



TRAFFORD
COUNCIL

**AGENDA PAPERS FOR
EMPLOYMENT COMMITTEE**

Date: Monday, 16 January 2017

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 12 December 2016.		
		1 - 4
3. STAFF TERMS AND CONDITIONS - OUTCOME OF CONSULTATION ON THE PROPOSED CHANGES TO AND EXTENSION OF MANDATORY UNPAID LEAVE		
To receive a report of the Acting Director of Human Resources.		
		5 - 26
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

Membership of the Committee

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

Employment Committee - Monday, 16 January 2017

Further Information

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

Alexander Murray, Democratic and Scrutiny Officer

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Email: alexander.murray@trafford.gov.uk

This agenda was issued on **Friday, 6 January 2017** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall, Talbot Road, Stretford M32 0TH.

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EMPLOYMENT COMMITTEE

12 DECEMBER 2016

PRESENT

Councillor B. Rigby (in the Chair).

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

In attendance

Angela Beadsworth	Acting Head of Workforce and Core Strategy
Jacqui Buckley	Head of the Shared Services Centre
Debbie Quinn	HR Business Partner
Alexander Murray	Democratic and Scrutiny Officer

APOLOGIES

Apologies for absence were received from Councillors

12. MINUTES

RESOLVED: That the Minutes of the meeting held on 5 September 2016 be approved as a correct record and signed by the Chairman.

13. STAFF TERMS AND CONDITIONS - PROPOSED EXTENSION OF MANDATORY UNPAID LEAVE

The Human Resources Business Partner presented the report to the Committee. The voluntary leave scheme run by the Council had been very successful but a deficit of £210,000 still remained. The Committee were informed that in order to make up for the shortfall the council would still need staff to take one and a half days mandatory leave per year. It was hoped that in future years the voluntary leave would remove the need for mandatory leave all together.

The Council were in the process of consulting with staff members and asking them to sign up to the alterations of Contract. As of the meeting 328 staff members had signed up and it was expected that all staff would agree to the alterations. Councillors asked a number of questions including what was the sign up process, whether all staff would be contacted and the ability of staff to feedback. The Councillors were given detailed answers and were satisfied with the responses received. Once their queries had been answered the Committee agreed to the proposals for the consultation process.

RESOLVED:

- 1) That the report be noted.
- 2) That the proposals of the report be agreed by the Committee.

14. AGENCY SPEND 1 JULY - 30 SEPTEMBER 2016

The Acting Head of Workforce and Core Strategy presented the latest figures on agency spending. The robust process that has to be followed in order to hire a member of agency staff was explained. Committee Members requested that additional detail be provided for the cases where agency workers had been in place over long periods of time. The additional information should include what the post was and what had been done in order to fill the position with a council member of staff. Further, Members requested that information be provided when an agency staff position comes to an end as to what has changed in order to enable that person to leave.

The Acting Head for Workforce Strategy told the Committee that as much detail as possible would be provided. However, some of the information requested could only be provided by someone from the related directorate. Due to the high level of spend in the Children, Families and Wellbeing (CFW) directorate the Committee requested that someone from CFW attend the next regular meeting of the Committee 6 March 2017.

Committee members also asked about the large number of agency staff in Transformation and resources. The members were told that due to the number of staff taken out of posts to aid projects across Trafford and Greater Manchester agency staff were used to fill in the substantive positions.

RESOLVED:

1. That someone from CFW directorate attends the meeting of the Committee 6 March 2017 to provide details of agency spend.
2. That future reports on agency spending includes as much of the requested detail as possible.

15. QUARTERLY REPORT ON EXEMPTIONS TO THE SICKNESS POLICY

The Human Resources Business Partner updated the Committee on the latest position regarding exemptions to the sickness policy. Since the last meeting there had been no additional requests made.

REOLVED:

1. That the update be noted.

16. GREATER MANCHESTER SHARED SERVICE - GREATER MANCHESTER POLICE COLLABORATION

The Head of the Shared Services Centre delivered a presentation to the Committee. The presentation covered the background of the programme, the progress to date, HR operating model and workforce engagement. The Head of the Shared Services Centre explained the new CRM system and the effect that it would have on staff members who accessed HR. The Councillors thanked the Head of the Shared Services Centre for the detailed presentation and requested that the Shared Service Programme be a standing item on the Committee agenda for the next 12 months.

Employment Committee
12 December 2016

RESOLVED:

- 1) That the Head of the Shared Services Centre be thanked for the presentation.
- 2) That the Shared Service Programme be a standing item on the agenda for the next 12 Months.

The meeting commenced at 10.20 am and finished at 11.05 am

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TRAFFORD COUNCIL

Report to: Employment Committee
 Date: 18th January 2017
 Report for: Approval
 Report of: Deborah Lucas, Acting Director of HR

Report Title

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

Recommendations

It is recommended that the Employment Committee:

- **approves the proposal to reduce the mandatory unpaid leave provision from 3 days to 1.5 days per annum;**
- **approves the proposal to extend the provision for a further year, until 31st March 2018;**
- **agrees to a review of the temporary arrangement towards the end of 2017**

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 contribute to terms and conditions related savings in the region of £0.5m to support the 2017/18 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 extensive consultation which took place back in 2013, the Council implemented a package of changes to employee terms and conditions, effective from 1st April 2014. This review included the introduction of 3 days mandatory unpaid leave for a temporary period of two years (1st April 2014 to 31st March 2016). At the time, the proposal was that this provision would be reviewed towards the end of the two year period i.e. at the end of 2015. For the period 2014 – 2016, the total savings associated with the 3 days unpaid leave was £1.05m.
- 1.2 At the end of 2015, the mandatory unpaid leave arrangement was reviewed and a proposal was presented to the Employment Committee to extend this arrangement for a further 12 months. This proposal was agreed by Employment Committee in January 2016, with a commitment that during this 12 month period, the Council would promote a voluntary unpaid leave scheme to try and mitigate the requirement for a mandatory scheme.

2.0 THE VOLUNTARY UNPAID LEAVE SCHEME

- 2.1 In line with the commitment that was given to promote a voluntary unpaid leave scheme, during the summer of 2016, the Council formally promoted this across the workforce. This scheme ran for a period of two months and was promoted widely via communications on the staff intranet site and also via the weekly staff update system.
- 2.2 An analysis of take-up of the scheme was undertaken at the end of September 2016. The analysis highlighted that a total of 435 staff had applied to take additional unpaid leave, which equated to total savings in the region of £290,000. Target savings per annum for unpaid leave is £0.5m; this meant that the shortfall for 2017/18 was projected as being £210,000.
- 2.3 In order to achieve this shortfall, a proposal was then developed to reduce the existing mandatory unpaid leave scheme from 3 days' to 1.5 days', for an extended period of 12 months, until 31st March 2018.

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 a legal requirement because ultimately, if

collective or individual agreement cannot be reached on a contractual variation, the Council needs to move to a dismissal and re-engagement situation. This reflects the position that was taken back in 2014 when the original changes were made to staff terms and conditions and also in 2016, when the mandatory unpaid leave provision was extended.

- 3.2 The statutory consultation exercise was aligned to the budget consultation process for 2017/18. In this respect, formal collective consultation commenced on 7th November 2016, with the issue of a S.188 notice to the recognised trade unions; consultation concluded on 3rd January 2017.
- 3.3 During this period, there were four formal collective consultation meetings involving the Acting Director of HR, the lead Elected Member for employment matters, Senior Managers and trade union officials. The purpose of these meetings was to discuss the proposal, receive feedback and try and 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 and regular communications were posted on the intranet via the 6-boxes and the weekly update. 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 changes to staff terms and conditions. A letter to confirm this was received from Unison on 23rd December 2016 (Appendix 1). 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. Unison asked the Council to reconsider the proposal.
- 4.2 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 there is no evidence to suggest that it has increased as a result of the introduction of mandatory unpaid leave. Agency spend has been and continues to be regularly reported to the Employment Committee.
- 4.3 With regard to the individual consultation, out of the 1,181 employees directly impacted by the proposal, 7 employees provided formal written feedback. This represents 0.6% of staff affected. A copy of the summary and the detailed feedback received is attached at Appendix 2 and Appendix 3. The feedback

relates predominantly to the following issues: that the measure constitutes a pay cut, it impacts adversely on the provision of services to the public, it impacts on individual workloads, that it is unfair and that it has an unfair impact on pensions. The feedback was collated and reviewed and all comments were responded to personally. One meeting with a directly affected member of staff also took place regarding their individual situation and the impact of the proposals on them.

- 4.4 In addition to seeking individual feedback on the proposal, employees were also invited to voluntarily sign up to the extension, should it be agreed. As at 4th January 2017, 47% of affected staff (i.e. 561 out of 1,181) had voluntarily accepted the proposal. Should the Employment Committee approve the proposal, then those staff who have not voluntarily signed up would need to be issued with notices of dismissal and re-engagement. Such notices would allow staff to voluntarily sign up during the notice period, in order to avoid a dismissal situation; this follows the same process as has previously been undertaken.

5.0 CONCLUSION

- 5.1 A legally compliant statutory and meaningful consultation process has been followed in relation to this proposal and the feedback received has been reviewed and responded to.
- 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 Out of a total of 1,181 staff impacted and directly consulted with about this proposal, only 7 provided feedback, expressing their disagreement with the proposal. This represents 0.6% of affected staff. This figure is balanced against the 561 staff, representing 47% of affected staff, who have to date voluntarily accepted the arrangement.
- 5.4 Whilst it remains an ambition to achieve the unpaid leave savings on an entirely voluntary basis, this has unfortunately not been fully achievable for 2017/18 and there remains a budget gap of circa £210k which needs to be met.

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 reduce the mandatory unpaid leave arrangement from 3 days to 1.5 days and to extend this for one further year, until 31st March 2018.
- 6.2 It is also recommended that this arrangement (including the ongoing voluntary unpaid leave arrangement) is monitored and reviewed towards the end of 2017, with a further report back to the Employment Committee at this point.

APPENDIX 1

UNISON is not in a position to collectively agree the Council's proposals for an extension of 1.5 days unpaid leave for Council staff as part of the Budget savings for 2017/18. UNISON will not enter into a collective agreement which reduces the terms and conditions of its members.

UNISON is in opposition to the proposal to extend the unpaid leave and would challenge the Council on the savings attached to the proposal.

We do not believe that the figure takes full account of the cover that is being provided by agency staff within the authority, back filling in services where there is a demand for front line provision. As staffing levels are not robust enough in some areas such as social workers to meet demand, there is regular usage of agency staff at a high cost to the tax payer therefore the unpaid leave does not make savings.

We know that our members are working hard to deliver services to the residents of Trafford in very difficult circumstances. Even some statutory services which deal with the most vulnerable residents are stretched to breaking point. In those services staff are struggling to take holiday owing to the volume of work. When staff return they are faced with a backlog of work and have to do additional hours to keep up. These staff feel that they are not actually getting 1.5 days unpaid leave, just being forced to not attend work one day only to work longer the next.

We have also been given examples where members are unable to take their annual leave entitlement without the additional 1.5 days, owing to pressure of work.

This is a situation which is not only likely to continue but to get worse as there are further cuts to staffing as part of the other proposed budget measures.

UNISON would ask the Council to reconsider this proposal and seek to find the budget cuts elsewhere.

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SUMMARY OF STAFF CONSULTATION FEEDBACK

During the 45 day formal consultation period, which ended on 3rd January 2017, employees were invited to give feedback on the proposals via the following methods:

- Via e-mail to a designated in-box:- review2017@trafford.gov.uk
- Via post, send to the Workforce & Core Strategy Team, HR Service, 1st Floor, Trafford Town Hall.
- Through their line manager

Out of 1,181 individuals subject to consultation, 7 employees provided formal written feedback. This represents 0.6% of staff affected. All feedback was received into the consultation in-box.

The feedback has been collated and reviewed. All comments have been responded to personally. One meeting with a directly affected member of staff has taken place regarding their individual situation and the impact of the proposals on them.

The feedback received is attached at Appendix 2 and has related pre-dominantly to the following issues, that the measure constitutes a pay cut, it impacts adversely on the provision of services to the public, it impacts on individual workloads, that it is unfair and that it has an unfair impact on pensions.

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Feedback	Mandatory Unpaid Leave Comments (7 people responded formally)	Category
1	I would like to say how disappointed I am that you are proposing 1.5 days mandatory leave. I thought the plan was to scrap this if there were enough staff taking the voluntary unpaid leave. I have no wish for any extra leave as we already get a very generous allowance. I certainly don't want leave that I don't get paid for as this is no different to a pay cut.	Pay Cut/Impact on provision of service
	The main problem though is the serious knock on effect on our service – Access Trafford. We are front-line customer service & as staff already have a generous leave allowance trying to fit in leave for all my staff is extremely difficult . The knock on effect is then on the service – essentially our customers which I feel should be taken into account. I believe front line staff in a customer service roles should be exempt from this unpaid leave thus ensuring we are able to provide a high level of service at all times.	
	I would be grateful for this to be taken into consideration	
2	Whilst the move to a voluntary leave scheme is the much preferred option, the voluntary leave scheme needs service areas to make adjustments in order to build on its success.	Impact on the service of Mandatory Unpaid and Voluntary Unpaid Leave
	Many of the staff members signing up for voluntary leave have done so in order to cover child care issues during school holidays and bring a better work-life balance for the whole family. Many staff members have embraced the additional leave scheme whilst managers, approving the additional leave requests, have made little or no adjustments to accommodate this leave in the known, predicted, popular periods.	
	Everybody is in agreement that the needs of the service must come first but there must be a recognition that additional leave cannot be accommodated if draconian rules on the number of staff, allowed off at a particular time, remain in place as per prior to the schemes introduction. Service areas should be encouraged to meet leave requests where ever possible and consider a consultation approach with the staff to accommodate leave where possible especially when voluntary leave has been approved. An approach of, “you can have the leave but only when I say so” is not going to work and staff are already considering withdrawing (or reducing days) from the scheme because it cannot meet their needs and expectations.	
	To build on the success and meet the desire to go to a purely voluntary scheme needs commitment from all not just staff members.	
3	I would like to point out that Trafford Council has now effectively legally imposed a pay cut by way of	Pay

	mandatory leave on all its contractual employees for the last 6 years and in my opinion, this has been more than enough time for the employees to be penalised for working for Trafford Council.	Cut/Unfair/Personal impact on leavers/Affect on pension
	Several of my colleagues have bought extra leave for the next leave year on the basis that the mandatory leave would not be happening, perhaps in the, now mistaken, belief that if enough of them did buy the extra leave then the mandatory leave proposal would not be necessary for the 2017 leave year.	
	I personally intend to leave Trafford Council at the end of April 2017 as a full time employee of 20 years. I would have gone part time for the last 10 years before I reached (hopefully!) my pension age of 66 years and 1 month, but the final salary pension basis makes this an impossible option, as I would take too big a hit on my pension.	
	Because I would have only one month of leave entitlement before the end of April, I have not bought any additional leave for 2017/18.	
	I object to signing a mandatory agreement to commit myself for the 1 and a half days because this would mean that I have to go through a tortuous process with Trafford to get back the 1 HOUR that I would be taking the mandatory leave. This would mean a waste of money and time for all concerned.	
	If there should be a more rational and sensible way of sorting this out, I would appreciate it if someone would contact me directly about this, if the mandatory leave should be imposed for 2017.	
	All in all, I am appalled, as a full time employee, to see that Trafford Council is now becoming a council staffed by more and more casual workers.	
	Trafford's few remaining full-time staff are being put under intolerable pressure enough, having to do their job and continuously be training the constant stream of casual workers as well!	
	This new mandatory leave consultation is the final straw for me and many others.	
	I would appreciate a reply to this email.	
4	When this was first proposed in 2014 from April 15 onwards Staff were clearly informed that this would have no impact on their pension	Impact on pension. Is it worth implementing for 1.5 days
	It then transpired, after MUL had been implemented, that it would have an effect on staffs pension and staff would have to make the equivalent contributions for the three days etc to be matched by the Council etc to have continuous service.	
	I recall that the rules had changed in the interim, but it is difficult to believe that these impending changes had been properly researched when staff were informed that their pensions would not be affected. All in all	

	a bit of a PR disaster but it is what it is and obviously staff would rather lose three day's pay then risk losing their job.	
	On a positive side for the majority of staff this 3 days coincides with the Christmas closedown so we get three extra days leave a year and don't have to take any of our regular entitlement at Christmas	
	The proposal now is to reduce MUL by half to 1.5 days, a welcome proposal but still with the impact on staff pension re continuous service etc.	
	Recent information re the Voluntary Unpaid Leave (VUL) scheme shows that almost 60% of the initial MUL of £500k met has been met (£290k/£500k)	
	The present proposal halves the benefits of the 3 days but keeps the process of having to make extra pension contributions etc	
	I realise that staff will be better off financially each month and have to make less contributions but for the sake of 1.5 days I have to question whether it is all worth it	
	Whilst it is admirable that the Council seeks to give half of the MUL back it is an untidy compromise with the pros and cons equally halved	
	My view is that we should either keep the 3 days that we are now used to or scrap the MUL altogether and try to find the £210k elsewhere and if we can't do the latter then stick with the former.	
5	The proposed Mandatory Leave Scheme remains an ill-thought through proposal. It presents as a miserly, apologetic and unimaginative plan that serves only to drive staff confidence and morale ever lower.	Pay cut/Unfair
	The principle that employees are required to subsidise the services they provide for the customer is completely ignored once more. If I buy a product or service, it is at a known price and I either pay that price or I do not buy. Trafford has agreed to buy my labour for an agreed price, but now will not pay that price. I am consequently subsidising the services Trafford provides. Why? I do not use any of Trafford's services but am expected to contribute to them. Again, why? I do not expect the checkout staff in supermarkets to pay 50p towards my bill each time I visit, nor does the meter reader give me £1 towards my gas bill every time he/she visits, yet I am forced to do this for Trafford's residents. Whatever is the cost of providing services to Trafford's residents, the residents should pay it through Council Tax. The people providing those services are not, and should not, be part of that equation. The whole principle and practice is illogical, unfair, inequitable and indefensible.	
	It is noticeable that some members of staff are exempted from this proposal. Why is a full list of exemptions not provided? Are schoolteachers still exempt? If so, some of the Council's best paid employees do not have to contribute, whilst lesser paid staff must. Equitable? Fair? Justifiable? Moral?	
	The principle of offering unpaid leave has consequences too. Your figures show that some £250,000 will be 'saved' through this measure. This is not true. Some £250,000 worth of work will have to be done by someone else - those people who remain at work. The unpaid leave proposal will appeal to the more	

	affluent members of staff, and will leave their less affluent colleagues to do the additional work. The work doesn't go away, it doesn't disappear into the air. It gets done by the people who can't afford to take unpaid leave – the less affluent members of staff. The poor will again be subsidising the rich. Again ask the question: Is this equitable, fair, justifiable or moral?	
	The whole matter must be looked at through the eyes of the people who will lose money - the staff who work here. The same people who are expected to contribute more, show greater commitment, be ever more efficient and act-up in more senior positions are being financially penalised for a fourth year. At what point will the Council Tax payers be asked to foot the bill for the services they receive? At what point will the Council see its staff as an asset and not a cost centre?	
	I have not the faintest doubt that these issues will be ignored in the face of “the incontrovertible proof” of a spreadsheet. The spreadsheet may show the price but it does not show the cost. The Council should abandon this proposal and pay its officers their agreed rate of pay.	
6	I wish to give feedback on the proposal to continue with the Unpaid mandatory leave for a further year from April 2017.	Impact on service/Paycut
	I am very concerned at this and I do not support this proposal in any way and I consider it to be wholly without foundation and contrary to the councils policy of valuing and appreciating its staff.	
	This is a pay cut and demoralising to staff who are continually being asked to do more for less and should be reconsidered.	
	I understand that staff were able to apply to voluntary take unpaid leave and some staff did so having regard to their own circumstances etc that I have no problem with that and that scheme should be reopened with a view to ensuring that those who wish to do that can avail themselves of that opportunity but to force an unpaid scheme on staff again when prices and council tax are starting to rise again is not the way forward.	
	The department I work in Access Trafford has seen significant cuts to staffing and an increase in tasks to be undertaken moreover the leave policy makes it difficult for staff to take their allocation of leave without having additional unpaid leave forced on them.	
7	Please be aware I have accepted this but reluctantly as it has a major effect on our front line customer service	Impact on customer service

EQUALITY IMPACT ASSESSMENT – TRAFFORD COUNCIL

A. Summary Details		
1	Title of EIA:	Extension to Mandatory Unpaid Leave 2017/2018 and leave purchase scheme.
2	Person responsible for the assessment:	Deborah Lucas, Acting Director of Human Resources
3	Contact details:	0161 912 4326 Katherine.Lowndes@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:	Katherine Lowndes
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 yes, please state.	No

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 12 months. 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?	<p>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.</p> <p>With regards to the scheme for purchasing additional leave, this has been supported by the Unions as a means of achieving savings through voluntary measures. However the scheme doesn't need collective or individual agreement as it is a voluntary scheme. As a result of offering the voluntary scheme for 2017/2018, the proposal for implementing mandatory unpaid leave has been reduced from 3 days in previous years to 1.5 days for the annual leave year 2017/2018.</p>
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, (time off in lieu), 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	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
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	impacted upon by your policy/ function?	<p>Governing Body and not the council. Apprentices will also be excluded.</p> <p>There are also some staff groups that have received an exemption, these are on the 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 1,181 employees are subject to mandatory unpaid leave. Employees who have elected to take Voluntary Additional Leave in excess of 1.5 days for the annual leave year 2017/2018 are not included in these figures, as they have elected to take additional leave on a voluntary basis.</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 below.
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

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**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*

D. Consultation & Involvement		
1	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>We have undertaken employee consultation and have collated all feedback.</p> <p>Out of 1,181 employees subject to the consultation – only 7 provided formal feedback which equates to 0.6 %. Those who provided written feedback did not agree with the proposal to extend mandatory unpaid leave for 2017/2018. The majority of those felt that the necessary savings should be achieved through voluntary means.</p> <p>The main concerns raised in the feedback included: the proposal being a pay cut;</p>

		<p>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 positive comments made verbally about how the additional leave helps with childcare and family commitments and that payments being spread across the year lessens the financial impact.</p>
2	Please list any consultations planned, methods used and groups you plan to target. (If applicable)	We have undertaken consultation via team meetings, communications 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 that do not have access to e-mail or the Council's intranet system. However we have given several routes for staff to give feedback: e-mail comments to a central mailbox, 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*

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		The gender profile of the staff subject to mandatory unpaid leave is: Female 70% to Male 30%. 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

				<p>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 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 disabled staff as they may need more time off work than employees who are not disabled 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</p>

				the workforce due to the loss of pay - however this is mitigated by the APC provision to buy back any loss of pension.
Sexual Orientation – Heterosexual, Lesbian, Gay Men, Bisexual people			X	No likely impact.
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

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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?	<p>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.</p> <p>We have received 435 applications for Voluntary Additional Leave, which demonstrates that a high volume of staff welcome the opportunity to have greater flexibility to balance the demands of their personal/caring commitments against their workplace commitments.</p>

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Signed

K. Lowndes

Lead Officer
Date

Katherine Lowndes
4/1/17

Signed



Service Head
Date

Deborah Lucas
4th January 2017

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

<i>Gender</i>	% of staff
Female	69.62%
Male	30.38%

<i>Ethnic Origin</i>	% of staff
Asian or Asian British Bangladeshi	0.26%
Asian or Asian British Indian	0.95%
Asian or Asian British Kashmiri	0.09%
Asian or Asian British Other Asian	0.17%
Asian or Asian British Pakistani	1.46%
Black or Black British African	1.03%
Black or Black British British	0.17%
Black or Black British Caribbean	1.72%
Black or Black British Other Black	0.17%
Chinese or Other Chinese	0.52%
Mixed Other Mixed	0.77%
Mixed White & Black African	0.43%
Mixed White & Black Caribbean	0.52%
Mixed White & Indian	0.34%
Mixed white & Pakistani	0.17%
Prefer not to state	1.55%
White British	50.95%
White Irish	1.38%
White Other White	1.29%
White Other White European	0.43%
(blank)	35.63%

<u>Sexual Orientation</u>	% of staff
Bisexual	0.77%
Declined to specify	5.59%
Gay	1.64%
Heterosexual	51.89%
Lesbian	1.12%
Not stated	0.52%
(blank)	38.47%

<u>Religion</u>	% of staff
Atheist	0.17%
Buddhist	0.34%
Christian	31.67%
Hinduism	0.17%
Judaism	0.17%
Muslim	2.32%
No Religion	20.31%
Other	2.15%
Prefer not to state	4.48%
Sikh	0.17%
(blank)	38.04%

<u>Disability</u>	% of staff
<i>Declined to specify</i>	2.07%
Disabled	4.3%
Not disabled	49.48%
Not known	0.43%
(blank)	43.72%

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