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## TRAFFORD COUNCIL

### AGENDA PAPERS FOR EMPLOYMENT COMMITTEE

Date: Monday, 9 March 2015

Time: 10.30 a.m. (or at the later rising of the Joint Consultative Panel)

Place: Committee Rooms 2 and 3, Trafford Town Hall,  
Talbot Road, Stretford, M32 0TH.

<b>A G E N D A</b>	<b>PART I</b>	<b>Pages</b>
1. <b>ATTENDANCES</b>		
To note attendances, including Officers and any apologies for absence.		
2. <b>MINUTES</b>		1 - 2
To receive and if so determined, to approve as a correct record the Minutes of the meeting held on 11 February 2015.		
3. <b>USE OF AGENCY WORKERS</b>		3 - 6
To consider a report of the Acting Director of Human Resources.		
4. <b>TRADE UNION FACILITIES AGREEMENT REVIEW UPDATE</b>		7 - 12
To consider a report of the Acting Director of Human Resources.		
5. <b>PAY POLICY STATEMENT</b>		To Follow
To consider a report of the Acting Director of Human Resources.		

## **Employment Committee - Monday, 9 March 2015**

### **6. QUARTERLY REPORT ON EXEMPTIONS TO THE SICKNESS POLICY**

To consider an oral report from the Acting Director of Human Resources.

### **7. URGENT BUSINESS (IF ANY)**

Any other item or items which, by reason of special circumstances (to be specified), the Chairman of the meeting is of the opinion should be considered at this meeting as a matter of urgency.

### **THERESA GRANT**

Chief Executive

#### Membership of the Committee

Councillors B. Rigby (Chairman), Mrs. P. Dixon (Vice-Chairman), J. Bennett, N. Evans, C. Hynes, B. Shaw and A. Western.

#### Further Information

For help, advice and information about this meeting please contact:

Alexander Murray, Democratic and Scrutiny Officer

Tel: 0161 912 4250

Email: [alexander.murray@trafford.gov.uk](mailto:alexander.murray@trafford.gov.uk)

This agenda was issued on **Friday, 27 February 2015** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall, Talbot Road, Stretford M32 0TH.

## EMPLOYMENT COMMITTEE

11 FEBRUARY 2015

### PRESENT

Councillor B. Rigby (in the Chair).

Councillors Mrs. P. Dixon (Vice-Chairman), J. Bennett, N. Evans, C. Hynes, B. Shaw and A. Western.

#### In attendance

Acting Director of Human Resources (Ms. L. Hooley),  
Director of Legal and Democratic Services (Ms. J. Le Fevre),  
Senior Democratic Services Officer (Mr. I. Cockill),  
Democratic Services Officer (Mr. A. Murray).

### 12. MINUTES

That the Minutes of the meeting held on 15<sup>th</sup> December 2015 be approved as a correct record and signed by the Chairman.

### 13. REVISED CORPORATE MANAGEMENT TEAM (CMT) AND SENIOR MANAGEMENT ARRANGEMENTS

The Acting Director of Human Resources presented a report of the Chief Executive advising Members on the revised Corporate Management Team (CMT) and senior manager arrangements.

RESOLVED –

- (1) That the Employment Committee notes the content of the report in the context of the revised Corporate and Senior Management arrangements and the arrangements for salaries as outlined in the Pay Policy and endorses the proposals set out in Section 3 of the report.

(Note: Councillors Bennett, Hynes and A. Western requested that the fact they had abstained from the voting on the proposals be recorded.)

- (2) That the Acting Director of Human Resources be requested to investigate the size and makeup of senior management arrangements in other authorities comparable to Trafford.
- (3) That the revised job description and person specification for the post of Corporate Director – Resources be shared with Members.

The meeting commenced at 5.30 p.m. and finished at 5.55 p.m.

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## TRAFFORD COUNCIL

**Report to:** Employment Committee  
**Date:** 9<sup>th</sup> March 2015  
**Report for:** Information  
**Report of:** Acting Director of HR

### Report Title

**Agency Spend for Period August 2014 to January 2015**

### Recommendations

**That the content of this report is noted.**

Relationship to Policy Framework/Corporate Priorities	These proposals align with the council's Corporate Priorities in respect to 'Low Council Tax and Value for Money' and 'Reshaping Trafford Council'.
Financial	The cost of using agency workers is carefully managed and monitored through existing budgets and budget management frameworks.
Legal Implications:	Agency assignments are carefully monitored to ensure that they are legally compliant and any employment liability is mitigated.
Equality/Diversity Implications	None
Sustainability Implications	None
Staffing/E-Government/Asset Management Implications	The use of agency workers supports critical resourcing gaps.
Risk Management Implications	See Legal Implications section.
Health & Wellbeing Implications	None
Health and Safety Implications	None

### **1. Background**

A robust vacancy clearance process is in place that ensures that posts are only filled where there is a compelling case to do so and that where a post is filled, the aim is to match to the vacancy in the first instance in a priority sequence; employees on notice from redundancy (redeployees), "at risk" staff (those employees where there is a real risk of redundancy) and apprentices. Vacancies will then be subject to approval by the Corporate Management Team (CMT) for advertisement to internal staff in order to minimise the number of compulsory redundancies and the incurrence of additional spend on external resources, including agency fees. Only after all internal processes have been exhausted and in exceptional circumstances, e.g. the Council

must fill the post in order to meet a statutory requirement, will CMT approve the post to be advertised externally and/or an agency route will be explored.

### 1.1 Use of Agency staff

There will be exceptional circumstances whereby the resourcing needs are short term in nature and require access to time limited and/or specialist skills that cannot be found within the organisation. For these reasons, access to temporary agency support is essential to meet critical gaps in service provision as outlined below. The breakdown of agency spend over the last 6 months (from August 2014 to January 2015 inclusive) is provided in the document accompanying this paper.

### 1.2 Children, Families and Well-Being Directorate

The majority of agency spend is due to the service discharging its statutory responsibilities for providing social care services for vulnerable children and adults. The interim staffing need is primarily required to cover staffing resource gaps, created as a result of staff absences and cover is critical to ensure that service users receive the appropriate level of care and support.

Spend activity primarily relates to the procurement of interim qualified Social Workers and Adult Support workers, which represents 85% total spend for the Directorate. The remaining spend primarily relates to provision of childcare services where the Council has statutory obligation to meet minimum staffing ratios

### 1.3 Transformation and Resources Directorate (T & R)

Agency spend in this Directorate is due to the need to bring in specialist skills to provide transformational technical and consultancy support to the organisation as it reshapes, which includes transformation support to other Directorates, for example the CFW programme in particular, with the Health integration and transformation programme. Total spend in this area equates to circa 35% of total spend in the T & R Directorate

Remaining agency spend relates primarily to interim resources required to support core services in this Directorate whilst they go through their own transformation and staffing restructures, which will support the realisation of Directorate savings.

### 1.4 Economic Growth, Environment and Infrastructure

The agency spend in this area is on technical interim support, which is used on an ad-hoc basis to cover workload pressures.

## **2. Conclusion**

Employment Committee is recommended to note the content of this report.



**Trafford Council Agency Spend by Directorate - 1st August 2014 to 31st January 2015**

Directorate	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Total
CFW	£114,742	£86,129	£116,125	£85,956	£70,400	£79,973	<b>£553,325</b>
EGEI	£13,295	£8,708	£12,521	£7,645	£8,920	£11,466	<b>£62,555</b>
T&R	£61,815	£51,811	£61,620	£55,988	£46,363	£56,507	<b>£334,104</b>
<b>All</b>	<b>£189,851</b>	<b>£146,648</b>	<b>£190,266</b>	<b>£149,589</b>	<b>£125,683</b>	<b>£147,946</b>	<b>£949,983</b>





## TRAFFORD COUNCIL

**Report to:** Employment Committee  
**Date:** 9<sup>th</sup> March 2015  
**Report for:** Information  
**Report of:** Acting Director of HR

### Report Title

**Review of Corporate Trade Union Facilities Agreement - Update**

### Summary

**This report provides an update on the review of the corporate trade union facilities agreement, specifically in relation to the number of full-time convenors.**

**The number of staff working for the Council has reduced in recent years; however, the associated trade union facilities arrangements and budgets have not been reviewed to reflect these staffing reductions.**

**In light of the on-going Reshaping Trafford programme and the financial challenges being faced, it is important that facility arrangements are reviewed; the purpose of this review is to ensure that arrangements are fit for purpose, providing the Council with an effective employee relations framework, which is also proportionate to the number of members represented.**

### Recommendations

**That the content of this report is noted.**

Contact person for access to background papers and further information:

Name: Deborah Lucas, Head of HR Business Partnering  
Extension: x4095

Background Papers: Trade Union Facilities Agreement

Relationship to Policy Framework/Corporate Priorities	These proposals align with the council's Corporate Priorities in respect to 'Low Council Tax and Value for Money' and 'Reshaping Trafford Council'.
Financial	This review will ultimately generate savings against the current budget that is allocated to

	trade union staffing costs
Legal Implications:	The revised agreement will be compliant with the legal requirements relating to trade union recognition.
Equality/Diversity Implications	An Equality Impact Assessment will be undertaken in line with the Equality Framework
Sustainability Implications	None
Staffing/E-Government/Asset Management Implications	There may be an impact on the trade union's responsiveness to staff requests if the number of full-time convenors is reduced; however, any reduction would be mindful of the timing in relation to transformation and consultation activity.
Risk Management Implications	The reduction in facility arrangements may impact on the timeliness of employment processes.
Health & Wellbeing Implications	As above, if there is reduced responsiveness from the trade union, this could impact on staff health and wellbeing; support is available; however, via health management procedures.
Health and Safety Implications	None

## 1. INTRODUCTION

1.1 The existing Trade Union Facilities Agreement essentially provides for the following arrangement:

*“A total of two full time secondments are currently provided to Unison. The number of secondments will be periodically reviewed based on union membership numbers within the Council. Corporate funding for seconded positions will be up to the maximum of Band 9 (spinal column point 42). The appropriate Trade Union will meet any additional salary costs.”*

1.2 This corporate arrangement has been in place for a number of years and has not been subject to a review.

1.3 The Facilities Agreement for Teaching Unions; however, was reviewed in 2013 and this arrangement is now reviewed on an annual basis, at the end of each academic year. The review essentially assesses the de-delegated budget allocation from schools against the membership numbers for each recognised teaching union and facility time is then proportionately shared between the trade unions.

## 2. BACKGROUND

2.1 The current corporate trade union facilities arrangement has worked well in recent years and Trafford Council is proud of the good relationships that exist with its recognised trade unions.

- 2.2 With the significant budget pressures that the Council has faced in recent years, services have been rationalised, which has resulted in a significant reduction in staffing numbers. In 2010, the workforce headcount was 3700; this has reduced to 2945 as at January 2015 and, over the coming financial year, this will reduce further. The current anticipated headcount reduction linked to the 2015/16 budget proposals is in the region of 200 staff, with a further 270 staff aligned to the JVC. This is likely to mean that over the next 12 months, staffing numbers could reduce to an estimated 2500. This represents a workforce reduction of over 30% over a five year period.
- 2.3 During the same period, the number of full-time trade union convenors has remained constant i.e. two full-time equivalent posts.
- 2.3 In light of these significant changes to the workforce, a decision was taken at the end of September 2014 to review the facilities arrangements.

### **3. UPDATE ON REVIEW OF ARRANGEMENTS**

- 3.1 A number of meetings have been held between Council officers and regional and local Unison representatives, who were also acting for the GMB trade union.
- 3.2 At these meetings, the parties recognised the need for a review and recognised that trade union membership had reduced proportionate to the overall staff reductions. Discussions also took place about how wider savings could be achieved such as savings on Unison office accommodation as well as how third parties might be approached to contribute to the facilities budget; for example, this could include organisations such as schools, academies, Trafford Housing Trust, etc. who currently benefit from Trafford's Facilities Agreement but do not make any financial contribution to support it.
- 3.2 In addition to the meetings, a benchmarking exercise has recently been undertaken to look at facilities arrangements across other local authorities. This exercise highlighted that there is no standard approach to how facility time is calculated, with the majority of authorities responding that their arrangement is out-dated and in need of a fundamental review. Only two authorities stated that they have a specific basis for allocating facility time and this was essentially allocating one full-time convenor per 1000 union members.
- 3.4 This benchmarking exercise was also reflective of the legal position, whereby ACAS provides a Code of Practice on Time off for Trade Union Duties and Activities but does not prescribe any ratios that should be used to calculate such time. The general rule is that it should be reasonable and flexible and be

dependent upon specific activity that is being undertaken within an organisation at any one point in time.

- 3.5 In terms of membership numbers, Unison confirmed that as at the end of 2014, their total Trafford Council membership (schools and non-schools) was in the region of 1700; this figure requires a further breakdown; however, if a more comprehensive assessment is to be undertaken in relation to seeking support from third party organisations. In this respect, Unison has agreed to provide this breakdown and once it is received, this assessment can be conducted.

#### **4. CURRENT POSITION**

- 4.1 The Council has recently concluded a second period of collective consultation within a four month period. This activity comprised fortnightly corporate meetings with management and trade union officials as well as local consultation at a team and individual level, affecting over 500 staff and resulting in around 200 redundancies. This activity has significantly increased the activity of trade union officials, who have been called upon to provide direct support to their members in affected areas.
- 4.2 Furthermore, the Council will shortly make an announcement about whether or not the proposed Joint Venture Contract will be awarded to a preferred bidder; should this proceed, then there will be a period of significant trade union activity to support a three-month mobilisation period between April – June 2015.
- 4.3 Given the on-going review that is being undertaken and the increase in demand on trade union officials during this peak of activity, the number of full-time officials remains at two and it is anticipated that this will remain the position until at least the end of June.
- 4.4 That said, given the change in personnel undertaking these roles, there has been a small in-year budget saving as the current staff who are seconded into the role of convenor are seconded on an overall rate of pay, which is lower than the previous incumbents.

#### **5. TIMELINE**

- 5.1 It is estimated that the assessment of membership numbers and other potential savings options will be concluded no later than the end of April 2015 and the levels of employee relations activity that is being undertaken will continue to be monitored, with the new arrangements put in place once there is greater level of stability.

5.2 An update on progress will be communicated to the Employment Committee at its next meeting.

## **6. RECOMMENDATION**

Employment Committee is recommended to note the content of this report.

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