

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

ITEM FOR STAFFING COMMITTEE

1 December 2014

1. REVIEW OF TERMS AND CONDITIONS OF SERVICE 2014/15

Submitted by: Chief Executive

Portfolio: Finance and Resources

Purpose of the Report

To update the Committee on the outcome of the recent review of Terms and Conditions of Service.

Recommendations

- (a) That the Committee notes the Collective Bargaining Agreement the Council has entered into with the Joint Trade Unions.**
- (b) That the Committee notes that the Council is in continued discussions with the Joint Trade Unions in relation to (iii) Public, Discretionary and Conditional Days.**

1. Background

1.1 Recent consultations have taken place with the trade unions and employees, with a view to reduce the cost of overtime payments to achieve a saving of £100,000 in 2014/15 budgets. This would mean a variation to the terms and condition of employment of some of the Council's employees'.

The scope of the review and subsequent discussions included the following:

i. **Reduction in the cost of regular weekend overtime payment**

It has been agreed to introduce 5 over 7 working arrangements within Streetscene. A pool of staff has been set up to work a 5 over 7 working pattern covering weekends on an agreed rota. This will enable staff who work weekends to have two days off in the week in lieu of working weekends.

Employees working weekends will be paid a weekend allowance of 50% of the basis hourly pay which will be made in total recompense, for every hour/part hour worked at weekends. This is in line with the Single Status Agreement dated 4 August 2005 (appendix A).

ii. Daily vehicle preparation, greasing and wash off

It has been agreed that daily vehicle preparation, greasing and wash off will be undertaken within normal working hours in line with the Single Status Agreement.

iii. Public, Discretionary and Conditional Days

Currently employees who are required to work on these days can opt to be paid at triple time for the hours worked in total recompense, rather than the proposed double time and a day off in lieu.

It is proposed that employees who are required to work on public, discretionary days and conditional days shall, in addition to the normal pay for that day, be at plain time for all hours worked within their normal working hours for that day. In addition, at a later date, time off with pay shall be allowed as follows:

Time worked less than half the normal working hours on that day	Half Day
Time worked more than half the normal Working hours on that day	Full Day

This proposal is in line with the National Agreement on Pay and Conditions of Services (Green Book).

iv. Knutton Lane Depot Locking/ Patrol and Standby Arrangements

It was proposed to review this and further work is being undertaken to assess the payments made and the alternative options available.

- 1.2 In relation to (i) and (ii), a Collective Agreement was subsequently signed regarding these, effective from 31 October 2014 (Appendix B), delivering an estimated saving in 2014/15 of £43,935 and 2015/16 onwards an estimated saving of £83,000.
- 1.3 In relation to (iii) it is estimated to deliver a saving in 2014/15 of £12,900 and 15/16 a minimum estimated saving of £12,900.
- 1.4 In relation to (iv) it is estimated to deliver a saving in 2014/15 of £2,395 and 15/16 onwards an estimated saving of £14,000.

2. Issues

- 2.1 In relation to (iii) the trade unions have indicated that they will conduct a ballot, recommending acceptance and in the event that a majority of their members vote in favour, they will be prepared to sign a Collective Agreement, agreeing to the proposed changes.
- 2.2 In relation to (iv) the Council are continuing to hold discussions with the two individual employees who undertake these duties with a view to remove these duties over a managed period, by February.

3. **Legal and Statutory Implications**

- 3.1 Contracts of Employment are legally binding agreements. However, they can be lawfully varied by mutual agreement of the parties by way of collective bargaining which is provided for at this council. The council may delegate the discharge of its functions to officers.

4. **Equality Impact Assessment**

- 4.1 No significant differential impact has been identified in relation to the revised proposals.

5. **Financial and Resource Implications**

- 5.1 The full year (2015/16 onwards) will achieve the targeted £100,000 saving from the cost of overtime working to the Council.
- 5.2 There will be a shortfall of approximately £40,000 in respect of the estimated savings for 2014/15.

6. **Major Risks**

- 6.1 The major risks are detriment to reputation and financial loss and impairment to service in relation to potential industrial and contractual disputes and compliance with the budget framework. Such risks are mitigated through consultation and the collective bargaining process and adherence to legal requirements and process.

7. **Earlier Cabinet/Committee Resolutions**

Council, date
Staffing Committee, date

8. **List of Appendices**

- Appendix A - Single Status Agreement dated 4 August 2005
Appendix B - Collective Bargaining Agreement dated 31 October 2014