

EMPLOYMENT AND APPEALS COMMITTEE

17 July 2018

HR POLICIES

Report of the Director for Resources

Strategic Aim:	Sound Financial and Workforce Planning	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr O Hemsley, Deputy Leader and Portfolio Holder for Resources	
Contact Officer(s):	Debbie Mogg, Director for Resources	01572 758358 dmogg@rutland.gov.uk
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DECISION RECOMMENDATIONS

That Employment and Appeals Committee:

1. Consider and approve a combined Umbrella Families Policy to replace four separate policies (Appendix A)
2. Consider and approve the Flexible Retirement Policy (Appendix B)
3. Note the update on the NJC Green Book pay spine

1 PURPOSE OF THE REPORT

- 1.1 To seek approval for a combined policy to reflect the Council's Family Friendly policies which includes – Maternity, Paternity, Adoption and Shared Parental Leave.
- 1.2 To seek approval for an updated Flexible Retirement Policy.

2 UMBRELLA FAMILIES POLICY

- 2.1 We have taken the opportunity to bring together into one policy document, all the statutory and occupational entitlements and benefits that relate to Maternity, Paternity, Adoption and Shared Parental leave. There are no statutory nor occupational changes to the content of the policies, however we have clarified wording to confirm that non-contractual payments such as Standby and First Aid payments are not paid during periods of leave.

- 2.2 Specific guidance for managers in these topics is also contained in one guidance document. Further work in this area includes obtaining feedback from employees to ascertain how they were supported during their absence for maternity, paternity, adoption or parental leave to identify areas where we could improve.
- 2.3 Our Flexible Working Policies are currently contained in a separate and specific policy document – further work will take place during 2018 to review our approaches to flexibility in the workplace and how we support employee work life balance.

3 EARLY RETIREMENT POLICY

- 3.1 Employment and Appeals Committee reviewed the proposed amendments to this policy in July 2017 but requested it come back with further clarification with regard to the provisions for Flexible Retirement.
- 3.2 The recommendation was to incorporate the Flexible Retirement policy which currently sits outside of this policy. There are no changes to pension benefit or provision and these remain as provided by the Local Government Pension Scheme.
- 3.3 Flexible Retirement is a provision within the Local Government Pension Scheme that allows members to access their pension benefits and continue working and thereby have a gradual move into retirement. It is not an automatic right. Any LGPS member who is aged 55 or over can approach their employer to ask about flexible retirement – it does not have to be approved, it is at the discretion of the employer.
- 3.4 Our Policy outlines the conditions and criteria that we would use to determine approval or non-approval:
- Reduction in working hours by a minimum of 40% (LGPS requirement)
 - An agreeable working pattern which needs the needs of the service.
 - An assessment of the financial implications eg. as a consequence of releasing pension benefit earlier.
- 3.5 There are benefits to both employers and employees:
- Giving employees the flexibility to reduce their work commitments ahead of full retirement by making a staged adjustment to life without paid employment; changing their work routine and offering capacity to develop new interests ahead of full retirement
 - Retaining skills, knowledge and expertise within the workplace at least on reduced hours, for an extended period of time. Enables continuity of service.

4 NJC PAY STRUCTURE

- 4.1 The Trade Unions (Unison, GMB, Unite) and National Employers agreed a two year pay offer for 2018/2019. For year one – effective 1 April 2018, there has been some bottom loading in the lower spinal column points in order to close the gap with the National Living Wage, and a flat rate increase of 2% for spinal column points 20 and above.

- 4.2 In year two – effective 1 April 2019: the bottom twelve pay points are ‘paired’ off into six new pay points :
- Even increments of 2% between new points 1 to 22 (current points 6 to 28)
 - Five new pay points between new points 10 to 22 (current points 20 to 28)
 - A flat increase of 2% for the new point 23 and upwards.
- 4.3 Authorities are now working through the assimilation process to the new spine with support from the LGA and Regional Employers. For Rutland, Finance and HR are developing options and exploring potential opportunities (eg. that may help to address recruitment and retention issues in certain grades or job functions), as well as working through the transition arrangements. Pending its outcome, this piece of work may require consultation with the trade unions and approval of Members ie. if there are options beyond a straightforward assimilation process.

5 CONSULTATION

- 5.1 Where policies have required consultation with the recognised Trade Unions, this has taken place with Unison and agreement has been reached.
- 5.2 The Council remains part of national pay bargaining and therefore is required to implement the changes to the national pay scale (NJC for Local Government Services).
- 5.3 Any proposed changes to policy arising from the assimilation/transition process will be in consultation with the relevant Trade Unions.

6 ALTERNATIVE OPTIONS

- 6.1 Policies, procedures and guidance provide clear and important frameworks that serve to protect and manage a level of risk and exposure through employee challenge and potential employment tribunal claims. The policies as presented are considered to be in line with the public/private sector and represent robust procedures for Rutland Council.
- 6.2 The absence of such policies would remove clarity and consistency in the application of conduct/disciplinary issues that could result in claims for unfair dismissal or discrimination resulting in lengthy and costly defence in court.
- 6.3 We are contractually required to implement changes in pay as agreed between the recognised trade unions and National Employers.

7 FINANCIAL IMPLICATIONS

- 7.1 Whilst there are no significant costs associated with the management and implementation of these policies, failure to follow them will present risks at employment tribunal which could be costly plus the additional cost of management time and legal fees.
- 7.2 The Council has undertaken some initial modelling to assess the financial impact of the pay spine changes. The estimated cost for the Council for 2018/19 will be c. £370k of which £283k relates directly to the pay award and the remainder to the

subsequent increase in national insurance and superannuation contributions. The budget for 2018/19 includes an amount to cover the estimated cost. For 2019/20 the estimate cost is £383k subject to further and specific pay modelling.

8 LEGAL AND GOVERNANCE CONSIDERATIONS

- 8.1 The Council must be compliant with relevant employment law and regulations.
- 8.2 Delegated authority in relation to organisational decisions is defined in the Council's Constitution – policies are aligned with this framework.

9 EQUALITY IMPACT ASSESSMENT

- 9.1 An Equality Impact Assessment (EqIA) has been completed. No adverse or other significant issues were found. A copy of the EqIA can be obtained from the Report's Contact Officers.

10 COMMUNITY SAFETY IMPLICATIONS

- 10.1 There are no Community Safety implications arising from this report.

11 HEALTH AND WELLBEING IMPLICATIONS

- 11.1 There are no specific Health and Wellbeing implications to these particular policies but the Council has an overall duty of care to its employees which means taking all steps which are reasonably possible to ensure the health, safety and wellbeing. Clear and fair policies and procedures can also be a key factor in building trust and reinforcing commitment to our staff and help improve staff retention, productivity and performance and greater employee engagement.

12 ORGANISATIONAL IMPLICATIONS

- 12.1 Consultation has taken place with the recognised Trade Unions as required.
- 12.2 Briefings will be provided to managers to ensure they are aware of the updated policies.

13 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 13.1 Once approved by the Employment and Appeals Committee, the Council will communicate these policies to all staff and ensure copies of the Policies are available on the Council's intranet.
- 13.2 The Human Resources team will carry out briefings with Line Managers to ensure they are aware of the policies.

14 BACKGROUND PAPERS

- 14.1 There are no additional background papers to the report.

15 APPENDICES

Appendix A: Umbrella Families Policy

Appendix B: Early Retirement Policy

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.