

WEST NORTHAMPTONSHIRE SHADOW AUTHORITY

SHADOW EXECUTIVE MEETING

12TH February 2021

Report Title	Future Northants Corporate Workstream – Human Resources Delegation of responsibility to the Head of Paid Service for employment matters.
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Appendices:

Appendix 1 – List of relevant staff policies.

1. Purpose

- 1.1 The purpose of this report is to seek approval from the West Northamptonshire Shadow Executive to delegate responsibility for the negotiation of Day 1 employee pay arrangements, terms and conditions and employment policies to the Head of Paid Service.
- 1.2 The report also provides a brief update on the work that has been completed to date.

2. Recommendations

- 2.1 It is recommended that the Shadow Executive:
- a) delegate responsibility to the Head of Paid Service in consultation with the relevant portfolio holder to negotiate pay and terms and conditions for the new Council with recognised trade unions;
 - b) delegate responsibility to the Head of Paid Service in consultation with the relevant portfolio holder for the HR employment policies listed in **Appendix 1** to the Head of Paid Service; with the exception of the Pay Policy statement under s38 Localism Act 2011 which must be approved by Full Council; and

- c) that the final terms and conditions package, along with the financial considerations are recommended for approval by the Shadow Executive in late in March 2021 (excluding those relating to the Chief Officers).

3. Reasons

- 3.1 To ensure that the Council has terms and conditions of employment and necessary policies in place for the 1st April 2021 to enable it to recruit and manage staff.

4. Background

- 4.1 On 1 April 2021, just under 3,000 directly employed sovereign council employees will transfer into West Northamptonshire Council (WNC). The new Council will also need to ensure that it has processes in place to recruit new starters to fill vacancies in the workforce from Day 1 and allow for transformation.
- 4.2 In order to do this, the Council will need to ensure that it has an agreed set of pay arrangements and contractual terms and conditions of employment. This does not include the pay and terms and conditions applicable to the Head of Paid Service and Chief Officers, which where applicable is governed by the Pay Policy agreed by Council and is otherwise a function of Cabinet.
- 4.3 Work is already underway with regards to negotiation with our recognised trade unions; with a view to reaching a collective agreement to have Day 1 terms and conditions from 1 April 2021. These Negotiation meetings commenced at the end of last year and are now held on a weekly basis with the Head of Paid Service, recognised trade unions and HR officers supporting this workstream.
- 4.4 In addition to negotiating new pay and conditions, the Council will also need to ensure that it has clear and transparent employment policies and procedures in place to manage and support its workforce. These HR policies provide written guidance for employees and managers on how to handle a range of employment issues; including areas such as performance management, sickness absence, how to raise concerns and how to deal with organisational change. All sovereign councils currently have a suite of workforce related policies; and although legally compliant, there are a number of operational variations between them. In the future, it is not practical for employees and managers to navigate several different versions of policies; as this would be inefficient and likely to lead to challenges due to inconsistent application.
- 4.5 The HR workstream, which sits within the Corporate Programme, is currently developing a set of common employment policies and procedures for West Northamptonshire Council.
- 4.6 A list of priority employment policies that are being developed for Day 1 can be found in **Appendix 1**.

- 4.7 High level policy principles have been discussed at a series of policy working groups (these have been operating on a regular basis since the end of July 2020). These groups include trade unions representatives and HR colleagues from across the sovereign councils.
- 4.8 HR colleagues are now at the stage where they have developed a number of draft priority policies and these are being formally consulted on with the trade unions for their feedback.

5. Next Steps

- 5.1 Subject to the Shadow Executive agreeing the recommendations in this paper, it is proposed that the draft employment policies are approved by the Head of Paid Service.
- 5.2 There is a relatively short period of time until vesting day and the delegation to the Head of Paid Service will enable the necessary discussions with relevant Chief Officers as well as unions to take place and to agree the HR policies that will be adopted to manage the workforce.
- 5.3 As stated, the exception to this will be the West Northamptonshire Pay Policy Statement; which must be approved by Full Council and will need to go to the Shadow Authority meeting in February 2021.
- 5.4 It is also proposed that the Head of Paid Service continues to provide updates to the executive members informally on the progress of the pay and conditions negotiations with the trade unions; and that a formal recommendation paper regarding Day 1 pay, terms and conditions, including financial considerations, is presented to the Shadow Executive in March 2021.

6. Implications (including financial implications)

6.1 Financial and other resources and Risk

- 6.1.1 The absence of Day 1 pay, terms and conditions presents a risk to the Council in terms of its ability to recruit new employees and deliver transformation; particularly in critical roles and those roles that require specialist skills and knowledge.
- 6.1.2 Similarly, there is an increased risk of potential employment claims and challenges from the workforce if policies and procedures are inconsistent. These can be costly both in monetary terms and also on resources, as managers have to allocate time to resolve issues and concerns that could have been avoided with a clear and open policy and procedure.

6.2 Legal

- 6.2.1 Under Structural Changes Order all matters which are not reserved specifically by legislation to full council are Executive. Staff matters would usually be non-executive but during transition fall to the Executive to decide.

This is to enable the number of decisions required to deliver effective transition to be made. The Head of Paid Service already has powers directly from statute to set out to members the arrangements and number of staff required under s4 Local Government and Housing Act 1989. These delegations are therefore consistent with the transitional legal framework.

6.2.2 The requirement for Full Council to approve the Council's pay policy statement is set out in the Localism Act, 2011.

6.3 **Equality and Health**

6.3.1 Transparent policies and procedures that are applicable to all employees support a more inclusive and equitable culture and approach; as they set clear parameters on the 'what' and the 'how' to manage workforce matters in a consistent way.

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Appendix 1 – List of priority HR/ Employment Policies currently being developed for Day 1

Policy
Pay Policy Statement – Full Council Sign off
Job Evaluation
Travel, Mileage and Subsistence
Sick Pay
Apprenticeship Pay
Pension Discretions
Organisational change / redundancy drafted
Recruitment drafted
DBS drafted
Performance management / capability
Probation
Grievance resolution drafted
Disciplinary drafted
Alcohol and drugs drafted
Dignity at work drafted
Volunteering
Long Service
Leave arrangements
Flexible and Agile Working
Flexi-time
Managing Absence drafted

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