

# Public Document Pack



**TRAFFORD  
COUNCIL**

## **AGENDA PAPERS FOR EMPLOYMENT COMMITTEE**

**Date: Monday, 7 December 2020**

**Time: 4.00 p.m.**

**Place: Virtual**

**The Meeting will be streamed live at**

**[www.youtube.com/channel/UCjwblOW5x0NSe38sgFU8bKq](http://www.youtube.com/channel/UCjwblOW5x0NSe38sgFU8bKq)**

<b>A G E N D A</b>	<b>PART I</b>	<b>Pages</b>
<b>1. ATTENDANCES</b>		
To note attendances, including Officers and any apologies for absence.		
<b>2. TERMS OF REFERENCE MUNICIPAL YEAR 2020/21</b>		<b>1 - 2</b>
To note the Terms of Reference of the Committee for the 2020/21 municipal year as agreed at the Annual Council meeting Wednesday, 25 November 2020.		
<b>3. COMMITTEE MEMBERSHIP 2020/21</b>		<b>3 - 4</b>
To note the Membership of the Committee for the 2020/21 municipal year as agreed at the Annual Council meeting Wednesday, 25 November 2020.		
<b>4. MINUTES</b>		<b>5 - 10</b>
To receive and if so determined, to approve as a correct record the Minutes of the meeting held on 8 September 2020.		
<b>5. QUESTIONS FROM THE PUBLIC</b>		
A maximum of 15 minutes will be allocated to public questions submitted in writing to Democratic Services ( <a href="mailto:democratic.services@trafford.gov.uk">democratic.services@trafford.gov.uk</a> ) by 4 p.m. on the working day prior to the meeting. Questions must be relevant to items appearing on the agenda and will be submitted in the order in which they were received.		

**6. 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.

**7. PUBLIC SECTOR EXIT CAP AND PENSION REFORM** 11 - 18

To receive a report from the Corporate Director of People.

**8. VOLUNTARY WORKFORCE PROPOSALS** 19 - 24

To receive a report from the Corporate Director of People.

**9. AGENCY SPEND QUARTER 2 (JULY - SEPTEMBER 2020/21)** 25 - 34

To receive a report from the Corporate Director of People.

**10. WORKFORCE UPDATE QUARTER 2 (JULY - SEPTEMBER 2020/21)** 35 - 48

To receive a presentation from the Corporate Director of People.

**11. ANNUAL LEAVE POLICY UPDATE - ANNUAL LEAVE BANKING SCHEME** 49 - 60

To receive a report from the Corporate Director of People.

**12. QUARTERLY REPORT ON EXEMPTIONS TO THE SICKNESS POLICY** Verbal Report

To consider an verbal report of the Corporate Director of People.

**SARA TODD**  
Chief Executive

Membership of the Committee

Councillors J. Bennett (Chair), A.M. Whyte (Vice-Chair), D. Acton, A. Akinola, C. Boyes, M. Cordingley, J. Holden, B. Rigby and R. Thompson.

Further Information

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

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## Employment Committee - Monday, 7 December 2020

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This agenda was issued on **Friday, 27 November 2020** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall; Talbot Road, Stretford, Manchester, M32 0TH

### WEBCASTING

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## **EMPLOYMENT COMMITTEE**

The Employment Committee shall consist of at least 9 members and be established in accordance with the political balance of the Council and shall have a quorum of 3 members.

The Employment Committee shall meet at least quarterly and also when convened by the Monitoring Officer.

### Terms of Reference

1. To determine and keep under review collective and corporate terms and conditions of employment.
2. To approve the Council's draft Pay Policy Statement prior to recommendation to full Council for approval and adoption.
3. To keep under review the consistent and lawful application of the Councils Pay Policy and publication requirements in respect of transparency of pay, termination payments and audit responsibilities.
4. Except in exceptional circumstances, to approve the job description, salary and benefits for Chief Officers prior to appointment.  
  
(exceptional circumstances to be determined by the Proper Officer in consultation with the Chair of the Employment Committee.)
5. To approve any decisions for the re engagement or reemployment of former Chief Officers.
6. To consider and determine decisions about the recovery of exit payments or overpayment of pension for Chief Officers.
7. To consider any matter referred to the Committee by the Head of Paid Service or Corporate Director of People.
8. To consider, approve and adopt any new or significant revision to existing corporate human resources strategies and policies in so far as they relate to the appointment, terms and conditions of employment and dismissal of staff.
9. To determine any other matters relating to the appointment, terms and conditions of employment, severance and dismissal of staff which are neither covered by policies of the Council, required to be decisions of full Council nor delegated to Officers under the Scheme of Delegation.
10. To review proposals for severance payments in excess of £100,000 prior to consideration of the proposals by full Council.

## Delegation

The Executive Member with responsibility for Strategic HR and the Corporate Director of People will notify/keep the Employment Committee informed of all other relevant HR related issues, as required.

In exercising the above powers and responsibilities, the Employment Committee shall have delegated power (subject to Council Procedure Rule 9 - Call-in of Decisions taken under Delegated Powers) to make decisions on behalf of the Council, except for any matter where:

- the Head of the Paid Service determines the matter should be considered by full Council, or
- the Council has resolved to determine the matter

[Note: The Committee may itself determine not to exercise its delegated powers and instead make recommendations to Council.]

## TRAFFORD COUNCIL

### MEMBERSHIP OF COMMITTEES 2020/21

**Note on Membership:** Members of the Employment Committee will also be appointed as representatives of the Council (Employer's Side) on the Joint Consultative Panel.

<b>COMMITTEE</b>		<b>NO. OF MEMBERS</b>	
EMPLOYMENT		9	
<b>LABOUR GROUP</b>	<b>CONSERVATIVE GROUP</b>	<b>LIBERAL DEMOCRAT GROUP</b>	<b>GREEN PARTY GROUP</b>
Councillors:	Councillors:	Councillors:	Councillors:
David Acton Akilah Akinola Joanne Bennett <b>CH</b> Mike Cordingley Rose Thompson Amy Whyte <b>V-CH</b>	Chris Boyes John Holden Brian Rigby <b>OS</b>	-	-
<b>TOTAL</b>	<b>6</b>	<b>3</b>	<b>0</b>

**Substitute Members:**

<i>vacancy</i>	Sean Anstee	-	-
(1)	(1)	(0)	(0)

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## EMPLOYMENT COMMITTEE

8 SEPTEMBER 2020

### PRESENT

Councillor J. Bennett (in the Chair).

Councillors A.M. Whyte (Vice-Chair), D. Acton, A. Akinola, S. Anstee, C. Boyes, M. Cordingley, J. Holden and R. Thompson

### In attendance

Sara Saleh	Corporate Director of Strategy & Resources
Angela Beadsworth	Head of Workforce and Core Strategy
Bev Norton	Head of HR Operations
Kate Sturman	Strategic HR Lead Policy, Reward and Intelligence
Alexander Murray	Governance Officer

### APOLOGIES

Apologies for absence were received from Councillors B. Rigby

### 9. MINUTES

That the Minutes of the meeting held on 29 June 2020 be approved as a correct record and signed by the Chair

### 10. QUESTIONS FROM THE PUBLIC

No questions were received.

### 11. EMPLOYMENT COMMITTEE UPDATE

The Corporate Director of Strategy & Resources gave an overview of the update that had been circulated as part of the agenda. The Committee's attention was drawn to the steady decline in absences over the last six months and the available work force was very high at 96%. The Corporate Director thanked the Health and Safety team for their hard work during the pandemic as they had been instrumental in supporting the Council, schools, and other partner organisations to ensure that their premises were safe. The Council were working at a 20% occupancy rate and this was expected to rise up to 40% by the end of October. There had been excellent feedback from the workforce and those who had been working at the town hall had followed the measures in place to reduce the risk of infection. The EPIC manager programme had continued to be delivered virtually during the pandemic and the engagement agenda was also continuing to be delivered with more engagement sessions planned throughout September and October. The Epic Manager Programme and engagement sessions had both received excellent feedback with many of the sessions being oversubscribed.

Policy development had been focused on supporting managers and the workforce in planning workforce reintegration and supporting staff members working from home who had caring responsibilities.

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Employment relations case management was running as normal and the backlog of cases that had amassed during the pandemic was being cleared with hearings up and running again. The Council was in the process of reviewing the resource hub so that we have a more agile way of redeploying staff going forwards as well as making the Council a more attractive employer to work for.

Following the overview, Committee Members were given the opportunity to ask questions. Councillor Thompson asked whether any staff members had tested positive for COVID recently and what the response had been to the protocols around self-isolating by staff. The Corporate Director responded that yes some staff had tested positive recently although the Councils approach had been very successful with only three cases of COVID 19 throughout the Pandemic and a number of staff were self-isolating as a precautionary measure. There was a situation where five staff members were told to work from home due to possible infection but none of the five were infected. Bev Norton noted the excellent work of the health and safety team in conducting risk assessments and providing effective procedures to ensure that staff remained safe. Managers had also played a role through supporting their team members to work from home where possible.

Councillor Acton asked if many staff had been affected by the guidance on traveling abroad. The Corporate Director responded that there had been a number of staff affected by the guidance, in particular when the restrictions on travel from Spain were introduced as some staff members were in Spain at the time. The Council kept track of all countries where quarantine restrictions were, or were likely to be, in place. In addition the Council were supportive of any staff members who had travelled to areas that did not require quarantine but felt that they should quarantine themselves to reduce risk. Councillor Acton followed up his question by asking whether all staff were following the guidance to contact their manager before travelling abroad. The Corporate Director stated that she was not aware of any issues that had arisen where a member of staff had gone abroad and failed to inform their manager. It seemed that members of staff were generally cautious about travelling due to the risks involved and the Council were benefitting from that cautious approach. The Corporate Director added that they were not certain but would look into this further and assured the Committee that the guidance to staff had been reinforced on many occasions.

RESOLVED:

- 1) That the update be noted.
- 2) That the efficacy of the travelling abroad guidance be reviewed.

### **12. AGENCY SPEND 2019/20 ANNUAL REPORT AND 2020/21 Q1 REPORT**

The Strategic HR Lead Policy, Reward and Intelligence gave an overview of the two Agency Spend reports that had been circulated with the agenda which covered 2019/20 and Quarter 1 of 2020/21. The Committee were informed that the overall spend in 2019/20 was 2.7M which was an increase of £700,000 on the previous year. There had been reductions in the Governance and Community Strategy, Place, People, and Finance and Systems directorates. The increase was mainly from the Children and Young people's directorate with the majority of the positions being social workers. The shortage of social workers was an ongoing

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issue locally and nationally. Due to the Council's framework provider not having adequate staff available other providers had been used and the cost to the Council for those agency workers was higher. A lot of work was being done in order to increase the Council's own workforce and decrease their reliance upon agency staff although it would take time for the impact of this work to be seen. The Strategic HR Lead Policy, Reward and Intelligence informed the committee of the various ways in which the Council was attempting to increase their workforce including training staff to become social workers and encouraging agency staff to join the Council. The Council had not needed to use any staff members who were not from the framework provider since July 2020, which was a sign of improvement.

Councillor Boyes asked whether the reductions that had been seen in some directorates were expected to be achieved again during 2020/21. The Strategic HR Lead Policy, Reward and Intelligence responded that those directorates were showing signs that the reduction in spending was a trend and not a one off occurrence.

Councillor Holden asked how the training of frontline workers was being done during lockdown. The Head of Workforce and Core Strategy responded that the workers who had been brought in during lockdown went through a detailed induction process and received training which informed them of the standard policies, procedures, and other requirements to prepare them as much as possible. Although the e-learning training was not a substitute for face to face interactions it would enable staff to get up to speed quickly if and when standard service delivery was resumed.

The Strategic HR Lead Policy, Reward and Intelligence then moved on to the report for quarter one of 2020/21 £891,664 which was a decrease of around £20,000 on the previous quarter despite additional pressures due to COVID 19. The majority of spend during the quarter was on social workers. The Council had appointed the new Corporate Director of Children's services and they were looking at ways to improve recruitment and retention within the directorate.

Councillor Boyes noted that there had been a significant increase in costs relating to legal and solicitors during the last two quarters and asked why this was the case. The Strategic HR Lead Policy, Reward and Intelligence responded that it was a difficult area to recruit to as we have to compete against the private sector and there had been a large increase in work load due to the pandemic which had resulted in a need to recruit agency staff.

Following the Committee's questions the Chair stated that it was important that the Council completed and review exit interviews when staff left as retention was a key element in increasing staff numbers. The Strategic HR Lead Policy, Reward and Intelligence added that a manager within Children's Services was focused upon reviewing that information to see how the Council could improve retention.

RESOLVED: That the reports be noted.

**13. NEW UNSOCIAL HOURS ALLOWANCE POLICY**

The Strategic HR Lead Policy, Reward and Intelligence gave a brief overview of the report which detailed changes to the Council's unsocial allowance policy. The overview contained a description of the types of work which were covered by the policy and explained that it was due to the situation in one particular setting that had created the need for the policy to be adjusted. This was due to the amount of unsociable hours being too few to be covered within the existing bandings and too many to be classed as ad hoc. The staff had been receiving an annual fixed sum in compensation while HR reviewed the situation to find a more permanent solution.

The solution reached by HR was to add additional bandings to the bottom of the current structure to accommodate those workers in a way that was in keeping with the approach used for other staff. The two additional bandings were a 1% uplift where 3% or more of a workers time was working unsociable hours and 2% uplift where unsociable hours represented 6% or more of their time. This was proportional to the higher bandings within the policy and took into account what their NHS colleagues were paid. The Council were consulting with unions and following those consultations staff would be consulted directly. The Chair noted that the staff that this change related to performed a vital role for the Council and welcomed the proposed changes.

Councillor Acton asked whether the new policy would be cost neutral. The Strategic HR Lead Policy, Reward and Intelligence confirmed that the policy would be cost neutral as the staff members were receiving an annual payment which had been calculated using a similar level of compensation as the new policy.

Councillor Akinola asked whether there were any staff members who would be negatively impacted by the changes. The Strategic HR Lead Policy, Reward and Intelligence responded that they should not be but the service needed to ensure that rotas were set up so that all staff had the same level of commitment. The Head of HR Operations added that this solution had been reached after in depth work with the service to ensure that it was fair equitable and robust.

RESOLVED: That the report be noted and recommendations agreed.

**14. QUARTERLY REPORT ON EXEMPTIONS TO THE SICKNESS POLICY**

The Head of HR Operations informed the Committee that in quarter one there had been six exemption requests, two of which were from the same person. All six of the requests were from Adult services and Children and Young People's service directorates and all had been approved.

RESOLVED: That the update be noted.

**15. EXCLUSION RESOLUTION**

RESOLVED: That the public be excluded from this meeting during consideration of the remaining items on the agenda, because of the likelihood of disclosure of “exempt information” which falls within one or more descriptive category or categories of the Local Government Act 1972, Schedule 12A, as amended by The Local Government (Access to Information) (Variation) Order 2006, and specified on the agenda item or report relating to each such item respectively.

**16. EMPLOYMENT UPDATE**

The Corporate Director Strategy & Resources gave a presentation to the Committee which detailed a number of workforce proposals. The Committee were informed of the changes in ways of working that the pandemic had brought about, which many staff members had embraced, and how it was unlikely that the Council would revert back to the previous model. The Committee were also informed of the large financial pressures that the Council were under as a result of the pandemic. The Corporate Director stressed that all of the workforce proposals were voluntary and that the trade unions had been consulted in the creation of the proposals. The Committee were assured that the Council would continue to work closely with the unions going forward. The Head of Workforce and Core Strategy went through the information and timeline for each of the proposals.

Following the presentation Committee Members asked a series of in-depth questions relating to all of the proposals and the Corporate Director and Head of Workforce & Core Strategy provided detailed responses. The Committee were assured that further updates would be provided when more information was available.

RESOLVED: That the update be noted.

The meeting commenced at 4.00 pm and finished at 5.34 pm

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## TRAFFORD COUNCIL

**Report to:** Employment Committee  
**Date:** 7<sup>th</sup> December 2020  
**Report for:** Information  
**Report of:** Sara Saleh Corporate Director Strategy & Resources

### Report Title

Reform of Public Sector Exit payments
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### Recommendations

- |  |
|--|
| <ol style="list-style-type: none"> <li>1. That the content of this report is noted.</li> <li>2. A further report will update the committee on the outcome of the proposals to change the Local Government Pension Scheme Regulations and associated revised Council policies.</li> <li>3. The pay policy statement for 2021/22 will be updated to reflect the legislative changes outlined in the report.</li> </ol> |
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Relationship to Policy Framework/Corporate Priorities	This report aligns with the council's Corporate Priorities in respect to 'Successful & Thriving places'.
Financial	The changes will have a positive impact on the Council's finances as the cost of exiting staff through redundancy or business efficiency, which would be the alternative, will be lower in some cases.
Legal Implications:	Legal guidance has been sought in the application of the voluntary severance scheme and the implications of the exit cap. Appropriate policy and process changes will be put in place to ensure that the Council is legally compliant.
Equality/Diversity Implications	The exit cap and pension reform proposals may mean that the Council is in a position to release more staff over 55, during voluntary severance/redundancy exercises, as they are more expensive to release with the current LGPS Regulations.
Sustainability Implications	None.
Staffing/E-Government/Asset Management Implications	Reduced exit packages for staff leaving under redundancy and business efficiency and in rare cases higher earners leaving for other reasons.
Risk Management Implications	None.
Health & Wellbeing Implications	None.
Health and Safety Implications	None.

## **1. Introduction**

- 1.1 When public sector employees leave for reasons such as redundancy, business efficiency, early retirement and settlement agreements, there has previously been no legal limit on the level of exit payment that could be paid by the employer. In 2015, the Government first announced plans to introduce a cap on exit payments in the public sector. The cap applies to the total amount payable and so includes any severance payments, pension strain costs and notice payments in excess of three months. Consultation took place in April 2019 and closed on 3 July 2019, with draft regulations, associated guidance and a response to the consultation published on 21 July 2020. The regulations which bring in an exit cap of £95k have now been passed in Parliament and became law on 4 November 2020.
- 1.2 Currently in accordance with our Constitution, any exit packages that are proposed that are over £100k have to be approved by Council.
- 1.3 In addition, the Ministry for Housing, Communities & Local Government (MHCLG) undertook a consultation exercise seeking views on changes to the Local Government Pension Scheme (LGPS) and Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 (the Compensation Regulations). The consultation closed on 9 November 2020 and covered the required changes to the Compensation Regulations and pension regulations to implement both the £95k exit payment cap and the public sector exit payments further reform proposals (issued by HM Treasury in 2016).
- 1.4 In light of the delay in publishing the draft implementing Regulations to accompany their consultation, MHCLG have extended the deadline for responses on the draft regulation to 18 December 2020. This means that the LGPS regulations will not change until early 2021, and the current Pension scheme rules are presently at odds with the Exit cap until the Regulations come into force.
- 1.5 Both the public sector exit payment cap and the proposed changes to the LGPS and the Discretionary Compensation Regulations will affect the way in which the exit package is constructed for employees leaving the Council and in particular for those who are aged over 55 and in the LGPS. The exit package that the Council can offer staff leaving under the current Voluntary Severance Scheme is also subject to the constraints of the emerging proposals as outlined in para 1.3 above.

## **2. Public Sector Exit Payment Cap**

### **2.1 Payments covered by the cap**

The new legislation means that exit payments made by public sector employers are now subject to a cap of £95k.



The cap includes:

- Any payment on account of dismissal by reason of redundancy
- Any payment to reduce or eliminate an actuarial reduction to a pension on early retirement or in respect to the cost to a pension scheme of such a reduction not being made.
- Any payment pursuant to a settlement or conciliation agreement.
- Any severance payment or ex gratia payment.
- Any payment in the form of shares or share options.
- Any payment on voluntary exits.
- Any payment in lieu of notice due under a contract of employment (excluding the first three months).
- Any payment to extinguish any liability to pay money under a fixed term contract.
- Any other payment, whether under a contract of employment or otherwise, in consequence of termination of employment or loss of office.

The cap excludes:

- Any payment in respect of death in service.
- Any payment in respect of incapacity as a result of accident, injury or illness.
- Various payments under the rules of firefighters' pension schemes covering early retirement.
- Any service award paid to judges just prior to retirement.
- Any payment in respect of annual leave due under a contract of employment but not taken.
- Any payment in lieu of notice due under a contract of employment that does not exceed one quarter of the relevant person's salary.

## **3.2 Other rules regarding the cap**

3.2.1 Where the employee leaves more than one public sector employment within a 28 day period, then the exit payments for both combined must be below the overall cap. The employee who receives an exit payment from one job must inform other existing public sector employers of the details.

3.2.2 The regulations allow for relaxation of the cap in appropriate circumstances. This safeguard is for use in exceptional circumstances where imposing the cap would cause genuine hardship. The Minister of the Crown's power to relax a restriction in respect of certain payments is delegated to the full Council of a local authority in England in respect of exit payments made by local government bodies for which it has responsibility.

3.2.3 There are circumstances where the power to relax restrictions must be exercised ("mandatory cases") and may be exercised ("discretionary cases").

In both cases as well as full Council consideration a business case would have to be submitted to their sponsoring department for approval by the Principal Accounting Officer and the relevant minister. Then, in the case of discretionary cases it would have to be approved by HM Treasury. It is anticipated that there would be very few occasions on which we would look to apply a waiver.

### **3.3 Current issues with implementing the exit cap**

3.3.1 The exit cap became law on the 4<sup>th</sup> November 2020, meaning that local authorities cannot now make an exit payment of over £95k. However as the changes to the LGPS and the discretionary compensation regulations have not yet come into force, under these rules, authorities must pay redundancy/severance pay plus an unreduced pension to those over 55 who have been in the scheme for 2 years. This package in some cases will be over £95k. There is a conflict between the two sets of regulations and this will continue until the supporting regulations come into force. We do not know when this will happen, however January 2021 has been suggested as the earliest date.

3.3.2 Presuming that they do come into force then, or not long after, this shouldn't pose too many problems for the Council. In terms of the current Voluntary Severance Scheme, if there are any agreed releases affected by the gap we do have some options which are being explored.

- The first is delaying the issuing of a Settlement Agreement and final confirmation of the termination date until after the regulations come into force;
- The other option is going ahead and offering a Settlement Agreement with a lower discretionary severance payment. We would be able to reach agreement with an employee on the package, because this is a voluntary severance exercise as opposed to a compulsory redundancy exercise, i.e. completely discretionary.

3.3.3 There has been concern from various quarters about the process, drafting and legality of the regulations. This has led to a number of challenges to Government, and we are currently aware of four potential challenges to the Exit Cap Regulations by means of Judicial Review. Pre-action correspondence has been issued by the BMA, UNISON, GMB and Lawyers in Local Government /SOLACE/ALACE. We await further developments, but as things stand, the Regulations took effect on 4 November 2020.

## **3. Public Sector Exit Payments Reform**

### **3.1 The proposals**

3.1.1 The draft Regulations make several proposals, some of which apply to all employees leaving through redundancy or business efficiency grounds and

some which only apply to those who are aged 55 or more who have been members of the LGPS for 2 years.

3.1.2 For all employees there will be new maximum tariffs for calculating exit payments as follows:

- Maximum of 3 weeks' pay per year of service.
- Maximum of 15 months on the amount of a redundancy payment.
- Maximum salary of £80k on which an exit payment can be based.
- Limiting publicly funded pension top-ups.
- £95k cap on the total of all forms of compensation, including redundancy payments, pension top-ups, compromise agreements and special severance payments.

In terms of the Council's current Discretionary Payments Policy, the only areas which will have to change are the maximum salary of £80k on which an exit payment can be based and the £95k cap.

3.1.3 For employees aged 55 or more who have been in the pension scheme for 2 years, the benefits and associated strain cost due from the employer should be limited as follows:

- The strain cost (capital cost) cannot exceed the overall cap contained in the Exit Payment Regulations (£95,000).
- The pension strain cost (capital cost) will be reduced by the value of any Statutory Redundancy Payment required to be paid.
- If there is a capital cost to be paid, the employer cannot offer a discretionary severance payment in addition (unless the discretionary amount is more than the capital cost then the difference can be paid which is rare).
- Any reduction in the strain cost due to the above limitations may be made up by the worker from their own resources.
- The member will receive an actuarially adjusted pension benefit in line with the revised strain cost under these provisions.

Employees affected by this will have several options as follows:

- Take an unreduced pension. This may mean receiving either a reduced or no voluntary severance payment depending on the amount of the pension strain cost.
- Take a partly reduced Pension. This may mean receiving either a reduced or no voluntary severance payment depending on the amount of the pension strain cost.
- Take a fully reduced Pension and retain the voluntary severance payment.

- Defer payment of Pension until a later date and retain the voluntary severance payment. If this is before Normal Retirement Date (currently state pension age) there will still be a reduction.

3.1.4 The draft regulations detail transitional arrangements which suggest that if the employer has entered into an agreement with the employee to terminate their employment, before the Regulations come into force, the current Regulations will apply. However this is provided that their termination date is within 6 months of the date the Regulations come into force.

### **3.2 Issues with the timing of the Exit Payment Reform proposals**

3.2.1 The proposals have been consulted on during the application window for our Voluntary Severance scheme and they may impact on the exit package that we can offer some staff that can be released. We have communicated the proposed changes to the workforce, however it is a very complex area and difficult to convey in simple terms. There are also some unknowns, particularly in relation to timescales which is making planning for release challenging. Legal advice is being sought on this matter.

3.2.2 Regardless of the current exercise and the difficulties these changes pose, when brought into effect, it will mean a significant change in the exit package offered to the over 55s who are members of the pension scheme. It has been a long-standing benefit of local government service when staff in this demographic are made redundant, rewarding loyal service over the years. A draft assessment by the Government's Actuary's Department shows that 86% of staff who were made redundant between 2013 and 2016 would have received lower benefits as a result of the proposals, with an average negative impact of £13,000. Additionally the top 10% of people impacted by the proposals would suffer an average impact of 47.5%.

3.2.3 The consequence of reduced exit packages may be that there is less interest from staff who might otherwise have considered an offer of voluntary severance or redundancy. However it will lead to reduced spend for the Council for such exercises and reduced interest for voluntary schemes could also lead to compulsory redundancy.

3.2.4 Due to our concerns on the proposals, we provided a response to the consultation that closed on the 9<sup>th</sup> November 2020.

## **4. Communication and Policy Changes**

4.1 As part of the messaging for the Voluntary Severance scheme, from the outset we advised staff that the £95k public sector exit cap was coming in. We later communicated with staff about the wider exit payments reform, particularly the impact that it will have on access to early pension for the over 55s and set out in clear and easy to understand language, what some of the options might be at an early stage. For this group we also sent them a letter to

explain the position and the Pensions and HR Team have been available for one to one conversations.

4.2 We will create internet content relating to the changes when the proposed regulations come into force and we will provide updated communications to make staff aware, including our hard to reach staff, of the implications of the exit cap and LGPS reform.

4.3 When the regulations come into force we will also revisit our Discretionary Compensation policy to update it in light of the changes. We will also update any other related policies, such as the Redundancy and Early Retirement Policy. In accordance with the Constitution, Council must approve exit packages that exceed £100k and this will be revised to reflect the £95k cap.

## **5. Conclusion**

5.1 The discussions about Public sector exit pay reform started 5 years ago and progress has been slow – however this year there has been a renewed impetus to pass the legislation and the exit cap of £95k came in on 4 November 2020. The supporting regulations, which also have a wider impact are likely to come into force in the final quarter of the year and maybe even as early as January 2021.

5.2 We are ensuring that we have a full awareness of the impact of these changes both for a current Voluntary Severance exercise and also that we have appropriate policy changes in place, so we comply with the new regulations in future.

5.3 The pay policy statement for 2021/22 will be updated to reflect the position on exit payments following implementation of all regulations outlined in this report.

## **6. Recommendation**

6.1 That the content of this report is noted.

6.2 A further report will update the committee on the outcome of the proposals to change the Local Government Pension Scheme Regulations and associated revised Council policies.

6.3 The pay policy statement for 2021/22 will be updated to reflect the legislative changes outlined in the report.

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## TRAFFORD COUNCIL

**Report to:** Employment Committee  
**Date:** 7<sup>th</sup> December 2020  
**Report for:** Information  
**Report of:** Sara Saleh Corporate Director Strategy & Resources

### Report Title

**Update on the voluntary workforce proposals.**

### Recommendations

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

**A further report will update the committee on the outcomes of the workforce proposals contained in this report.**

Relationship to Policy Framework/Corporate Priorities	This report aligns with the council's Corporate Priorities in respect to 'Successful & Thriving places'.
Financial	This proposal will contribute to the required budget savings in 2021/2022.
Legal Implications:	Legal services are involved to ensure that the process is all legally compliant.
Equality/Diversity Implications	An equality impact assessment is being undertaken to determine impact across the workforce.
Sustainability Implications	Reduction of the workforce will be mitigated through succession plans and re-organisation of work as appropriate so that service sustainability is achieved.
Staffing/E-Government/Asset Management Implications	Reductions in staffing levels to release staff with voluntary severance may impact on workloads and work will be re-prioritised.
Risk Management Implications	All requests will be carefully considered to ensure that we manage risks to the council so that we retain and/or grow the necessary experience and skills.
Health & Wellbeing Implications	Potential impact on the remaining workforce in terms of increased workloads pending modernisation efficiencies being achieved. Managers to monitor the position with risk assessments as appropriate and Health and Wellbeing resources available.

Health and Safety Implications	We will ensure that there are sufficient competent persons to discharge our health & safety statutory requirements.
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## 1. Introduction

1.1 In the report taken to Employment Committee on 8 September we detailed the fact that there have been several drivers for putting in place some voluntary workforce proposals. These include: a changing workforce required as part of our modernisation agenda; different ways of working where we maximise our digital capabilities and harness the opportunities for embedding changes in the way that we deliver services and addressing aspects of the budget gap as a result of the financial impact the council has faced due to COVID. The three voluntary workforce options agreed were: a Voluntary Severance scheme; flexible working (including 9 day fortnight), and; Leave Purchase scheme.

## 2. Voluntary Severance Scheme (VS)

### 2.1 The Scheme

2.1.1 The VS scheme brings mutual benefits for our employees by allowing some to leave the Council to pursue other career or personal interests, whilst providing us with some efficiencies. Where release is mutually agreed, a voluntary severance payment will be made to the employee upon termination of contract and the post or a subsequent post in the service is deleted.

2.1.2 The scheme is discretionary. Whilst the Council will try to enable those wishing to leave to do so, we need to consider whether we can deliver services without their skills, knowledge and experience. The cost of releasing staff also has to be factored into the decision making. Staff who are potentially eligible and have viewed their figures have the opportunity to formally apply. It is the Council's prerogative to determine whether to accept any requests. There is no guarantee that the request for severance will be approved and the outcome of each application will be at the discretion of an approvals panel.

2.1.3 Requests for voluntary severance will only be accepted where an ongoing saving for the council can be achieved.

### 2.2 Local Government Exit Pay Reform

2.2.1 Since the VS scheme proposal was agreed, there have been some changes which have an impact on the severance package that the Council can legally offer employees. These became apparent during the application window.

2.2.2 Further to initial proposals back in 2015, the Government brought in the Public Sector exit pay cap, which was effective from the 4<sup>th</sup> November. The cap essentially means that employees can't leave a public sector employer with a package to the value of more than £95k, including capital costs. In terms of the VS scheme there are only a relatively small number of staff that this would



affect, if their release can be agreed. What is more challenging is the fact that the supporting pension reform (detailed below) has not been finalised yet and until it is in place there is a period during which the legislation and the pension regulations conflict. We are exploring the best way to manage this situation if there are any staff that can be released with an overall package in excess of the cap.

2.2.3 The Ministry for Housing, Communities and Local Government (MHCLG) has recently consulted on changes to the local government pension scheme and discretionary compensation rules. The consultation ended on the 9<sup>th</sup> November and draft regulations have been published and are being consulted on with a deadline of 18<sup>th</sup> December. The date on which the regulations will come into force isn't known, however it is likely to be January at the earliest.

2.2.4 There are several changes in the proposals, however there is one that may impact on the package that can be offered to many staff who have applied for the VS scheme. Under the current LGPS, where a scheme member is aged 55 or over, if they leave the organisation due to redundancy or efficiency retirement, they receive an unreduced pension as well as their severance pay. Under the proposals no severance will be payable if the member receives an immediate pension with a payment by the employer to cover the cost of early release of pension – the strain cost – except in the case of the severance amount exceeding the strain cost in which case the excess would be payable.

2.2.5 It is likely that employees will have options as follows:

- Take an unreduced pension. This may mean receiving either a reduced or no voluntary severance payment depending on the amount of the pension strain cost.
- Take a partly reduced Pension. This may mean receiving either a reduced or no voluntary severance payment depending on the amount of the pension strain cost.
- Take a fully reduced Pension and retain the voluntary severance payment.
- Defer payment of Pension until a later date and retain the voluntary severance payment. If this is before Normal Retirement Date (currently state pension age) there will still be a reduction.

2.2.6 When the full implications of the proposals were understood, we communicated out to staff again with full details so they could make an informed decision regarding whether they still wished to apply. For those who had already applied, we also gave the option for them to withdraw given the possibility that the package would be reduced from the initial offer.

2.2.7 The recently published draft regulations include transitional arrangements. This appears to suggest that if we enter into agreement to terminate a member's employment before the Regulations come into force, and their

termination date is within 6 months of the Regulations, the current Regulations apply and we can pay an unreduced package with full severance pay. We are working with Legal to understand how we can try to offer the exit based on the current Regulations, however this may come down to the timing.

- 2.2.8 Further detail on these legislative changes is attached in a supplementary report on the Employment Committee agenda – ‘Reform of Public Sector Exit payments’.

## **2.3 Progress**

- 2.3.1 We launched the VS scheme on the 11<sup>th</sup> September with a closing date of the 5<sup>th</sup> October. The initial intention was to be able to establish the budget savings from the scheme to inform the draft budget report in October. However, with the short timescale this was always ambitious and we listened to feedback from employees who asked for more time to give due consideration regarding whether to apply and extended the deadline. With staff also needing time to digest information about the Local Government Exit Pay Reform, the scheme was extended to the 23<sup>rd</sup> October and then again to the 30<sup>th</sup> October.
- 2.3.2 Over 180 applications have been received from across our 6 directorates. Heads of Service have assessed each application and given an initial recommendation. Each Directorate Management Team has considered all applications in the directorate and then provided a recommendation. The Approvals Panel, comprising the Corporate Director of Finance and Systems and the Corporate Director of Strategy and Resources, has met to review all recommendations. They are finalising decisions which will then be ratified by the Chief Executive.
- 2.3.3 Once the final decisions have been made, all those who applied will be advised of the outcome both verbally and followed up in writing. For those who can be released, the date of release will be agreed (staff had options of March or September). There will be two groups of staff: under 55s and those not in the pension scheme, and; over 55 and in the pension scheme. For those affected by the pension reform we will be looking at the best solution for them and the service to agree release.

## **3 Flexible Working (including 9 day fortnight)**

- 3.1 We offer a range of flexible working arrangements, which staff can request at any time provided they meet the qualifying criteria. This includes different working patterns, however one that more staff are starting to take up is the 9 day fortnight. This is where employees reduce their working hours so they have an additional non-working day every two weeks. It can be an option where staff want some extra time out of work but don't want to reduce to 4 days, or maybe can't afford to. It can also work better for the business. Due to a reduction in establishment certain flexible working options will generate some savings.

- 3.2 When we communicated the Voluntary Severance Scheme we also detailed that where staff would like to consider a flexible working option that would generate savings they should apply.
- 3.3 Around 20 employees indicated that they would like to apply to reduce their hours. We contacted these staff and then their manager so they could submit the normal application. As a result several have been agreed, however some decisions will have to wait until the outcome of voluntary severance release is known due to the resourcing impact on the service.

### **3. Leave Purchase Scheme**

- 3.1 Each year, employees may request to buy additional leave between 1 and 10 days (pro rata for part time employees) and pay deductions are spread over the 12 months of the leave year. This supports employees to achieve a better work-life balance and also generates savings.
- 3.2 The window for applications is open between November and the end of January each year and we have communicated the scheme to staff. There will be periodic communications over the next couple of months to remind staff.
- 3.3 Once the scheme is closed, in February we will have an understanding of the take up of the scheme and will present a further report to Committee on next steps.

### **4. Conclusion**

- 4.1 We continue to finalise decisions for both the VS and flexible working options. The savings generated from the Voluntary Severance scheme and flexible working options are not yet known and should be available by mid-December. The savings from the Leave Purchase Scheme will be confirmed in February after the scheme application window closes.
- 4.2 Dependant on the resultant savings, other options may well have to be explored to generate savings to meet the budget gap. As mentioned this includes considering mandatory unpaid leave.

### **5. Recommendation**

- 5.1 That the content of this report is noted.
- 5.2 A further report will update the committee on the outcomes of the workforce proposals.

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## TRAFFORD COUNCIL

**Report to:** Employment Committee  
**Date:** 7<sup>th</sup> December 2020  
**Report for:** Information  
**Report of:** Sara Saleh, Corporate Director of Strategy & Resources

### Report Title

**Agency and Consultant Spend for Q2 - Period 1<sup>st</sup> July 2020 to 30<sup>th</sup> September 2020**

### Recommendations

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

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

## 1. Background

- 1.1 A robust vacancy clearance process is in place that ensures that posts are only filled where there is a compelling case to do so - vacancies are subject to approval by the relevant Corporate Director with HR and Finance. The aim is to recruit to posts as quickly as possible, however ensuring that we follow the process and firstly consider employees on notice from redundancy (redeployees), "at risk" staff (those employees where there is a real risk of redundancy) and apprentices before advertising openly.

- 1.2 It is however recognised that there will be circumstances whereby there are immediate resourcing needs that are predominantly short term in nature and require access to time limited and/or specialist skills that cannot be found within the organisation, or where cover is required for day-to-day absences. There are also roles for which we have recruitment and retention difficulties. For these reasons, access to temporary agency support is essential to cover critical gaps in service provision. In some cases due to the specialist nature of the work, consultants are required.
- 1.3 Appendix 1 details the spend breakdown for quarter 2.
- 1.4 Appendix 2 provides a breakdown of assignments that were still active as at 30<sup>th</sup> September 2020.
- 1.5 The agency costs for the quarter have been met from within existing staffing budgets to support services whilst they have been restructuring, reshaping and recruiting to vacant posts, thus ensuring that statutory obligations are met on a day-to-day basis.

## **2. Directorate Overview**

### **2.1 Children's Services**

- 2.1.1 In Q2 2020/21, spend in Children's Services totalled £769,122 and as at 30<sup>th</sup> September 2020 there were a total of 50 active assignments across the Directorate. The majority of agency spend is due to the service discharging its statutory responsibilities for providing social care services for vulnerable children. The interim staffing need is primarily required to cover staffing resource gaps, created as a result of short-term staff absences or whilst recruitment to permanent posts is underway and cover is critical to ensure that service users receive the appropriate level of care and support.
- 2.1.2 The spend has increased compared with Q1 2020/21 which was £644,050. When comparing spend with the corresponding period in 2019/20 (£343,673), it is over double the level. In Q1 the pandemic didn't appear to be having a big impact on spend, however it seems that there may have been a time lag in terms of needing additional resource, or invoices being received. There has been sustained pressure and the service has had to ensure appropriate resourcing levels so we can run critical services.
- 2.1.3 The proportion of the quarterly spend that is on interim qualified Social Worker roles has continued from quarter 1 at 92%. However as the overall spend in this quarter has increased, spend on Social Worker roles has increased. This has increased from around £593k to £712k. The next biggest spend is on Residential Childcare Officers at nearly £23k.

2.1.4 Further to additional resources being put in place as a result of the Ofsted report, our umbrella agency, Reed, were unable to meet our requirements in terms of number and quality of assignees. This led to us engaging agency workers from other providers - we have a continuing reliance on these agencies at a higher cost.

It is vital that the assignments are filled to ensure the service meets its statutory requirements in order to keep children safe and that the service successfully delivers the Ofsted Improvement plan. The service is monitoring this situation very closely and ending assignments as soon as permanent workers have commenced in post.

2.1.6 We still have in place 1.5 FTE Social Work Development Officers to support staff with their professional development as this is a crucial aspect of looking after our Social Workers. In particular, they are providing additional support for newly qualified Social Workers undergoing the Assessed and Supported Year in Employment and for children's Social Workers and practice supervisors who have volunteered for the National Assessment and Accreditation system. This pathway is available as an option for staff undergoing career progression from social worker (level 2) to Experienced Social Worker (Level 3).

2.1.7 The Corporate Director for Children's Services is taking a holistic view of Social Worker resourcing so we can take actions to improve recruitment and retention.

## 2.2 Adult Services

2.2.1 In Q2 2020/21, spend in Adult Services totalled £148,276 and as at 30<sup>th</sup> September 2020 there were a total of 12 active assignments across the Directorate. The majority of agency spend is due to the service discharging its statutory responsibilities for providing social care services for vulnerable adults. The interim staffing need is primarily required to cover staffing resource gaps, created as a result of short-term staff absences or whilst recruitment to permanent posts is underway and cover is critical to ensure that service users receive the appropriate level of care and support.

2.2.2 This is a significant decrease as compared with Q2 2019/20 which was £246,621. Spend has however increased a little as compared with the previous quarter (Q1, 2020/21) which was £124,800. However this position isn't too concerning given the pressures on services as a result of the pandemic.

- 2.2.3 89% of spend was on interim qualified Social Worker roles, which is an increase from the previous quarter's figure of 76%. The level of spend on Care Assistants has continued to reduce each quarter from Q4 2019/20. In Q1 it was £21k and this quarter it was around £6k. This is despite Ascot House being a service which has been at the forefront of COVID-19 pressures. They continue to resource using casuals where needed.
- 2.2.4 Additional resource have been put in place in Supported Living as a result of an employment relations matter and in response to a need to improve quality of service delivery. In addition the service is looking to strengthen its internal assurances processes including development of a quality assurance framework that complements our safeguarding policy and procedures. This will initially be concentrated within Supported Living but will be developed in a way as to facilitate wider implementation across other internal support services.
- 2.2.5 In order to improve the recruitment and retention of Social Workers the Service has the Trafford Academy. This will provide a mechanism for a rolling recruitment programme. The Academy has developed an engagement programme with schools and colleges to promote and inspire adult social care as a rewarding career choice.
- 2.2.6 Trafford continues to offer the Social Worker apprenticeship degree. This route enables Trafford to grow our own Social Workers.

## 2.4 Governance and Community Strategy

- 2.4.1 In Q2 2020/21, the total agency spend in Governance and Community Strategy equated to £127,132 and as at 30<sup>th</sup> September 2020, there were 6 active assignments. Agency spend in this Directorate is due to the need to bring in specialist skills.
- 2.4.2 Spend has over trebled as compared to Q2 2019/20 which was £40,451. When compared to, Q1 2020/21 it has increased from the figure of £107,654.
- 2.4.3 Spend on bringing in legal support is still around 80% of the total. It has increased from around £86k in Q1 to £102k this quarter. Resourcing difficulties persist in this service and different options continue to be explored. The remainder of spend was on Information Governance expertise.

## 2.5 Finance and Systems

- 2.5.1 In Q2 20/21, the total agency spend in Finance and Systems equated to £9,428 and as at 30<sup>th</sup> September 2020, there were 2 active assignments. Agency spend in this Directorate is due to the need to bring in professional and specialist skills.



2.5.2 There has been a significant increase as compared to the previous period, Q1 2020/21 which was £5,450. There has also been an increase as compared to the corresponding period in 2019/20 when there was no spend.

2.5.3 The spend was all in the STaR Procurement service, which provides a service for several organisations and so it is essential that required staffing levels are maintained.

## 2.6 Strategy and Resources

2.6.1 In Q2 2020/21, the total agency spend in Strategy and Resources equated to £5,876 and as at 30<sup>th</sup> September 2020, there were 2 active assignments. Agency spend in this Directorate is due to the need to bring in professional and specialist skills.

2.6.2 Spend has increased significantly as compared with Q2 2019/20 which was only £312. However promisingly it has decreased as compared to the previous period, Q1 2020/21 which was £9,710.

2.6.3 Spend has mostly been on HR Consultant roles. The pressures caused by the pandemic have led to an increase in casework and early in the pandemic response it was difficult to progress cases leading to delays. To address these issues and move cases along, to reduce employee relations issues, extra support has been necessary.

## 2.7 Place

2.7.1 In Q2 20/21 there was no spend on agency in Place and there were no active assignments at the end of the quarter. This is the second quarter with no spend. This is an improvement on the Q2 in 2019/20 when there was spend of £4,547.

## **3. Summary Agency Spend Position**

3.1 The total agency spend in Q2 2020/21 was £1,059,834. This is a significant increase as compared with the previous period, Q1 2020/21 when spend was £891,664. However despite the pandemic spend in quarter 1 was fairly stable with the increase being experienced in the following quarter. Spend is also at a much higher level than the corresponding period last year when it was £635,604 for Q2 2019/20. However the Council has experienced its most difficult period for at least a decade over the last few months responding to the national emergency. Most notably, agency spend has continued to increase in Children's Services which is still experiencing considerable issues with recruiting and retaining social workers. Work continues to try to mitigate this and move to a more stable resourcing position. It is really positive that there

has been no or minimal agency spend in Place, People and Finance and Systems.

#### 4. Consultant Spend

4.1 The total spend in Q2 2020/21 was £20,328. The spend breaks down as follows.

Children's Services	Adult Services	Governance and Community Strategy	Finance and Systems	People	Place
£17,578	£0	£0	£0	£0	£2,750

4.2 The level of spend has stayed much the same as in Q1 2020/21 which was £21,495. There has been a huge decrease on Q2 in 2019/20 which was £177,146.

4.3 Consultant use has been limited to Children's Services and Place.

#### 5. Conclusion

5.1 Agency and consultant spend will continue to be monitored on a regular basis and reports will be presented to Employment Committee, for information.

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

## Appendix 1

**Trafford Council Agency Spend By Directorate Q2 - 2020/2021**

Directorates	Job Title	Number of Active Assignments	Total Cost
Children's Services	Care Assistant – Residential Homes & Day Care Centres	1	£206.23
	Childcare Assistant	1	£109.36
	Childcare Worker	3	£2,204.89
	Early Help Intervention Worker	1	£11,592.25
	Independent Reviewing Officer	1	£18,219.56
	Personal Advisor	1	£9,342.06
	Project Support Officer	1	£3,453.10
	Residential Childcare Officer	15	£22,930.80
	Senior Business Support Officer	1	£6,366.96
	Senior Practitioner	1	£31,297.01
	Service Manager	3	£30,885.20
	Social Worker Level 2	2	£18,740.04
	Social Worker Level 3	39	£479,710.69
	Strategic Lead for Front Door & Children's Social Care	2	£47,932.46
	Strategic Lead - Quality and Improvement	2	£47,415.56
	Team Leader	2	£38,715.85
	<b>Total</b>	<b>76</b>	<b>£769,122.02</b>
Adult Services	Care Assistant - Residential Homes & Day Centres	5	£6,394.03
	Cook Manager	4	£804.35

	Customer Engagement Support Officer	1	£9,400.90
	Social Worker Level 3	10	£81,404.15
	Social Worker level 3a	4	£50,272.79
	<b>Total</b>	<b>24</b>	<b>£148,276.22</b>
Governance & Community Strategy	Information Governance Officer (Corporate)	2	£25,263.86
	Litigation Solicitor - Corporate & Commercial	2	£50,664.97
	Solicitor	3	£51,203.44
	<b>Total</b>	<b>7</b>	<b>£127,132.44</b>
Finance & Systems	Business Improvement Officer	1	£1,389.73
	Procurement Officer	1	£8,037.98
	<b>Total</b>	<b>2</b>	<b>£9,427.71</b>
Strategy & Resources	HR Consultant	2	£3,870.08
	Senior Personal Assistant	1	£2,005.72
	<b>Total</b>	<b>1</b>	<b>£5,875.80</b>
<b>Grand Total</b>		<b>110</b>	<b>£1,059,834.19</b>

Appendix 2

**Trafford Council Agency Tenure by Directorate**

Breakdown by Directorate showing active assignments as at 30<sup>th</sup> September 2020

Directorate	Job Title	No. of active assignments
Children's Services	Childcare Worker	1
	Early Help Intervention Worker	1
	Independent Reviewing Officer	1
	Personal Advisor	1
	Residential Childcare Officer	4
	Senior Business Support Officer	1
	Senior Practitioner	1
	Service Manager	2
	Social Worker Level 2	1
	Social Worker Level 3	33
	Strategic Lead for Front Door & Children's Social Care	2
	Team Leader	2
	<b>Total</b>	<b>50</b>
Adult Services	Care Assistant - Residential Homes & Day Centres*	1
	Cook Manager	2
	Customer Engagement Support Officer	1
	Social Worker Level 3	4
	Social Worker level 3a	4
	<b>Total</b>	<b>12</b>
Governance &	Information Governance Officer	1

Community Strategy	Litigation Solicitor - Corporate & Commercial	2
	Solicitor	3
	<b>Total</b>	<b>6</b>
Finance & Systems	Business Improvement Officer	1
	Procurement Officer	1
	<b>Total</b>	<b>2</b>
Strategy & Resources	HR Consultant	2
	<b>Total</b>	<b>2</b>

\*These agency staff are used akin to a bank, so they have an assignment start and end date however they aren't working continuously, instead on an ad hoc basis.



# Employment Committee Update Report

## HR Service

### 7<sup>th</sup> December 2020



# Sickness absence Jan – Nov 2020

Trafford Council - staffing

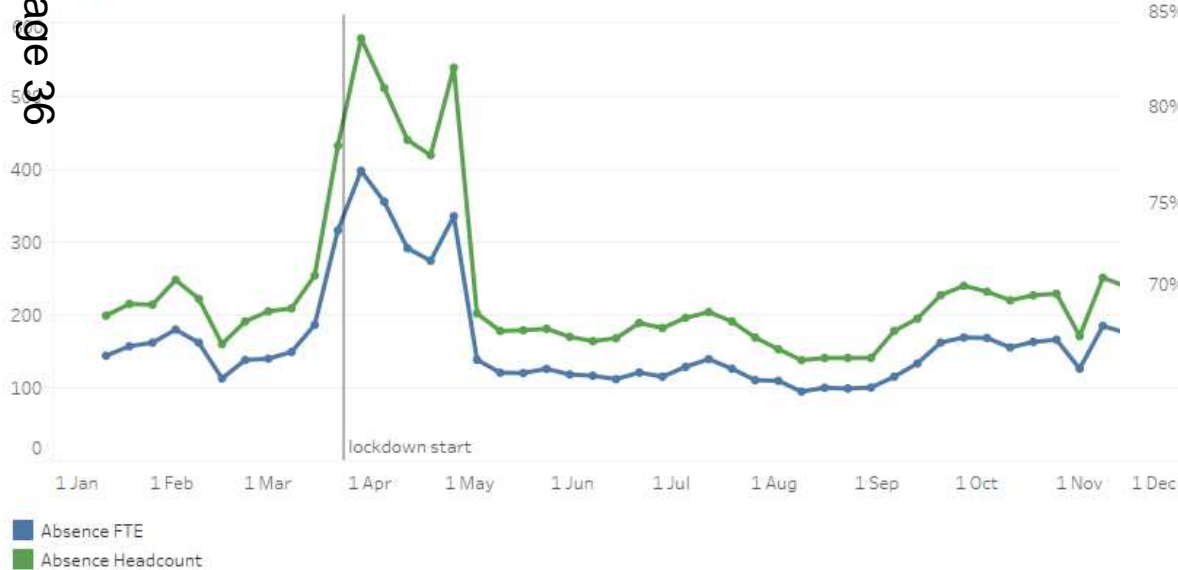
**239**  
members of staff  
absent

**175**  
full time  
equivalents  
absent

**94.2%**  
of headcount  
available to work

**94.5%**  
of whole time  
equivalents

Absence by week



Availability by week



Current availability by directorate

Directorates	
Adult Services	92.0%
Childrens Service	94.0%
Finance & Systems	98.2%
Governance & Community Strategy	94.8%
Place	94.4%
Schools	95.4%
Strategy & Resources	93.0%
<b>Total</b>	<b>94.5%</b>
	<b>94.2%</b>

0% 20% 40% 60%

Availability rates are for all staff within the directorate



# Health, Safety and Wellbeing

Workstream	Work Overview	Key Outcomes / Deliverables
<p>COVID-19: Working from home Support</p>	<p>Supporting our staff to work from home</p>	<p>In line with the current restrictions and to protect staff from the risks of COVID, arrangements continue to allow our workforce to <b>work from home</b> where possible to do so. Support provided through:</p> <ul style="list-style-type: none"> <li>• <b>Additional workstation equipment</b> (laptop risers, keyboards and mice) was made available to all colleagues through a central ordering system, to enable staff to work from laptops safely. <b>Over 700 pieces of kit were ordered.</b> Headsets are also now available for colleagues where required.</li> <li>• <b>Additional health &amp; safety workstation guidance and support</b> is available on our intranet pages.</li> <li>• The Health and Safety Team provide <b>workstation assessment support</b> where further advice is required</li> <li>• Guidance produced to <b>support the mental wellbeing</b> of colleagues working from home</li> </ul>
<p>COVID-19: Supporting our Transformation            Page 37</p>	<p>Measures to ensure our buildings and other settings are and remain COVID secure to protect our front line staff.</p>	<p>A Workforce Reintegration Group and Operational Health and Safety group continues to monitor and review the COVID Secure arrangements in place for colleagues occupying our buildings which includes</p> <ul style="list-style-type: none"> <li>• <b>Management of the occupancy levels</b> of our main buildings to <b>20%</b> of our normal capacity.</li> <li>• <b>Social distancing arrangements</b> in place through one way systems, restrictions on desk use and managing occupancy in kitchens, toilets and meeting rooms.</li> <li>• <b>Increased cleaning regimes</b> and hand hygiene arrangements.</li> <li>• <b>Screens being installed</b> at public facing areas.</li> </ul> <p>COVID arrangements at our main administrative buildings are reviewed on a <b>monthly basis.</b></p> <p>Communications on the arrangements continue to be issued on our intranet pages and via staff and manager briefings</p> <p><b>Direct support continues to our key front line services.</b> In addition to Ascot House, Registrars Service, Libraries, Music Services, Flixton House and the Arts Centre, the health and safety team have also developed specific 'COVID19 House Risk Assessments' for our Supported Living Services and Children's Homes to suit their particular working arrangements.</p>



# Health, Safety and Wellbeing

Workstream	Work Overview	Key Outcomes / Deliverables
<p>COVID-19: Staff at Greater Risk</p>	<p>Protecting our staff at Greater Risk of COVID-19</p>	<p>Government guidance has been issued to provide further protection for persons who are '<b>Clinically Extremely Vulnerable</b>' and '<b>Clinically Vulnerable</b>'.</p> <p><b>Trafford guidance for services and for schools</b> has been produced to support Service Leads and Head Teachers through an <b>individual risk assessment process</b> to identify and consult with staff at greater risk and how they should be <b>supported with additional protective measures</b>.</p> <p>The guidance has been reviewed and updated each time the government advice has changed</p> <p>It has been widely communicated through our intranet pages, staff and manager briefings and at liaison meetings.</p>
<p>COVID-19: Test and Trace</p>	<p>In support of the NHS Test and Trace Guidance, local arrangements support our workforce in responding effectively to potential COVID19 symptoms to minimise the risk of transmission within the work environment.</p>	<p>Local arrangements with Public Health support a <b>swift response and assessment</b> to suspected or confirmed cases of COVID-19 in the workforce which includes:</p> <ul style="list-style-type: none"> <li>• Self isolation and a referral for a test is followed.</li> <li>• An assessment of working arrangements and any potential contacts.</li> <li>• Communication to any close contacts to ensure strict social distancing and hygiene arrangements are adhered to.</li> <li>• Identify any further steps to minimise the risk of transmission</li> </ul> <p>The Health and Safety Team have worked closely with Public Health in response to confirmed and suspected cases of COVID-19 within Services and schools through:</p> <ul style="list-style-type: none"> <li>• <b>Initiating additional cleaning and hygiene</b> measures as required</li> <li>• Supporting outbreak control meetings for schools to manage cases effectively</li> <li>• <b>Reviewing the COVID Secure arrangements</b> within our premises. These arrangements have greatly facilitated the effective management of cases within our buildings.</li> </ul>



# Health, Safety & Well Being

Workstream	Work Overview	Key Outcomes / Deliverables
COVID-19: Health and Wellbeing Support	COVID-19: Schools Support	<p>As schools have fully opened from September, they have continued to be supported in the arrangements for the safe return of staff and children to the classroom. Measures have included:</p> <ul style="list-style-type: none"> <li>• Ongoing risk assessment support on the COVID arrangements in place and regular guidance updates</li> <li>• Supportive outbreak control meetings to manage cases of COVID in schools supported by site visits where needed</li> </ul>
COVID-19: Health and Wellbeing Support	Supporting the wellbeing of our colleagues during the pandemic	<p>The impact of the COVID Pandemic has significant implications for the mental wellbeing of our colleagues. We have continued to provide, promote and signpost staff to a range of support to in line with our ongoing EPIC You Health and Wellbeing Strategy. Interventions have included:</p> <ul style="list-style-type: none"> <li>• <b>Mental Health First Aiders:</b> Promoting our trained volunteers who are a point of contact if colleagues are experiencing a mental health issue or emotional distress. A <b>Mental Health First Aid Video</b> was produced introducing some of the Mental Health First Aiders and the dedicated support they provide</li> <li>• Continued promotion of a range of <b>Health and Wellbeing Resources</b> and support services including our <b>Employee Assistance Programme</b> providing 24/7 confidential support and counselling, <b>EPIC You Wellbeing Intranet pages</b>, working from home supporting guidance, and <b>Stay EPIC manager resources</b></li> <li>• The delivery of <b>EPIC Manager Health and Wellbeing Module</b> as part of the EPIC Manager programme to ensure managers are able to support the wellbeing of their teams.</li> <li>• <b>Mental Health Awareness Week:</b> A week of promotional communications and support encouraging colleagues to check in on each other and take time to talk</li> <li>• <b>World Mental Health Day:</b> A week of support for colleagues in the run up to World Mental Health Day which included mental health myth busters, 3 tea and talk sessions held by our Mental Health First Aiders and promoting opportunities to take time out from work and help your mental health during the pandemic</li> <li>• <b>National Self-Care Week:</b> Promoting self care resources for staff and further tea and talk sessions for staff</li> </ul>



# Organisation Development

Workstream	Work Overview	Key Outcomes / Deliverables
<p>Manager Virtual Programme</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 40</p>	<p>Supporting Managers to be EPIC.</p>	<ul style="list-style-type: none"> <li>• We have undertaken a 6 monthly review of the our <b>EPIC Manager Programme</b> and refined the content to enable us to deliver key modules to managers at a faster pace. We have split the content into 3 key areas, Core Modules, Strategic Modules and Operational Modules. Key modules that are linked to our strategic priorities, alongside operational modules will be delivered monthly from January 2020, We will still continue to deliver the core elements of the programme in addition to the below and we will build on all the content with our Micro Learn bite-sized sessions, which will be introduced in 2020</li> <li>- Understanding Finance (Strategic Module)</li> <li>- Change Management (Strategic Module)</li> <li>- Leading Equality &amp; Diversity (Strategic Module)</li> <li>- Staff Engagement (Strategic Module)</li> <li>- Being the Best (Core Module)</li> <li>- Health &amp; Wellbeing (Core Module)</li> <li>- Vital Conversations (Core Module)</li> <li>- Team Engagement (Core Module)</li> <li>- Values Based Recruitment (Operational Module)</li> <li>- Disciplinary Investigation Skills (Operational Module)</li> <li>- EPIC You Check in (Operational Module)</li> <li>- Getting the Most out of I Trent (Operational Module)</li> <li>- Managing Absence (Operational Module)</li> <li>- Understanding Commissioning (Operational Module)</li> </ul>
<p>19: EPIC Check-in</p>	<p>Continue to support managers with their check-in conversations .</p>	<ul style="list-style-type: none"> <li>• We continue to deliver our suite of training to support managers and colleagues to engage in productive conversations and make the most out of their Check-ins. Training is now scheduled and delivered monthly.</li> <li>• We have also developed a range of tools alongside our training modules to support managers and colleagues to start to have “coaching health and wellbeing conversations” . These guides are available to all colleagues on our EPIC Check-in Pages.</li> <li>• Alongside supporting managers and colleagues at the Council we have also worked with the CCG to refine and refresh the appraisal paperwork and process. Their new process Engage, Achieve, Aspire was launched in September 2020 alongside training and support guides and materials.</li> </ul>

# Organisation Development

Workstream	Work Overview	Key Outcomes / Deliverables
Employee Support	Creation of a variety of “How To Guides” and training to support colleagues to remain healthy and productive in this new environment.	<ul style="list-style-type: none"> <li>• We continue to design and deliver a range of materials for our “#Stay EPIC” intranet pages. These host a number of best practice resources that have been designed by the team to support colleagues and managers to stay healthy, happy and productive during lockdown and as we continue on our Journey. The pages bring together all the sources of support available to colleagues and managers, our latest resource includes a resilience toolkit, other resources include:               <ul style="list-style-type: none"> <li>- Useful links to support colleagues to look after their mental health</li> <li>- Working from Home Guidance</li> <li>- Guidance and tools for managers to support colleagues at greater risk of Covid-19</li> <li>- Latest information, updates and FAQ pages.</li> </ul> </li> </ul>
: n	Creation of a more streamlined induction to support and ease the pressure on managers.	<ul style="list-style-type: none"> <li>• We continue to support with the “virtual induction” of colleagues joining us at Ascot House and are now supporting with the induction for <b>Track and Trace roles</b>. We are currently designing this induction but it will include similarly to Ascot House the issuing of a <b>welcome guide for all new starters</b>, to introduce them to Trafford and their new role. The welcome guide also outlines the key e-learning and policies they are required to complete virtually before joining us at Ascot House. Alongside our welcome guide we have refreshed the <b>Managers induction</b> and <b>New starter induction checklist</b>.</li> </ul>
t	Supporting 16-24 gain meaningful high quality placements and job opportunities.	<ul style="list-style-type: none"> <li>• We are making an application to be a Gateway Organisation under the new government backed Kick Start Scheme.</li> <li>• The Kick start Scheme in Trafford will be a mix of internal and external placements. We are working with the Strategic Growth Team to deliver the programme and upon successful completion of our application our first placements are planned to start in March 2021.</li> <li>• We are currently committing to deliver 8 internal placements. Each placement will be offered twice to a young person, once in March and again in October 2021.</li> </ul>
Shine	Recognising, Thanking and Celebrating the Achievements of our Colleagues	<ul style="list-style-type: none"> <li>• In lieu of not being able to deliver our annual <b>Employee Recognition Awards</b> this year, we are holding a virtual “Time to Shine” event on the 02 December.</li> <li>• We have asked DMT’s to shortlist from over 293 EPIC Star nominations received to date and nominate X2 colleagues under each award categories. Winners for each category will be decided by a small judging panel consisting of representatives from each of our employee networking groups/staff forums and Pioneer representatives.</li> <li>• Our EPIC Awesome Team 2020 will be voted for by colleagues across the council.</li> <li>• All winners will be announced on the 02 December at our Time to Shine event which will be attended by CLT, Leader of the Council, the Mayor and other party leaders.</li> </ul>

# Organisation Development

Workstream	Work Overview	Key Outcomes / Deliverables
Let's Talk All Colleagues  Page 42	Designed and delivered virtual All Colleague Let's Talk Take 5 Session.	<ul style="list-style-type: none"> <li>• <b>Let's Talk – All Colleagues</b> - We continue to support the organisation and delivery of our Let's Talk sessions. To date virtual All Colleague "Let's Talk Event" have taken place in July, September and November. Participant numbers are capped at 100 attendees to support us to facilitate a more interactive session. The event format was tweaked slightly, and alongside key updates from our CEX, the leader of Council and other key updates (Finance, People, Public Health etc) we deliver a 30 minute Micro Learn on each session. These have been focussed on wellbeing and change and colleagues are signposted to further resources at the end of each session.</li> <li>• <b>Let's Talk Leaders and Colleague Events</b> –We continue to support on Let's Talk Leaders events also and similarly delivered a 30 minute Micro Learn session. Sessions for Leaders have taken place in September and there will be a final session on the 15 December 2020.</li> <li>• Following on from the feedback at the All Colleague Let's Talk Session where we delivered a short micro learning session on wellbeing/resilience, we have delivered this content via a lunch and learn session open to all colleagues. A further lunch and learn session is planned to expand on the content shared in our November All Colleague Let's Talk Session.</li> </ul>
Engagement Survey	Sharing the Corporate Results b-Heard and Pulse Survey	<ul style="list-style-type: none"> <li>• <b>We analysed and shared</b> the results of the covid-19 pulse survey and shared the corporate results with CLT. We have also distributed Directorate level results to Heads of Services.</li> <li>• Alongside sharing the results of our Pulse Survey we also shared the corporate results from the b-heard engagement survey that was undertaken in October/November last year. The sharing and action planning for the b-Heard results was paused in March due to Covid-19. A high level overview of both sets of results was shared with all colleagues, alongside a summary of some great work done to date to improve employees experience of working for Trafford. The communication also outlined our corporate engagement action plan and next steps.</li> <li>• Heads of Service across our directorates have now completed their local engagement action planning groups and we will be sharing this information with CLT members in the weeks to come to ensure actions are implemented and momentum maintained.</li> </ul>

# Policy, Reward and Workforce Intelligence

Workstream	Work Summary	Key Outcomes / Deliverables
Managing COVID-19 and dealing with queries	At the early stage of the pandemic a comprehensive set of FAQs was developed. These have been updated as different issues have become more pertinent.	<ul style="list-style-type: none"> <li>• An initial set of FAQs was created for staff and managers in the Council and schools, informed by the HR COVID-19 mailings.</li> <li>• These have been periodically updated.</li> <li>• There was a full review of all FAQs and they were reorganised to make them more user friendly.</li> <li>• COVID-19 related policy queries being answered for the Council and schools.</li> </ul>
Workforce returns	Information provision regarding the impact that COVID-19 is having on staff availability both internally and also for external returns.	<ul style="list-style-type: none"> <li>• Several reports being provided for different audiences - all are either on a weekly basis or more frequently.</li> <li>• Reports are informing national public sector workforce impact of COVID-19.</li> <li>• Supporting with the identification of staff to be tested.</li> <li>• Understanding of which services most impacted by COVID-19 related absence.</li> <li>• Production of a now monthly workforce availability/resourcing report for CLT.</li> </ul>
Guidance for 'at risk'	For certain groups of staff, they or their families, or those for whom they care, are at more risk if they contract the virus. Agreed approach to supporting and reducing the risk for these staff.	<ul style="list-style-type: none"> <li>• Guidance for managers produced on the at risk groups, approach to having conversations with staff and undertaking risk assessments and measures to reduce risk.</li> <li>• Guidance revised further to the government's policy decision to pause shielding.</li> <li>• Guidance revised in relation to pregnant employees over 28 weeks pregnant.</li> <li>• Further to the second 'lockdown' and change of approach for the Clinically Extremely Vulnerable (CEV), guidance revised again.</li> </ul>
Voluntary Workforce Schemes	Offer to employees of Voluntary Severance scheme, flexible working options and encouraging use of the leave purchase scheme. These give staff opportunities and also provide savings for the Council.	<ul style="list-style-type: none"> <li>• Voluntary severance scheme created and employees had the opportunity to apply by 30<sup>th</sup> October – final decisions being made with regard to staff that can be released either on 31<sup>st</sup> March or 30<sup>th</sup> September.</li> <li>• Promotion of the Flexible Working Scheme. Staff can apply at any time subject to scheme criteria being met, however we had focused promotion linked to the VS scheme timescales.</li> <li>• Leave Purchase Scheme. This is an annual scheme that has been in place for a few years. The window for applications for 2021/22 opened in November, closing at the end of January and staff will be encouraged to consider purchasing leave.</li> </ul>

# Policy, Reward and Workforce Intelligence

Workstream	Work Summary	Key Outcomes / Deliverables
Coronavirus Job Retention Scheme Guidance Page 44	Early pandemic, the national guidance was studied, whilst exploring the funding for certain roles within the Council and schools to establish whether it was appropriate to use the scheme.	<ul style="list-style-type: none"> <li>• Decision was made that no posts directly employed by the Council should be furloughed. The basis for this is that where employers receive public funding for staff costs, and that funding is continuing, there is an expectation that employers use that money to continue to pay staff. With furlough extensions this has remained the stance.</li> <li>• Decision that schools be advised that they may furlough staff in 'wrap-around' care roles, for example afterschool clubs as they are funded through parental contributions and not school budgets. With furlough extensions this has remained the stance.</li> <li>• Guidance for schools drafted with template letter.</li> <li>• Process in place so that schools can send GMSS the necessary information for furloughed staff and GMSS complete the submission through the HMRC claim portal where there is a shared PAYE number.</li> <li>• Revised guidance produced each time the scheme has changed or been extended – the scheme is currently open until March 2021.</li> <li>• Job security for affected staff.</li> </ul>
Banking Scheme	New scheme which gives staff additional flexibility to move leave between years.	<ul style="list-style-type: none"> <li>• New scheme available to employees from December 2020. Staff have a separate 'bank' of annual leave distinct from their normal annual scheme. They can have a maximum of 20 days in it and can move 5 days each year into it from their normal annual leave. Leave can then be booked with the usual manager approval.</li> <li>• Scheme built in the Itrent system.</li> <li>• Guidance available on intranet page.</li> <li>• Provides more flexibility for staff who want to consider an extended break from work.</li> </ul>
Christmas and New Year period	In order to encourage staff in our Business Critical Services to work extra hours where required due to sustained pressure, we have reviewed our pay offer.	<ul style="list-style-type: none"> <li>• Overtime within the Council is normally paid at plain time – we moved to this in 2014 as part of several changes to terms and conditions. From mid-November until Christmas Eve, overtime due to COVID-19 pressures to be paid at time and a half in recognition of the efforts of the workforce in responding to the pandemic.</li> <li>• Pay arrangements for the Christmas period, i.e. from Christmas Eve until the New Year are being finalised.</li> </ul>





# Business Partner Team

Workstream	Work Summary	Key Outcomes / Deliverables
HR Casework	Response to, and progression of, employee relations casework to support employees and managers	<ul style="list-style-type: none"> <li>• Responding to new, emerging casework.</li> <li>• Supporting and advising managers to progress.</li> <li>• Liaison with external authorities, as applicable.</li> <li>• Open and continued dialogue with trade unions</li> </ul>
2019 : ER Work	Continue to support services in expediting and concluding case work paused due to Covid-19. Utilisation of alternative, appropriate IT/media platforms.	<ul style="list-style-type: none"> <li>• Identified and categorised employment matters to ensure that those business critical cases continue.</li> <li>• Supporting and advising managers to progress</li> <li>• Liaison with the trade unions to agree a mutual position.</li> <li>• Open and continued dialogue with trade unions</li> </ul>
Service Level Agreements	Review of current SLA's for 20/21	<ul style="list-style-type: none"> <li>• Review, development and communication of SLA's for schools and traded services for Teacher Unions and UNISON with effect from 01 April 2020.</li> <li>• Ongoing review and development of SLA offer for schools and traded services for HR Consultancy, with effect from 01 September 2020.</li> <li>• Review and delivery of CCG SLA</li> </ul>
Training	Breakfast Briefings for Senior Leaders in School	<ul style="list-style-type: none"> <li>• Delivery of briefing sessions prior to second lockdown period on a variety of subjects including employment law updates and employment procedures.</li> <li>• Development of 'virtual' briefings during COVID19 period.</li> </ul>



# Resource Hub

Workstream	Work Overview	Key Outcomes / Deliverables
<p>obilisation of GM ce Hub</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 46</p>	<p>To provide a temporary solution to an immediate staff resource crisis as a result of COVID-19</p>	<ul style="list-style-type: none"> <li>• Social media campaign promoting temporary and volunteer opportunities.</li> <li>• Bank of CV's on file from potential external candidates - undertaking an analysis of skills to match to temporary opportunities.</li> <li>• Carrying out interviews to identify suitable candidates so that we can quickly deploy them into roles when required.</li> <li>• Have the skills survey's and workforce data to match staff for deployment into critical roles ensuring safeguarding and statutory requirements are met.</li> <li>• Liaison with line managers to identify staff shortages / future demand and skill set required.</li> <li>• Clear process map relating to all roles, passing of data, communication and actions to ensure all parties clear on responsibilities and hand offs across the work streams.</li> <li>• Templates for communications to employee and line/recruiting managers confirming revised temporary working arrangements.</li> <li>• Creating and maintaining a list of casual and volunteers and link in with voluntary sector as appropriate.</li> <li>• Dedicated phone line and email address facility for managers and employees.</li> <li>• Agree and implement appropriate pay principles and process for payment.</li> <li>• Use of business intelligence and existing relationships to proactively explore possible deployments.</li> <li>• Liaising with Trafford Leisure to identify staff that we can deploy into our services on a casual basis where is a requirement and a skills match.</li> </ul>
<p>recruitment</p>	<p>To ensure continuity of recruitment activity across the Council, and traded services</p>	<ul style="list-style-type: none"> <li>• Introduction of an updated vacancy authorisation process to ensure all vacancies are filled internally whenever possible</li> <li>• Development of guides to assist managers when recruiting virtually.</li> <li>• All interviews and assessments are now carried out via Teams. This is working well as managers become more confident with this way of working.</li> <li>• Successfully administered assessment centres with large panels for director level roles.</li> <li>• Content of GreaterJobs Trafford pages updated to show applicants what it's like to work at Trafford.</li> </ul>



# Workforce Reform

Workstream	Work Overview	Key Outcomes / Deliverables
d Recovery & y Plan  Page 47	Development of workforce strategy and priorities to enable delivery of the Trafford Recovery & Locality Plan – Health & Social Care	<ul style="list-style-type: none"><li>• Gained insight in to 4 Strategic Design Group priorities to understand workforce needs / implications</li><li>• Co-produced 2020/2021 workforce priorities with Trafford Locality Workforce Group, to be agreed by the Local Care Alliance on 10<sup>th</sup> December</li><li>• Will need to then develop programmes of work against each priority</li><li>• Moving forward with implementation of the Virtual Workforce Information System (VWIS) which will provide a Locality and Neighbourhood view of the workforce profile including staffing numbers, vacancies, absence, turnover and diversity data for the Trafford Local Care Organisation (potentially GMMH)</li></ul>

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**TRAFFORD COUNCIL**

**Report to:** Employment Committee  
**Date:** 7<sup>th</sup> December 2020  
**Report for:** Decision  
**Report of:** Sara Saleh, Corporate Director of Strategy and Resources

**Report Title**

**Amendment to Annual Leave Policy.**

**Recommendation(s)**

**It is recommended that Employment Committee notes the content of this report and approves the revised Annual Leave Policy so that the Annual Leave Banking Scheme can be implemented.**

Contact person for access to background papers and further information:

Name: Sara Saleh  
 Extension: x4146

Relationship to Policy Framework/Corporate Priorities	This proposal aligns with the council's Corporate Priority 'Improving Health & Wellbeing'.
Financial	None.
Legal Implications:	None
Equality/Diversity Implications	None.
Sustainability Implications	None.
Staffing/E-Government/Asset Management Implications	Resource levels will remain the same overall, however the amount of time taken out as leave may vary between years slightly.
Risk Management Implications	None.
Health & Wellbeing Implications	Improved staff health and wellbeing.
Health and Safety Implications	None.

## **1.0 BACKGROUND**

- 1.1 As part of our drive for greater flexibility for our workforce it is proposed that the current provision to carry over annual leave within the Annual Leave Policy is replaced with a more flexible provision to bank annual leave.

## **2.0 CURRENT PROVISION TO CARRY OVER ANNUAL LEAVE**

- 2.1 Whilst there is currently no automatic right to carry over leave which has not been taken in the leave year, managers can authorise the carry-over of up to 36.25 hours of annual leave each leave year (pro rata for part time staff). Requests to carry over more than this requires authorisation by the Corporate Director of Strategy and Resources. There is an expectation that any leave carried over will be used within the first 2 months of the next leave year.

## **3.0 NEW PROVISION TO BANK ANNUAL LEAVE**

- 3.1 Rather than carry over of annual leave which should ideally be used in the first 2 months of the next annual leave year, it has been agreed that employees can request to bank up to 36.25 hours of annual leave each year (pro rata for part time staff). The maximum amount of annual leave an employee will be able to have banked at any one time is 145 hours (pro rata for part time staff). Where requests to bank annual leave do not exceed this amount the employee's manager will authorise such requests.
- 3.2 In exceptional circumstances where the employee has been prohibited from taking annual leave e.g. due maternity leave, long term sick leave or due to exceptional demands placed on a service employees will be able to request to bank in excess of the maximum amounts stated above. Any requests to bank annual leave in excess of these amounts will require the relevant Corporate Director authorisation.
- 3.3 The Annual Leave Policy has been updated to incorporate the necessary changes to reflect the new provision to bank annual leave.

## **4.0 BENEFITS**

- 4.1 The Annual Leave Banking Scheme will provide employees with flexibility to take an extended period of annual leave.
- 4.2 The Annual Leave Banking Scheme will allow employees who have been prevented from taking annual leave greater flexibility as to when the leave can be taken which in turn may alleviate pressures on service delivery.

## **5.0 IMPLEMENTATION PLAN**

- 5.1 The annual leave banking scheme will be launched early December 2020. A new intranet page has been created. This includes guidance on the scheme, how to submit an annual leave banking request and how to authorise such requests. This page also contains a link to the updated Annual Leave Policy.

- 5.2 A new Annual Leave Banking Scheme has been created in iTrent which can be seen in the same area as the normal leave scheme.
- 5.3 Employees can request to bank annual leave using a newly created GMSS form.
- 5.4 Once requests have been approved GMSS will transfer the appropriate amount of annual leave from the employee's Annual Leave Scheme to their Annual Leave Banking Scheme within iTrent.
- 5.5 Employees can request to take leave from their Banked Annual Leave Scheme from the date it has been banked within the leave year and in any subsequent leave years.
- 5.6. Requests to take leave from the Banked Annual Leave Scheme must be approved by managers in the normal way.

## **6.0 RECOMMENDATIONS**

- 6.1 The Annual Leave Banking Scheme will provide employees with flexibility to take an extended period of annual leave. The Annual Leave Banking Scheme will allow employees who have been prevented from taking annual leave greater flexibility as to when the leave can be taken which in turn may alleviate pressures on service delivery. There may be particular demand for it this year, as staff in some services may have found it difficult to take leave.

Employment Committee are recommended to support the new scheme and the updated Annual Leave Policy and the implementation plan.



# TRAFFORD COUNCIL

## ANNUAL LEAVE POLICY

Author	Human Resources
Date	1 <sup>st</sup> December 2020
Version	1.2



## Version Control

<b>Issue</b>	<b>Date</b>	<b>Author</b>	<b>Change History</b>
V1.0	January 2019	Holly Barnett and Kate Sturman	New
V1.1	January 2020	Kate Sturman	Minor amendment
V1.2	December 2020	Vicky Davidson	Incorporating annual leave banking facility

## Contents

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# TRAFFORD COUNCIL

## ANNUAL LEAVE POLICY

### 1. **Purpose**

- 1.1 The annual leave policy supports employee choice and helps staff achieve work-life balance. This policy details entitlement, how this is calculated, the application process and other information.

### 2. **Definition**

- 2.1 Annual leave is paid time off work that an employer gives staff on an annual basis. There is a difference between Annual Leave, Bank Holidays and other types of leave such as Special Leave and Maternity Leave etc. For further information on these please refer to the relevant policies.
- 2.2 Statutory entitlement to annual leave, i.e. the legal minimum, is 5.6 weeks (28 days for those working a 5 day week). An employer can include bank holidays as part of statutory leave.

### 3. **Scope**

- 3.1 This policy applies to all employees of Trafford Council, with the exception of employees within the Local Authority's schools, where separate arrangements are in place.
- 3.2 This procedure does not apply to casual staff, contractors, external consultants and agency staff where separate arrangements are in place.

### 4. **Equality, diversity and inclusion considerations**

- 4.1 Managers are responsible for ensuring that they operate the policy in line with the Council's Equality and Diversity and Inclusion principles and the Equality Act 2010. The Council is committed to ensuring that no-one is discriminated against, disadvantaged or given preference, through membership of any particular group, however with particular regard given to the protected characteristics of: age; disability; gender reassignment; race; religion or belief; sex; sexual orientation; marriage and civil partnership, and; pregnancy and maternity. This procedure will be applied fairly to all employees irrespective of their background or membership of a particular group. Where an employee has a disability, reasonable adjustments should be considered as appropriate.

### 5. **Entitlement**

- 5.1 The standard leave year in the Council is 1<sup>st</sup> April to 31<sup>st</sup> March but this may be different in some service areas.
- 5.2 All employees are entitled to annual leave and bank holidays (or compensatory hours if they have to work on a bank holiday). The amount of annual leave they are entitled to is based on their level of seniority, length of continuous service,

their hours of work and the number of weeks they work each year. Where leave is quoted in days below, this is based on an employee who works full time hours over the standard 5 day working week.

5.3 In line with national terms and conditions, leave for Council employees includes 2 extra statutory days. The dates for these days may be fixed in advance by the Council at its discretion.

5.4 Annual Leave entitlement for **Chief Officers** is 30 days (which includes 2 extra statutory days) on commencement of employment and remains at this level regardless of length of service.

5.5 Annual leave entitlement for **all staff below Chief Officer** level is as follows:

- 25 days (which includes 2 extra statutory days), on commencement of employment.
- 30 days (which includes 2 extra statutory days), after 5 years' continuous service\*

\* The system will automatically calculate leave based on continuous service, for example if a member of staff is coming from another local authority, and increase entitlement when they reach 5 years' service.

5.5 In addition, leave is given for bank holidays and leave is normally quoted inclusive of bank holidays (however this may depend on service area).

5.6 The Bank or Public Holidays are as follows:

- New Year's Day
- Good Friday
- Easter Monday
- May Day
- Spring Bank Holiday
- Late Summer Bank Holiday
- Christmas Day
- Boxing Day

5.7 Staff on term-time only contracts take their annual leave within the school holidays and don't normally have any leave to take during term-time, unless this is agreed as part of their contract. For staff on any other non-standard working patterns, leave will be pro-rata to weekly hours worked and number of weeks worked each year.

## **6. Calculating leave**

6.1 Leave entitlement for the full leave year is 25 or 30 days, plus 8 bank holidays (6.6 or 7.6 weeks in total). As the number of bank holidays is variable, this allowance of hours is automatically recalculated each leave year. The figure shown in MiTrent will show leave entitlement in hours, including bank holidays. Managers must ensure that working patterns are set up correctly in ITrent so that leave is calculated correctly.

Annual Leave (including bank holidays) can be calculated as follows:

*Number of weeks of leave x weekly contracted hours = total entitlement in hours*

The number of weeks of leave is worked out by taking total number of days of leave divided by 5 (as there are 5 days in a standard working week). The weekly contracted hours for a full-time employee are 36.25 hours.

For example:

For a full-time employee with standard annual leave entitlement of 25 days, the calculation would be:	6.6 wks x 36.25 hrs = 239.25 hrs
For a full-time employee with continuous service additional annual leave entitlement of 30 days, the calculation would be:	7.6 wks x 36.25 hrs = 275.5 hrs
For a part-time employee working 18.125 hours a week with standard annual leave entitlement of 25 days, the calculation would be:	6.6 wks x 18.125 hrs = 119.63 hrs
For a part-time employee working 18.125 hours a week with continuous service additional annual leave entitlement of 30 days, the calculation would be:	7.6 wks x 18.125 hrs = 137.75 hrs

6.2 Staff on maternity, adoption and shared parental leave, accrue annual leave and public holidays that fall during the period that they aren't in work. Often this can be taken immediately before and/or after the period of leave.

6.3 When a change of contractual hours occurs, an automatic adjustment will be applied and the annual leave entitlement amended accordingly.

## **7. New members of staff**

7.1 New members of staff who have continuous service through one of our continuous service schemes (see the Continuous Employment policy) will have their leave calculated automatically by the system based on their continuous service date.

7.2 Most employees start or finish part-way through the leave year. The leave entitlement will be reduced to take account of this and will be based on a pro-rata amount to the period of the year that the individual is employed.

## **8. Leave application procedure**

8.1 Although managers will try to agree annual leave where at all possible, in order for them to be able to maintain an appropriate level of service in their department, it will sometimes be necessary to refuse annual leave requests. This may occur in the following situations amongst others: if there are too many requests for the same dates; at particularly busy times of the year; where leave has been requested at short notice.

- 8.2 Requests should be made in good time and with reasonable notice (what constitutes reasonable notice can be agreed locally by management to support delivery of service requirements).
- 8.3 When submitting a request for leave staff should clearly indicate the leave scheme they are requesting leave from. This could be annual leave, purchased annual leave or banked annual leave (see sections 11 & 12 below)
- 8.4 It is suggested that staff contact their manager in the first instance regarding the dates on which they would like to take leave to obtain agreement.
- 8.5 For staff using the MiTrent HR system, requests should be submitted through Employee Self Service. The request will generate an e-mail to the manager who can approve or refuse the request. The employee will be notified via email when the request has been submitted, and again with the outcome.
- 8.6 For staff who do not have access to the Mitrent HR system, their manager will outline the process for requesting annual leave. This is often through a request form submitted to the manager for approval, and which can then be inputted and calculated on the system.
- 8.7 For staff who are not required to work on bank holidays, the system will automatically book these out and leave entitlement is adjusted to take the appropriate number of hours out.
- 8.8 For staff on non-standard working patterns, dependant on their pattern and how the bank holidays fall each year, they may either have more flexibility around how they use their hours of bank holiday leave or they may need to use some normal leave to cover bank holidays. For example employees who don't work on Mondays will have extra bank holiday leave to use at another time (as the majority of bank holidays are on Mondays).

## **9. Periods of Extended Leave**

- 9.1 Where staff are on a period of extended leave from the Council, for example maternity or adoption leave, they should agree with their manager how to take their annual leave. Options to take it in the corresponding leave years are to add it to the beginning or end of the period of maternity or adoption leave or to take a day or 2 of leave each week upon return to work.

## **10. Annual Leave and Sickness Absence**

- 10.1 Please see the Attendance Management policy for guidance as to what happens in situations such as when an employee is unwell whilst on annual leave or is off work due to sickness and wants to take annual leave or is unable to take annual leave as they have been off sick.

## **11. Banking of Annual Leave**

- 11.1 Staff have a responsibility to ensure that they are taking their full leave entitlement each year. Annual leave cannot be exchanged for pay and should be taken as leave. If leave is not being taken through the first few months of the year, staff should raise this with their manager as soon as possible so that

plans for taking annual leave and banking annual leave, where appropriate, can be discussed.

- 11.2 Subject to manager approval staff can request to bank up to one working week (36.25 hours for staff who work full time) of annual leave in any annual leave year.
- 11.3 The maximum number of working weeks staff can have banked at any one time is 4 (145 hours for staff who work full time). Any banked annual leave will show in the employees banked annual leave scheme in MiTrent.
- 11.4 The maximum amounts referred to in 11.2 and 11.3 above apply to staff employed on a full time basis. For part time staff the amounts that can be banked will be pro rata.
- 11.5 In exceptional circumstances where the employee has been unable to take annual leave due to an extended period of absence e.g. due to maternity leave or long term sick leave or due to exceptional demands placed on a service e.g. response to a global pandemic the maximum amounts referred to in 11.2 and 11.3 above may be exceeded subject to approval by the relevant Corporate Director.
- 11.6 Any future requests to bank annual leave where the employee has in excess of 4 working weeks' worth on annual leave in their Annual Leave Banking Scheme will be refused unless exceptional circumstances as detailed above have been prevalent within the annual leave year.
- 11.7 Requests to bank annual leave must be submitted via the relevant form on the GMSS portal. The request will require appropriate sign-off as detailed above. For staff who do not have access to MiTrent their manager will outline the process for submitting a request to bank annual leave. This is often through a form submitted to the manager for approval which is then inputted and calculated on the system.

Once a request has been approved the amount of leave requested to be banked will be moved from the annual leave scheme to the banked annual leave scheme within MiTrent.

Subject to manager approval banked annual leave can be taken in any subsequent annual leave years.

## **12. Leave Purchase Scheme**

- 12.1 Staff can purchase additional leave through the Leave Purchase Scheme, which is subject to management authorisation. Staff can request between 1 and 10 days (a day will be pro-rata to part-time workers and other flexible working patterns). Salary deductions for the additional leave will be spread evenly across the leave year (i.e. April to March). Leave must be taken within the leave year, i.e. unused leave cannot be carried forward to the next leave year. Please see the scheme intranet page for more information.

## **13. Staff Leaving the Council**

- 13.2 Annual leave, including any banked annual leave or annual leave purchased under the leave purchase scheme should not be exchanged for pay and should be taken as leave. Save for the exception in 13.6 below, annual leave will only be exchanged for pay in exceptional circumstances..
- 13.3 When staff know that they are leaving the Council, particularly when they have advance knowledge of this, such as in the case of retirement, they should plan their leave so that they don't overtake leave or have any untaken leave at the date their employment terminates.
- 13.4 When staff leave the Council their annual leave for the year will be calculated based on the number of days of the year that they have been employed. Once leave booked in the year so far is taken off they will have either some remaining leave to take or they may have taken too much leave. If they have leave to use, they should agree with their manager when they will take it before their employment terminates. If they have taken too much leave, then the appropriate deduction will be made from their final salary payment.
- 13.5 Staff resigning from their position with the Council with annual leave in their annual leave banking scheme will be asked to extend their notice period by the number of days annual leave they have banked to allow them to take their banked leave during their notice period.
- 13.6 In cases of gross misconduct, where a member of staff is dismissed without notice, payment will be made for any outstanding leave in the member of staff's annual leave scheme in accordance with 13.4 above. Where the member of staff has taken too much annual leave appropriate deductions to the final salary payment will be made as detailed in 13.4 above. In addition the Council will make a payment for any outstanding annual leave in the banked annual leave scheme and purchased annual leave schemes. Any such payments will be included in the employee's final salary payment.

#### **14. Review**

- 14.1 This policy will be periodically reviewed in order that it remains appropriate to the Council's operation, is best practice and meets legal requirements.