

CITY AND COUNTY OF CARDIFF DINAS A SIR CAERDYDD

Employment Conditions Committee: 20 February 2007

Report of the Chief Executive

EMPLOYEE RELATIONS MATTERS

Background

1. A meeting of the Works Council took place on 13 December 2006. Under the Council's constitution, employment issues are not matters for the Executive but require Council decision. Accordingly the minutes of the Works Council meeting are attached as Appendix A for the Committee's information, as agreed by Members and Trade Unions under the constitution of the Works Council.

Issues

2. The following issues were discussed

Worklife Balance Strategy

As part of the PQA process, the 1st meeting of the Project Group took place on 24 November, 2006 with a 2nd scheduled for 18 December. The priorities for this Group included a review of the Council's existing Flexible Working Hours Scheme and consideration of team based flexible working solutions, with a view to extending more flexible ways of working to employee groups who have not previously been able to access current Flexible Working arrangements. However, consideration of team based flexible working solutions would have to be on the basis of a business case so that service delivery could be maintained

Sickness Absence Policy

A Trade Union representative nomination was still required to participate on the Absence Management Group.

Partnership Working with Trade Unions.

Discussions had commenced with the Trade Unions on a review of the Council's existing Time Off/ Facilities Agreement. Examples of similar agreements from other organizations were also circulated as part of the review for consideration. Further meetings would be convened to progress matters.

Prime Rate

This matter has now been concluded.

Essential Car Users Allowances

The issues and options concerning car user allowance was discussed at a Terms and Conditions Working Group that took place on 10 October, 2006. An option to consider a flat rate allowance in future was circulated to the Service Managers and Trade Unions present with feedback scheduled for the next meeting,

3. Making the Connections – Delivering Better Services for Wales

This project involves 10 local authorities in S E Wales and focused on the feasibility of identifying and determining the potential value and extent of joint working between the authorities concerned. Under Phase 1, PricewaterHouse Coopers were co-ordinating the capture of baseline costs .A series of visioning workshops involving officers and Members were planned for January and February 2007. The WLGA is co-ordinating the regional consultation with Trade Unions. The Phase 1 feasibility study would produce a Strategic Outline Case (SOC) for each of the 7 services identified. Implementation costs and benefits would also be included which would enable the Connecting South East Wales Board to identify which services should be progressed and for which Councils. A PQA awareness session would be organised for the Trade Unions.

4. Single Status and Job Evaluation Update (Standing Item)

The pilot Job Evaluation process was nearing completion, covering 9 job areas with 195 staff interviewed altogether. By the end of January, all validations would be completed and an inclusive review of the whole pilot process was proposed so that improvements could be made to the wider scheme roll out. A workshop approach would be piloted with a range of posts within the Parks Division of Culture Leisure and Parks with a small number of posts being subject to JDQ interview approach as a control measure so that results can be compared with the workshop approach to ensure consistency. The Terms and Conditions Group will meet early in 2007 to progress key issues. Lobbying of WAG in relation to capitalisation was continuing and implications of recent ET/EAT decisions would need to be considered in relation to back pay and pay protection issues

5 . Energy Efficiency in Council Buildings

This presentation outlined the need for and drivers of the Council's energy policy and highlighted aims, objectives and targets which included the reduction of energy use and CO₂ emissions from Council buildings by 6% by 31 March 2007 with reductions of 20% to be achieved by 2010. In relation to targeting and validation, the requirement for Service Area Business Plans to include energy, carbon and water reporting was emphasised which would require a commitment to regular meter readings from Service Areas. It was emphasised that energy and water resource management was everyone's responsibility, with advice available from a number of sources.

6. Childcare Voucher Update

A Working Group met with the Daycare Trust on 28 November to progress this issue and discussion focused on developing a business case for introducing vouchers; options for scheme delivery (i.e. salary plus or salary sacrifice); the pros and cons of using an external provider or in-house administration ; and some of the practical and contractual considerations of introducing a voucher scheme .A report would be submitted to a future Executive Business Meeting for a policy decision on this issue.

7. Service Area Joint Committees

It was confirmed that there were no issues to be brought forward from any Service Area Joint Committee. Arrangements to be implemented to ensure co-ordination of the Trade Union meeting schedule.

8. **Equality and Diversity Update**

An update was provided which outlined the equalities agenda and the challenges and opportunities ahead which included language, race, disability, gender, age, sexual orientation, religion and belief. The creation of the Commission for Equality and Human Rights would also drive a single equalities agenda. Recurring themes include leadership, involvement, impact assessment and monitoring, and accessible communication and training and awareness. There would need to be full engagement with Trade Unions and Service Managers on all these issues.

9. **Budget Update**

The Chair advised that the provisional budget settlement for the Council from WAG was imminent and once received, Members and Trade Unions would be briefed.

10. **Trade Union Training**

Recent training, facilitated for Works Council Trade Union representatives, included a session on Streamlined Decision Making and an Investigation Awareness Training Workshop.

11. **Trade Union Items**

The Trade Unions confirmed the need to regularly update any centrally held schedule of meetings in order to prevent future date clashes. In relation to Stewards in Highways, the GMB acknowledged that although the matter was still under discussion at Service Area level, they reserved the right to bring this matter forward to next meeting of the Works Council.

12 **Recognition of Long Serving Employee**

In recognition of 49 years of Council service (including service with Cardiff and its predecessor authorities), Councillor Berman as Leader of the Council, presented a ceremonial certificate to Mr. Sprudd, Landfill Plant Operator from Transport, Infrastructure and Waste..

13. **Christmas Reception**

A Christmas reception, funded personally by the Executive Members, would take place immediately following this meeting.

14. **Proposals**

It is proposed that the Employment Conditions Committee note the issues discussed at the Works Council and express any views it may have on these matters.

15. **Investment for Reform/Benefit to service user**

This report is for the information of the Committee.

16. **Council Policies Supported**

This report is for the information of the Committee.

17. **Advice**

This report has been prepared in consultation with relevant Corporate Directors and reflects their advice. It contains all the information necessary to allow Members to arrive at a reasonable view, taking into account the following advice.

18. **Legal Implications**

This is an information report and as such has no direct legal implications. Legal implications could arise should it be proposed to make policy decisions at some future date...check with Paul

19. **Financial Implications**

There are no financial implications arising from this report. However, a number of items referred to in the report may have financial issues which would need to be considered when they are reported upon separately.

20. **Human Resource Implications**

This report is for the information of the Committee.

21. **Trade Union Comments**

The Trade Union views on the matters discussed are recorded in the report and the attached minutes.

22. **RECOMMENDATION**

It is recommended that Employment Conditions Committee note the issues discussed at Works Council and express any views it may have on these matters.

BYRON DAVIES
CHIEF EXECUTIVE

The following appendices are attached:

Appendix A - Minutes of the Works Council 13 December 2006

APPENDIX A

WORKS COUNCIL

13 December 2006

Present: Councillors Berman, Sheppard Stephens, Walsh and Walker.

Approved

TU reps: Mike Love, Andy Gardner, AMICUS
Andy Davis, GMB
Lawrence Coles, Mike Formosa TGWU
Ian Titherington, Mike Hayes,
Linda Webb-Thornton UNISON
Martin Roberts UCATT

Officers: Jo Farrar, Assistant Chief Executive , Philip Lenz, Bryan Johnson, Paul Keeping, Chris James, Lynne David, Human Resources.

Others: Nicola Poole attended for item 3 "Making the Connections; David Mundow attended for item 5 "Energy Efficiency in Council Buildings" ; Phil Sherratt and Jeff Sprudd, attended for item 11 "Trade Union Items" and 12 "Recognition of Long Serving Employee" respectively. Also in attendance were James Marsh and Lucy Ross , MSc students currently on placement with Human Resources

Apologies: Chris Alders AEP
Mike Payne, Ken Daniels, Derek Daniels GMB
Jane Setchfield , NASUWT

1. Minutes

The minutes of the meeting held on 13th September, 2006 were approved as a correct record.

2. Matters Arising

A list of action points from the last meeting, detailing the current position on each item , had been previously circulated with the agenda. The following matters were discussed.

Worklife Balance Strategy

As part of the PQA process, terms of reference for a Steering Group and a Project Group have been agreed. The 1st meeting of the Project Group, comprising Chwarae Teg, Service Area Managers, Human Resources and Trade Unions had taken place on 24th November, 2006 with a 2nd scheduled for 18th December. The priorities for this Group included a review of the Council's existing Flexible Working Hours Scheme and consideration of team based flexible working solutions. In response to a question from Councillor Walsh, the Chief Human Resources Officer confirmed that the purpose of these activities was to extend more flexible ways of working to employee groups who have not previously been able to access current Flexible Working arrangements. However, consideration of team based flexible working solutions would have to be on the basis of a business case so that service delivery could be maintained .

Sickness Absence Policy

A Trade Union representative nomination was still required to participate on the Absence Management Group.

Partnership Working with Trade Unions.

As part of a recent meeting with the Trade Unions to raise awareness of recent changes to the Council's decision making process, the opportunity was taken to commence discussions on a review of the Council's existing Time Off/ Facilities Agreement. Examples of similar agreements from other organizations were also circulated as part of the review for consideration. Further meetings would be convened to progress matters.

Prime Rate

This matter has now been concluded.

Essential Car Users Allowances

The issues and options concerning car user allowance was discussed at a Terms and Conditions Working Group that took place on 10 October, 2006. An option to consider a flat rate allowance in future was circulated to the Service Managers and Trade Unions present with feedback scheduled for the next meeting, likely to be January.

3. Making the Connections – Delivering Better Services for Wales (Standing Item)

Details of the South East Wales Shared Service Project Phase One was circulated with the agenda for today's meeting. The Assistant Chief Executive highlighted the background to the project and the progress made to date. This project involves 10 local authorities in S E Wales and focused on the feasibility of identifying and determining the potential value and extent of joint working between the authorities concerned. Services included as part of the Phase 1 feasibility study included Training and Payroll/staff records, Council Tax and NNDR, Debt Recovery, Internal Audit, ICT and Procurement. The key stakeholders who would be involved and consulted throughout would include amongst others the Trade Unions, WAG, WLGA, etc

Work was underway, co-ordinated by PricewaterHouse Coopers, to capture data including baseline costs and a series of visioning workshops involving officers and Members were planned for January and February 2007. The WLGA is co-ordinating the regional consultation with Trade Unions. It was envisaged that the Phase 1 feasibility study would produce a Strategic Outline Case (SOC) for each of the 7 services identified. Implementation costs and benefits would also be included which would enable the Connecting South East Wales Board to identify which services should be progressed and for which Councils. .

With the departure of the Assistant Chief Executive, Nichola Poole would lead on the consultation elements of the project and would continue to update the Works Council. UNISON expressed some concern about the potential for identifying activities that could be seen as suitable for outsourcing or attractive to the private sector and the implications for existing staff. The Assistant Chief Executive advised that this would not be ruled out at this stage and that in fact, some services are already procured from the private sector organizations e.g. delivery of some training.

The Chair advised that other project initiatives were planned across Wales and that it was important that duplication and overlap were avoided where possible. The Trade Unions were advised that they would be consulted appropriately throughout the project and be kept informed of developments, along with other stakeholders. Further, it was also agreed that a PQA session organized for the Trade Unions would be useful to better understand the overall approach.

4. Single Status and Job Evaluation – Update (Standing Item)

The Works Council were advised that the pilot Job Evaluation process was nearing completion, covering 9 job areas (ie Accountants, Cleansing Operatives, Cleaners, Cooks, Home Carers, Housing Officers, Human Resources Lead Advisors, Library Assistants and Solicitors) with 195 staff interviewed altogether. The Job Analysis Reports had all been sent to postholders with a small number of queries being resolved. 6 Validation Panels had been held to date with 2 more scheduled before Christmas and a final one in January 2007. As the pilot would then be completed, there would need to be an inclusive review of the whole pilot process with feedback to be sought from participants so that improvements can be made to the wider roll out.

A need to change part of the process had already been identified to speed up the process whilst maintaining a postholder friendly approach. A workshop approach had been agreed by the Single Status Job Evaluation Steering Group and that this would be piloted with a small group of posts (ranging from manual to Principal Officer) within the Parks Division of Culture Leisure and Parks. As a control some staff would go through the existing JDQ interview approach so that results can be compared with the workshop approach to ensure consistency. It was also highlighted that the Terms and Conditions Group will need to meet early in the new year to progress key issues.

Interviews for the vacant Job Analyst's post undertaken recently and decision would hopefully be made before Christmas. Whilst progress was slow but deliberate, the time and commitment demonstrated thus far by officers, Trade Unions, post holders and line managers was appreciated..

UNISON confirmed their support and advised that although timescales were challenging, the process should not be rushed. Councillor Walker sought clarification on whether an appeals process was envisaged. He was advised that an appeals process would be needed and would be developed in due course.

In response to a question on capitalisation, the Chair advised that both he and Councillor Berman would be attending a meeting at the WAG shortly and would continue to lobby accordingly. He emphasised that clearly there would be costs associated with back pay, pay protection and the cost of a new pay structure but these could only be quantified once sufficient data was available from the job evaluation exercise.

UNISON raised concerns about the impact of recent and evolving case law in the area of back pay and pay protection. The Chief Human Resources Officer advised that a debriefing on the implications of the most recent ET/EAT decisions namely *Allen v GMB* and *Bainbridge v Redcar and Cleveland* for all Welsh Local Authority Senior HR, Legal and Finance representatives was taking place today.

5. Energy Efficiency in Council Buildings

David Mundow, Energy Manager from the Strategic Estates Division of Financial Services delivered a presentation highlighting the Energy Policy of the Council. He outlined the need for and drivers of the energy policy and highlighted the aims, objectives and targets within the Council's policy which included the reduction of energy use and CO₂ emissions from Council buildings by 6% by 31 March 2007 with reductions of 20% to be achieved by 2010. He indicated that part of 2006/7 budget included £600,000 energy efficiency savings. The vast majority of CO₂ emissions from Council Buildings was inevitably by the Schools and Lifelong Learning area, by virtue of the number of buildings they had.

The Council's implementation strategy featured 6 sections and included technical considerations at design stage; resources and funding; energy sources and procurement; non-domestic property portfolio; education and awareness; and targeting and performance validation. In relation to targeting and validation, the requirement for Service Area Business Plans to include energy, carbon and water reporting was emphasized and an energy monitoring website linked to the Council's Energy Database has been established and there will be a heavy reliance on regular meter readings from Service Areas. As regards Education and Awareness raising, a range of support information available from Green Teams, induction

training and from the Intranet with a number of service specific seminars being facilitated. With support from the Energy Management team (including seminars for leisure centre staff and regular site meetings), Leisure Centres have achieved a 2.16% (£9,758) cut in CO₂ emissions in 8 months. Similarly, reductions have also been achieved at Wilcox House and County Hall.

In summary, it was emphasized that high energy prices were not going away and could get worse and that energy and water resource management is everyone's responsibility, with advice available from a number of sources.

The GMB queried the possible use of solar panels but they were advised that they would be cost prohibitive. Councillor Sheppard asked whether wind power could be a viable option for energy conservation. He was advised that all options would need to be considered in a priority order and within the current budgetary climate and any public relations issues. UNISON were advised that it was unlikely at this stage that generating energy from waste would not be part of the Council's current plan.

In response to a general question about the Green Dragon Scheme, the meeting was advised that whilst Level 1 should be attained by all service areas, the aspiration was for all to strive towards achieving Level 5 or at least be actively working towards it.

The Chair thanked David for this input and commented that judging by the range of questions and discussion generated by this issue, there was keen interest for the Council to progress this. The key was to achieve improvements, highlight successes and keep up the momentum.

(As a postscript to this presentation, the Energy Manager asked if the following point could be included in the minutes. As emphasized in the presentation, monitoring of energy use will be fundamentally important to the Council's energy saving strategy. As this will inevitably rely on staff reading meters and entering the data onto the energy web-site, the Trade Unions are urged , wherever possible, to actively encourage their members to participate in the meter reading programme)

6. Childcare Voucher Update

The Chief Human Resources Officer advised that at the last Works Council in September, Brenda Davis from Schools and Lifelong Learning had delivered a presentation which included feedback on Daycare Trust's Childcare Survey of Council employees. The recommendations included more flexible working arrangements to be more available to more staff (currently being addressed by the WLB Project – see Matters Arising); better information for working parents (being addressed via relevant consortium arrangements within Schools and Lifelong Service); and the Council to consider introducing a salary sacrifice scheme for childcare vouchers (the purpose of this verbal update today).

A Working Group comprising Human Resources, Finance, Service Areas Managers , Trade Unions and Parent representatives met with the Daycare Trust on 28th November to progress this element of the recommendations. A number of matters were been discussed including a business case for introducing vouchers; options for delivery (i.e. salary plus or salary sacrifice); the pros and cons of using an external comparing or in-house administration ; and some of the practical considerations of introducing a voucher scheme e.g. resource implications, potential development of SAP and the impact of required contractual changes for staff who opt to use such a scheme.

Whilst the intention had been to submit a report to Employment Conditions Committee in January 2007 , advice had since been received that as a policy matter, the decision to proceed would need to be made by the Executive. Consequently, a report would be submitted to a future Executive Business Meeting.

Councillor Walsh was advised that once the scheme was up and running, staff eligible for vouchers could redeem them with any registered childcare provider.

UNISON reiterated the comments that they had made at the Working Group meeting of 28th November, 2006 i.e. they considered such a scheme to benefit "middle" pay earners and

upwards and would not directly help “low paid” parents. The Chief Human Resources Officer advised that provision of a voucher scheme to help toward a range of child care including after school, school holidays, etc was an improvement on current arrangements which included 2 oversubscribed workplace nurseries. In theory Working Family Tax Credit was designed to assist low income families and care would have to be taken in introducing some form of additional financial scheme for low paid staff as this could have a detrimental impact on any advantage they have from existing tax arrangements.

The Chair confirmed he would welcome a report on vouchers to the Executive particularly if the scheme could be developed for the Council to administer the scheme on behalf of other employers at some stage in the future.

7. Service Area Joint Committees

The minutes of the following Service Area Joint Committees were attached to today’s agenda for information only:

- 26 September Culture, Leisure and Parks
- 5 October Transport Infrastructure and Waste
- 9 October Children’s Services
- 26 October Schools Services
- 31 October Strategic Planning and Environment
- 10 November Projects Design and Development

The Chief Human Resources Officer confirmed that whilst no issues were to be brought forward to this meeting, a general point had been raised at the Strategic Planning and Environment SAJC about non-attendance of Trade Unions at Service Area meetings. He further acknowledged however that there were a significant number of matters under discussion across the Council that required Trade Union attendance. In order to try and assist the situation, it was proposed that key Trade Union meetings schedule would be kept up to date so that arranged meetings would not clash in future. A Trade Union partnership page would be added to the HR Intranet Site and arrangements would be made for the schedule to be kept as up to date as possible

8. Equality and Diversity Update

The Chair welcomed Paul Keeping, Operational Manager (Equality & Diversity) Human Resources who updated those present with progress made on embedding equalities in employment.

He provided an overview which addressed why equality in employment should be pursued, outlined the Equalities agenda, identified some recurring themes in employment and highlighted some early priorities and next steps. In terms of why, reasons included compliance, fairness vision, business case including a congruence with Council values. The challenges within the overarching agenda include language, race, disability, gender, age, sexual orientation, religion and belief. The creation of the commission for Equality and Human Rights would also drive a single equalities agenda.

Recurring themes include leadership, involvement, impact assessment and monitoring, communication and accessibility and training and awareness. There would need to be extensive engagement with Trade Unions on all these issues.

Some early priorities for employment included the PQA Equality and Diversity Project, the need to revisit existing employee monitoring categories and systems, the need to establish and maintain employee support groups and finally the challenge of raising awareness on all these issues. Information was provided on the range of training and awareness that would be available in the early Spring 2007.

UNISON queried whether the training was mandatory for all staff in view of its importance. They were advised that different aspects of training were mandated to distinct levels of staff and

the package of training would need to be geared to staff's specified needs. Councillor Walsh was advised that the issue of equal pay would be addressed as part of the job evaluation process.

Councillor Walker suggested that if it was not possible to maximize attendance at each specific equality training event, perhaps generic events for groups of staff e.g. Senior Managers could be considered.

The Chair thanked Paul for his comprehensive input and reiterated the Administration's support in driving forward the equalities and diversity agenda. The Chief Human Resources Officer also thanked Paul and his team for their efforts in already delivering to some tight timescales in order that the Council met its statutory requirements. It was also considered that in view of its organizational importance, this training should be available on an on-going basis although this would have budgetary considerations.

9. Budget Update

The Chair advised that a provisional budget settlement for the Council from WAG was imminent. He was proposing to brief Members if possible on 19th December and then meet with the Trade Unions on 21st December to update on the budget.

10. Trade Union Training

The Chief Human Resources Officer provided an update on training recently facilitated for the Works Council Trade Union representatives. A session took place on 5th December, 2006 where 9 Trade Union representatives were briefed on streamlined decision making within the Council which was facilitated by the Chief Legal and Democratic Services Officer. Further, on 28th November, 2006 an Investigation Awareness Training session was organized by Internal Audit and 6 representatives attended. The feedback was very positive from both sessions and it was proposed that if there was a need, further sessions be organised if required. A commitment to organize a PQA awareness session for the Trade Unions, as outlined under item 3, was reiterated.

Trade Union Items

11 (a) Harmonisation of meetings.

This matter was raised by the GMB. In the light of discussions on the same issue under item 7 today, the GMB confirmed the need to regularly update any centrally held schedule of meetings with Trade Unions. This would help prevent meetings clashing in the future.

(b) Issues re: GMB Stewards in Highways

The GMB objected that the original title of this item had been amended by Human Resources without consultation. They requested that in future either items appear as originally worded or that consultation on any proposed wording is undertaken.

The GMB recognised that this issue had been raised and was under discussion at Service Area level. However, they indicated that there were continued concerns in the treatment of stewards in this part of the organization and reserved the right to bring this matter forward to next meeting of the Works Council.

12. Recognition of Long Serving Employee

To mark 49 years of Council Service (including Cardiff and its predecessor authorities), the Chair invited Mr. Jeff Sprudd, Landfill Plant Operator from Transport, Infrastructure and Waste, to attend this meeting of the Works Council to personally receive thanks from those present.

Councillor Berman in his capacity as Leader of the Council presented a ceremonial certificate to Mr. Sprudd in recognition of his contribution to Council Service. He invited Mr. Sprudd and his wife to attend a Christmas reception directly following the closure of this meeting.

13. **Christmas Reception**

The Chair invited all those present to attend a Christmas reception, funded personally by the Executive Members. In addition to acknowledging Mr. Sprudd's contribution, the reception was also thank Jo Farrar who was leaving Cardiff to take up the position of Chief Executive at Bridgend Council in January, 2007.

Finally the Chair wished a Merry Christmas and a Happy New Year to all.