

Public Document Pack

16 June 2017

Our Ref Joint Staff Consultative
Committee/28.6.17
Your Ref.
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To: Members of the Committee: Councillor Fiona Hill (Chairman), Councillor Sarah Dingley, Councillor Bernard Lovewell, Councillor Lynda Needham and Councillor Martin Stears-Handscomb

Substitutes: Councillor Ian Albert, Councillor John Bishop and Councillor Michael Weeks

UNISON: Dee Levett, David Carr, Debbie Ealand, Keith Fitzpatrick Matthews

Staff Consultation Forum: Christina Corr, Claire Morgan

You are invited to attend a

MEETING OF THE JOINT STAFF CONSULTATIVE COMMITTEE

to be held in the

**MEETING ROOM 1, TOWN LODGE, GERON ROAD,
LETCWORTH GARDEN CITY**

On

WEDNESDAY, 28TH JUNE, 2017 AT 7.30 PM

Yours sincerely,



David Miley
Democratic Services Manager

Agenda Part I

Item		Page
1.	APOLOGIES FOR ABSENCE	
2.	MINUTES - 5 APRIL 2017 To take as read and approve as a true record the minutes of the meeting of this Committee held on 5 April 2017.	(Pages 1 - 8)
3.	NOTIFICATION OF OTHER BUSINESS Members should notify the Chairman of other business which they wish to be discussed by the Committee at the end of the business set out in the agenda. They must state the circumstances which they consider justify the business being considered as a matter of urgency. The Chairman will decide whether any item(s) raised will be considered.	
4.	CHAIRMAN'S ANNOUNCEMENTS Members are reminded that any declarations of interest in respect of any business set out in the agenda, should be declared as either a Disclosable Pecuniary Interest or Declarable Interest and are required to notify the Chairman of the nature of any interest declared at the commencement of the relevant item on the agenda. Members declaring a Disclosable Pecuniary Interest must withdraw from the meeting for the duration of the item. Members declaring a Declarable Interest which requires they leave the room under Paragraph 7.4 of the Code of Conduct, can speak on the item, but must leave the room before the debate and vote.	
5.	STAFF CONSULTATION FORUM To receive the Minutes of the meetings of the Staff Consultation Forums held on 5 April 2017, 3 May 2017 and the Draft Minutes of 7 June 2017.	(Pages 9 - 22)
6.	INFORMATION NOTE: PEOPLE STRATEGY UPDATE INFORMATION NOTE OF THE CORPORATE HUMAN RESOURCES MANAGER To update the Committee on the progress made in the last quarter on the People Strategy 2015 – 2020 which covers the Workforce Development Needs.	(Pages 23 - 34)
7.	INFORMATION NOTE: A ROUNDUP OF CURRENT GOVERNMENT CONSULTATIONS AND UPDATE ON THE NJC PAY SCALES NATIONAL REVIEW INFORMATION NOTE OF THE CORPORATE HUMAN RESOURCES MANAGER To consider a round up of the latest position on government consultations that will mean changes to pay, benefits and other HR employee policy and practices.	(Pages 35 - 38)

- 8. DISCUSSION PAPER - TRANSFER OF UNDERTAKINGS PROTECTION OF EMPLOYMENT (TUPE)** (Pages 39 - 42)
To discuss issues regarding Transfer of Undertakings Protection of Employment (TUPE).
- 9. SUGGESTED DISCUSSION TOPICS** (Pages 43 - 46)
To consider a comprehensive list of discussion topics from which to choose the subjects for future Committee debate.

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NORTH HERTFORDSHIRE DISTRICT COUNCIL

JOINT STAFF CONSULTATIVE COMMITTEE and HUMAN RESOURCES STRATEGIC FORUM

Meeting held in Meeting Room 1, Town Lodge,
Gernon Road, Letchworth Garden City on
Wednesday, 5 April 2017 at 3.00 p.m.

MINUTES

PRESENT: *Councillors: Fiona Hill, Bernard Lovewell, Lynda Needham and Martin Stears-Handscomb.*

NB: *Councillor Fiona Hill arrived at 3.10 p.m.*

IN ATTENDANCE: *Kerry Shorrocks (Corporate Human Resources Manager), Maggie Williams (Senior HR and Contracts Manager), Keith Crampton (Learning and Employee Engagement Manager), India Blows (HR Apprentice), Christina Corr (Staff Consultation Forum), Dee Levett (Unison), Amelia McNally (Committee and Member Services Officer) and Hilary Dineen (Committee and Member Services Officer).*

30. ELECTION OF A CHAIRMAN

The Committee and Member Services Officer (HD) asked for nominations for Chairman of this meeting of the Committee.

It was proposed, second and

IT WAS AGREED: That Councillor Lynda Needham be elected as the Chairman of this meeting of the Joint Staff Consultative Committee.

31. APOLOGIES FOR ABSENCE

Apologies for absence were received from Claire Morgan (Staff Consultation Forum).

32. MINUTES – 21 DECEMBER 2016

IT WAS AGREED: That the Minutes of the Joint Staff Consultative Committee meeting held on 21 December 2016 be confirmed as a true record of the proceedings and be signed by the Chairman.

33. NOTIFICATION OF OTHER BUSINESS

There was no other business.

34. CHAIRMAN'S ANNOUNCEMENTS

- (1) The Chairman welcomed all Members and officers to the Meeting;
- (2) The Chairman reminded all present that, in line with Council policy, the meeting was being audio recorded;
- (3) The Chairman introduced and welcomed Amelia McNally, a new Committee and Member Services Officer, and advised that she would receive training over the next few meetings in order to become the clerk to this Committee.
- (4) The Chairman advised that Hilary Dineen (Committee and Member Services Officer) would be the clerk to this meeting.

- (5) Members were reminded that any declarations of interest in respect of any business set out in the agenda should be declared as either a Disclosable Pecuniary Interest or Declarable Interest and were required to notify the Chairman of the nature of any interest declared at the commencement of the relevant item on the agenda. Members declaring a Disclosable Pecuniary Interest must withdraw from the meeting for the duration of the item. Members declaring a Declarable Interest which required they leave the room under Paragraph 7.4 of the Code of Conduct, could speak on the item, but must leave the room before the debate and vote.

A. JOINT STAFF CONSULTATIVE COMMITTEE

35. STAFF CONSULTATION FORUM - MINUTES – 4 JANUARY 2017 AND 1 FEBRUARY 2017 AND DRAFT MINUTES – 1 MARCH 2017

The Corporate Human Resources Manager drew attention to the Minutes of the meetings of the Staff Consultation Forum held on 4 January 2017 and 1 February 2017 and the Draft Minutes of 1 March 2017 2016 as follows:

Minutes – 4 January 2017

The Corporate Human Resources Manager advised that the key theme of this meeting had been the smooth move from the District Council Offices to Town Lodge and other offices.

Minutes – 1 February 2017

The Corporate Human Resources Manager advised that, David Scholes (Chief Executive) had given an update regarding a number of projects and the financial position of the Council and Maggie Williams (Senior HR and Contracts Manager) had given a briefing on the Equalities and Diversity Policy Review.

Members commented that they were aware of problems regarding heating at Broadway Offices and asked whether these had been resolved.

The Corporate Human Resource Manager stated that she would check whether the issues had been resolved and update Members.

Draft Minutes – 1 March 2017

The Corporate Human Resources Manager advised that, at this meeting Officers were reminded to report problems or issues with the buildings to Property Services before raising it with their SCF representative.

The NHDC Update had included a reminder that NHDC was in a two year pay deal and that, as part of this, most staff would receive a one percent increase in pay, which would be included in April 2017 salaries. This was with the exception of Grade 1 posts and apprentices who would receive a higher increase in order to meet National Living Wage increases.

Many councils were looking at differential in pay between grades particularly as lower pay scales were being deleted. A National review of pay scales was being undertaken and the Council had been advised that there could be a significant pay rise as a result.

The two Statutory Days would not be allocated to specific dates this year as both Christmas and New Year were on Mondays.

Members expressed concern that valuables were going missing from offices.

The Corporate Human Resource Manager advised that staff had lockable lockers but occasionally forgot to lock things away and there had been a couple of petty thefts. A reminder to lock valuable away had been sent out.

IT WAS AGREED: That the Minutes of the Staff Consultation Forum held on 4 January 2017 and 1 February 2017 and draft minutes for 1 March 2017 be noted.

REASON FOR DECISION: To enable the Joint Staff Consultative Committee to consider any issues addressed by the Staff Consultation Forum.

36. PEOPLE STRATEGY UPDATE

The Corporate Human Resources Manager presented the report entitled People Strategy Update and drew attention to the following:

Recruitment

Recruitment continued to be busy due to turnover.

Apprenticeships

Major changes were coming forward regarding how apprenticeship schemes would be run with a new apprenticeship levy and public sector targets.

Details of the levy had been published and from April 2017 the Council would be required to pay 0.5 percent of the total pay bill into the apprenticeship levy, which could then be used to fund apprentice training.

IR35

From 6 April 2017 changes to the Intermediaries Legislation (IR35) would affect how the tax and National Insurance matters for workers contacted to the Council through an intermediary would be managed.

This would not affect self-employed worker who undertook work directly for the Council.

Work was currently underway to assess which contractors, currently working for the Council, used an intermediary so that arrangements could be put in place to deduct tax and National Insurance from invoices before they are paid. Revisions to vary the contractual terms and conditions of any existing intermediary consultancy contracts and a new standard consultancy contract had also been drafted.

These changes would mean that the use of contractors and agency workers would become more administratively onerous and costly for the Council, therefore it had been recommended to Managers that they avoid using this type of worker wherever possible by using direct recruitment methods to fill resourcing needs.

It is likely that this change would affect very few of those.

Members queried how we would work out the amount to be deducted as people were on different rates of tax.

The Senior HR and Contract Manager advised that figures would be submitted to HMRC and they would advise us of the amount to be deducted and then we would pay labour costs less the amount to be deducted.

Members noted how difficult this would be to manage, particularly if we were required to pay an invoice for work done before HMRC informed us of the amount of tax and National Insurance due

Shortlisting Process

Feedback regarding the new shortlisting process had been positive and this process was now in use for the majority of vacancies.

Discussions had taken place regarding an online shortlisting process and an outline process had been prepared. IT would advise as to timescales for building the system.

Organisational Values

The Learning and Development Team had developed new organisational values that reflected the current environment and the context in which the Council Operated.

These values had been agreed by Corporate Board and, following further consultation, would be launched and communicated and then used to drive and support organisational changes.

Investors In People

Corporate Board had agreed that the organisation continue to be assessed against the Investors In People standard.

The standards had been updated and NHDC would be assess against the new criteria in July 2017

Work had already started to draw up an action plan prior to assessment.

Restructure

Members asked when details of the planned restructure would be announced and whether there would be any redundancies.

The Corporate Human Resources Manager advised that, as part of the planned restructure, there had been two redundancies last year but there was no date for when the details of the rest of this restructure would be announced or implemented.

Key Performance Measures

Members queried the high turnover rate for 2016/17.

The Corporate Human Resources Manager advised that the figures for 2016/17 included 11 TUPE, 4 redundancies and those at the end of fixed term contracts.

Voluntary redundancies had not been included in previous years and if these were removed from the 2016/17 figures the turnover rate would be 7.7 percent.

In respect of absence rates the Corporate Human Resources Manager advised that the year end figure would likely be 5.94 days.

Long term absence hadn't been a problem this year, but short term absence had increased. They had data regarding each service area and the figures were closely monitored.

In response to a question she advised that if absence was documented as being for work related stress then a questionnaire was sent to the member of staff to try to identify the reasons for that stress and they were referred to occupational health.

IT WAS AGREED: That the progress made on a number of HR projects and work streams as part of the People Strategy in the quarter from January 2017 to March 2017 be noted.

REASON FOR DECISION:

To enable the Joint Staff Consultative Committee to consider the progress made on projects and work streams that form part of the People Strategy 2015 – 2020.

37. INFORMATION NOTE – INVESTORS IN PEOPLE (IIP) AND REVIEW OF ORGANISATIONAL VALUES

The Committee received an information note entitled Investors in People (IIP) and Review of Organisational Values

The Learning and Employee Engagement Manager drew attention to the following:

- Investors in People represented the importance of developing the workforce to meet challenges;
- The assessment, which would take place in June 2017, would include discussions with staff at all levels;
- An initial meeting had taken place with the assessor and key dates had been advised;
- The key to success was to develop and have in place an action plan;
- As part of the preparation for the assessment the organisational values had been reviewed and these had been converted into challenges.

Members noted that that NHDC would be visited by the same assessor and that this was to provide consistency and knowledge about the organisation during the assessment.

38. **INFORMATION NOTE – MANAGEMENT AND STAFF COMPETENCIES**

The Committee received an information note entitled Management and Staff Competencies.

The Learning and Employee Engagement Manager drew attention to the following:

- Following the introduction of the Regular Performance Review process in 2016 it was recognised that the competencies needed updating;
- The proposed competencies had been widely consulted on, but had not yet been given to staff;
- Paragraph 3.1 of the information note contained some of the ways in which these competencies could support the Regular Performance Reviews and help shape recruitment questions in the future;
- The aim was for individuals to take responsibility for how they met the competencies;
- The competencies would support ways to grow internal talent, which was crucial for the organisation;
- Consideration was being given to the use of internal coaching;
- It was important to consider access to the Learning and Development System for Members.

The Corporate Human Resources Manager advised that the need to review the competencies had been highlighted in the People Strategy for some time and as the job market changed there was a bigger risk of losing staff for Councils.

The Learning and Employee Engagement Manager advised that developing talent and retaining staff is crucial and this must be done whilst meeting equality and diversity requirements.

Members asked whether the guide at Appendix A had been based on a model document and queried why there was no reference to Members, particularly as a major difficulty was when officers took actions without referring to Members.

The Learning and Employee Engagement Manager advised that the guide had been written specifically for NHDC and that officers were offered training regarding political awareness.

IT WAS AGREED: That the Learning and Development Manager be requested to consider how to include specific reference to Members in the Guide to using Competencies.

REASON FOR DECISION: To enable the Joint Staff Consultative Committee to consider the Guide to using Competencies before its introduction into use.

39. **INFORMATION NOTE – EQUALITIES DATA**

The Committee received an information note entitled Equalities Data

The Senior HR and Contracts Manager drew attention to the following:

- There was a requirement to publish equalities data, on the internet;
- The data had been developed in order to make it more useful;
- Data analysis was not undertaken on groups of less than 10;
- Data was described in percentages rather than numbers in order to preserve anonymity;
- The equalities makeup of the staff remained constant, and this also applied to leavers and starters;
- The number of staff not providing information had dropped;
- Comprehensive information enabled NHDC to develop and ensure equality;

In summary, the data demonstrated that:

- The number of Gay/Lesbian or Bisexual people was very small;
- The predominant religion was Christian, although the figures show significant numbers of individuals have no religion or prefer not to give this information;
- 52 percent of those joining NHDC were aged 34 years or under;
- The main reason stated when staff left the organisation was resignation to take up another role. Exit interviews were regularly analysed to identify whether there were any problems and if these were identified they were addressed;

Members asked whether the information gathered regarding sexual orientation or religion was used in the recruitment process and whether the figures regarding sexual orientation included transexuals.

The Senior HR and Contracts Manager advised that the data gathered was not used during the recruitment process, but that it was important to take into account any particular diversity needs of employees. The equality analysis figures were used to check whether a policy would either disadvantage or give advantage to a particular group.

The Payroll system was used to gather equalities information and it did not currently have the facility to identify yourself as transexual, but discussions were being held with the provider of this system.

Members were advised that managers were trained to be objective when interviewing and that they did not see any of the equalities data during the recruitment process.

HUMAN RESOURCES STRATEGIC FORUM

40. DISCUSSION PAPER – OBESITY AS A DISABILITY AND POTENTIAL CHANGES IN DISABILITY LAWS

The Corporate Human Resources Manager introduced the discussion paper on obesity as a disability and potential changes in disability law.

She advised that the discussion paper included background information, facts and figures and predictions.

The UK's growing obesity crisis meant that by 2030 it was predicted that:
74 percent of men in the UK would be overweight, with 36 percent being obese and
64 percent of women in the UK would be overweight, with 33 percent being obese.

There was no general principle in UK or EU law that included discrimination on the grounds of obesity as unlawful discrimination on its own, but the question was whether obesity should be defined as a disability.

Sometimes significant obesity could lead to a range of other conditions that were covered by the Disability Discrimination Act.

The Corporate Human Resources Manager explained that when there was no employment law to refer to then case law had to be considered and referred to the recent case law examples on pages 72 and 73 of the report.

As an employer NHDC would have to consider issues such as workspace, furniture and potential for any bullying behaviour.

Some in-depth studies into the causes of this trend for increased weight opine that much is not in the individuals' gift and that society encourages weight gain by providing fatty foods, which had made it more difficult to avoid a poor diet.

Members were concerned at the definitions of obesity and felt that an individual may be defined as overweight if considered so by others, but did not see themselves as such. They queried how obesity may affect recruitment and whether there were increased risks regarding discrimination issues and the duties to make adjustments to enable employees to do their jobs

The Corporate Human Resources Manager that part of the recruitment process was a health questionnaire which could be referred to occupational health for advice.

The Learning and Employee Engagement Manager advised that there was a duty to make adjustments to enable employees to do their jobs, but that these had to be reasonable adjustments.

Members commented that the aim should be to treat everyone with dignity and respect.

41. SUGGESTED DISCUSSION TOPICS

The Corporate Human Resources Manager reminded Members that the discussion topic chosen for the June meeting was Shared Parental Leave.

Member considered whether continue with this subject or whether another topic should be discussed and agreed that the discussion topic should be changed to TUPE.

IT WAS AGREED: That the discussion topic for the meeting due to be held on 28 June 2017 be changed to TUPE.

The meeting closed at 4.20 p.m.

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Chairman

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JOINT STAFF CONSULTATIVE COMMITTEE

28 JUNE 2017

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

5

STAFF CONSULTATION FORUM

The Minutes for the meetings of the Staff Consultation Forum held on 5 April 2017, 3 May 2017 and the Draft Minutes of the SCF Meeting held on 7 June 2017.

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Staff Consultation Forum Meeting

5 April 2017



DRAFT Minutes

Present:	Christina Corr (Chair), Kerry Shorrocks, Maggie Williams, Dee Levett, Emma Jellis, Anne McDonald, Holly Butrimas-Gair (notes)
Apologies:	David Scholes, Claire Morgan, Ian Couper, Property Services
Circulation:	Those Present, David Scholes, Claire Morgan, Ian Couper, Property Services

Prior to commencement of the meeting, MW introduced India who is the new HR apprentice and was in attendance to gain an understanding of how SCF works.

1. Apologies

Apologies were received from Claire Morgan, David Scholes, Ian Couper and Property Services.

2. Employee Queries

There were no employee queries raised at this month's SCF.

3. Matters Arising from Previous Minutes

It was discussed that Rebekah Edwards will be replacing Catherine Cole as a department representative. HBG will send meeting requests for all scheduled SCF meetings to Rebekah.

Action: HBG as above.

CC informed HBG that, following the DSE self-assessment query from last month's SCF, the questions had not yet been completed. CC will send them to HBG to forward to Les Davison once they have been finished.

HBG is yet to receive a response from Property Services regarding the heating issues at the Broadway offices.

Action: HBG to follow-up with Property Services.

HBG confirmed that cleaning supplies are available for Leisure and Environmental Services and are stored in the hot desk room.

It was noted that the rubbish bins appear to be organised in a more suitable way, however DL mentioned that the bin by the back door has been removed which has proved a slight inconvenience.

Action: DL to liaise with Property Services to reinstall the removed bin.

There being no other outstanding actions, the minutes were agreed.

4. NHDC Update

KS reminded the group that NHDC are in a two year pay deal and staff will receive a 1% increase in pay, with the exception of grade 1 posts and apprentices, whose increase will be slightly more than 1%. This will be reflected in April salaries.

The Local Government Employers and Trade Unions are currently reviewing the National LG pay scales but this has not yet reached the negotiation stage. Councils have been warned to expect a reasonable pay increase over the next few years. KS will update employees as more information comes through in the coming months.

5. Office Accommodation Update

The last few items of furniture and fittings have been removed from District Council Offices and work is now well underway.

KS attended a project team meeting earlier in the week where samples, colour schemes and kitchen furniture were discussed. It is likely that a neutral colour scheme will be used, with a lighter coloured carpet for desk areas and darker colours for walkways. Carpet tiles will be fitted so that they can be easily lifted if necessary.

It was confirmed that the lockers currently at Town Lodge will be taken back to DCO when staff return next year.

6. Restructure Consultation

Reports are due to be sent to Corporate Board with the suggested restructure areas. KS can't give any further detail as, at this point in time, not as much progress has been made as originally hoped. The Trade Union are aware of the areas that are being looked into.

KS suggested that the quarterly update sent to managers is also sent to members of SCF, so that they are aware of any HR updates.

Action: HBG to circulate most recent HR update to SCF members.

7. Chair for Next Meeting

Dee Levett to chair the next meeting.

Staff Consultation Forum Meeting

3 May 2017



- Present:** Dee Levett (Chair), David Scholes, Claire Morgan, Maggie Williams, Emma Jellis, Ian Couper, Debbie Hiscock, James Watson (notes)
- Apologies:** Rebekah Edwards, Christina Corr, Anne McDonald, Kerry Shorrocks, Holly Butrimas-Gair.
- Circulation:** Those present, Rebekah Edwards, Christina Corr, Anne McDonald, Kerry Shorrocks, Holly Butrimas-Gair.

1. Apologies

Apologies were received from Rebekah Edwards, Christina Corr, Anne McDonald, Kerry Shorrocks, and Holly Butrimas-Gair.

2. Employee queries

DL asked which way paper towels are meant to be placed in holder as it's believed they are currently being placed upside down. At present nothing has been reported to Property Services or recorded in the cleaners book.

DH to note to cleaners regarding the matter.

3. Matters arising from previous minutes

DH informed group that the heating issues at the Broadway offices had been rectified. It was noted that most of the time it's just a case of re-lighting the boiler. There is an issue with one of the radiators in the Broadway offices.

DH to speak with Peter Carey about bleeding the radiator.

4. Property Services Restructure

There is a small restructure in the Property Services team that has been through Corporate Board for approval. The restructure includes changing the Technical Administrator to a Facilities Team Leader. The Facilities Assistants, Caretakers, Apprentices and Administrators in the team will report to the Facilities Team Leader. A further review will be undertaken after the new Facilities Team Leader is in post.

5. NHDC Update

DS informed group that the local plan went to full Council in April and it was agreed to submit plan to the Secretary of State, with a time horizon of 2031. Independent examination into local plan to be done, due to commence in autumn and run through to early next year.

Waste contract out on formal procurement process. Secured jointly with East Herts District Council with an eye to bring together a joint contract management team to create substantial efficiencies. Further details due to be announced at SCF later in the year.

NHLC work progressing well. Project board received tour of the works giving positive feedback in regards to the new learner pool tank constructed, walls complete, new café area underway, changing rooms complete, and new floor & lighting in sports hall. Once new café is complete downstairs the old café will be converted into a dance studio. Pool handed over end of July with overall completion in autumn.

Elections continuing to be a focus due to a snap election in June, organising recruitment, polling booths, booking polling stations etc. DS thanks everyone who will be involved as it will require a team effort across the Council.

The pay policy statement was agreed for the year at full Council, setting on public record for the year how NHDC staff are rewarded & pay grade structures.

At full Council a review of the constitution was agreed. A review of the Council's byelaws had also been undertaken and many outdated or unenforceable byelaws or those which had been overtaken by other legislation were revoked.

DS stated he is hoping there will be an announcement regarding restructure in the next few weeks.

MW reminded the attendees that the 2017 RPR cycle was now underway.

An investors in people award email should have been sent to everyone this week with a survey as part of the new investors in people award structure.

Every 3 years under pension legislation there needs to be a review of everyone who opted out of the pension scheme and opt them back in which happened on 31st March.

Pay increase went through from 1st April with the new pay scales now up on the intranet.

New contracts negotiated for kiddivouchers, childcare scheme & wider wallet discount scheme with same providers. Requesting additional publishing materials for wider wallet scheme. Cycle to work scheme not offered this year due to decline in interest. Plan to reintroduce scheme next year with the hope of increasing awareness. Car scheme has changed from April this year from an adjustment in HMRC legislation. New scheme beneficial for ultra low emission vehicles.

6. Office Accommodation Update

Approach is working floor by floor down the building, asbestos removal first followed by demolition. Once basis work is complete concentration will be towards walling. Contractors currently on target looking at a handback date end of January 2018.

CM questioned will there be a stage when employees are able to look around the offices. DS & DH believe its likely groups will be able to have tours once the contractors get to a certain point in development.

CM asked if floors will be hired to other organisations. DS stated that there's no decision on other occupiers however talks ongoing with outside groups. There may be an aspiration if it's possible to free up space and generate an income from it.

7. Employee Queries

None

8. Chair for next meeting

Christina Corr or Claire Morgan

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Staff Consultation Forum Meeting



7 June 2017

- Present:** Clare Morgan (Chair), Kerry Shorrocks, Dee Levett, , Maggie Williams, Sue Collett, Ian Couper, Debbie Hiscock, Andrew Mills, Vic Godfrey, Jonathan Charter, James Watson (notes)
- Apologies:** Rebekah Edwards, Christina Corr, Anne McDonald, Holly Butrimas-Gair, Emma Jellis, David Scholes.
- Circulation:** Those present, Rebekah Edwards, Christina Corr, Anne McDonald, Holly Butrimas-Gair, Emma Jellis, and David Scholes.
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1. Apologies

Apologies were received from Rebekah Edwards, Christina Corr, Anne McDonald, Holly Butrimas-Gair, Emma Jellis, and David Scholes.

2. Matters Arising from Previous Minutes

None

3. NHDC Update

KS let the group know that Norma Atlay is choosing the early retirement option and will be leaving NHDC in September.

DH stated that the radiator that bled is now fixed & the contacts list has now been updated to include Careline.

The issue regarding the fire alarm that went off two mornings was brought to the group's attention. DH said they were unsure why the alarm went off. Checks have been done and there is no reason why it should happen again.

4. Office Accommodation Update

KS explained to the attendees that construction on the DCO is progressing well with workings currently ahead of schedule. The curtain walling is now down with the asbestos all been removed.

Selection of Carpets/Kitchen equipment etc is taking place to be prepared for when the time comes for them to be installed.

5. IT Projects Update

- VG specified that the Help desk which is made up of a Team Leader and 2 officers received 7667 requests in the last year with 285 reported incidents in the last 14 days, around 20 a day as well as 46 feature requests covering new projects.
- Currently a mobile project called mobile pass is taking place with the intention of those working at home being able to use soft media on their mobile instead of the blue token software.

- A certain amount of monitors didn't meet regulations. As a result a capital request has been made to replace 18 monitors.
- VG requested that all staff complete the feedback form after making an IT call as this feedback is used to help improve the IT service. These are looked at weekly on Fridays.
- 15 councillors have been provided with tablets in the last couple of weeks mainly being used to access emails and papers regarding current projects.
- Good technology is now in place for those who want to access their emails on their mobile/work devices. 101 staff are currently using Good technology including 32 of the 49 councillors. CM asked if the tablets are using Good technology. VG confirmed that the tablets are currently using this technology.
- Desks will be smaller once staff moves back into DCO. IT are looking at installing arms on the desks which are able to move around, tilt, and change height to help clear desk space. The arms will soon be moved from IT into the hot desk areas for staff to get familiar with them. VG stated that if any staff wish to try them out at their desks then to notify him and IT will install them.
- NHDC currently use Windows 2010, IT are researching into using Windows 2013 and Office 2016. NHDC currently run 380 different types of software which will all need to be compatible with the latest Windows/Microsoft products. It was indicated that the last time this exercise was done it took around 18 months to talk to all suppliers to ensure their software was at a level that NHDC can migrate and be compatible.
- The recent issues around cyber security were raised, which the group being reminded that cyber security is the highest risk in this organisation. VG explained that the reason the National Health was hacked was due to them using Microsoft XP which was decommissioned around 2 and a half years ago by Microsoft. Cyber attacks are mostly caused by internal staff for example staff who are leaving open an unknown email which as a result could effect the whole network.
- The technical team worked heavily for the election which was technology driven. There were 6 laptops running in the evening at the count centre. Postal votes were put on the system at 9 followed by all the data taken to the council to be processed through the laptops.
- A new product called Clearswift is now running well replacing the Egress system.
- IT recently went live with a new disaster recovery centre. The main data centre is near the DCO with the diesel generator moving from Town lodge to the car park in the DCO to protect as much of the electricity supplies as possible.
- The disaster recovery site used to be in the town lodge however has been moved due to it being in the same building that the council are currently working in. The back up site now resides in unit 3 at Beverly close storage on the other side of Letchworth.
- The network team are currently working with Hitchin Museum to help get their new interactive software running.

- VG and team are looking at changing the structure of IT this year because of cyber & anti virus. VG suggested to staff if they get any unexpected or suspicious emails to delete them.
- Data protection is changing in May 2018 to something called General Data protection regulations (GDPR). There have been 102 subject access requests regarding data protection in the past 12 months. For example a member of the public asking what records do the council have on them.
- In the past year there has been 655 freedom of information requests.
- CCTV has been reinstalled around Town Lodge and Hitchin Museum.
- The information team look after £1.3million worth of assets across the organisation for IT including checking all PCs, cameras, and tablet verifications. VG encouraged staff if there is anything in your H or G drive that hasn't been used in years to delete and make up space.
- GISLPG (maps) bringing in £35,000 per year allowing for the IT department to generate an income for the council.
- IT currently taking on various tasks for the joint waste contract between North and East Herts, attending a number of meetings.
- IT working with David Miley and his team for committee reports such as big meetings involving lots of documentation. Soon these papers will be on a tablet and easier to access and use. Templates will soon be updated allowing for them to be digitalised.
- IT updating main planning land charges application to a product called Uniform, being lead by Antonela De Maria.
- IT has been working with environmental health on their project called Tesgoney which is to enable them to be more mobile working.
- IT to work with careline to look at options at modernising their technology and making it more secure.
- 75 gigabits of data is being used in the H drive, this accumulates to 335,000 files. 733 gigabites of data is being used in the G drive which is around 2.3million files in total. IT is currently using 27 terabits of disc space including backup data.
- DL asked when a global email has been sent out for a minute silence, when the time comes people may miss while working. Is there any way for an alert or pop up can be set up to remind people that the minute silence is due. VG said that Micollab is an option that could be used to send out something to remind people, especially for those homeworking.
- Thanks were given to Vic and his team for all the hard work they have been doing in an efficient and friendly manner.

- **Communications Restructure**

KS is currently managing the communications team at present. Sarah Dobor has returned from maternity leave with Jo softly leaving as she was working temporarily. Sarah has adjusted her hours to working Tuesday, Wednesday, and Thursday. The Web Manager Gavin is changing some focus to be more about the council digitalised services. A senior communications role is being created who will back up the communications manager and deal with more complex issues in the team. The role will be part time and is currently in the consultation stage which will close around 11th/12th June. There are no redundancies as a result of the restructure. Nikki Lennox is also leaving the council to take up a role elsewhere.

- **Ground Maintenance Restructure**

AM stated to the group that one of the grounds monitoring officers have take the option of flexible retirement, therefore reduced his hours to a three day week which has brought forward the need for succession planning. The proposal of the restructure is to introduce a 4th career graded post giving somebody an opportunity to get the appropriate training depending on the individual skill set so they can take on the role and succeed in the post once others retire or move on. This post then gives other members of the team the durability to concentrate on tasks such as burials for example at present there 80,000 graves that need checking to ensure there is data available. There are no redundancies with the consultation process open on 7th June lasting for around a week.

- **Parking Services**

JC informed the group that as of Monday 5th NHDC opened consultation with over 11 enforcement officers regarding the proposal to formally introduce parking enforcement on Sundays and evenings. This includes extending their cover until 9pm and issuing on 2 nights a week, however this could increase if things seem to be worse than first thought. It at a later date Sunday charging is introduced in car parks, and then the working pattern will change again to reflect this and provide cover for Sundays.

Cos had input into the router and NHDC have been able to ensure that their 4 day week and rest days remain unchanged. 1-1 feedback from them is all positive about the proposal that has gone forward.

It is expected to have an effect for around 4-6 weeks and then begin to calm down. Staff night working is random with the hope know one will pick up a pattern. It has been arranged so there will be four people out on the evenings split into pairs. It has been done this way in case any staff are sick or on holiday so 3 members can still go out together.

They have been equipped with body warm cameras which have been in operation for 6 weeks.

- **Employee enquires**

It was requested can phones ringtones be altered for call that are on hold so that the person knows that a call is on hold and it isn't a new caller that ringing. Query is due to be sent to Jo to see what can be done.

JW asked is complement slips are still available for departments to use. Group stated that they are still available and to order them from print.

DL mentioned that there was a concern about people smoking outside the Broadway as the smoke is going under the doors into the building. Group indicated that smokers should be advised to smoke at an alternate location.

CM asked for an update in regards to the management restructure.
KS stated that the restructure is still ongoing with the senior management now having three strategic director vacancies and a head of service vacancy.

- **Chair for Next Meeting**
- Christina Corr or Claire Morgan

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JOINT STAFF CONSULTATIVE COMMITTEE

28 JUNE 2017

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

6

TITLE OF INFORMATION NOTE: PEOPLE STRATEGY UPDATE

INFORMATION NOTE OF THE CORPORATE HUMAN RESOURCES MANAGER

1. SUMMARY

- 1.1 To update the Joint Staff Consultative Committee on the progress made in the last quarter on the People Strategy 2015 – 2020 which covers the Workforce Development needs.

2. STEPS TO DATE

- 2.1 The People Strategy Information Note has been updated with the HR 2017/18 Service Plan, work plan.

3. INFORMATION TO NOTE

- 3.1 Progress against the People Strategy is reported to all quarterly JSCC Meetings. Attached at Appendix B is the HR work plan, taken from the HR Service Plan for 2017/18. The terms of reference for the Joint Staff Consultative Committee are to be the corporate interface with employees on major Human Resources issues and to be the Strategic HR Forum for NHDC Members. HR projects do require support from other support services such as IT, Finance, Legal Services and others.
- 3.2 Recruitment continues to be busy with several vacancies currently being filled. We have Apprentices in Property Services, HR, Active Communities, The Document Centre/CSC, MSU, Community Safety, Environmental Health and we are recruiting for one in Finance
- 3.3 The HR Service Plan project highlights show the progress made since the last JSCC in March 2017.
- 3.4 We now have our online account up and running to pay the Apprentice Levy and to purchase apprentice training in future. We are also following the progress of the Hertfordshire Apprentice Alliance (HAA) and the work going on through the East Of England Local Government Association (EELGA) on collaborative working and best practice.

- 3.5 From 6 April 2017 changes to the Intermediaries Legislation (“IR35”), affected how workers contracted to the Council through an intermediary, usually a Personal Services Company (PSC) are managed. Self-employed contractors who undertake work directly for the Council are not affected.

All contractors and other third party workers engaged by the Council were assessed using the HMRC’s Employment Status test. It remains to be seen what the full implications of these changes will be in terms of increases in costs or availability of such workers in the public sector. The new procedures were extremely heavy on time and resources to implement and resulted in only one worker being assessed as being required to have tax and NI deductions made by the Council as an “off payroll” worker. To date no invoice has been received from this worker since the changes came into operation so it has not been possible to assess how the new processes are working or whether there has been any noticeable increase in price. One further worker refused to undergo the HMRC Employment Status test and so can no longer work for the Council.

Given the uncertain impact of the changes and the increase in administration required for contractors and agency workers it continues to be recommended to managers that they avoid using this type of worker wherever possible by using direct recruitment methods to fill resourcing needs.

- 3.6 Feedback for a new improved shortlisting process has been positive and the process is now being used for the majority of vacancies. IT has built the system for online shortlisting for managers, it is being tested and it looks very promising and we are hoping for a go live date during the summer.
- 3.7 Mandatory gender pay gap reporting was introduced in the public sector from the end of March 2017 with the first set of data needing to be submitted by 31st March 2018. Discussions are underway with Serco regarding the reporting requirements and whether these can be met by using an amendment to the SAP Payroll system which is currently under development or whether a bespoke report will be required to meet the Council’s needs.
- 3.8 The new Regular Performance Review (RPR) has been successfully implemented and started its second full cycle in April 2017. It has been well received and applied consistently across the organisation. A new set of organisational competencies have been developed and agreed by Corporate Board. These will be introduced and communicated during the course of 2017. They will not only be used for RPR but also integrated into our recruitment and succession planning processes.
- 3.9 The Learning and Development team are continuing to develop activities that support organisational change under the heading of ‘Meeting the Challenge’. A workshop for managers was run in October and will be run again during 2017/18.
- 3.10 An Institute of Leadership and Management level 5 programme has been completed and the majority of participants have completed their assignments. The L & D team will investigate the need for further training of this type.
- 3.11 The L & D team have developed new organisational values which have been agreed by Corporate Board. These will be launched and communicated following further consultation and used to drive and support organisational change. These new values more fully reflect the current environment and context in which the Council operates.

- 3.12 The Council's Investors in People assessment against revised criteria is in its final stages with the assessor conducting individual and group discussions this week. The result of the assessment will be known within the next few weeks and will form the basis of an action plan for further improvements throughout 2017/18 and beyond.
- 3.13 The team are currently supporting a couple of service restructures, in addition to the usual absence management and employee relations case work.
- 3.14 It was agreed to carry out a survey of staff given the changes to salary sacrifice car schemes. Very few members of staff who replied are in the scheme (3) which is what we expected; the expense of the scheme was a strong factor with commentators thinking the scheme was expensive or not a good deal. There was some support for electric cars promoting the Council's green agenda (3/24) The interest in Ultra Low Emission Vehicles (ULEV's) was noted but the fact that take up hasn't been of this type of car was also acknowledged. Very few comments gave a positive indication that the individuals would be interested in joining the scheme (3/24). The scheme will stay open to offer ULEV's and there is a contract review date of 30/11/18 when the future of the scheme will be reviewed.
- 3.15 A new contract with a reduced commission rate has been agreed for the provision of Kiddi vouchers and the contract for Wider Wallet retail discount scheme has also been renegotiated. Previously these schemes have been called off from a Framework Agreement, but a revision of terms of the Framework Agreement on its last renegotiation made it better value for the Council to now contract directly with the supplier, who provides both these schemes, for the new arrangements. The current contract for the cycle to work scheme ended in April 2017, but due to the low take up in recent years (four employees in the last three years), it was decided not to offer the scheme this year and consider the level of interest next year before entering any new contractual arrangements.
- 3.16 Under the statutory requirements in respect of pensions auto enrolment, all those who have opted out of an employer's pension scheme have to be re-enrolled every third anniversary of the original auto-enrolment. For the Council this meant that all staff who had opted out of the LGPS had to be re-enrolled by 31st March 2017 and a re-enrolment declaration submitted to the Pensions Regulator by 31st May 2017. In total 31 individuals were re-enrolled by the deadline date and the majority of these have now opted out of the scheme once more.
- 3.17 The agreed salary increases were processed with April pay and the revised Rates of Pay Policy which includes the uplifted salary ranges has been published. The pay Policy Statement was also completed for 2017/18 and is published on the Council's website.
- 3.18 Balanced Scorecard measures will continue to be collated to measure the success of the People Strategy Key measures are as follows:-
- Number of days lost to sick absence per employee
 - Turnover
 - Percentage of staff that have completed an appraisal

4.0 NEXT STEPS

- 4.1 Progress against the People Strategy and the annual work plan will be reported to all quarterly JSCC Meetings.

5.0 APPENDICES

- 5.1 Appendix A – Key Performance Measures
- 5.2 Appendix B – HR People Strategy Work Plan for 2017/18

6.0 CONTACT OFFICERS

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7.0 BACKGROUND PAPERS

- 7.1 People Strategy 2015 – 2020

Key Performance Measures

Appraisal Completion

Date	% Received at Target Date
30 June 2005	29.73%
30 June 2006	36.12%
31 July 2007	99.18%
31 July 2008	100%
31 July 2009	99.5%
31 July 2010	98.67%
31 July 2011	97.76
31 July 2012	93.72
31 July 2013	98.7%
31 July 2014	96.7%
31 July 2015	93%
31 July 2016	94%

Turnover

Year	%
2008/09	8.57%
2009/10	10.20%
2010/11	10.63%
2011/12	14.45%
2012/13	15.24%
2013/14	10.07%
2014/15	12.58%
2015/16	15.14%
2016/17	9.74%

(Turnover figures exclude redundancies and end of fixed term contracts)

Absence Rates May 2016 to April 2017 rolling year - Days Lost Per FTE By Month The Headcount figure at for April 2017 was 309 and the Full Time Equivalent (FTE) figure was 271.85		
	Long Term	Short Term
May 2016	0.27	0.23
Jun 2016	0.16	0.26
Jul 2016	0.15	0.35
Aug 2016	0.26	0.32
Sept 2016	0.16	0.29
Oct 2016	0.20	0.46
Nov 2016	0.29	0.31
Dec 2016	0.14	0.31
Jan 2017	0.18	0.36
Feb 2017	0.10	0.26
Mar 2017	0.00	0.23
Apr 2017	0.00	0.13
Total	1.91	3.25

The Short Term absence target of 3.50 for 16/17 was exceeded by 0.11 days per person so the target was narrowly missed in the end. Long-term absence is still low having dropped since December and with the last two months with no long term absence at all.

2017/18 HR Service Work Plan

Organisational Development

Action Title	Objective	Description of the Action	Desired Outcome	Sub-Action	Milestones	Planned Start Date	Due Date
Apprentices Scheme changes to align with new regulations	Responsive & Efficient	Plan and implement changes to the NHDC scheme to fit with Government targets, the Apprentice training levy and new higher apprentice opportunities	A continued well regarded apprentice scheme that meets the needs of individuals and the organisation including improved demographic profile and talent management.	Report to corporate board, plan and phase out current scheme changes and plan in new scheme changes to ensure they meet targets and regulations.	Way forward agreed by CB, Interns phased out, Higher apprentices phased in.	01/03/17	31/03/17
Support OA decant and DCO refurbishment and return with communications and engagement initiatives	Responsive & Efficient	Ensure effective engagement, training and coaching activities to facilitate a smooth transition between buildings.	Staff movement between sites achieved with minimum disruption and maintaining staff morale and motivation.	Review after move to Town Lodge and again after move back to DCO. Ensure any lessons learnt are captured.	Return to DCO	Throughout 2017	31/08/2018
Support Organisation wide changes to create planned changes to meet council budgets	Responsive & Efficient	Provide HR support for senior manager and other organisational restructure	Staff are well supported through change.	Communications, Consultation including informal, group, TU/SCF and individual. Paperwork, administration advice and support for any redundancy including appeals Outplacement activities and any recruitment	CEX announces restructure plans and communicates rational with Staff. Reports to Cabinet and Council and holds staff briefings. Consultation opens, consultation closes, feedback is provided on the final outcome and the changes are implemented.	Spring 2016	31/08/2018
Develop use of coaching	Responsive & Efficient	Continue to develop the Councils use of coaching as a development tool and to support the pool of coaches in their professional development.	Demonstrable increasing uptake of coaching as a development option by all staff.	Arrange regular coaching supervision sessions and regularly promote coaching benefits.	In house coaching group report increased coaching activity both formal and informal coaching.	Underway	Ongoing

Support Organisational Change/Well-Being	Responsive & Efficient	Provide Learning and Employee Engagement activities that proactively support the challenges of change faced by the organisation in the coming years.	Managers and staff feel equipped with the skills, knowledge and attitudes needed to achieve positive change outcomes.	Resource and run development activities that support organisational change in line with revised organisational values. Develop the use of 'Meeting the Challenge' branding.	Programmes and workshops run throughout the year both strategically and in response to specific requests.	Underway	Ongoing
LMS	Responsive & Efficient	Review existing LMS and e-learning arrangements to improve functionality and ease of use and to make recommendation for the best system for 2017/18 and beyond.	A Learning Management System or alternative that meets the needs of the organisation for the next 5 years.	Conduct research and benchmarking to understand fully the options and possibilities available.	Current subscription arrangements finish in July and payment is made in May. Corporate Board have agreed the introduction of a new cloud based LMS subject to funding being possible by restructuring existing training budgets.	Ongoing	31/10/17
liP Accreditation	Responsive & Efficient	Manage liP Accreditation.	Achieve liP accreditation under the new 6th Generation standards. Target Silver standard.	Arrange communication and engagement relating to liP and facilitate liP group and staff assessment survey.	Assessment process being conducted throughout June with level of accreditation awarded by the end of July Action plan to be developed in response to feedback from the process.	Ongoing	31/07/17
Management and leadership development programmes	Responsive & Efficient	To design and implement/deliver management and team leader training to equip managers to perform effectively and meet future challenges.	Skilled and effective managers with qualifications as appropriate.	Build on existing provision to develop a menu of options based on core skills, qualifications and a range of modules to support the needs of managers in a changing organisation.	Completion of 1st line manager/supervisor training programme by end of 2017. Design, commissioning and initiation of Leadership Development programme for senior managers by end of financial year.	Ongoing	31/03/18

APPENDIX B

Embed competency framework and expand it's use	Responsive & Efficient	Revised competency framework has been approved by Corporate Board together with guidance regarding use. Communication and development is now needed to embed there use .	New framework being used for RPR, talent/succession planning and recruitment.	Present competencies to April JSCC and May SMG.	Competencies fully in place for 2017 interim RPR round.	Underway	20/09/17
Resource cost-effective learning to meet needs	Responsive & Efficient	Support both corporate and departmental learning by sourcing cost effective learning solutions and looking for opportunities to generate income	Best value obtained from budgets available.	Explore opportunities to operate in a more commercial way and to work in partnership where this provides opportunities to achieve the desired outcome.	Regular reviews of all training budgets undertaken with group accountant on a monthly basis.	Underway	Ongoing

Recruitment and Retention

Action Title	Objective	Description of the Action	Desired Outcome	Sub-Action	Milestones	Planned Start Date	Due Date
Completion of manager access to Online Recruitment	Responsive & Efficient	Deliver the next stage of the online recruitment project – manager access.	Managers can access application forms and carry out short-listing online. Less HRSO involvement, saving time and resource.	Test and trial manager access and provide guidance notes for managers. Spot-checking to be carried out to ensure accuracy.	Phase 2: Manager Scoring Module to be completed.	01/03/17	01/08/17
Agency Temporary worker provision	Responsive & Efficient	Revise the Policy and Procedures in respect of the procurement of temporary workers by the Council.	A clear cost effective means of providing the Council with the temporary worker resource it requires having regard to best value and the Go Local initiative.	Review of Temps Register. New arrangements for procuring agency workers.	Way forward agreed by CB. Revitalised Temps Register up and running, new Policy and procedures issued.	01/04/17	30/06/17
Talent/succession planning	Responsive & Efficient	Develop a strategy for identifying and developing potential and planning succession to meet future organisational requirements.	Strategy agreed and in place together with a framework which is successfully identifying and developing talent for future roles.	HR managers to collaborate on the development and approval of a strategy building on the use of the revised competency framework.	Initial HR managers meeting to assign responsibilities and way forward in developing the strategy.	01/04/17	31/12/17

Providing an HR Service

Action Title	Objective	Description of the Action	Desired Outcome	Sub-Action	Milestones	Planned Start Date	Due Date
Support services going through Shared services or outsourcing/TUPE changes	Responsive & Efficient	Provide HR support for managers during restructures and TUPE negotiations.	Staff are well supported through change.	HR Business Partners to support and advise managers through periods of change management.	Consultation process successfully concluded.	Ongoing	Ongoing
Policy Reviews	Responsive & Efficient	Follow a planned and regular review schedule for existing policies, introduce new policies as required and respond to changes in legislation and good practice.	Clear, fair and consistent policies which cover all required aspects of the employment relationship.	Regular policy reviews and monitoring of developments.	All policies regularly reviewed as required and new policies introduced to meet any deadlines imposed.	Ongoing	Ongoing
Gender pay gap reporting	Responsive & Efficient	Ensure statutory requirements are met.	Provision of accurate information in relation to reporting requirements.	Determination of who is in scope of requirements. Compile a report to cover relevant workers. Ensure any required revisions to SAP are undertaken.	Correct workers and report run on required date. Submission of data by required date and in the required manner.	01/01/17	01/04/18
Equalities data review (on SAP)	Responsive & Efficient	Ensure equalities data is captured in a consistent manner and is as complete as possible.	Comprehensive equalities data is available on the SAP system.	Encourage all staff to complete data via self-service.	Equalities data produced for the next report is as complete as possible.	1/4/17	31/07/17
Absence Management	Responsive & Efficient	Support managers to effectively manage staff absence. Aim to reduce organisational cost of absences and ensure NHDC provides an efficient service for our customers and stakeholders.	Reduction in sickness absence, effective service delivery to customers and stakeholders	HR Business Partners to review absences and advise and support managers to deal with absence effectively and consistently across the organisation.	Continue to reduce short term absence figures.	Ongoing	Ongoing

Pay and Rewards

Action Title	Objective	Description of the Action	Desired Outcome	Sub-Action	Milestones	Planned Start Date	Due Date
Annual Pay Policy Statement	Responsive & Efficient	Prepare the annual pay policy statement incorporating all recent changes in regulations and guidance.	Publication to comply with Section 40 of the Localism Act & the Local Government Transparency Code 2014 and proposed changes arising from the Enterprise Bill.	Use of Guidance, drafting report to Council, Council approval, final amendments and publication.	Approval at Full Council and Publication.	01/01/17	01/04/17 Complete
Pay Scales and Market Rates Review	Responsive & Efficient	Pay scales to be reviewed in comparison to other public sector employers.	NHDC pay scales are representative of local employment market and staff are paid appropriately.	Review pay scales in line with local, regional and national pay information available from e-paycheck and market sources. Present findings to Corporate Board/Councillors and determine a way forward.	Engage an external consultant to support review once data from E-paycheck. Monitor progress and outcome of national pay scales review.	01/04/17	30/09/17
Procurement of new contracts for salary sacrifice childcare and cycle to work schemes and employee discount scheme	Responsive & Efficient	Consider available providers of salary sacrifice childcare vouchers, salary sacrifice cycle to work and employee discount schemes in accordance with the Council's procurement rules.	Staff continue to have access to tax efficient childcare and cycle to work provision and to an attractive discount scheme.	Review available suppliers on the market. Benchmark with other local authorities.	New arrangements implemented.	01/01/17	30/04/2017 Complete
Support Finance in the correct tax treatment of Off Payroll workers.	Responsive & Efficient	Ensure statutory requirements are met.	Statutory requirements are met.	Determination of who is in scope of requirements. Advise managers of steps that need to be taken regarding these workers. Ensure any required revisions to SAP are undertaken.	Correct workers identified and set up on SAP system to enable appropriate deductions to be made in ongoing monthly manner.	01/01/17	06/04/17 Complete

APPENDIX B

Review of salary sacrifice car lease scheme.	Responsive & Efficient	Consider existing salary sacrifice car lease scheme in the light of statutory changes regarding tax and NI savings.	Staff continue to have access to a tax efficient salary sacrifice car lease scheme if it is in employees' and the Council's best interests to do so.	Review existing scheme in the light of the new statutory requirements and decide if it is to continue. Re-procure contract if scheme to continue.	Prepare report on options going forward and present to Corporate Board. Manage and implement outcomes of decision. Undertake procurement of a new supplier if scheme to continue.	01/01/17	06/04/17 Complete
Review of childcare voucher scheme pending introduction of government tax free childcare scheme	Responsive & Efficient	Consider existing childcare voucher scheme in relation to new provision.	Staff continue to have access to tax efficient childcare provision.	Review existing scheme. Research new government scheme when published.	Prepare report on options going forward.	01/04/17	31/03/18
Review of Council's long service reward scheme	Responsive & Efficient	Review of long service award scheme in response to comments on recent Staff survey.	Provision of a cost efficient scheme valued by staff.	Review of scheme within NHDC. Benchmarking with other local authorities.	Prepare report on options going forward. Implementation of revised scheme.	01/04/17	31/07/17
Review of Shared Parental Leave provision	Responsive & Efficient	Review current SPL scheme after a period of operation.	Provision of shared parental leave in line with other comparable authorities.	Review of scheme within NHDC. Benchmarking with other local authorities.	Report to Corporate Board to agree an approach to provision.	01/01/17	01/09/17
Review of Pension Scheme discretions	Living within our means	Review of current pensions discretions in the light of revisions to the LGPS Scheme.	Pensions discretions are current.	Review current arrangements.	Await outcome of latest pension scheme change discussions.	01/04/17	31/12/17
Re-enrolment to Pension Scheme of all opted out employees	Living within our means	Re-enrolment of opted out employees to LGPS.	Increase in membership of LGPS.	Identify all opted out employees and communicate their options to them. Complete re-enrolment declaration	All affected employees respond within deadlines. Statutory declaration made by deadline.	01/01/17	31/05/17 Complete
Update of all ESS/MSS user guides	Responsive & Efficient	Ensure all ESS/MSS guides are up-to-date and published.	Updated, clear and easy to use guides available on the Intranet.	Review of each guide.	Publishing of revised guides on the Intranet.	01/04/17	01/09/17

**JOINT STAFF CONSULTATIVE COMMITTEE
28 JUNE 2017**

*PART 1 – PUBLIC DOCUMENT

AGENDA ITEM No.

7

TITLE OF INFORMATION NOTE - A ROUND UP OF CURRENT GOVERNMENT CONSULTATIONS AND UPDATE ON THE NJC PAY SCALES NATIONAL REVIEW.

INFORMATION NOTE OF THE CORPORATE HUMAN RESOURCES MANAGER

1. SUMMARY

- 1.1 This is a round up of the latest position on government consultations that will mean changes to pay, benefits and other HR employee policy and practices.

2. STEPS TO DATE

- 2.1 There is regularly an update to the Joint Staff Consultative Committee to inform the committee of the progress of any national pay negotiations, pay claims, pay awards and any changes in relation to pay and pensions that may be coming up. This paper is to show the latest position on a number of government consultations and to update JSCC on the work going on between the LG Employers and the Trade unions to review the national pay scales.

3. INFORMATION TO NOTE

3.1 NJC Review of the national pay scales.

As part of the 2016 -18 pay deal, the NJC agreed to conduct a review of the NJC pay spine. The latest communication on the project is set out below this was received on 5th April 2017.

Dear Colleague,

We are writing to you to let you know about the current review of the national pay spine, which has now started, but is still in its early stages. The requirement to implement the National Living Wage (NLW) in 2020 and how this impacts on pay agreements for 2018-2020 is a big factor to consider

The review of the national pay spine remains in the technical stages and as yet neither the National Employers nor the Trade Unions have adopted a formal negotiating position. The joint technical review group has been meeting monthly. The key drivers in discussions to date have been for the NJC to devise a reformed pay spine that meets the following criteria:

- *is legally compliant with the National Living Wage and that will be 'future proofed' to absorb yearly increases in the rate*
- *has equal differentials between each spinal column pay point*
- *does not cause equal pay / 'Single Status MkII' problems for employers*

- *requires the minimum amount of time and effort for employers to implement and assimilate staff onto a new spine*
- *can be the basis for an agreement between the National Employers and the Trade Unions*

It is clear from the modelling that has taken place that the cost of meeting the NLW in 2020 and the other criteria cannot be achieved at a total cost of a 3% cumulative increase in national pay bill over the settlements for 2018, 2019 and 2020. For illustrative purposes only the review group has calculated the range of costs over the three years are likely to be at least 4.5%-6.0% increase on the national pay bill, but with the lower end of that cost estimate resulting in significant future problems with regard to the maintenance of differentials and therefore proving to be something of a false economy. As always, whatever emerges from the NJC discussions will be subject to a full and comprehensive consultation with all councils.

3.2 Exit Payment Cap

The planned Exit Payment Regulations 2016 have been delayed and there is some evidence that the government might be rethinking the policy and there is no definite date for its implementation.

3.3 Off Payroll Workers

This is the new legislation from April 2017 that makes public sector employers responsible for assessing the tax liability of contractors, who work through personal service companies. It took a great deal of time for HR and Finance to prepare for these complex changes but the work was completed on time. Fears remain that interims and contractors provide short term capability or capacity for the public sector without building up employer liabilities. These arrangements allow a very agile approach to resourcing allowing the public sector to utilise talent for only so long as it is needed. For contractors it may be enough to discourage them from choosing to work in the public sector leading to a potential lack of talented resource being available. One such contractor has withdrawn from working for the Council due to the new tax liability.

3.4 Apprentice Levy

The preparations for the Apprentice Levy have resulted in the Councils on-line account being active and ready Government has now published some further guidance on the changes to apprenticeship funding, this includes proposed funding bands for existing apprenticeship frameworks and standards. They have also updated the existing online guidance, which gives employers a clear explanation of how to pay the levy, manage and use their funds in the new system.

3.5 Mandatory Gender Pay Gap Reporting

On 18th August the Government issued a consultation on gender pay reporting. It runs up to 30 September 2016. Public bodies that are subject to these regulations are those with 250 or more employees and will have to calculate their mean and median gender pay gap, and information on the proportions of male and female employees in each salary quartile. Work will start in readiness to prepare any standard reports that will be needed for this.

3.6 Salary Sacrifice Cars

In his Autumn Statement the Chancellor announced changes to salary sacrifice car leasing schemes which mean that from 6th April 2017 the tax and national insurance contributions savings for employees and employers will be reduced. The new rules however do not apply to ULEVs (Ultra Low Emissions Vehicles).

All salary sacrifice vehicles currently being driven by employees under the scheme, or ordered before the new tax year, were unaffected by the changes, and all current agreements will be honoured for the duration of their term up to a maximum of April 2021. From 6th April 2017 the Council's Justdrive Scheme was amended so that only ULEVs cars are now available to order. To date no orders have been received under the new scheme.

A survey of staff opinion in respect of the Scheme received a good response with over a 100 members of staff expressing their views. The comments received showed the expense of the scheme is a strong negative factor with almost 50% (11/24) of commentators thinking the scheme was expensive or not a good deal. There was some support for electric cars promoting the Council's green agenda (3/24), but very few comments gave a positive indication that the individual would be interested in joining the scheme (3/24). The current contract with the provider of the scheme is due for re-tender at the end of November 2018 and it has been decided to continue running the scheme on the revised basis described above until mid 2018 before reviewing whether the contract should be re-tendered.

It was agreed to carry out a survey of staff given the changes to salary sacrifice car schemes. The survey showed that very few members of staff who replied are in the scheme (3) which is what we expected, the expense of the scheme is a strong factor with commentators thinking the scheme was expensive or not a good deal. There was some support for electric cars promoting the Council's green agenda (3/24) The interest in ECO cars was noted but the fact that take up hasn't been of this type of car was also acknowledged. Very few comments gave a positive indication that the individual would be interested in joining the scheme (3/24). The scheme will stay open until a contract review date of 30/11/18.

3.7 Local Government Pension Scheme

A consultation on changes to the LGPS regulations took place in August 2016. The LGA responded but to date the government response has not been published.

4. NEXT STEPS

Developments on these matters and any other new proposals will be followed and reported to each JSCC.

5. APPENDICES

5.1 None.

6. CONTACT OFFICERS

- 6.1 Kerry Shorrocks – Corporate Human Resources Manager 01462 474224
Maggie Williams – Senior HR and Contracts Manager 01462 474506

7. BACKGROUND PAPERS

7.1

<https://www.gov.uk/government/consultations/local-government-pension-scheme-regulations>

Apprentice Levy [further guidance](#)

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/545135/Simplification_of_the_tax_and_National_Insurance_treatment_of_termination_payments-government_response_and_consultation_on_draft_legislation.pdf

<https://consult.education.gov.uk/equality-framework-team/gender-pay-gap-reporting-public-sector>

<https://www.gov.uk/government/consultations/salary-sacrifice-for-the-provision-of-benefits-in-kind>

JOINT STAFF CONSULTATIVE COMMITTEE

28 JUNE 2017

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

8

DISCUSSION PAPER – TRANSFER OF UNDERTAKINGS PROTECTION OF EMPLOYMENT (TUPE)

To discuss issues regarding Transfer of Undertakings Protection of Employment (TUPE)

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Strategic HR Forum June 2017 – Discussion paper Transfer of Undertakings Protection of Employment (TUPE)

Introduction

The Transfer of Undertakings (Protection of Employment) Regulations 2006 as amended by the "Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 2014 are the main pieces of legislation that covers an employees right to be transferred to another employer with their assigned undertaking and remain on the same terms and conditions with continuity of employment.

TUPE is well used across Local Government because it applies to a number of different circumstances, including outsourcing. An employer can have employees transfer in or transfer employees out, dependant on the situation. Due to the implications of TUPE, it's an important factor to consider when embarking on any project involving employees and the transfer of undertaking.

ACAS has a number of useful guides that can be found on this link.

<http://www.acas.org.uk/index.aspx?articleid=1655>

When does TUPE apply?

An employer cannot choose whether to apply TUPE. It occurs when a business transfer or a service provision transfer takes place and involves the employees who are assigned to that undertaking. TUPE applies in the following circumstances:

- mergers
- sales of businesses by sale of assets
- a change of licensee or franchisee
- the gift of a business through the execution of a will
- transfers out of companies in administration
- contracting out of services
- changing contractors
- situations where all or part of a sole trader's business or partnership is sold or otherwise transferred.*

TUPE doesn't apply to:

- transfers by share take-over
- transfers of assets only (for example, the sale of equipment alone would not be covered, but the sale of a going concern including equipment would be covered)
- buying in services from a contractor on a one-off basis - rather than entering into an ongoing relationship for the provision of the services
- a situation where there is a change of business identity, for example if the nature of the work or the organisational structure changes radically
- the supply of goods for the client's use (for example, supplying food to a client to sell in its staff canteen, rather than a situation where the contractor runs the canteen for the client).
- transfers of undertakings situated outside the UK (although these may be covered by the regulations of other member states).(Source: CIPD)

What it means to the employer

When TUPE applies there is a direct effect on employees assigned to the undertaking. The employee should transfer automatically along with all their **rights, duties and liabilities**.

The employer has a **duty to consult** with employees as soon as reasonable possible when TUPE is proposed. There is a penalty if the employer fails to do this (13 weeks gross pay).

Transferred employees have protection from **dismissal** where the principle reason for dismissal is the transfer, unless there is an **Economic, Technical or Organisational reason** (ETO). If an employee is dismissed because of the transfer, their dismissal is automatically unfair.

Transferred employees **terms and conditions** are protected following transfer. Unless there is an ETO reason for making changes in the workforce and the employee(s) agree, variations to the employment contract will be void if the reason for the variation is the transfer. The exception to this is collective agreements, which can be changed one year after the transfer, providing that the new terms and conditions are more favourable.

When an employer is transferring an undertaking to another organisation, it has a duty to **provide information** to the new employer by a certain date. This information includes employee data and information confirming current terms and conditions.

The ETO

Although harmonising terms and conditions can be seen as positive, TUPE works to protect current terms and conditions unless an ETO reason is present. The CIPD provide examples of these:

Economic reasons

The demand for output has fallen to such an extent that profitability of the entity is unsustainable without dismissing staff.

Technical reasons

The transferee wishes to use new technology and staff employed by the transferor in the entity do not have the requisite skills.

Organisational reasons

The transferee operates at a different location and it is not practical to transfer staff.

Therefore, employers must be aware that harmonising terms and conditions is not always possible when employees transfer to their employment.

Impact of Brexit?

TUPE derives from an EU directive. It is possible that there will be changes to the legislation once the UK leave the EU. Until this happens, it's unclear whether changes will be made and/or how these will impact on UK organisations. The CIPD believe that one change maybe to increase the scope of the ETO reasons, which may enable the dismissal of employees before a transfer.

JOINT STAFF CONSULTATIVE COMMITTEE

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AGENDA ITEM No.












9

SUGGESTED DISCUSSION TOPICS

A comprehensive list of discussion topics from which to choose the subjects for future Committee debate.

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Strategic HR Forum Suggested Discussion Topics

Employment Law
 Potential Changes to Disability Laws – March 2017 Obesity may amount to a disability. The latest on this.
 TUPE – June 2017 There are recent changes to TUPE regulations, an overview of what these are
 Shared Parental Leave – September 2017 Review of operation of new provisions and proposed extensions to eligibility
Learning and Development
 Coaching Coaching for individual and organisational development
 Essential Learning Essential Learning – Responding to growing demands
Employee Relations
 Salary Sacrifice Schemes What are they, what have we got on offer and what's their future?
 Employee Assistance Programme What it is, what does it do and is it of value?
 Trade Union Act 2016 What are the changes and what do they mean?
 Local Government Pension Scheme What is the current position and what changes are planned?
Resourcing
 On-line Recruitment How we are modernising the process for on-line applications.
 Apprentices The future for Apprenticeships Apprentice Levy, Public sector targets and Higher Apprenticeships

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