidence that was received during the review, both in a written form and verbally during interviews, helped to inform the group's final recommendations.

**Recommendations**

**Recommendation 1: We RECOMMEND that the Council's Sickness Absence Policy should be updated and reduced in length, in order to clarify the structure and process for managing both short-term and long-term sickness absences**

- 3.8 During the course of the review the group considered the contents of the Council's current Sickness Absence Policy. The document had been produced using plain language and was separated into clear sections. The policy had previously been reviewed in 2010 and was scheduled for further review in November 2012.
- 3.9 Contained within the policy were guidelines for managers and staff regarding the appropriate procedure for reporting and managing sickness absences. A number of clear stages had been developed to manage short-term absences. However, no clear stages had been developed for managing long-term sickness absences.

**OVERVIEW AND SCRUTINY  
COMMITTEE**11th September 2012

---

Instead, managers and staff had been provided with greater flexibility to manage long-term sickness in a variety of ways depending on the circumstances.

- 3.10 Members learned during the course of the review that Officers were keen to include a staged process to manage both long-term and short-term sickness absences. Furthermore, expert witnesses interviewed by the group were not opposed to this proposal. Indeed, Members concluded that the use of staged approaches to manage both short-term and long-term sickness absences would add clarity to the process.
- 3.11 The various sickness absence policies at other local authorities that were considered by the group contained a mixture of processes for managing staff absences due to sickness (please view Appendix 1 for further information). The length of these policies varied from eight pages to 68 pages, which compared to 12 pages for the Council's current Sickness Absence Policy.
- 3.12 Whilst Members recognise the need to include information that will address legal requirements the group agreed that realistically both staff and managers were less likely to read and become familiar with the content of the Sickness Absence Policy if it was lengthy. For this reason, Members are proposing that the length of the Council's updated Sickness Absence Policy should be as short as possible.
- Recommendation 2: We RECOMMEND that the terms and conditions proposed by Officers in the new version of the Council's Sickness Absence Policy should be approved, subject to the terminology used in the policy being sensitive to the needs of staff experiencing sickness**
- 3.13 Overview and Scrutiny Members do not have the right to access Executive Committee reports in draft form at Redditch Borough Council. For this reason the group had not had a chance to consider the Sickness Absence Policy Review, which is being produced by Officers for the consideration of the Executive Committee on 18th September, by the time of writing.
- 3.14 However, the group did receive an overview of some of the changes that were being proposed to the policy. Based on the information provided in this overview the group was satisfied that the terms and conditions proposed by Officers in the new version of the Sickness Absence Policy should be approved.
- 3.15 During the review Members considered the needs of staff who were absent due to sickness. Concerns were expressed by some expert witnesses that the terminology utilised in the current policy could be intimidating and cause some staff anxiety about the impact of their absence on their career. For example, staff who were absent over a short period due to ill health might feel anxious about a formal requirement to attend a Return to Work Interview when presenting at work. To address these concerns Members concluded that appropriate language

**OVERVIEW AND SCRUTINY  
COMMITTEE**11th September 2012

---

and terminology, sensitive to the needs of staff absent due to sickness, should be utilised in the policy to help reassure staff.

**Recommendation 3: We RECOMMEND that a laminated A5 guide to the Council's Sickness Absence Policy should be provided for the use of managers and staff.**

- 3.16 A key consideration during the review was the need for staff and managers to understand the basic process involved in managing staff absences due to sickness. In particular, employees and managers needed to understand their respective responsibilities in order to manage sickness absence consistently and fairly.
- 3.17 The group recognises that both individual employees and managers need to be familiar with the contents of the entire Sickness Absence Policy in order to manage sickness absences appropriately. However, Members recognised that in certain situations, particularly in cases where sickness arose unexpectedly, reference to the detailed policy might not be practicable. In these circumstances the group agreed that an A5 guide to the Council's rules and process for reporting and managing sickness absence would be useful for both managers and employees.

**Recommendation 4: We RECOMMEND that all changes to the Council's Sickness Absence Policy should be communicated to managers and staff.**

- 3.18 Staff and managers will need to be familiar with any changes that are made to the Council's Sickness Absence Policy. Whilst the group recognises that the new policy will probably be made available for staff to view on the Council's intranet Members believe that the changes need to be more actively promoted to staff and managers to ensure compliance with any new terms and conditions.
- 3.19 The group believes that changes to the policy could be easily communicated to both staff and managers. Outline information could be provided by senior managers during staff briefings. Managers could also be provided with more detailed information during management conferences, and these details could subsequently be communicated to staff at team meetings.

**Recommendation 5: We RECOMMEND that the Sickness Absence Policy should be included in the induction process for new staff and managers employed by the Council:**

- a) **staff and managers should also receive regular refresher training;**
- 3.20 New staff employed by the local authority will also need to receive information about the Council's Sickness Absence Policy. New managers, in particular, will need to be familiar with the content of the policy in order

**OVERVIEW AND SCRUTINY  
COMMITTEE**11th September 2012

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to apply the terms and conditions contained within the policy consistently to staff.

- 3.21 The group is aware that the majority of new employees receive some written information in the form of an induction pack when they arrive at the local authority. In addition, some staff also receive induction training from managers when starting at the Council. The group is suggesting that a briefing on the Council's Sickness Absence Policy should be included in this induction process.
- 3.22 Members were concerned that many staff over the course of time would forget about some of the content of the Sickness Absence Policy and the respective responsibilities of staff and managers. For this reason the group believes that refresher training should be provided to staff and managers from time to time to ensure ongoing compliance with the policy.

**Recommendation 6: We RECOMMEND that the Sickness Absence Policy should be applied consistently to staff across all service areas, but managers should be encouraged to use their common sense in applying the policy when appropriate.**

- 3.23 During the course of the review a number of expert witnesses expressed concerns that the Sickness Absence Policy was not being applied consistently across the organisation. Whilst managers in some departments, particularly back office functions and customer facing services, consistently applied the procedures detailed in the policy managers in other departments operated in a more flexible manner. For example, in some service areas home visits, a feature of the long-term sickness absence procedure, were not consistently taking place.
- 3.24 The group believes that there is a risk that this inconsistent application of the policy could lead to resentment and discontentment amongst some members of staff, as the differences in application could be considered to be unfair. To demonstrate that the Council is keen to treat all employees fairly the group concluded that there should be consistent application of the Sickness Absence Policy to all staff.
- 3.25 Members concluded during the review that the role of the manager was key to the fair application of the Council's Sickness Absence Policy. Managers need to be familiar with the content of the policy in order to apply the terms and conditions consistently. Managers need to be familiar with their staff and therefore able to distinguish between genuine absences due to sickness and employees abusing the process. In addition, managers need to be familiar with absence figures for staff in their teams as this enables managers to identify any patterns of behaviour or areas of staff welfare where further support might be required for an individual.

**OVERVIEW AND SCRUTINY  
COMMITTEE**11th September 2012

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- 3.26 The manager also, though, has a responsibility to ensure that the process is managed in a manner sensitive to the needs of staff experiencing ill health. In some cases the employee experiencing illness may feel anxious about the formal managerial process, including Return to Work Interviews. Indeed, some staff may be worried about taking leave to recover from an illness and might return to work before they are physically able to do so. There are also some working environments where additional sickness problems and accidents occur as a result of the work undertaken by employees, particularly in manual operative and frontline operational roles. In these circumstances managers need to be encouraged to use common sense when applying the policy to ensure that affected staff are placed at their ease and treated fairly.

**Recommendation 7: We RECOMMEND that each service team should deliver weekly updates to Human Resources regarding staff absences due to sickness.**

- 3.27 At present in Redditch when an employee is absent due to sickness a colleague, usually the manager, completes a section of an Absence Statement on behalf of the individual. This, together with the second section completed on the return of the employee, is forwarded to the Council's payroll service. The payroll team therefore currently maintains a record of sickness absences on an ongoing basis.
- 3.28 By comparison, at Bromsgrove District Council weekly reports are sent on behalf of each team to the Council's Human Resources department. The reports highlight the number of staff absent due to sickness and the number of days of sickness absence experienced by the employee. The form of illness experienced by the employee is also reported in these weekly updates. As a consequence, the Human Resources Department is able to maintain an accurate record of absences on a weekly basis.
- 3.29 The group believes that a similar reporting framework should be introduced at Redditch Borough Council as it would provide both senior Officers and elected Members with access to accurate weekly details regarding sickness absence. In a shared service environment a common approach to reporting absences due to sickness would streamline processes, to the benefit of both staff and managers. In addition, whilst staff in shared services may be employed by a single host authority service delivery occurs in both local authority areas. The statistics gathered through this common approach would therefore accurately reflect absences due to sickness at any one time as they relate to both authorities.

**Recommendation 8: We RECOMMEND that the occupational health service available to staff experiencing sickness should be reviewed**

- 3.30 During the course of the review the Committee was advised about the current occupational health service available to employees absent due to sickness. At present occupational health services, to which staff are referred as part of the sickness absence management process, are delivered by an external provider.

**OVERVIEW AND SCRUTINY  
COMMITTEE**11th September 2012

---

Staff have to access occupational health services from an external location, primarily in Stoke Prior.

- 3.31 The group was advised that current arrangements for delivering occupational health support to staff were not considered to be satisfactory. Members have also been advised that the joint Health, Safety and Welfare Committee has suggested in the past that occupational health services should ideally be provided in house.
- 3.32 Unfortunately, the group were informed that it had not been possible to recruit an individual to work as an Occupational Health Practitioner for both Councils. Furthermore, Members were advised that an Occupational Health Practitioner employed by the Council would not be able to deliver certain specialist functions, which would need to continue to be delivered by an external service provider.
- 3.33 Based on the information provided for Members' consideration regarding occupational health support the group recognises that this issue is complex and may be difficult to resolve. However, Members agree that staff access to an occupational health service is important to ensure that employees experiencing ill health can be provided with appropriate support to help them return to work. For this reason the group is proposing that the occupational health service available to staff should be reviewed as soon as possible.

**Recommendation 9: We RECOMMEND that a joint consultative body involving managerial, trade union and elected Member representation, similar to the former Employment Liaison Committee, should be established to facilitate confidence in the application of employment related policies at the Council.**

- b) **Consideration should be given to consultation methods that could be used to involve staff who are not members of a trade union in this body.**
- 3.34 There was an Employment Liaison Committee at Redditch Borough Council until 2001/02. Since the Committee was disbanded trade union representatives have continued to meet regularly with senior managers at the Council to discuss employment related matters. Unison is also represented by two permanent co-opted members of the Overview and Scrutiny Committee who can speak on employment related matters when these are considered by the Committee. However, there are currently no forums which enable managers to meet with trade union representatives and elected Members to discuss employment issues in detail.
- 3.35 The group has concluded that a joint consultative body involving managerial, trade union and elected Member representation is needed. In particular, this forum would be useful in the present context, following a period of consecutive changes to working arrangements for staff including

**OVERVIEW AND SCRUTINY  
COMMITTEE**11th September 2012

---

job evaluation, the introduction of shared services and the launch of the service transformation process.

- 3.36 The group is aware that there are members of staff who have chosen not to join a trade union. Members feel that the needs of these employees should be considered alongside the views and experiences of union members. Therefore, the group is suggesting that if a joint consultative body is introduced consideration should be given to methods that could be used by the body to consult with non-union members.

**Recommendation 10: We RECOMMEND that communication should form an integral part of the transformation process to ensure that staff understand the reasons for changes made to services as part of the transformation process and how transformation may impact on them.**

- 3.37 During the course of the review the group considered the potential impact of internal changes, including the introduction of shared services and service transformation, on staff. The group recognised that there was the potential for transformation to have a positive impact on service delivery. However, Members were also aware that change can impact on people in different ways and were keen to understand the extent to which these internal processes might be impacting on sickness absence rates within the organisation.
- 3.38 Members were advised that it was difficult to determine to what extent shared services or transformation had had an impact on sickness absence levels. Staff were unlikely to refer to specific Council processes as the cause of their sickness when reporting absences due to sickness.
- 3.39 However, the group were advised about concerns regarding the impact of transformation on staff. In particular, staff were not always clear about the intended objectives of the process, how transformation would impact on existing services and the potential implications for individual jobs. The uncertainty that has arisen as a consequence was perceived to be impacting on staff anxiety and stress levels within teams going through transformation.
- 3.40 The group believes that this problem could be resolved relatively easily, by ensuring that appropriate internal communications processes are in place. Staff should be informed about the objectives of transformation for the particular service together with the potential implications for their work. This information could be provided during team meetings and staff briefings. Further information should also be provided during the course of transformation as well as at the end of the process. This would ensure that staff understand the purpose of transformation throughout the process and would help to reassure affected staff.

**OVERVIEW AND SCRUTINY  
COMMITTEE**11th September 2012

---

**Financial Implications**

- 3.41 Financial expenditure would be required to produce A5 guides to the Sickness Absence Policy. The arrangements for charging for reprographic jobs are in the process of changing. For this reason it is currently only possible to provide an estimate of the costs involved in producing a single A5 guide to the Sickness Absence Policy. In this context the group has been advised that it would cost approximately 4.5 pence to produce two A5 guides to the Sickness Absence Policy, if the guides were produced in black and white. The group has been informed that there would be no extra cost involved in laminating the guides.
- 3.42 In the event that recommendation three is approved the group is proposing that a guide should be provided to every employee.

**Legal Implications**

- 3.43 There are no specific legal implications.

**Service / Operational Implications**

- 3.44 This review has been launched following a decision by Officers to refresh an existing Council policy. The group's recommendations are designed to enhance the content of this policy.
- 3.45 All of the group's recommendations have human resources implications as detailed in the body of the report above.
- 3.46 One of the Council's objectives is to be a well managed organisation. The group recognises that staff absences due to sickness are not ideal. However, sickness cannot be eliminated altogether. As a well managed organisation Redditch Borough Council should aim to support staff who are genuinely absent due to sickness as well as to apply the Sickness Absence Policy consistently and fairly to all staff to ensure that leave arrangements are not abused.
- 3.47 During the review the group was urged to consider suggesting that a staff survey be reintroduced at the Council. In previous years a staff survey had been circulated by the Council's policy team for the consideration of all staff. Based on the content of completed questionnaires it was possible to identify trends in work practices as well as issues that might require further investigation. However, the number of completed surveys that had been received had decreased over time and no surveys had been issued for a number of years.
- 3.48 The group debated the value of a staff survey in detail at a series of meetings and a mixture of feedback was provided from the expert witnesses interviewed during the review. Whilst some expert witnesses regarded the staff survey as a useful tool that could be used to identify trends in behaviour and work practices other interviewees questioned the benefits and suggested that a survey could



**OVERVIEW AND SCRUTINY  
COMMITTEE**

11th September 2012

raise expectations which it might not be possible to meet. As a consequence of this mixed feedback, Members concluded that it was not possible to determine as part of the review whether to propose the reintroduction of a staff survey.

**Customer / Equalities and Diversity Implications**

- 3.49 There are no specific implications for customers of Redditch Borough Council services. However, the group recognises that staff should not be encouraged to deliver services when ill to ensure that illnesses are not passed on to the Council's customers or to other staff. Equally staff need to be encouraged not to abuse sickness absence arrangements to ensure that minimum disruption occurs to service delivery as a consequence of staff absences.
- 3.50 There are no specific equalities and diversity implications.

**4. RISK MANAGEMENT**

No risks have been identified.

**5. APPENDICES**

Appendix 1 - Sickness Absence Policy Review – Comparison Table

**6. BACKGROUND PAPERS**

Boston Borough Council Sickness Absence Policy and Procedure (2011).  
 Bromsgrove District Council, Harassment Policy (2003).  
 Oadby and Wigston Borough Council, Sickness Absence Policy and Procedure (2012).  
 Redditch Borough Council, Comparison of Council's Absence Policies, (2012).  
 Redditch Borough Council, Dignity at Work Policy, (2010).  
 Redditch Borough Council, Sickness Absence Performance and Health for Period Ending 31st March 2012.  
 Redditch Borough Council, Sickness Absence Policy (2010).  
 Redditch Borough Council, Sickness Absence Policy Review – Current and Proposed, (2012).  
 Rugby Borough Council Absence Management Policy and Procedure (2007).  
 Sickness Absence Policy and Procedure For Employees at Bromsgrove District Council (2007).

**AUTHOR OF REPORT**

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 Tel.: (01527) 64252 Ext: 3268



**APPENDIX 1**  
**SICKNESS ABSENCE POLICY REVIEW – COMPARISON TABLE**

**SHORT TERM SICKNESS**

	<b>REDDITCH BOROUGH COUNCIL - CURRENT</b>	<b>REDDITCH BOROUGH COUNCIL - PROPOSED</b>	<b>Boston Borough Council</b>	<b>Bromsgrove District Council</b>	<b>Oadby and Wigston Borough Council</b>	<b>Rugby Borough Council</b>
<b>TRIGGER POINTS</b>	3 occasions in a 12 month period or 7 working days during a 12 month period.	3 or more separate absences or a continuous absence of 6 days or more within a 12 month rolling period.	3 occasions in a 12 month period or 7 working days during a 12 month period.	3 or more absences in previous 6 months or 6 days in previous 6 months.	3 episodes of sickness absence or; 14 calendar days or; 1 episode or several episodes that total 14 calendar days in any rolling 12 month period.	3 or more occasions in any rolling 6 month period; 4 or more occasions in any 12 month period or 10 or more days in any rolling 12 months.
<b>NUMBER OF STAGES</b>	5 Stages	4 Stages	3 stages	5 stages (inc informal)	3 (inc informal)	3 (inc informal)
<b>STAGE 1</b>	<b>Returning To Work Discussion</b> No Targets Set No review period given.	<b>Sickness Absence Meeting</b> Reasons for absence discussed. Occupational Health (OH) support where appropriate. Tolerance levels agreed. 3 month review period set.	<b>Review</b> Concerns that you have work related health problems or an existing condition. Reasons for absence and restrictions or adjustments that could be made. Timescale considered. Action Plan set.	<b>Informal Action – Meeting</b> Manager to consider the particular circumstances. Is there a pattern or cause for problem? Set targets for improvement where necessary and review date.	<b>Informal Procedure</b> An informal discussion will take place at the Return to Work interview to discuss absences and ascertain support/ Assistance required. Discussion must be documented in a letter.	<b>Sickness Consultation Interview (informal)</b> Informal discussion to discuss period of absence, focused on health and welfare to make improvements. Targets will be set. Written notes taken and provided for employee.
<b>STAGE 2</b>	<b>Welfare And Attendance Review</b> Set Targets No review period given.	<b>Sickness Absence Review Meeting - (after 3 month review period or sooner if tolerance levels exceeded)</b> Reasons for ongoing poor attendance discussed. Further tolerance levels agreed. OH support. 3 month review period set.	<b>Stage 2</b> Held after conclusion of timescale set at stage 1. Failure to meet requirements set at stage 1. An agreed extension of the action plan. Only 1 extension can be granted. Referral to OH if appropriate.	<b>Stage 1 Sickness Absence Review Meeting</b> If there are continued management concerns relating to absence. Further targets and review period set.	<b>Stage 1</b> This is triggered following informal discussion and 4 episodes/more than 14 calendar days of absence in the preceding (rolling) 12 months. Possible referral to OH. Review and identify support. Review date set within 3 months of Stage 1 meeting. Stage 1 can be extended at that review.	<b>Stage 1</b> If no improvements are made a formal interview will be held and a first warning issued. Further targets for improvement will be set. A referral to OH can be used to help set reasonable targets. Stage 1 can be repeated if appropriate.

<p><b>STAGE 3</b></p>	<p><b>Formal Absence Review</b> If there are 2 more absences in the following 3 months after stage 2, or more than 3 working days lost then the issue should be referred to the Service manager for a Formal Review Set Targets Review period of no more than 3 months from this meeting.</p>	<p><b>Final Sickness Absence Review Meeting - (after 3 month review period or sooner if tolerance levels exceeded)</b> Further tolerance levels agreed. 3 month review period set. Employee advised that next stage is hearing which may result in dismissal. Following review or sooner if tolerances exceeded move to Stage 4 Hearing.</p>	<p><b>Stage 3</b> This will be required where improvement is genuinely beyond the person's ability and a stage 2 review has taken place. May be necessary as a last resort to consider terminating employment or possible redeployment.</p>	<p><b>Stage 2 Sickness Absence Review Meeting</b> Written request to formal meeting. New targets and review period set (not exceeding 6 months).</p>	<p><b>Stage 2</b> If attendance still remains a cause for concern a Stage 2 meeting will be convened and the employee informed that dismissal may be contemplated.</p>	<p><b>Stage 2</b> If no improvement after Stage 1 a further warning can be given. A final warning can be given. Where a final warning is issued an employee may be dismissed – this will only follow after a formal disciplinary hearing.</p>
<p><b>STAGE 4</b></p>	<p><b>Final Review</b> This is when the Hearing takes place and dismissal is considered. Only a Director can make a decision on dismissal.</p>	<p><b>Case Review Hearing</b> Manager presents case. Employee presents views/response. Head of Service hears case and considers options. Head of Service may dismiss employee.</p>		<p><b>Final Sickness Absence Review Meeting</b> Written request to formal meeting. New targets and review period set (not exceeding 6 months).</p>		
<p><b>STAGE 5</b></p>	<p><b>Dismissal Decision</b></p>			<p><b>Case Review Hearing</b> Senior management may dismiss or take other action such as setting new targets and review period (not exceed 6 months).</p>		
<p><b>APPEALS</b></p>	<p>The employee will have the right to appeal against their dismissal in accordance with the Appeals procedure outlined in the council's Disciplinary Procedure.</p>	<p>Right of Appeal at Stage 4 which will go to an Executive Director.</p>	<p>There is right of appeal against decisions made at any stage of the process.</p>	<p>There is a right to appeal at all formal stages.</p>		

**LONG TERM SICKNESS**

	<b>REDDITCH BOROUGH COUNCIL</b>	<b>PROPOSED</b>	<b>Boston Borough Council</b>	<b>Bromsgrove District Council</b>	<b>Oadby and Wigston Borough Council</b>	<b>Rugby Borough Council</b>
<b>TRIGGER POINTS</b>	If employee is absent for a month and there is no likelihood of return then the manager needs to complete occupational health referral form and notify the employee of this.	After 2 weeks of absence – manager contacts employee for a welfare chat and arranges a Stage 1 meeting for the 4th week of absence. This may be a home visit or at a suitable venue.	A period exceeding 12 consecutive calendar days certificated sickness absence.	If absence continues for a period of 4 weeks.	Continued absence in excess of four working weeks.	A sickness period that goes on longer than 4 consecutive weeks.
<b>NUMBER OF STAGES</b>	No set stages in place in this policy	4 Stages	No formal stages	4 Stages	No formal stages	No formal stages
<b>STAGE 1</b>	Maintaining Contact and Wait and See.	<b>Welfare and Review Meeting - (Week 4)</b> Discuss absence and prognosis. Update on work as appropriate. Referral to OH.	No set timescales – telephone calls at beginning of absence followed by home visits if necessary and referral to OH.	<b>Home Visit</b> If no imminent return to work date referral to OH.	<b>Referral to OH</b> No later than 4 weeks after the absence commences. In the case of work related stress, infectious disease, industrial injury or skeletal injury referral should be made as soon as certificate received and no later than 8 days of absence.	<b>Pre arranged Home Visit</b> After initial 4 week period of absence. If not fit to return to work a referral to OH will be made at this point.
<b>STAGE 2</b>	Maintaining Contact and Wait and See.	<b>Sickness Absence Review Meeting - ( begin Week 8 – 10)</b> One or several review meetings to review situation in accordance with occupational health guidance/other medical reports. Timescales for meetings should be every 4-6 weeks as a minimum.	No strict timescales, but procedure followed is similar to short term but with more flexibility.	<b>Meeting to discuss OH Report</b> Consider options available as recommended by OH. Arrange meetings to review situation in accordance with OH guidance.	<b>Monthly Health Review Meetings</b> To ensure appropriate management support is provided, OH advice is sought and action plan agreed to facilitate early return to work.	<b>Meeting arranged to discuss OH Report</b> Consider options available as recommended by OH. Arrange meetings to review situation in accordance with OH guidance.
<b>STAGE 3</b>	Maintaining Contact and Wait and See.	<b>Final Sickness Absence Review Meeting - (Week 12 onwards as appropriate)</b> Review ongoing absence. Must seek and consider medical advice. Discuss redeployment options. Is continued employment feasible? Consider referral to Stage 4 Hearing. Advise employee that next stage may result in dismissal.		<b>Is Continued employment feasible?</b> Yes – review and discuss arrangements for return to work or consider redeployment.	<b>Final Review Meeting</b> Arranged on receipt of OH report to discuss options available i.e. redeployment or issue of notice of termination of contract on grounds of incapability due to ill health.	<b>If continued employment not feasible –</b> it is council policy to give employee time to recover from their illness so a decision is likely to be made between 6-12 months in respect of dismissal.

<b>STAGE 4</b>	Hearing Led by the director and who can make the decision to dismiss.	<b>Long-term Sickness Case Hearing</b> Case presented by Manager. Employee presents views/response. Head of Service hears case and considers options. Head of Service may dismiss employee.		<b>Case Review Meeting</b> Senior management may discuss dismissal or take other action as appropriate.		
<b>APPEALS</b>	The employee will have the right to appeal against their dismissal in accordance with the Appeals procedure outlined in the Council's Disciplinary Procedure.	Right of Appeal at Stage 4 which will go to an Executive Director.			There is a right to appeal at all formal stages of the procedure.	Right to appeal if dismissed.

**REDDITCH BOROUGH COUNCIL****OVERVIEW AND SCRUTINY  
COMMITTEE**

11th September 2012

**CONCESSIONARY RENTS – PRE-DECISION SCRUTINY, SHORT, SHARP  
REVIEW – FINAL REPORT**

Relevant Portfolio Holder	Councillor Phil Mould, Portfolio Holder for Corporate Management.
Portfolio Holder Consulted	No, the Portfolio Holder was not interviewed by the group.
Relevant Head of Service	Teresa Kristunas, Head of Finance and Resources.
Ward(s) Affected	No specific ward relevance.
Ward Councillor(s) Consulted	N/A
Non-Key Decision	

**1. SUMMARY OF PROPOSALS**

- 1.1 This report presents the findings of the Concessionary Rents Pre-Scrutiny Short Sharp Review Group. The report should be considered alongside the Concessionary Rents Policy produced by Officers for the consideration of Members.
- 1.2 The Group was not permitted to view the content of the Concessionary Rents Policy prior to the time of writing, although they did receive an overview outlining the proposals that were due to be made by Officers on the subject.

**2. RECOMMENDATIONS**

The Committee is asked to **RECOMMEND** that:

- 1) That any Council policy on concessionary rents ensure that a consistent, fair and transparent approach is applied to dealing with applications from third sector organisations;
- 2) That any third sector organisation looking to obtain a concessionary rent from the Council be required to submit a detailed business case outlining their plans for a particular property;
- 3) That Officers facilitate a series of workshops to advertise and promote the new policy to the third sector in Redditch;

**REDDITCH BOROUGH COUNCIL**

**OVERVIEW AND SCRUTINY  
COMMITTEE**

11th September 2012

---

- 4) That the Council work with the local media and utilise social networks and its own website to publicise the new policy to the third sector in Redditch;
- 5) That each approved concessionary rent agreement be for a minimum five year duration, include a three year break clause, and be monitored on an annual basis;
- 6) That the Council undertake a review of the approved policy twenty-four months after its inception;
- 7) That the Council refers all third sector organisations in Redditch looking to obtain a concessionary rent for a Council owned commercial property to the Ethical Property Foundation for independent advice on renting and managing properties; and
- 8) That the Council provide greater clarity on all concessions available to the third sector.

**RESOLVE that**

**the report be noted.**

**3. KEY ISSUES**

**Background**

- 3.1 The review of Concessionary Rents in Redditch was launched in July 2012. The Overview and Scrutiny Committee appointed Councillors Andrew Brazier and Juliet Brunner to carry out the review.
- 3.2 The Committee requested at its meeting on 17th July 2012 that the exercise be completed as a short, sharp review for pre-decision and be considered alongside the proposed new policy for concessionary rents in Redditch. A pre-decision scrutiny exercise involves members of the Overview and Scrutiny Committee looking at an area that is due to be the subject of a report to be considered by the decision making Executive Committee.
- 3.3 The review was undertaken to assess the rationale behind the proposed introduction of the new Council policy for offering concessionary rents to third sector organisations on Council owned commercial properties. This would involve consulting with relevant Council Officers who had been



**REDDITCH BOROUGH COUNCIL**

**OVERVIEW AND SCRUTINY  
COMMITTEE**

**11th September 2012**

---

tasked with drafting the new policy and with representatives from the third sector in Redditch. It would also involve reviewing the effectiveness of concessionary rents policies that had been implemented by other local authorities.

**RECOMMENDATIONS**

- 3.4 Further information about each of the Concessionary Rents Short, Sharp Review Group's recommendations is provided below:

**Recommendation One: We RECOMMEND that any Council policy on concessionary rents ensure that a consistent, fair and transparent approach is applied to dealing with applications from third sector organisations**

- 3.5 During their investigations, the Group heard that there is currently no policy or process in place at the Council for dealing with applications from third sector organisations (TSOs) for concessionary rents. Existing applications from TSOs for concessionary rents in Redditch are therefore dealt with on an ad-hoc basis and assessed entirely on the information submitted by the TSO. It was explained to the Group that having a clear written policy for offering concessionary rents to TSOs in Redditch would provide much needed clarity and transparency on the issue.
- 3.6 Having consulted Bristol City Council about the introduction of their *Community Asset Transfer Policy* (2010), Members were informed that the policy had been successful in ensuring that a consistent approach was applied by the Council to dealing with applications for concessionary rents from local TSOs. The Group was also informed by a prominent third sector representative in Redditch that a clear and transparent policy would likely lead to the Council adopting a fairer approach on this issue.
- 3.7 The Group therefore very much supports the Officers intention that the Council's proposed new policy will provide a consistent, fair, and transparent approach to dealing with applications from TSOs for concessionary rents. The Group asserts that any new policy built upon these principles would tie in very closely with the Council's values of working in partnership with local partners, including the voluntary sector, to deliver its priorities; and promote greater fairness through equal treatment for all affected in the Borough.

**REDDITCH BOROUGH COUNCIL**

**OVERVIEW AND SCRUTINY  
COMMITTEE**

11th September 2012

---

**Recommendation Two: We RECOMMEND that any third sector organisations looking to obtain a concessionary rent from the Council be required to submit a detailed business case outlining their plans for a particular property**

- 3.8 Through their consultation with Bristol City Council, the Group heard that the Council requires all TSOs to submit a well-prepared business case outlining their detailed plans for renting a particular property. All business cases need to explain in writing how the TSO intends manage and develop the property and provide detailed evidence of how the TSO is able to finance its concessionary rent for the duration of the agreement. It also requires information on the benefits that the agreement is expected to produce both for the TSO/s and Council and how these would be measured, and details of contingency arrangements should the agreement provide unsustainable. Consideration of the business plan is a fundamental element of the Council's assessment process for all applications for community asset transfers, including concessionary rents.
- 3.9 The Group feels that having something in writing in Redditch would be beneficial to both the voluntary sector and Borough Council as it would enable Officers to undertake a thorough assessment of the TSO/s intentions and its ability to deliver on any agreement. Importantly, this would require the TSO/s to be realistic about its ability to pay rent on a Council owned property. This could therefore prevent some TSO/s from forging ahead with an unrealistic application. It would also give the TSO/s the opportunity to explain what added-value in terms of benefits to the community a lease could bring, especially if this was proposed by a consortium of TSOs acting together.
- 3.10 The Group therefore recommends that the submission of a detailed business case from any TSO looking to obtain a concessionary rent to manage a Council owned property for any period of time should become a fundamental feature of how the process would be managed by the Council.

**Recommendation Three: We RECOMMEND that Officers facilitate a series of workshops to advertise and promote the new policy to the third sector in Redditch**

- 3.11 During its investigations of how concessionary rents policies at other local authorities had been promoted following their introduction, Members were informed by Bristol City Council that they had facilitated a series of workshops to explain why the policy had been established. This enabled the Council to successfully engage with the local voluntary sector as it gave

**REDDITCH BOROUGH COUNCIL**

**OVERVIEW AND SCRUTINY  
COMMITTEE**

**11th September 2012**

---

local stakeholders the opportunity to quiz Council representatives about the policy and to gain an understanding of how its introduction could be of benefit to them.

- 3.12 The Group feels that it would therefore be prudent for the Borough Council to hold its own workshop/s in the local community setting to help engage the local voluntary sector on this new policy. Members suggest that holding these workshops at various locations across the town where voluntary sector organisations operate or are likely to congregate would be more effective than holding a single event at the Town Hall.

**Recommendation Four: We RECOMMEND that the Council work with the local media and utilise social networks and its own website to publicise the new policy to the third sector in Redditch**

- 3.13 During its brief investigation into the proposed introduction of concessionary rents in Redditch, the Group was informed that it can be often be difficult for the local authorities to engage comprehensively with all third sector organisations in the particular area, often not least due to their sheer number and diversity. Members therefore feel it is imperative that the new policy is communicated effectively to ensure buy-in from the voluntary sector in Redditch.
- 3.14 The Group suggests that the Council's own website is an obvious facility for communicating this information to the voluntary sector in Redditch. Elsewhere, the Group proposes that the Council draw upon the increasing popularity of social networks as a free and effective means of informing TSOs in Redditch about the policy and how it might be of benefit to them. The Group suggests that relevant Officers work with representatives from the voluntary sector in Redditch regarding how social networks could be utilised most effectively. Finally, the Group proposes that Officers and, potentially, the Portfolio Holder for Corporate Management, Councillor Phil Mould, work with the local media to more widely publicise the new policy if eventually approved.

**Recommendation Five: We RECOMMEND that each approved concessionary rent agreement be for a minimum five year duration, include a three year break clause, and be monitored on an annual basis**

- 3.15 During its consultation with Bristol City Council, the Group was informed that a service level agreement is drawn up upon the completion of each community asset transfer to set out the terms of agreement between the

**REDDITCH BOROUGH COUNCIL**

**OVERVIEW AND SCRUTINY  
COMMITTEE**

**11th September 2012**

---

TSO and Council. Each agreement runs for five years and is monitored on an annual basis.

- 3.16 Having also consulted with a representative from the local voluntary sector, the Group was informed that, for a number of TSOs, the length of the agreement would likely need to be for at least five years to make this a viable proposition for either an individual or consortium of TSOs. This would be especially applicable if they were looking to rent a Council owned property and possessed any significant plans during its occupation, including for possible redevelopment, or if the TSO/s was in the process of bidding for a Council grant and required a longer term lease to make this practicable.
- 3.17 The Group is aware that shorter-term leases, e.g. for a maximum three year period, could appear more suitable for the Council as it would prevent the Council from being tied into a long term period with a TSO unable to satisfy the terms of the agreement. In light of this, the Group recommends that a three year break clause be included in all five year lease agreements as an insurance measure to legally enable the Council to end a lease in the event of this becoming necessary.
- 3.18 The Group feel that this arrangement would therefore provide legal security for the Council in the form of the three-year break clause, and an incentive for a TSO/s to rent a Council owned property for at least a five year period if it acted in accordance with its original agreement with the Council.

**Recommendation Six: We RECOMMEND that the Council undertake a review of the approved policy twenty-four months after its inception**

- 3.19 The Group was informed that Bristol City Council was about to undertake its first comprehensive review of the Community Asset Transfer Policy it introduced in 2010. It was thought the undertaking of a review after a two year period was timely as it would enable the Council to accurately assess what had worked well and what had not worked so well since the policy's implementation. The Council should therefore be in a position to make changes to the policy accordingly to both its own benefit and that of the local voluntary sector.
- 3.20 The Group recommends that the Borough Council also undertakes a thorough review of its own policy twenty-four months after its inception should it eventually be approved. The Group feels that this would be a suitable point to evaluate how the policy has worked in practice as it would

**REDDITCH BOROUGH COUNCIL**

**OVERVIEW AND SCRUTINY  
COMMITTEE**

11th September 2012

---

provide sufficient opportunity for trends to emerge that could be identified and addressed by relevant Officers.

**Recommendation Seven: We RECOMMEND that the Council refers all third sector organisations in Redditch looking to obtain a concessionary rent for a Council owned commercial property to the Ethical Property Foundation for independent advice on renting and managing properties.**

- 3.21 The Group was made aware during its investigations that Bristol City Council had worked in partnership with the Ethical Property Foundation when promoting its Community Asset Transfer Policy in 2010 following its introduction. The Foundation, a registered charity, provides comprehensive advice to TSOs on property issues. This includes the provision of expert guidance to enable the TSO to fulfil their property objectives. According to its own website, the consultation falls into six main areas, covering: a feasibility study to assess the viability of owning or renting properties; financial advice; improving premises; making best use of a property; operational management advice; and developing premises. Since 2005, the Foundation has supported over 1,000 TSOs to rent, buy, let, or manage a property.
- 3.22 It is understood that the Foundation is in the process of launching its full property advice service nationally to provide assistance to many more TSOs. It has so far only been able to provide this full service to TSOs based in London or the South West.
- 3.23 Therefore, the Group feels that the expertise held by the Foundation could be extremely beneficial to TSOs in Redditch who are looking to rent a Council owned commercial property, yet require some assistance at any stage of the process. This might involve drawing upon the Foundation's expertise when developing a detailed business case outlining their plans for a particular property, as already recommended by the Group. Furthermore, the Group suggests that this arrangement would ultimately be of benefit to the Council as it would likely strengthen the proposals from each TSO for renting a Council owned property and give the TSO/s a much greater appreciation of how this should be managed in the event of a successful application. Ultimately, this could strengthen the overall concessionary rents process.

**REDDITCH BOROUGH COUNCIL**

**OVERVIEW AND SCRUTINY  
COMMITTEE**

11th September 2012

---

**Recommendation Eight: We RECOMMEND that the Council provide greater clarity on all concessions available to the third sector in Redditch**

- 3.24 On a related matter, the Group feels that the introduction of the proposed policy for offering concessionary rents for TSOs in Redditch represents an ideal opportunity for the Council to provide greater clarity on what concessions are available to the local voluntary sector.
- 3.25 The Group was informed that the Council currently offers free use of the Civic Suite at the Town Hall to certain TSOs. It is understood that any new organisation requesting this privilege must apply in writing to the Council's Democratic Services Manager for permission, in consultation with the Portfolio Holder for Corporate Management, Councillor Phil Mould. Concessionary use is usually reserved for business meetings and does not extend to fund raising activities. These bookings may be cancelled by the Council at short notice if it is in urgent need for the meeting room space.
- 3.26 During its conversation with a third sector representative in Redditch, the Group was advised that this was another example of a concessionary rate offered by the Council which needed to be transparent and clear for all applicable organisations. The representative was not of the understanding that all TSOs in Redditch were aware of this particular concession.
- 3.27 The Group therefore recommends that the Council should provide much greater clarity on this and all concessions available to the third sector in Redditch. The Borough Council's own website is an obvious facility for communicating this information more widely.

**Financial Implications**

- 3.28 It is possible that a small amount of funding would be required to finance the operation of a series of workshops to advertise the new policy. However, it is expected that these costs would be minimal, especially if these were held in a local community centre as suggested.

**Legal Implications**

- 3.29 There are no specific legal implications.

**REDDITCH BOROUGH COUNCIL**

**OVERVIEW AND SCRUTINY  
COMMITTEE**

11th September 2012

---

**Service / Operational Implications**

- 3.30 The review was launched as a pre-decision scrutiny exercise following a decision by Officers to create a new policy for offering concessionary rents to third sector organisations for Council owned commercial properties in Redditch. The Group's final recommendations are intended to compliment and enhance this proposed new policy.
- 3.31 There are no other specific implications.

**Customer / Equalities and Diversity Implications**

- 3.32 It is expected that the new policy will create a fairer, open and transparent process for third sector organisations to apply for concessionary rents for Council owned properties in Redditch. It is therefore hoped that this will improve the level of service that the Council provides for the local voluntary sector.
- 3.33 There are no other specific implications.

**4. RISK MANAGEMENT**

No specific risks have been identified.

**5. APPENDICES**

No appendices

**6. BACKGROUND PAPERS**

Bristol City Council, Community Asset Transfer Policy (2010)  
Hull City Council, Community Premises Pack (2010)

**AUTHOR OF REPORT**

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