

GWYNEDD COUNCIL CABINET



Report to the Cabinet

Meeting Date:	13th March 2018
Cabinet Member:	Councillor Mair Rowlands
Contact Officer:	Geraint Owen
Contact Number:	32335
Item Title:	Amendments to the Council's Local Conditions of Service

1. **DECISION SOUGHTS**

Approval of the proposed amendments to the Council's Local Conditions of Service.

2. **REASON WHY DECISION IS NEEDED**

In order to modernise and amend the local conditions of service whilst also realising a saving that will assist the Council to deal with the current financial challenge being faced.

3. **BACKGROUND**

The Human Resources Service has been conducting discussions with representatives of the recognised unions since October 2015 in order to realise a saving from the local conditions of service.

It became apparent during the past twelve months that ensuring a collective agreement in order to realise a saving would be difficult – this as a result of the fact that UNISON's National Office will not allow any local branch to hold a ballot relating to a deterioration in conditions of service. Despite attempts by the Council to change this stance, it was finally confirmed in December 2017 that it would not be possible to ensure a collective agreement (even though both UNITE and GMB representatives were prepared to offer a ballot to their members on the basis that this was the best package that could be negotiated under the circumstances).

Therefore, in order to realise the saving, and on the basis that the Cabinet approves the recommendation, the Council will be in a position of having to terminate employment contracts and offer new ones, unless each individual member of staff volunteers to accept the amendments to the current employment contract.

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The proposed amendments can be summarised as follows:

- A. Abolish the hourly supplement of 20% (1/5th) to the salary staff when working between 8:00 p.m. and 10:00 p.m. in the evening. As a consequence, the only additional payment for working unsocial hours within the Council will be to those individuals who work night shifts i.e. after 10:00 p.m. in the evening. The number of Council staff who claimed this additional allowance during 2016/17 was 1,140. **Proposed Saving: £154,000** (whilst also addressing an historical over-spend of a further £16,000 within the Care sector).
- B. Amend the Financial Detriment Scheme (Salary Protection) from three years of 100% protection to;
- i) First year at 100% protection
 - ii) Second year at 50% protection
- The number of Council staff currently receiving salary protection is 20.
Proposed Cost Avoidance: £64,000
- C. Amend the policy for reimbursement of travelling expenses whereby officers will claim reimbursement only for the number of business miles travelled over and above the number of miles travelled from home to work / work to home. There were 2,478 members of Council staff who claimed a reimbursement for travelling expenses in 2016/17.
Proposed Saving: £180,000
- D. Reduce the payment for being 'on duty' outside of normal working hours i.e. the higher of the two rates – this from the current £265.88 per week to £200 per week. The number of Council staff who claimed the "on-duty" allowance during 2016-17 was 136.
Proposed Saving: £52,000

The implementation of these four amendments will allow the Council, not only to realise the necessary saving, but also to reduce the current deduction from each member of staff's salary i.e. from that which is equivalent to 1½ days' salary to one day per annum.

The total savings from the amendments noted in (A) to (D) is £450,000 but the recommendation to reduce the current salary deduction will also reduce the real saving to £295,000. The proposed saving is based on the expenditure made on these headings during the 2016/17 financial year (the latest full financial year).

Since it was not possible to secure a collective agreement, the Council corresponded with more than 6,000 members of staff on the 26th January this year in order to directly consult with the workforce and invite them to contact the Human Resources Service with any enquiries or comments in relation to the proposed amendments.

A total of 41 comments had been received at the time of releasing this report but the window for submitting comments remained open until the 12th March (any

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comments received in the meantime will be reported to Cabinet members at the meeting).

Furthermore, members of the Human Resources Service arranged to attend some team meetings within the Council in order to explain the offer and respond to any enquiries. The analysis made includes some comments verbally submitted at those meetings.

Thirty-seven of those comments received either opposed the package in its entirety or opposed individual elements of it (nine respondents did not offer reasons for opposing), whilst four responses noted agreement with the package of amendments to local conditions of service.

From those 28 who opposed and offered their reasons for doing so, 22 opposed a reduction in the on-duty payment, 14 opposed the change to salary protection, 9 opposed the abolishing of the additional payment for work between 8:00 p.m. and 10:00 p.m. and six opposed the change to the policy for claiming reimbursement of travelling expenses.

It is suggested that the number of comments received reflects the general consensus amongst Council staff, which is that the package being considered, although not desirable, is a step which is required and is also, if realised, one which will lead to safeguarding the equivalent of 20 full-time jobs as well as reduce the sum deducted from monthly staff salaries as part of a previous collective agreement.

If the recommendation to authorise these amendments to the local conditions of service is approved, the Council will again write to each member of staff informing them of the decision and;

- i) Invite them to accept a variation to their current employment contract , or
- ii) Provide a 12-week notice to abolish the current employment contract and offering them a new contract based on the amendments to the local conditions of service.

Again, if the recommendation is approved, these amendments will be introduced as from the 1st July this year.

RECOMMENDATION

That the Cabinet approves amendments to the local conditions of service, as noted in the report, to be implemented as from the 1st July 2018.

Opinion of Statutory Officers:

i. Chief Finance Officer

I can confirm that the figures on the report's second page are a fair estimate of the savings and avoidance of costs that can be realised, and that they

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correspond with the assumption within the 2018/19 financial strategy. I therefore support the recommendation.

ii. **Monitoring Officer**

It is noted that consultative processes have been followed whilst preparing the recommendation and that an update on the responses will be provided at the meeting. When consideration is given to the decision, it is crucial that the Cabinet gives due attention to all the circumstances and the information submitted.