

EMPLOYMENT COMMITTEE	AGENDA ITEM No. 6
23 March 2017	PUBLIC REPORT

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EMPLOYEE TERMS AND CONDITIONS OF SERVICE

R E C O M M E N D A T I O N S	
FROM : Director of Governance	Deadline date : N/A
It is recommended that Employment Committee approve the revised terms and conditions of service as set out in this report.	

1. ORIGIN OF REPORT

- 1.1 This report arises following the Council approval of the medium term financial strategy at its meeting on 9 March 2016

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to propose that the City Council formally enter into a collective agreement with trades unions on the changes in staff terms and conditions of service proposed in this report.
- 2.2 This report is for the Committee to consider under its terms of reference No 2.3.1.1 'to determine terms and conditions of employment'.

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	NO	If Yes, date for relevant Cabinet Meeting	N/A
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4. BACKGROUND

- 4.1 At its budget setting meeting in 2016 the Council approved, as part of the 2015/16 budget and Medium Term Financial Strategy, that savings would be made from changes to employee terms and conditions. The savings target was £440k in 2016/17 rising to £800k in 2017/18 and beyond.
- 4.2 Savings of £440k were achieved for this year via a collective agreement as follows:
- All Car Mileage to be paid at 25p per mile;
 - An Incremental freeze for all staff graded at spinal column point (scp) 42 (Grade 12 £36,937) (or equivalent) and above and
 - A closure between Christmas and the New Year public holidays to be achieved via unpaid leave (with an option for staff paid below scp 42 (Grade 12 £36,937) or equivalent to take annual leave as an alternative).
- 4.3 The conditions set around this were as follows:

- the agreement would be binding for 1 year during which time both sides were mandated by the joint secretaries to work together to achieve the full £800k savings from terms and conditions changes for 2017/18 and beyond and that
- employees on TUPE protected terms and conditions would be exempt from this, but both parties would work together with a view to harmonising all terms and conditions for these staff.

4.4 The agreement was facilitated via the Regional Joint Secretaries in accordance with the National Terms & Conditions framework.

4.5 In addition, it was agreed locally to the permanent removal of the honoraria payments policy.

5. PROPOSALS

5.1 Following this agreement, council officers and trades union representatives have had extensive discussions with a view to agreeing a package of changes that would meet the overall savings targets.

5.2 Jointly it was agreed to put harmonisation talks on hold to enable progress on terms and conditions discussions to take place. Work on this matter will commence during the next financial year.

5.3 Following discussions, a final proposal was made to trades unions in December 2016 for consultation as follows:

5.4 With effect from 1st April 2017, the following allowances to basic pay would cease:

Pay Elements	Comments
Excess Travel Allowance	Paid when office moved permanently resulting in difference of new home to work mileage above 4 miles
Reimbursement of Telephone Calls	Landlines replaced by mobiles
Reimbursement of Telephone Rental	Landlines replaced by mobiles
Home Working Expenses	No further payments to be made
Payment for Meals	
Payment for Professional Subscriptions	
Payment for Use of Home Equipment	
Payment for Call Out for staff paid on SCP 27 and above	No change to those SCP 26 and below
Payment for Standby - for staff paid on SCP 27 and above	No change to those SCP 26 and below
Weekend Enhancements	All hours to be paid at plain time on Sunday to Saturday. Shift pay would be paid as per the existing agreement to those staff so entitled

5.5 The arrangement agreed for 2016/17 relating to Christmas closure, would become a permanent arrangement but the operation of it would be reviewed annually.

5.6 With regards to car mileage payments, these would be increased from 25p per mile to 30p per mile and would be reviewed annually.

5.7 Should an agreement be reached on these proposals, no further changes to terms and conditions of service would be proposed locally until 2021 unless there was a change in law or if there is a significant and unexpected deterioration in the Council's finances.

6. TRADE UNION RESPONSE

- 6.1 The negotiations on the proposals were carried out in a highly collaborative way with both parties making suggestions on how savings could be made. By December 2016 we had reached a collective position whereby trades unions could commence consultation with their members. Whilst Unions did not feel that they could recommend that their members accept the proposals, they were clear that this was the best arrangement that could be achieved by negotiation.
- 6.2 All three recognised trades unions (GMB, Unison & Unite) carried out a consultative ballot in January 2017 and the results were as follows

Trade Union	Ballot Outcome
GMB	Accept the proposals
Unison	Accept the proposals
Unite	Reject the proposals

- 6.3 Clearly it would have been preferable to have a unanimous acceptance of the proposals. However, following further discussions, all parties agreed that an agreement could be reached on the basis of the majority acceptance by trades unions through the Joint Consultative Forum (JCF). This principle is enshrined in the National Joint Council agreement on Terms and Conditions which states:

“No resolution shall be regarded as carried unless it is approved by the majority of the members present and voting on each side of the Council or committee.”

- 6.4 On this basis the trades unions are able to enter into a collective agreement, subject to the proposals being approved by this Committee. A copy of the agreement as signed on behalf of the trades union side of JCF is appended to this report.

7. CONSULTATION

- 7.1 There has been extensive consultation and negotiation with trades unions. In addition staff have been kept informed via established communications mechanisms. There have also been a number of well attended consultation meetings facilitated by trades unions.

8. IMPLICATIONS

- 8.1 Financial - the proposals will achieve an estimated saving of £730k pa.
- 8.2 Legal - All employees are contractually bound by collective agreements reached between the Council and recognised trades unions. Therefore the proposals apply to all Council employees.
- 8.3 Equalities - Equalities impact assessments have been carried out on all proposals and they have no disproportionate impact upon protected characteristics.

9. REASONS FOR RECOMMENDATIONS

- 9.1 The Employment Committee has delegated authority to approve changes in terms and conditions of employment and approval is necessary to effect these and to achieve the savings agreed by Full Council.

10. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985).

10.1 None.

11. APPENDICES

11.1 Appendix 1 – The agreement as signed on behalf of the trades union side of JCF.