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TRAFFORD **COUNCIL**

AGENDA PAPERS FOR EMPLOYMENT COMMITTEE

Date: Monday, 18 January 2016

Time: 10.00 a.m.

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

A G E N D A	PART I	Pages
1. ATTENDANCES		
To note attendances, including Officers and any apologies for absence.		
2. MINUTES		
To receive and if so determined, to approve as a correct record the Minutes of the meeting held on 14 December 2015.		
		1 - 2
3. STAFF TERMS AND CONDITIONS - OUTCOME OF CONSULTATION ON THE PROPOSED EXTENSION OF MANDATORY UNPAID LEAVE		
To consider a report of the Acting Director of Human Resources.		
		3 - 32
4. 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

Employment Committee - Monday, 18 January 2016

Membership of the Committee

Councillors B. Rigby (Chairman), Mrs. P. Dixon (Vice-Chairman), J. Bennett, M. Cawdrey, N. Evans, C. Hynes and D. Jarman.

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

This agenda was issued on **Friday, 8 January 2016** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall, Talbot Road, Stretford M32 0TH.

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Public Document Pack Agenda Item 2

EMPLOYMENT COMMITTEE

14 DECEMBER 2015

PRESENT

Councillor B. Rigby (in the Chair).

Councillors Mrs. P. Dixon (Vice-Chairman), M. Cawdrey and C. Hynes

In attendance

Lisa Hooley	Acting Director of Human Resources
Ian Duncan	Director of Finance
Deborah Lucas	Head of HR Business Partnering
Habib Khan	Head of Legal
Alexander Murray	Democratic and Scrutiny Officer

APOLOGIES

Apologies for absence were received from Councillors J. Bennett, N. Evans and D. Jarman

15. MINUTES

That the Minutes of the meeting held on 14 September 2015 be approved as a correct record and signed by the Chairman.

16. TERMS AND CONDITIONS

The Acting Director of Human Resources presented a report to the Committee. The report covered the proposed extension of the additional mandatory 3 days unpaid leave for staff for a further two years. The proposal carried an extra clause whereby staff can make an advanced request to take extra unpaid leave (up to 7 days in addition to the 3 days' mandatory leave) in the forthcoming year with the cost being spread out over the course of the year. The other proposal within the report concerned the uplift of the hourly rate of pay for apprentices.

Councillors asked a series of questions regarding these proposals including staff reaction to the mandatory leave since its inception, trade union reactions and whether any changes had been made to the exemptions to the policy. The Committee received detailed answers to their questions and were satisfied with the responses.

As well as laying out the proposals to the Committee the report also detailed the consultation process. Committee Members requested that the results of the consultation be brought before the Committee once they are available. The report recommended that the proposals be noted and supported as part of the 2016/17 budget proposals.

Resolved:

- 1) That the recommendations of the report be agreed by the Committee.

Employment Committee
14 December 2015

- 2) That the results of the consultation be brought to the Committee once it is completed.

17. PENSIONS AND DISCRETIONS

The Acting Director of Human Resources Presented a report to the Committee. The report detailed the flexibility afforded to Local Authorities in the Local Government Pension Scheme Regulations, known as discretions. The report explained that there are a number of compulsory discretions a council must cover in policy statements and others which are recommended. Appendix 1 contained both the policy statements for compulsory and recommended discretions.

RESOLVED:

- 1) That the Committee approves the Policy Statement on Employer Pension Decisions.

18. AGENCY SPEND 1ST APRIL TO 30TH SEPTEMBER 2015

The Acting Director of Human Resources presented an update report to the Committee on Agency Spend 1st July to 30th September 2015. The key areas of the update were that the peripatetic team for the Children, Families and Wellbeing Directorate had now been recruited and that the AGMA wide price setting for agency social workers had worked very well and there was a view to spread the scheme regionally.

RESOLVED:

- 1) That the Committee noted the update report.

19. QUARTERLY REPORT ON EXEMPTIONS TO THE SICKNESS POLICY

The Acting Director of Human Resources gave a brief oral update to the Committee on sickness exemptions. The Committee were informed that since the last meeting a further two exemptions had been requested and granted taking the total number of requests to 12 with 7 accepted and 5 declined.

RESOLVED:

- 1) That the Committee noted the update.

The meeting commenced at 10.30 am and finished at 11.06 am

Agenda Item 3

TRAFFORD COUNCIL

Report to: Employment Committee
Date: 18th January 2016
Report for: Approval
Report of: Acting Director of HR

Report Title

Staff Terms and Conditions – Outcome of Consultation on the Proposed Extension of Mandatory Unpaid Leave

Recommendations

It is recommended that the Employment Committee:

- **approves the proposal to extend the 3 days' mandatory unpaid leave provision for one further year**
- **approves a simplified system for taking additional unpaid leave, allowing staff to spread the cost over a 12 month period**
- **agrees to a review of the temporary arrangement towards the end of 2016**

Contact person for access to background papers and further information:

Name: Deborah Lucas
Extension: x4095

Relationship to Policy Framework/Corporate Priorities	This proposal aligns with the council's Corporate Priorities in respect to 'Low Council Tax and Value for Money' and 'Reshaping Trafford Council'.
Financial	The proposal to extend unpaid leave will achieve savings in the region of £0.5m to support the 2016/7 budget savings.
Legal Implications:	The implementation process will be fully compliant with employment legislation.
Equality/Diversity Implications	An Equality Impact Assessment has been undertaken in line with the Equality Framework and is available to members of the committee as part of this report.
Sustainability Implications	None
Staffing/E-Government/Asset Management Implications	The implementation process may impact upon staff morale and employee engagement.
Risk Management Implications	The risks associated with these proposals are low to medium. They relate to potential industrial action and a possibility that staff may not accept the extension to unpaid leave. This may impact on service delivery and may also lead to litigation in

	relation to claims for unfair dismissal and breach of contract.
Health & Wellbeing Implications	As above, the proposals may impact on staff health and wellbeing; support is available via existing health management procedures.
Health and Safety Implications	None

1.0 BACKGROUND

- 1.1 Further to the consultation which took place during 2013, the Council implemented a package of changes to employee terms and conditions, effective from 1st April 2014. These changes included the introduction of 3 days mandatory unpaid leave for a temporary period of two years (1st April 2014 to 31st March 2016).
- 1.2 Initially, it was intended that the 3 days mandatory unpaid leave arrangements would be applied to all employees; however, following the submission of a number of business cases, some service areas were granted exemptions; this was on the basis that they were either providing direct services to SEN/children or were in a trading position. The exempt services are: Catering Operations; Cleaning Support; Trafford Transport Provision; Sanyu Daycare Centre; Partington & Carrington Children's Centres and SEN Teaching Assistants. Apprentices were also granted an exemption due to their low hourly rate of pay, which is typically £3.30 an hour.
- 1.3 The total savings associated with the 3 days unpaid leave over the two year period has been £1.05m and since implementation, no significant issues have been raised by staff, management or the trade unions.
- 1.4 The contractual variation was implemented subject to a review towards the end of the two year period. This review was undertaken during October 2015.

2.0 THE REVIEW AND SUBSEQUENT PROPOSAL

- 2.1 When the changes were implemented, it was agreed that as part of the review process, the number of requests for additional unpaid leave (over and above the 3 days' mandatory) would be assessed; this was in order to quantify take up and establish whether or not in the future, the unpaid leave arrangement could feasibly be adopted on a voluntary basis and still achieve the same level of savings. This would potentially negate the ongoing requirement for a mandatory arrangement.
- 2.2 Take up of additional unpaid leave has been monitored. The analysis indicates that take up has been relatively low with a total of 79 staff taking between an additional 0.5 and 7 days' unpaid leave during 2014/15. This voluntary take up would not be sufficient to negate the savings associated with the mandatory system.
- 2.3 Due to the significant savings of £0.5m per annum associated with the mandatory unpaid leave arrangement, a proposal was developed to

extend the temporary contractual variation for a further two years, until 31st March 2018. This would guarantee £1m of savings over the two year period.

- 2.4 In order to try and generate additional savings, the proposal also included a provision to encourage an increase in the take up of additional unpaid leave. This provision allowed for staff to make an advance request (prior to the beginning of the leave year) to take up to a further 7 days per annum unpaid leave, with the associated pay deductions being spread evenly across the year.

3.0 THE CONSULTATION PROCESS

- 3.1 In order to ensure legal compliance with regard to consultation on the proposal, there was requirement to undertake a period of statutory consultation for 45 days; this is because ultimately, if collective or individual agreement cannot be reached on a contractual variation, the Council would need to move to a dismissal and re-engagement situation. This reflects the position that was taken back in 2014.

- 3.2 The statutory consultation exercise was aligned to the budget consultation process for 2016/17. In this respect, formal collective consultation commenced on 5th November 2015, with the issue of a S.188 notice to the recognised trade unions; consultation concluded on 19th December 2015.

- 3.3 During this period, there were four formal collective consultation meetings involving Elected Members, Senior Managers and trade union officials. The purpose of these meetings was to discuss the proposal, receive feedback and try to reach a collective agreement.

- 3.4 Running parallel with the collective consultation process, the Council also engaged directly with employees on an individual basis. Individual letters were issued to all staff, communications were posted on the intranet via the 6-boxes and the weekly update and a survey was also undertaken. The aim of this individual consultation was to seek feedback from staff on the proposal and also to obtain voluntary sign up to the extension, where possible.

4.0 OUTCOME OF CONSULTATION

- 4.1 During consultation, discussions with the trade unions were productive; however, we were unable to reach a collective agreement; this is reflective of the national stance being adopted by the trade unions in respect of such changes to terms and conditions. A letter to confirm this was received from Unison on 17th December 2015. In summary, Unison's view is that staffing levels are already insufficient to meet demand, with spend on agency staff to backfill absent colleagues offsetting the savings. Their view is also that staff are already stretched to breaking point and struggle to take leave meaning that when they do, they return to a backlog of work and end up working even longer to meet demands.

Their conclusion is that the situation will only get worse with the additional budget cuts and they have asked the Council to reconsider this proposal. Whilst the comment about staff being stretched to breaking point is anecdotal, with no readily available evidence to support this either way, there is evidence to demonstrate that since the introduction of new terms and conditions in April 2014, agency spend has been closely monitored and has reduced. This has been regularly reported to the Employment Committee.

- 4.2 With regard to the individual consultation, out of the 1639 employees directly impacted by the proposal, feedback was received from 83. This represents 5% of staff affected. A breakdown of this feedback is at Appendix 1. Of those 83 staff who responded, 40% were in agreement with the proposal to extend the provision, with 55% disagreeing. The general feeling from those staff who did not agree with the proposal was that it was an unfair measure which represented a pay cut, that staff already found it difficult to take time off and that the provision should be applied on a voluntary basis, not mandatory. Detailed comments from staff can be seen at Appendix 2.
- 4.3 Feedback was also sought on the proposal to offer additional voluntary unpaid leave, with the ability to spread the cost evenly over a 12 month period. Responses to this were much more positive with 64% of the 83 staff who responded in agreement that this was a good idea. However, only 35% of respondents indicated that they would actually take up the offer.
- 4.4 In addition to seeking feedback on the proposal, employees were also invited to voluntarily sign up to the extension, should it be agreed. As at 7th January 2016, 52% of affected staff have signed up. Should the proposal be approved then those remaining staff who have not voluntarily signed up would need to be issued with notices of dismissal and re-engagement. Such notices would allow for voluntary sign up during the notice period, in order to avoid a dismissal situation, which follows the same process undertaken two years ago.
- 4.5 In response to the feedback received from staff and the Trade Unions and mindful of the desire to ultimately move to a voluntary sign up position, further consideration has been given to the period of the proposed extension.
- 4.6 The outcome of these considerations is a revised proposal of a 1-year extension period, which will be subject to a further review towards the end of 2016. This review will consider the take up of the additional voluntary unpaid leave arrangement during 2016 and thus determine the potential viability of a purely voluntary arrangement moving forwards. During 2016, active promotion of the voluntary arrangements will be undertaken.

5.0 CONCLUSION

- 5.1 A legally compliant statutory consultation process has been followed in relation to this proposal and the feedback received has been reviewed and an amendment to the proposal has been made.
- 5.2 Whilst it was not possible to reach a collective agreement with the recognised trade unions, consultation has also taken place directly with employees with a view to reaching agreement at an individual level.
- 5.3 Although the feedback received shows that of the 83 staff who responded, 55% disagree with the proposal, it should be noted that this percentage represents only 66 staff out of a total of 1639 staff affected. This is equivalent to 4% of the affected workforce and should be balanced against the 52% who have already voluntarily signed up to the proposal.
- 5.4 Whilst ideally, a preferred option would be to establish the unpaid leave arrangement on an entirely voluntary basis, this unfortunately would not secure the guaranteed savings attached to the mandatory scheme. These savings equate to £0.5m per annum and are significant at a time when the Council is facing continuing budget pressures. However, as set out in paragraph 4.6 above, the aim of the revised proposal is to support a transition into a voluntary arrangement.

6.0 RECOMMENDATION

- 6.1 Taking into account the feedback received, balanced against the voluntary sign up to date and the significant savings that this proposal will continue to achieve, it is recommended that the Employment Committee approves the proposal to extend the 3 days mandatory unpaid leave arrangement for one further year, until 31st March 2017 and also approves the provision for a simplified voluntary additional unpaid leave arrangement, with costs to employees being spread over a 12 month period.
- 6.2 It is recommended that this arrangement is monitored and reviewed towards the end of 2016, with a further report back to the Employment Committee at this point.

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SUMMARY OF STAFF CONSULTATION FEEDBACK

During the 45 day formal consultation period, which ended on 19th December, employees were invited to give feedback on the proposals via the following methods:

- Via Survey Monkey – link <https://www.surveymonkey.com/r/tcreview>
- Via post, send to the Workforce & Core Strategy Team, HR Service, 2nd Floor, Trafford Town Hall.
- Through their line manager

Out of 1639 individuals subject to consultation, 83 employees provided feedback. This represents 5% of staff affected. All feedback received was via Survey Monkey.

The feedback has been collated and reviewed. Some comments were multi-stranded, therefore, for the purposes of grouping the comments into themes, they have been separated out.

The summary below is set out in question order.

Q1 – Which Directorate do you work in?

Area	CFW	T&R	EGP	Anon	Total
Feedback received	29	44	8	2	83

Q2 – Which Service do you work in?

Responses were received from the following services:

- Access Trafford
- Adult Social Care
- Audit and Assurance
- Building Control
- Children in Care
- Commissioning
- Connexions
- Economic Growth
- Education and Early Years
- Education Welfare
- Exchequer Services
- Family Support
- Finance
- Fraud
- Governor Services
- HR
- ICT
- Leadership Support

- Legal and Democratic
- Libraries
- MARAS
- Parking
- Partnerships and Communities
- Permanence and Transitions
- Planning
- Procurement
- Registrars
- Revenues and Benefits
- Safeguarding
- Special Educational Needs
- Transformation

Q3 - Do you agree with the proposal to extend 3 days mandatory unpaid leave for a temporary 2 year period (1st April 2016 to 31st March 2018)?

Response	Yes	No	No response
Percentage	40%	55%	5%

Q4 - Please give your views on the proposal to extend 3 days mandatory unpaid leave for a temporary 2 year period (1st April 2016 to 31st March 2018).

Comments have been themed and the number of comments per theme detailed below in rank order.

Theme	Number of comments
Agree	27
It is a pay cut	20
Unfair	8
Adverse effect on workload	7
Difficult to take leave/flexi/TOIL	7
Shouldn't be compulsory	5
Not real consultation	3
Effect on service delivery	2
Issues attracting and retaining staff	2
Seems permanent	1
Should be more than 3 days	1
Should reduce annual leave by 3 days instead	1
Shouldn't be exceptions	1
Staff shouldn't lose money, service users should	1

Q5 - Please give your views on the proposal to put in place a scheme whereby employees can request to take additional unpaid leave of between 1 and 7 days (in addition to the mandatory unpaid leave), which will have pay deductions spread over 12 months.

Comments have been themed and the number of comments per theme detailed below in rank order.

Theme	Number of comments
Good idea/Fine	48
Will effect workloads of colleagues not taking additional leave	7
Difficult to accommodate in some services	6
Should be instead of mandatory leave	5
Further pay cut	4
Inequitable, likely to be taken by those more financially comfortable or with smaller workloads	2
Will effect service provision	1
The right to additional leave should be the default; the reasons for refusing should be limited.	1
Not for me	1

Q6 - Do you think you might request some additional days of unpaid leave if the pay deductions are spread over 12 months?

Response	Yes	No	No response
Percentage	35%	61%	4%

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APPENDIX 2 - Comments (note - these comments were received from a total of 83 staff)

I still see a lot of money being wasted in inefficiencies, on underpinning Amey when they should be providing services to Council without our assistance and plans that appear to be ill thought out and unachievable especially as we don't have the resources to deliver them. These are the areas that should be looked at for savings and not penalising Trafford employees instead. Also couldn't car parking charges be reduced or abolished altogether by more or all staff parking within the grounds of Trafford Town Hall following the cuts to staffing levels?

I currently carry 5 days over every year so do not need any additional days - I appreciate the savings required but if a proportion of staff choose to buy up to 7 days this will offset anyone who does not want/need additional holidays.

This proposal is short sighted, draconian and misguided in that it penalises hard working staff and affects those that can least afford to lose pay the most. In many cases it is the same staff that have shown immense loyalty by staying with Trafford Council through years of adversity. It's part of a current package that has resulted in ever decreasing wages in real terms through either no or minimum annual pay rises, having to pay for parking as well as removal of car allowances, car leasing scheme and pension reduction etc. etc. Due to this, damaged moral and lost productivity, not to mention income, it cannot be stated that this proposal saves £0.5m as all these factors should be taken into account. This doesn't appear to be the case otherwise these measures wouldn't have been brought in and it would now be acknowledge this was a mistake for the reasons I've stating. In the majority cases the workload and stress levels are ever increasing for staff that work for an organisation that will not adjust its expectations to reflect the reduction in staffing numbers and overall working days. This has been exacerbated in recent years by additional unpaid leave. Add to this other desperate, ill-thought out and unachievable ideas to try to save money is it any wonder that my colleagues have and are leaving in their droves increasing the reliance on those that (foolishly) remain. I suspect that this consultation, like many others in recent years, is just a process that has to be completed and the decision to impose 3 days mandatory unpaid leave for the next 2 years, and beyond, has already been decided in essence. I would like answers to all my points above, and those made by others, in an open response to all staff. However I don't expect this to be the case as in a previously 'consultation' this didn't happen just because my points weren't phrased as questions!

This current package is damaging when it comes to retaining and attracting staff of the quality to achieve savings in other areas that would save even more money.

I think it should be voluntary.

I think it's unfair to extend the term and I'm not in agreement. I don't want to lose pay.

I strongly disagree with the proposal to continue to force the 3 days mandatory leave upon members of staff. In a climate where there has been a public sector pay freeze for years, the 3 days mandatory leave means staff members are receiving an actual pay cut, without even starting on what has happened to wages in real terms. With an already overstretched workforce, the mandatory leave exacerbates situation due to the loss of working hours, but the workload stays constant. These lost hours have to be picked up somewhere, which normally results in people actually being unable to take this mandatory leave. There are some instances where staff are unable to take all of their regular annual leave, let alone the additional mandatory. These people are not reimbursed for the time they have been unable to take off meaning they lose out financially as well as having their health and wellbeing negatively affected. The argument that implementing the mandatory leave scheme would save jobs does not stand up to scrutiny when you think of budgetary savings projected up to 2020. The jobs that can be cut will be cut in the end regardless of whether the mandatory leave is applied or not. If we accept the continuation of the mandatory days, what we'll see is that our Terms and Conditions have been eroded and the jobs we were trying to save will have been cut anyway. For these reasons, I cannot support this proposal.

There isn't really an option to say no, as you will terminate and reinstate contracts to have this in place.

I agree with this

The first so-called temporary period has been repeated so it seems to be a permanent fixture.

I do not agree with this proposal which is just another pay cut.

I am also disgusted that you are repeating the same threatening process you used two years ago – “we will be issuing staff with notice to terminate their existing contract of employment and offer immediate re-engagement on a new contract.” This is hardly conducive to a positive employer/employee relationship!

This has a major effect on our face to face service - we just don't have the staffing levels to accommodate this. It basically effects our customers & staff morale. I work to get paid not to have this taken off me for days I have been forced to take.

I already feel that the leave allowance is too high & we all struggle to get our leave in.

I'm happy for this to be extended

The proposal must affect some staff considerably. It adds to the impact of several years of below inflation pay rises.

With rates of pay frozen at 1% PA and mileage rates altered, staffing losses, it is time to be positive with the workforce. There is a cost to ensuring continuity of pensions where Mandatory leave is imposed. It is time to show that the LA values it's workforce by removing this imposition.

As we are reducing staffing levels and requiring staff to do more, it makes no business sense to increase the amount of time we are off work. I suggest we reduce the leave by 3 days (we were only given the additional 3 days a few years ago), increasing the number of hours worked, and therefore enabling the council to deliver more and maintain services. The reduction would still leave us with 27 days, favourable to the private sector. It would also encourage more people to buy additional days leave, giving the council the additional resources it requires.

The current three additional days is nothing more than a tax on the hard-working staff, further reducing morale, at a time when you need us more than ever to be fully supportive and working at full strength. Is it any wonder the staff surveys slate the leadership? Along with the car-parking fees, it's clear the staff are seen as a cash-cow, instead of invested in as the heart and soul of the organisation.

We have too much leave already - money is better than leave

Not enough staff left to have people off I need the money more than leave

I do not have the ability to accrue flexi-time so I find the extra 3 days helpful to take over Christmas

Staff benefits continue to be cut and workloads continue to increase.

I personally enjoy having the extra time off and you do not really feel the deductions each month. I would like the option to purchase additional days and spread the cost over the year.

Not an issue as I already have a contract which allows me to take additional unpaid leave during the year.

I agree that people can ask for unpaid leave but not that it is mandatory on all staff regardless of their needs, wishes and work pressures.

This is in effect a pay cut, therefore I do have concerns for low paid workers and colleagues who struggle financially
I agree with it

It's a paycut, no doubt about it. However, employees are benefitting by having more time off. Really, and I think it's a bit silly that it's not already been stipulated, the three days should be taken over the 'Christmas Closure' - Makes perfect sense. Stops people moaning about "not being able to use the extra days" and ensures staff are not just building flex for Christmas. If staff are being forced to take mandatory leave, it makes sense to force them to take it on the mandatory Christmas closure, which incidentally is 3 days.

This helps with providing childcare for school holidays

I agree

Unfair, other councils within AGMA are not taking this approach

I do not wish to subsidise Trafford's council tax bands. If you need this money, raise CTax levels Two years ago you lied, indicating the proposal was limited to two year's duration. It wasn't. It is permanent and only subject to review. You are lying again. This is a permanent change, subject to a review in 2017. Why don't you openly say this? It's about time you recognised that those staff remaining at Trafford have been hammered by austerity and it's time to give them back their agreed pay levels. Tesco don't ask their checkout staff to pay 10p towards every customer's bill do they, but you think it's OK for Council Officers to subsidise their customers' bills.

The proposal is discriminatory. Some of the council's best paid employees are not affected. Why? A Headteacher earning £60 / £80k pa does get touched, but a school crossing patrol officer does. Please explain how that's fair.

How can the work consultation be used when if you do not sign to agree change in your contract it is forced on you anyway. Totally wrong 2 years just about acceptable 4 years unfair.

I understand that the Council needs to save money and I welcome the opportunity to buy additional leave over a 12 month period

I do not consider that the savings the Council are proposing to make should come from my pocket. With frozen salaries, a loss of essential car user allowance and 3 days unpaid leave for the past 2 year, my income has decreased significantly.

In a department where officers struggle to take all of their annual leave anyway, this is increasingly putting pressure upon staff to do more work (workload has increased, staff numbers have been down) in less time (or their own time). This is reflected in the number of flexi hours staff have built up which they will never be able to take and the uncharacteristically high levels of sickness. The Council are failing to take into consideration the health and wellbeing of their staff with serious implications.

Great, I am single and would prefer the time off than the money.

Three days is OK, but any more would make it difficult for libraries to manage with the current staffing level

This should not be compulsory, but available to people who require or need it.

I expressed my concerns when the scheme was initially introduced, if anything, the reasons underlying my concern have increased in the interim.

As always, the proposals are silent on what will happen to the 'displaced' workload arising from the fact that all staff will be allocated between 3 and 10 days' leave.

There had already been significant reductions in headcount across services when the scheme was first introduced, and this has continued in the interim. There has however been no commensurate decrease in the expected volumes/standard/promptness of workload delivery. The work previously done by those already deemed 'redundant' has been redistributed within or amongst teams, frequently exacerbating already-existing pressures. It is neither sensible nor reasonable to assume that these ongoing and increasing workload burdens can simply be 'absorbed' with no adverse consequences.

This is basically another pay cut and I find it insulting . It does not inspire staff to undertake all the extra work we have to do as a result of having had severe staffing reductions.

I agree if it keeps more people in work.

But feel there should be no exceptions as feel it is unfair and everybody should be treated the same regardless of role or rank because it is a pay cut.

This should be voluntary and not forced upon the workforce. I am sure that some staff would be willing to agree to taking additional days without this needing to be imposed to all staff.

I do not agree with this proposal. The reason for this is because a number of employees including myself already have a number of hours TOIL to take in addition to annual leave, and due to the demands of the job in hand taking leave and claiming back TOIL is already difficult due to being so busy in work. Therefore TOIL is often lost. When staff are therefore already working over their contractual hours without pay, taking a further 3 days unpaid leave feels like a further opportunity to be paid less for doing more.

Oppressive.

Staff have in effect been subject to a pay cut for the past 2 years during a time when the cost of living continues to increase. Many staff have had to take on board additional responsibilities and workload as a result of budget cuts during the past 2 years for which they have not received any additional payment. It is highly likely that as a result of the budget proposals there will be less staff and that those remaining will be expected to provide the same level of service with less people (do more, better with less - it's not sustainable). By abolishing the 3 days mandatory leave this would provide staff with recognition for their hard work during difficult times and whilst it would not be a pay increase (merely paying us what we should be paid) it would feel like a pay increase and could do much to improve staff morale which is at an all time low.

Yes

Fine with them

I feel this is totally unacceptable. I am aware of the savings that needs to be made but we just can not sustain what in essence is pay cut after pay cut for years.

This has been managed well this year and most staff view this positively as it gives more leave flexibility to spend time with your family. I do however, have sympathy for the people who suffer from the impact of a reduced salary.

Its a hidden pay cut.

Its unfair.

It doesn't offer choice. It doesn't take into account those who work part time. Its an insult after Sean Anstee received a 10% pay rise last year.

A sensible proposal in the current time of Austerity cuts

Happy to have 3 days unpaid leave, as the cost of it is spread over the year its not really noticeable but the extra holidays is very useful for my circumstances

From a personal perspective I do not have an issue with this & am comfortable with it being extended, however I am concerned about its impact on our ability to recruit the right candidate. I have direct experience where this issue and the inability to vary these terms, were cited as a reason not to accept an employment offer.

We as a team have to work over the Christmas and New Year period to provide statutory services. We are now such a small team that it is difficult to fit in our annual leave to maintain services, let alone an extra 2 days. We feel we may have a case for being exempt from this mandatory leave.

Good idea, like that effects most staff not just specific teams.

I have no issues and it works well

Does not feel like a consultation - feels quite threatening - i.e. if you do not sign up for this 'voluntarily' then your contract will be terminated.

The mandatory leave scheme should not remain in its current form. It is recognised that the council has savings to make but the council should also recognise the hardship this caused to some employees and seek to mitigate those hardships.

In a period when work families tax credits will also hit many of the council's employees, the council should seek to assist these lower paid employees. Any employee on work family tax credits should be able to seek an exemption purely based on those criteria. These exemptions can easily be offset by the additional leave scheme that should be guaranteed for the same temporary period.

If further savings are required to give lower paid staff relief then these should be sort very simply from the highest paid employees within the council, who will be less financially hit by the current 3 days. If necessary consideration should therefore be given extending the mandatory leave scheme from 3 to 4 or 5 days for those employees who are paid in the higher rate income tax bracket. (3 days net pay after 40% tax is not as much of a hardship as 3 days at 20% when you're on tax credit level pay.)

I continue to oppose the imposition of this pay reduction. It's a 'consultation' in name only when accompanied by a threat of termination!

A.k.a the "proposal to extend your pay cut for another year" Just what we need!

We were forced to agree to this last time on the basis that it was a temporary measure; we have not received a decent pay rise, the staff salary bands were restructured and reduced, and now we are being asked to give up more salary! Maybe I should ask the Council to give up charging me Council Tax... We are already working in many cases over and above our contracted hours, with no overtime or reward. Pay the staff in full for what they do, this will only save £500k.

Bad for morale and undervalues staff and it is difficult enough to take the leave we are entitled to without having no choice over unpaid leave.

I agree with it to a certain degree - I think it should be voluntary though. I am happy to volunteer for the unpaid leave but others may not. I think, really, the consultation, while it has to happen, is largely irrelevant as it will be passed anyway or contract's will be terminated which, I feel, means staff have no real say.

By continuing to enforce salary cuts in this way the Council is at risk of not attracting and retaining the highest quality of staff as people will be attracted to better paid jobs elsewhere.

I believe that staff have contributed to the Council's cost savings enough to date and should not continue to be penalised! We have already had salary cuts from the loss of the essential car user scheme and reduction in paid sick leave. At a time when salaries in the private sector are increasing, along with the amount of jobs available, continuing to cut Council employees salary is contrary to this and not in line with the job market.

Whilst the unpaid leave does mean that staff get 3 days extra leave, for many roles/jobs within the Council it does not mean that we have less work to do. Within my role I am not given less work because of it - it just means that I have less time in which to get the job done at a time when work levels continue to be very high, along with stress levels! It is time that the Council started to appreciate all of the hard work that their staff do and treat and pay them fairly!

Unfair when the leader of the council has received a 10% pay rise.

As I am part time and term time the deduction for mandatory leave makes a difference to my income that I would prefer to have the salary!

Other options should be implemented such as VER.

I did not agree with the proposal 2 years ago and do not for a second period. I feel this is a politically / ideologically driven policy to attack the local services and the staff whom deliver them.

Ok as long as it is temporary and reviewed after the 2 year period. Will this have any further pension implications - would we have to arrange another manual top up?

Ideally I would prefer that the 3 days mandatory unpaid leave is not extended as everyone is losing out on salary; however, if it genuinely means that the money saved will retain jobs then I agree with the proposal.

Fine for me.

I personally cannot afford it, and furthermore I do not believe these cuts are necessary

Accept the business/ financial requirement in the current climate.

Negative impact on workload / resourcing which is already stretched

Ideologically and economically I disagree fundamentally with austerity measures; it has no economic logic and is part of a wider attack on the poor. A deficit can and should be used to invest in economic growth not excuse the mis-management by unregulated banking sector. Furthermore, personally this is effectively a 2% pay cut which on top of continued reduced terms and conditions I cannot afford.

The extra days were useful to me as a parent of a young child and the deduction in wages being spread across the year made it less impactful.

I have strong concerns about the extension of the mandatory leave scheme considering the difficulties that a number of members of staff within libraries have had getting the annual leave that they would like after the implementation of the new leave scheme across library staff. I believe that the leave scheme has created an unpleasant environment where colleagues actively compete for leave, and those of us that are unable to book their leave over 9 – 18 months in advance are repeatedly disappointed, and the continuation of the mandatory leave scheme will further implement on this and impede on morale.

Too much leave leads to a reduction in productivity at this time when the public and services need us the most. How can we cut services and also reduce the amount of time the remaining staff are actually in?...

Need the salary more than the leave.

Happy to continue this but wouldn't want any increase in the additional mandatory unpaid leave e.g. increase from 3 to 5 days

Should be 5

Fine

We need to save money. This is one way. Employees with a job need to consider those who maybe compulsory made redundant.

EQUALITY IMPACT ASSESSMENT

A. Summary Details		
1	Title of EIA:	Extension to Mandatory Unpaid Leave and leave purchase scheme.
2	Person responsible for the assessment:	Kate Sturman
3	Contact details:	0161 912 4326 kate.sturman@trafford.gov.uk
4	Section & Directorate:	Workforce Strategy Team, HR Service, T&R
5	Name and roles of other officers involved in the EIA, if applicable:	Deborah Lucas, Head of HR Business Partnering
B. Policy or Function		
1	Is this EIA for a policy or function?	Policy <input checked="" type="checkbox"/> Function <input type="checkbox"/>
2	Is this EIA for a new or existing policy or function?	New <input type="checkbox"/> Existing <input checked="" type="checkbox"/> Change to an existing policy or function
3	What is the main purpose of the policy/function?	To detail employees' terms and conditions of employment with the Council, i.e. what they will receive in return for working for the Council.
4	Is the policy/function associated with any other policies of the Authority?	Annual leave policy
5	Do any written procedures exist to enable delivery of this policy/function?	The 'Green Book', The Constitution, Contract of Employment
6	Are there elements of common practice not clearly defined within the written procedures? If	No

	yes, please state.	
7	Who are the main stakeholders of the policy? How are they expected to benefit?	Employees – the proposed extension to mandatory unpaid leave and the scheme to purchase additional leave are being driven by a need to make significant budget savings within the Council over the next 2 years. It is hoped that the changes will achieve in the region of £0.5m in savings per annum. If the monies are not found in this manner they will need to be found elsewhere, which may mean further service reorganisation/cuts leading to redundancies in addition to those that have already been undertaken and any planned.
8	How will the policy/function (or change/improvement), be implemented?	In terms of the extension to mandatory unpaid leave, there has been a period of formal consultation, during which we tried to reach collective agreement with our Trade Unions. Unfortunately agreement could not be reached so we shall continue to ask employees to voluntarily sign up to the changes. Where employees do not sign up there will be a process whereby we will give them notice of the termination of their contract and offer immediate re-engagement with the new contract. With regards the scheme for purchasing additional leave, this has been included in the consultation, however doesn't need collective or individual agreement as it is a voluntary scheme.
9	What factors could contribute or detract from achieving these outcomes for service users?	Possible resistance from staff due to concerns about impact on workload, TOIL, pay.
10	Is the responsibility for the proposed policy or function shared with another department or authority or organisation? If so, please state?	This is being led by the HR Service, however owned by the organisation with final sign off to be given by Executive Members.

C. Data Collection

1	What monitoring data do you have on the number of people (from different equality groups) who are using or are potentially impacted upon by your policy/ function?	The extension to unpaid leave will affect all Council employees except teachers and those who come under the purview of a school governing body (i.e. are directly employed by a school) because such employees are under the control of the School Governing Body and not the council. Apprentices will also be excluded. There are also some staff groups that have received an exemption, these are on the
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		<p>basis that they were either providing direct services to SEN/children or are in a trading position – they are: Catering Operations; Cleaning Support; Trafford Transport Provision; Sanyu Daycare Centre; Partington & Carrington Children’s Centre and SEN Teaching Assistants. These tend to be females on lower pay bands.</p> <p>Currently 1639 employees are subject to mandatory unpaid leave.</p>
2	Please specify monitoring information you have available and attach relevant information*	Workforce monitoring data on the staff subject to mandatory unpaid leave is provided at Appendix 1
3	If monitoring has NOT been undertaken, will it be done in the future or do you have access to relevant monitoring data?	N/A

**Your monitoring information should be compared to the current available census data to see whether a proportionate number of people are taking up your service*

Page 27

D. Consultation & Involvement

<p>Are you using information from any previous consultations and/or local/national consultations, research or practical guidance that will assist you in completing this EIA?</p>	<p>We have undertaken employee consultation and have collated all feedback.</p> <p>Out of 1639 employees subject to the consultation – only 83 provided feedback which equates to 5%. Of the small number that did provide feedback only 55% didn’t agree with the proposal to extend mandatory unpaid leave for a 2 year temporary period. When asked if they would consider purchasing some additional leave, 35% said they would.</p> <p>The main concerns raised in the feedback included: the proposal being a pay cut; unfair; adverse effect on workload; difficult to take leave/flexi/TOIL; shouldn’t be compulsory. There were no particular comments relating to the protected characteristics, comments were more around the effect on those staff on lower pay.</p> <p>There were also lots of positive comments about how the additional leave helps with childcare and family commitments and that payments being spread across the year</p>
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		lessens the financial impact.
2	Please list any consultations planned, methods used and groups you plan to target. (If applicable)	We have undertaken consultation via team meetings, comms on the intranet, individual letters to all staff affected. Employees have been able to submit feedback during the consultation period.
3	**What barriers, if any, exist to effective consultation with these groups and how will you overcome them?	It can be more difficult to engage with staff who do not have access to e-mail or the council's intranet system. However we have given several routes for staff to give feedback: survey monkey; hard copy feedback posted to HR and through line management. These have been detailed in a letter that was sent to all employees involved in the consultation.

***It is important to consider all available information that could help determine whether the policy/ function could have any potential adverse impact. Please attach examples of available research and consultation reports*

Page 28

E: The Impact – Identify the potential impact of the policy/function on different equality target groups

The potential impact could be negative, positive or neutral. If you have assessed negative potential impact for any of the target groups you will also need to assess whether that negative potential impact is high, medium or low

	Positive	Negative (please specify if High, Medium or Low)	Neutral	Reason
Gender – both men and women, and transgender;	X – low	X – low		<p>The gender profile of the staff subject to mandatory unpaid leave is: Female 73% to Male 27%. There will therefore automatically be more women affected by the proposal. It should be noted that a significant number of women work in those services that are exempt from the proposal, such as Catering, Cleaning, Children's Centres and SEN Teaching Assistants.</p> <p>As women still tend to have greater child-care commitments than men the additional leave may help with caring responsibilities if the days can be taken during school holidays. This may therefore have a positive</p>

				<p>impact. However it is also a good opportunity for male staff with childcare commitment to have greater flexibility.</p> <p>For staff with other caring responsibilities, such as parents, this may be positive, giving them more flexibility.</p>
Pregnant women & women on maternity leave			X	No likely impact. When on maternity leave, staff are not subject to the mandatory unpaid leave payments so it has no effect during this period.
Gender Reassignment			X	No likely impact.
Marriage & Civil Partnership			X	No likely impact.
Race - include race, nationality & ethnicity (NB: the experiences may be different for different groups)			X	No likely impact.
Disability – physical, sensory & mental impairments	X – Low impact			There may be a slight positive impact for staff who have a disability as they may need more time off work than employees without a disability so the additional unpaid leave and option to buy additional leave may be supportive of this need.
Age Group - specify eg; older, younger etc)		X – Low impact (younger and older employees)		<p>On average the younger element of the workforce are more likely to be on lower salaries than the older element, which means that the financial implications of all of the proposals may have a greater impact on these employees.</p> <p>There may be an impact on pension benefits for the older element of the workforce due to the loss of pay, however this is mitigated by the APC provision to buy back any loss of pension..</p>
Sexual Orientation – Heterosexual, Lesbian, Gay Men,			X	No likely impact.

Bisexual people				
Religious/Faith groups (specify)	X - low			All staff in scope will be required to take the mandatory leave but are entitled to choose when to take it, so they may be able to use these days for religious holidays other than the statutory/Christian holidays.

As a result of completing the above what is the potential negative impact of your policy?

High Medium Low

F. Could you minimise or remove any negative potential impact? If yes, explain how.

Race:	N/A
Gender, including pregnancy & maternity, gender reassignment, marriage & civil partnership:	N/A
Disability:	N/A
Age:	There may be an impact on pension benefits for the older element of the workforce due to the loss of pay. However, to some extent this can be mitigated by the APC provision to buy back any loss of pension. During the period when staff are subject to mandatory unpaid leave, each year the Council will write to employees to give them the opportunity to make an APC and the Council will pay 2//3 of the cost provided the employee makes the request within the agreed timescales.
Sexual Orientation:	N/A
Religious/Faith groups:	N/A
Also consider the following:	
1	If there is an adverse impact, can it be justified on the grounds of promoting equality of opportunity

	for a particular equality group or for another legitimate reason?	
2	Could the policy have an adverse impact on relations between different groups?	
3	If there is no evidence that the policy <i>promotes</i> equal opportunity, could it be adapted so that it does? If yes, how?	Staff subject to mandatory leave will have additional time off work, which gives more flexibility for home/family commitments. This is useful for those with caring commitments, however those without caring commitments may also appreciate the time to pursue interests.

G. EIA Action Plan

Page 31

Recommendation	Key activity	When	Officer Responsible	Links to other Plans eg; Sustainable Community Strategy, Corporate Plan, Business Plan,	Progress milestones	Progress

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Please ensure that all actions identified are included in the attached action plan and in your service plan.

Signed
Lead Officer
Date

Signed
Service Head
Date

Appendix 1 – Equalities Monitoring of staff subject to mandatory unpaid leave

Gender Breakdown

Gender	% of staff
Female	73.48
Male	26.52

Ethnic Origin Breakdown

Ethnic Origin	% of staff
Asian or Asian British Bangladeshi	0.27
Asian or Asian British	0.92
Asian or Asian British Indian	0.22
Asian or Asian British Kashmiri	0.05
Asian or Asian British other Asian	0.22
Asian or Asian British Pakistani	1.46
Black or Black British African	0.92
Black or Black British British	0.05
Black or Black British Caribbean	1.30
Black or Black British Other Black	0.11
Chinese or Other Chinese	0.27
Mixed Other Mixed	0.60
Mixed White & Bangladeshi	0.05
Mixed White & Black African	0.27
Mixed White & Black Caribbean	0.70
Mixed White & Indian	0.33
Mixed White & Pakistani	0.11
Prefer not to state	1.84
White British	49.65
White Irish	1.46
White Other White	1.08

White Polish	0.16
White Other White European	0.43
Blank	37.53

Disability Breakdown

Gender	% of staff
Declined to specify or left blank	48.81
Disabled	4.23
Non-disabled	46.96

Sexual Orientation Breakdown

Sexual Orientation	% of staff
Bisexual	0.60
Declined to specify or left blank	47.07
Gay	1.25
Heterosexual	49.89
Lesbian	1.19