

COVID-19 Response – Memorandum of Understanding

Context

Cardiff Council and the Trade Unions are committed to working in partnership to respond to the challenges posed by the Covid-19 pandemic. We have a long track record of working together that has served us well during the crisis to date. But we are now facing an unprecedented, extended period of uncertainty that will require our collective efforts to support the Council and its staff through the pandemic and its aftermath.

This jointly agreed Memorandum of Understanding (MoU) outlines our joint commitment to ensuring that the Council continues to respond effectively, and with agility, to the pandemic but with an overriding interest in the health and well-being of our staff and local communities.

The Council's response to date has been widely applauded. This reflects the dedication of our frontline staff who have gone above and beyond to deliver essential services in support of the city's most vulnerable citizens. Their commitment has been reinforced by the unity of purpose that has driven our industrial relations. Collectively, we are determined to ensure a One Council approach that helps deliver support to those that need it the most, and works in partnership with the NHS and other public and private sector organisations.

As the 'lockdown' is gradually released the city will enter a new phase of the Covid-19 crisis. As the Council's moves towards the restart and recovery of services, there will be a continued need for a number of Council services to be able to adapt to new demands and requirements. In doing so, the Council will need to continue to be flexible in the deployment of staff to support key services. This will be underpinned at all times by effective consultation and partnership working with the Trade Unions on such matters, including in relation to agreement of associated HR policies and processes.

Key Principles

The key principles of the Memorandum of Understanding with the Trade Unions are set out below; however, these do not constitute an exhaustive list:

Building on the close and trust-based relationships between the Council and its workforce that have underpinned the response to the crisis to date.

The Council works in an arena of social partnership. During the COVID-19 crisis, this close and integrated relationship between the Council and the Trade Unions, which is based on trust between all parties, is vital and ensures that decisions are made based on the best available advice and guidance. The aim of which is to provide the safest possible working conditions for all council staff and the communities and citizens of Cardiff in the current circumstances.

For the duration of the COVID-19 pandemic, including any recovery period over the next 6 to 12 months (or longer if required), there is a requirement for this trust-based relationship outlined above to continue. This relationship will be vitally important as the Council makes the changes that will be required to ensure services can be delivered safely for the duration of the crisis.

Adopting a ‘Health and Safety’ driven approach to the restart and redesign of Council services.

The Council and the Trade Unions are clear that the safety of citizens and staff will be paramount at all times. The Council is therefore committed to working with the Trade Unions to ensure that the restart and redesign of services is based on a health and safety driven approach that places the physical and mental wellbeing of council staff at the centre of its planning and decision making.

Supporting mental health and wellbeing of staff.

There can be no underestimation of the impact that the COVID-19 pandemic has had on people’s physical and mental wellbeing. The Council are therefore putting in place extra support for individuals through our external provider, CareFirst, as well as a number of other mechanisms. We will keep the Trade Unions up-to-date on all interventions that are available so that they can share this with their members also.

Provisions around working from home and continued flexibility in redeploying staff to meet the new challenges of the crisis.

The Council has had to react very quickly to the impact of the COVID-19 pandemic on the city and council services and the responsiveness and flexibility of services since mid-March 2020 has been recognised and welcomed by citizens and communities in Cardiff. Trade Unions have been vital in allowing efficient and effective decisions to be made by the Council during this period. Moving forward, there will be a continued need to adapt working practices, especially around working from home and repurposing arrangements for staff. This will be required whether they are supporting regional requirements with our partners, such as the Cardiff & Vale University Health Board, or specific council services. The Council will need to continue to action some of these changes quickly and be in a position to react to specific circumstances, but is committed to continuing to consult with the Trade Unions on these matters.

Working together to ensure furloughed staff are re-engaged by the Council as soon as practically possible.

The Council, in consultation with the Trade Unions and in line with national Trade Union consultations, has taken the decision to furlough a number of staff who work in areas where the service is reliant on external funding. A process has been consulted on and actioned. As part of this agreed process, the Trade Unions will be consulted as the Council reviews both this process and the services that furloughed staff are employed in. The Council will look to bring these services back (in whatever form that works in the new environment) as soon as is practically possible and the Trade Unions will be consulted as part of this process. In addition, should any of these services require functional and/or structural reviews, those staff within the services

who have been furloughed will not be treated differently to those staff who have remained in work.

An agreement on how the industrial relations case management machinery of the Council (e.g. disciplinary processes, resolution procedures, consultation arrangements) will work during the rest of the crisis.

In line with national guidance, on 19th March 2020, the Council paused its processes with regard to the management of cases under a number of policies including disciplinary, resolution, sickness, organisational changes etc. In ensuring an effective and equitable restart to these processes the Council will be proposing an enhanced use of technology and appropriate risk assessments. In all circumstances, the Welsh Government's guidelines will be adhered to, including the need for social distancing. Details will be consulted on with the Trade Unions and cases will be assessed on their own merits within an agreed framework.

Commitment to monthly workforce partnership meetings.

Prior to the COVID-19 pandemic, Trade Union Partnership meetings took place on a monthly basis attended by elected members, officers and Trade Union representatives. During the pandemic, this changed to a weekly meeting with HR Officers and Trade Union representatives as there was a requirement to provide regular updates on corporate processes. The Council is committed to putting in place monthly Trade Union Partnership meetings using the previous format, which will also provide a platform for services to bring forward any items for consultation. This will be in addition to the Directorate SAJC meetings, which will continue to be undertaken. All meetings will meet the Welsh Government's requirements for social distancing and, therefore, are expected to take place remotely on a virtual basis.

The way forward

The current situation is difficult for employees, the Trade Unions and the Council. In the light of these unprecedented circumstances, there will be a necessity for the Council to continue to be flexible in adapting and reforming service provision and associated ways of working in response to the implications of the COVID-19 pandemic and taking account of continued social distancing requirements.

This MoU represents a serious commitment from both the Council and the Trade Unions to continue to work in partnership and engage with the future programme of recovery and renewal of services, including the implementation of any changes that will help support council employees and service delivery as part of the 'new normal' within Cardiff. It also reaffirms our commitment to continuing to work in a positive and constructive way based on the principles of social partnership.

The Council is also committed to working in partnership with the Trade Unions, based on the key principles set out in the Memorandum of Understanding, on any matters which arise that may not be explicit within this document.

Agreement

This Agreement is a commitment from both the Council and the Trade Unions to work together in implementing the restart and recovery of council services in response to the impact of the COVID-19 pandemic.

Both parties are committed to engaging in further consultations.

The Trade Unions are not prepared to negotiate detrimental changes to their members' terms and conditions of employment.

Signed on behalf of the Trade Unions:

GMB		Date:	
Unison		Date:	
UNITE		Date:	
		Date:	

Signed on behalf of the Council:

Cllr Huw Thomas Leader of the Council		Cllr Chris Weaver Cabinet Member (Finance, Modernisation & Performance)	
Date:		Date:	