

27 September 2013

To: Councillor Lovelock (Chair);
Councillors Gavin, P Jones, Page, Rye,
Skeats, Terry, Vickers and White.

Your contact is: Sally Poole - Committee Services

NOTICE OF MEETING - PERSONNEL COMMITTEE - 3 OCTOBER 2013

A meeting of the Personnel Committee will be held on **Thursday 3 October 2013 at 6.30pm** in **Committee Room 2**, Civic Offices, Reading.

AGENDA

		ACTION	WARDS AFFECTED	PAGE NO
1.	DECLARATIONS OF INTEREST			
2.	MINUTES OF MEETING HELD ON 18 JULY 2013	INFORMATION	BOROUGHWIDE	1
3.	PROCEEDINGS OF THE LOCAL JOINT FORUM HELD ON 3 JULY 2013	INFORMATION	BOROUGHWIDE	8
4.	HR POLICIES AND PROCEDURES - UPDATE	DECISION	BOROUGHWIDE	16
5.	REVIEW OF APPRAISAL SYSTEM	DECISION	BOROUGHWIDE	46
6.	REVIEW OF CHANGE MANAGEMENT GUIDANCE FOR STAFF AND MANAGERS	INFORMATION	BOROUGHWIDE	66

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At this point, the following motion will be moved by the Chair:

“That, pursuant to Section 100A of the Local Government Act 1972 (as amended) members of the press and public be excluded during consideration of the following items on the agenda, as it is likely that there would be disclosure of exempt information as defined in the relevant Paragraphs of Part 1 of Schedule 12A (as amended) of that Act”

7.	STAFF CAR PARKING REVIEW	INFORMATION	BOROUGHWIDE	121
8.	EARLY RETIREMENTS AND REDUNDANCIES	DECISION	BOROUGHWIDE	126

PERSONNEL COMMITTEE MINUTES - 18 JULY 2013

- Present:** Councillor Lovelock (Chair);
Councillors Edwards, Gavin, Maskell, Page, Skeats, Vickers and White.
- Also Present:** R Ketley (for items 1-3), I Wardle, A Burton, J Hoggart and S Poole.
- Apologies:** Councillors P Jones, Terry and Rye.

RESOLVED ITEMS

1. MINUTES

The Minutes of the meeting held on 7 March 2013 were confirmed as a correct record and signed by the Chair.

2. ARRANGEMENTS FOR CORPORATE DIRECTOR APPRAISALS

Ian Wardle, Managing Director, submitted a report asking the Committee to agree an approach for undertaking appraisals for Corporate Directors and for setting performance objectives.

The report explained that the focus of the performance appraisal process was about clarifying what the employee was expected to achieve and identifying any continuing personal development needs which, if met, would maintain a high level of performance. The nature of the roles for Directors had a higher level of political interface and they worked with a variety of partners to meet the Council's priorities. Therefore, it was proposed that an approach for appraising senior management be introduced that allowed for Councillors to provide input into the appraisals and that the outcome be reported to Personnel Committee for political oversight.

The Performance Appraisal would take place annually on a predetermined date, backed up by regular monitoring meetings via 1:1's at which targets would be reviewed. The performance appraisal would focus on the following:

- What the Director had done well;
- What the Director could have done better;
- The major issues over the next year that the Director needed to address and agreeing new performance objectives;
- What developmental needs the process had identified for the Director's Service;
- Any issues the Managing Director, Director, Lead Councillors, and Chairs of the relevant Committees might need to resolve to ensure the Director continued to have the support they would need in the role.

PERSONNEL COMMITTEE MINUTES - 18 JULY 2013

Prior to the annual appraisal, material would be prepared to help inform the meeting. This would include the following:

- The Director would prepare a self-appraisal covering performance (services, finance, organisational), personal effectiveness, and proposed priorities for the coming year. The self-appraisal would be submitted ten working days in advance of the Performance Appraisal meeting;
- A summary of customer service issues, performance against milestones and performance indicators in the corporate plan and their respective service plans would be issued to inform discussion and to agree future areas of action.

The report explained that the Managing Director would seek views from the Lead Councillors, Chairs of the relevant Committees that the Director worked with and other Councillors prior to the annual appraisal meeting. Feedback would be sought on the Director's performance against objectives and thoughts about major areas of focus for the next 12 months that could be included in new objectives.

The annual appraisal meeting would involve the Managing Director meeting with the Director to review, discuss and challenge the Self-Appraisal. The focus of the meeting would be to discuss positive achievements over the past twelve months and identify reasons for good performance and also instances over the past twelve months where targets had not been met, identifying the factors preventing the achievement of agreed goals.

The Director would provide a presentation of their understanding of the objectives that needed to be achieved in the next performance period. This would be a short list that concentrated on the bigger issues of what needed to be achieved. The personal actions and targets for the Director would be listed, for consideration and the outcome would be an agreed set of objectives and comment on performance.

Corporate Directors would have strengths and weaknesses and during the appraisal meeting it would be identified if any further professional development was necessary to equip them to meet the Council's objectives. There would be a discussion about future developmental needs in the context of the Council's changing priorities which would lead to the design of a programme of professional development and the agreement of a personal development plan.

A report would be presented by the Managing Director to Personnel Committee, with a summary of the Performance Appraisal meeting and the agreed objectives, for noting and approval.

It was intended that similar appraisal arrangements be introduced for Heads of Service and a report outlining these proposals would be submitted to Personnel Committee on 3 October 2013.

Resolved -

- (1) That the report be noted;
- (2) That the arrangements for Corporate Director appraisals be approved.

PERSONNEL COMMITTEE MINUTES - 18 JULY 2013

3. HR POLICIES AND PROCEDURES - UPDATE

The Head of Human Resources submitted a report updating the Committee on a number of ongoing Human Resource (HR) and development issues:

Attendance Management and Well-Being

Work had been ongoing across the Council to address sickness absence levels. Combined with this focus on levels of absence, there had been an ongoing dialogue with local trades unions and CMT to address other key issues that underpinned good attendance and organisational health such as stress and wellbeing, workload management and supporting staff through change transition. To address absence and improve levels of attendance the following key elements were being proposed:

- A review of the format and frequency of absence data (upwards and downwards) to monitor/review outturns and outcomes;
- The establishment of 'Manager Action' Targets that should be integrated into 1:1 supervision and appraisal together with a management reporting framework for more in depth analysis, prioritisation and accountability from supervisor to Director (both ways);
- The identification (through a RAG highlight approach) of local 'benchmarks' for attendance of staff who needed to be supported to improve attendance;
- The continued support by HR of managers in addressing attendance issues - from improved 'self service' systems through to local 'diagnostic' work with supervisors and teams through to benchmarking formal processes and guidance;
- A review and update of the Council's Wellbeing Action Plan to ensure that there were practical measures in place to support staff and managers;
- Ways in which good attendance could be recognised and acknowledged.

Staff with frequent short term absence would be coded red, amber or green - using agreed benchmarks. A similar procedure would be implemented for long term absence. Managers would be set targets for managing attendance, focussed on five key actions that were detailed in the report.

A reporting and reviewing structure would be implemented and supported by HR. This would operate at all levels, with supervisors conducting return to work interviews and this information would feed up to CMT through reviews by Service Managers, Heads of Service and Directors. The management dialogue with staff was an important aspect to ensure that staff felt supported and that reasons for absence were understood so that, if necessary, the relevant support could be provided.

Unions and managers had previously identified the need for a broader approach to the issues of workload, stress and attendance and the JTUC had agreed that the Wellbeing Policy was an appropriate vehicle to do this, along with a more active management role in the identification, monitoring and management of workloads for individual staff and teams.

PERSONNEL COMMITTEE MINUTES - 18 JULY 2013

Consequently, a further review of the Wellbeing Policy had been tabled with the JTUC and Local Joint Forum (LJF) and a copy was attached to the report. It was intended that, once amendments were agreed, the revised policy be the basis for a revitalised action plan to be launched in July 2013.

Review of the Appraisal System

The current appraisal system used by the Council had been in place for two years and was now subject to a review involving JTUC, CMT, Managers and staff feedback from the 2012 and 2013 Staff surveys. Initial feedback and key themes had been shared with CMT and JTUC and reported to LJF on 3 July 2013.

The following changes had been proposed:

- That the current 'dial' format be replaced with a simpler 'Met, Part Met or Not Met' to indicate whether objectives have been achieved;
- That between six and ten objectives be set;
- That the term 'grandparent', used to signify the senior manager signing off the appraisal, be replaced with a more appropriate term;
- Simplification of the appraisal guidance and aims;
- Adjustments to the processes used in social services to allow the appraisal process to meet the needs identified by regulatory bodies;
- Revised guidance on the setting and evaluation of performance targets;
- Ensuring that issues of general wellbeing and workload management were incorporated into the appraisal dialogue.

The above changes would be incorporated to the process, in partnership with the JTUC, and a further report on specific changes would be taken to LJF in September 2013.

Equity Profile Mapping

The Council currently captured and published the 'profile' of its staff (including staff in schools) in respect of key groups facing disadvantage as part of its annual equality survey and in its Equality Impact Assessments (EIA's). However, the 2010 Equality Act had replaced the race, disability and gender equality duties with a 'general' and 'specific' equality duty for Public Authorities. The duty covered age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation. The duty to have due regard to the need to eliminate discrimination also covered marriage and civil partnership.

By collecting and analysing diversity information, the Council could ensure that their HR processes were fair, transparent, promoted equality for all staff and did not have an adverse impact on any particular group.

Staff would be asked to provide information on a voluntary basis and a sample form was attached to the report at Appendix B. Information would be collected electronically, where possible, with paper copies for those without ICT access. All data would be anonymous and would be stored securely with access limited to authorised HR staff that had a need to analyse such data for statistical purposes

PERSONNEL COMMITTEE MINUTES - 18 JULY 2013

only. Data relating to individual staff would not be disclosed to any other party without the express, prior permission of the staff who had provided the data.

Recruitment of People with a Disability

The review of the way in which the Council could increase the proportion of staff employed who had a disability was being carried out by a working group consisting of staff from HR/Directorates and the Trade Unions.

In scoping the work of the group to tackle the terms of reference provided by Personnel Committee, the focus group had identified a number of themes and potential initiative targets and these were developed into a five point plan:

1. Voice and consultation through focus groups;
2. Benchmarking and good practice;
3. Raising the profile of disability in the workforce;
4. Disability Awareness training;
5. Physical access.

These had an overarching objective of actively promoting the Council as an organisation which was ready and able to accommodate staff with different physical abilities and needs.

The actions from the working group discussions to date were being turned into an action plan with deliverables and a copy of the action plan was included in the report.

Health and Safety Policy

Revisions had been made to the Council's Health and Safety Policy (attached to the report at Appendix C), the 2013-14 Health and Safety Action Plan (attached to the report at Appendix D) and the Health and Safety Policy Statement (attached to the report at Appendix E). These had been submitted for consultation via the Central Health and Safety Committee and the JTUC, and reported to the LJF and so were presented for approval by the Committee.

Resolved -

- (1) That the report be noted;
- (2) That the revised Health and Safety Policy, Action Plan and Statement as attached as Appendices C, D and E be approved.

4. EXCLUSION OF THE PRESS AND PUBLIC

Resolved -

That pursuant to Section 100A of the Local Government Act 1972 (as amended) members of the press and public be excluded during consideration of the following items, as it was likely that there would be

PERSONNEL COMMITTEE MINUTES - 18 JULY 2013

disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A (as amended) to that Act.

5. MANAGING DIRECTOR - PERFORMANCE OBJECTIVES

The Managing Director submitted a report outlining proposed performance objectives for 2013/14.

Resolved - That the Managing Director's Performance Objectives, as outlined in the report, be agreed.

6. RESHAPING PROPOSALS - SENIOR MANAGEMENT - STAFFING IMPLICATIONS

Anne Burton submitted a report outlining the reshaping proposals that had resulted from the consultation regarding changes to the senior management structure, including the process for making appointments to posts in the revised structure. There would be a further, more limited, consultation on the proposed structure.

Resolved -

- (1) That, after considering the outcome of the consultation (Appendix A), the Managing Director's proposals were noted as follows:
 - (a) That the revised structure at Appendix B be implemented:
 - (i) Delete the current Director and Head of Service posts detailed in paragraph 3.18 of the report;
 - (ii) Introduce new/changed Director and Head of Service posts as detailed in paragraph 3.18 of the report;
 - (iii) Appoint to the new/changed Director and Head of Service posts on open ended (permanent) contracts;
 - (b) That applicants be sought for the new/changed posts from within the Council in the first instance - ring-fenced initially to current managers directly affected by the restructure only;
 - (c) That the current post holders be assimilated to the posts identified in paragraph 3.18;
- (2) That the proposed (benchmarked) Reading Senior Management (RSM) grade ranges for the new Director and Head of Service posts as set out in paragraph 3.20 (all other terms and conditions to remain unchanged) be approved and the determination of starting salary for new appointments, within those ranges, be delegated to the Managing Director, in consultation with the Leader of the Council, Head of Finance, Monitoring Officer and Head of HR;
 - (a) That the format for the internal selection processes for the new Director, and Head of Service posts (full Personnel Committee appointment Panel) be agreed and that the panels comprise 3 Labour councillors, 1 Conservative and 1 Liberal

PERSONNEL COMMITTEE MINUTES - 18 JULY 2013

Democrat (Cllr White confirmed he did not wish for Green Party representation.);

- (b) That the final determination of any additional assessment aspects for the appointments be delegated to the Managing Director, in consultation with the Leader.

7. EARLY RETIREMENTS AND REDUNDANCIES (INCLUDING NEW VRS SCHEME)

The Head of Human Resources, the Monitoring Officer and the Director and Council Manager submitted a joint report, which set out 9 requests for termination of employment on the grounds of redundancy, 4 requests for early retirement on the grounds of redundancy, 1 termination of contract on the grounds of efficiency of the service and 3 requests for flexible retirement.

Proposals, together with the financial implications were set out in a schedule appended to the report on the following basis:

- Financial cases were given which represented the highest cost to the Council. In most cases this included discretionary added years on pension (where payable), as this represented a direct and ongoing cost to the Council. This was in accordance with the Council's current practice of considering redundancy and retirement terms up to the maximum limit of discretion, where applicable. The Committee was asked to approve individual proposals subject to a maximum ceiling on the exercise of discretion;
- Financial implications were costed on the basis of the estimated figures, which were subject to final confirmation. The figures might be affected by changes to final salary, pensionable service, age or date of leaving. The Committee was asked to approve the proposals on the basis of the estimated figures, subject to any individual proposal being brought back to Committee if the confirmed costs were more than 10% in excess of those reported;
- The costs of early retirement on the grounds of ill health were met by the Local Government Pension Scheme or the Teachers' Pension Scheme.

The report sought approval for the payment of a compensation package in the case of proposed termination of employment or early retirement on grounds of redundancy, efficiency of the service or ill health subject to the conclusion of all outstanding matters in each case, including ongoing consultation with employees and their representatives, and efforts to secure alternative employment, where appropriate.

The report also proposed the launch of a further phase in the recent series of Voluntary Change/Voluntary Release Schemes that would be run on the same lines as previous VCS/VRS schemes. The proposed detailed terms of the scheme would be subject to consultation and launched in September 2013.

PERSONNEL COMMITTEE MINUTES - 18 JULY 2013

Resolved -

- (1) That the termination of employment on the grounds of redundancy of employees A, B, C, E, G, H, I, K, M, the early retirement on the grounds of redundancy of employees D, F, J, L, the termination of contract on the grounds of efficiency of the service of employee N be approved on the terms set out in the schedules appended to the report subject to the conclusion of all outstanding matters in each case, including ongoing consultation with the employees and their representatives and efforts to secure alternative employment, where appropriate;
- (2) That the proposal set out in (1) above be approved on the basis of the financial implications set out in the report, and that authority to conclude the proposal be delegated to the Managing Director, Section 151 Officer, Monitoring Officer and Head of Human Resources (acting jointly) within that framework, and subject to the maximum ceiling identified for the proposal;
- (3) That the proposals for the flexible retirement of employees O, P and Q, as set out in the schedules attached to the report, be approved;
- (4) That the launch of a new Voluntary Release Scheme (VRS) with broader application across the whole Council (but with the caveat that some applications will inevitably need to be refused) designed to achieve staffing reductions by voluntary means as far as possible, be approved;
- (5) That final determination of the terms of the Voluntary Release Scheme be delegated to the Managing Director in consultation with the Head of Finance, Monitoring Officer and Head of HR and the Leader of the Council.

(Exempt information as defined in Paragraphs 1 and 2).

(The meeting commenced at 6.33 pm and closed at 7.50 pm).

Present:

Councillors Lovelock, Gavin, Rye, Skeats and Vickers	
Mr K Magee (Chair)	Unite
Mr P Kenny	Unison Staffside
Mr R Kiff	Unison Staffside
Mr P Narancic	Unison Staffside
Mr R Ketley	Education & Community Services Unions
Ms D Sander	Association of Educational Psychologists
Ms R Blanche	Unison Branch Chair
Ms S Palmer	Unison
Ms A Burton	Head of Human Resources
Mr J Hoggart	Human Resources Services Manager
Mr R Woodford	Committee Services
Ms S Poole	Committee Services

Apologies:

Mr M Hancock	Unison Staffside
Mr I Newnham	Unison Staffside

1. ELECTION OF CHAIR

Mr K Magee was elected to serve as Chair of the Forum for the Municipal Year 2013/2014.

2. APPOINTMENT OF VICE-CHAIR

Councillor Lovelock had been appointed to serve as Vice Chair at the Annual General Meeting of the Council on 22 May 2013 (Minute 11 refers).

3. PROCEEDINGS OF THE LOCAL JOINT FORUM MEETING HELD ON 14 FEBRUARY 2013

The Proceedings of the Local Joint Forum meeting held on 14 February 2013 were confirmed as a correct record and signed by the Chair.

4. MINUTES OF THE CENTRAL HEALTH AND SAFETY COMMITTEE MEETING HELD ON 24 APRIL 2013

The Forum received the Minutes of the Central Health and Safety Committee held on 24 April 2013.

5. HR ISSUES - GENERAL UPDATE

The Head of Human Resources submitted a report updating the Forum on a number of ongoing Human Resource (HR) and development issues:

Health and Safety Policy - Draft revisions had been made to the Council's Health and Safety Policy (attached to the report at Appendix I) and the 2013-14 Health and Safety Action Plan (attached to the report at Appendix II). These had been submitted for consultation via the Central Health and Safety Committee and, once agreed, would be endorsed and adopted at Personnel Committee on 18 July 2013.

Rob Ketley stated that this policy was welcomed as an indication of the commitment of the Council to health and safety in the workplace and asked that, as in previous years, the document be jointly signed by the Managing Director, the Leader of the Council and by a union representative.

Staff Survey 2013 - The initial results had been collated and an overview report was attached to the report as Appendix III. Although less staff had responded, there was still sufficient information about themes and trends to inform an action plan to address the outcomes. The feedback and the action plan proposals would be discussed at the Joint Trade Union meeting and the Directorate Joint Forums.

Pension Changes - New pension legislation required all employers in the UK to automatically enrol their workers into a workforce pension and the date set by the government for the Council was 1 July 2013. The existing workplace pension scheme for Council employees complied with the new legal requirements and so employees (that met the age and salary criteria and who were not already in a qualifying scheme) could be automatically enrolled. As required by legislation, all employees had received a letter to advise them of the new legislation (a copy of the letter was attached to the report at Appendix IV). HR had also created an information 'pod' that could be accessed via the intranet and external web, set up a helpline and asked managers to cascade the key messages to their staff. The emphasis was now on staff having to make a positive decision to opt out, rather than making a decision to join the pension scheme.

In response to a question about the number of staff that were currently not in the pension scheme and whether any analysis of these staff had been carried out, Anne Burton stated that there were currently around 600 employees not in the scheme and that she would bring a report with further analysis to the next meeting.

Civic Offices Relocation - The Civic Relocation Programme included a Business and Organisational Change Worksteam (BOC), jointly led by Anne Burton, Jan Sago (Head of Civic Services) and Derek Plews (Head of Communications). The key to the work of the group was the development of a change strategy which would engage staff and managers. This also set out how staff would interact and work effectively within a 3:2 workstation ratio delivering the benefits of efficiency savings, improved sustainability, a better standard of service and an improved working environment for staff. It was acknowledged that the new building would provide advantages in terms of improved working environment, but the 3:2 workstation ratio might prove stressful for some staff. The Council had established this model at a number of sites and with all office moves in the last five years and it would be supported by new technology and Flexible Working Guidance.

It was confirmed that the move was planned for Autumn 2014.

Pay Award Update - Following the pay claim tabled by the Trade Union Side of the NJC on 17 October 2013, the Employers Side made the following final offer on 24 April 2013:

- 1.0% on all pay points with effect from 1 April 2013;
- the deletion of pay point 4 with effect from 1 October 2013.

The Trade Union Side had met in early May 2013 to consider the Employer's pay offer. Kieran Magee, Unite, stated that they were still balloting their members and so were unable to confirm their response.

AGREED: That the position be noted.

6. COUNCIL RESHAPING - PHASE 1 - CONSULTATION

The Head of Human Resources submitted a report updating the Forum on the outcome of the Council Reshaping consultation. The consultation exercise had been extensive, with many and varied means by which staff and all other interested parties could hear about the proposals and respond to the consultation (including anonymously). The formal consultation on Phase 1 of the programme had been launched in June 2013 and had closed on 2 July 2013.

Anne Burton reported that the initial response to the consultation had been favourable and that the outcome would be reported to Personnel Committee on 18 July 2013. The Forum noted that Phase 1 of the consultation related to the Directors and Head of Service and proposals to change the structure of the council and it was felt that these were reasonable and logical. However, the unions stated that they would have more involvement in subsequent phases as this could have a greater impact on staff and their workload.

Anne Burton reported that if any further changes were made following analysis of the results of the initial consultation, there could be a further, more restricted, consultation before final outcomes could be agreed.

AGREED: That the report be noted.

7. ATTENDANCE MANAGEMENT AND WELLBEING REVIEW

The HR Services Manager submitted a report updating the Forum on the proposals for managing attendance. A copy of the Employee Wellbeing in the Workplace Policy was attached to the report at Appendix A. The current level of sickness absence in the Council was 10.7 working days lost (WDL) per employee. Whilst this global figure included short term and long term absence, this level of absence was above the average for similar organisations (7.4 WDL across all sectors; 9.1 WDL for Unitary Authorities). It was recognised that absence was not just due to sickness and so it was important to support staff by addressing levels of stress and workloads.

PROCEEDINGS OF THE LOCAL JOINT FORUM - 3 JULY 2013

To address absence and improve levels of attendance the following key elements were being proposed:

- A review of the format and frequency of absence data (upwards and downwards) to monitor/review outturns and outcomes;
- The establishment of 'Manager Action' Targets that should be integrated into 1:1 supervision and appraisal together with a management reporting framework for more in depth analysis, prioritisation and accountability from supervisor to Director (both ways);
- The identification (through a RAG highlight approach) of local 'benchmarks' for attendance of staff who needed to be supported to improve attendance;
- The continued support by HR of managers in addressing attendance issues - from improved 'self service' systems through to local 'diagnostic' work with supervisors and teams through to benchmarking formal processes and guidance;
- A review and update of the Council's Wellbeing Action Plan to ensure that there were practical measures in place to support staff and managers;
- Ways in which good attendance could be recognised and acknowledged.

Staff with frequent short term absence would be coded red, amber or green - using agreed benchmarks. A similar procedure would be implemented for long term absence. Managers would be set targets for managing attendance, focussed on five key actions that were detailed in the report.

There would be regular reports and reviews of absence at all levels:

- CMT - Quarterly 'high level' summary reports on WDL per team, Reasons for Absence, long term absence cases/action under way, local initiatives to share good practice. CMT would set corporate targets and receive reports on directorate and service/team targets;
- Directors - Quarterly 1:1 sessions with Heads of Service to review sickness levels across teams, case work under way, reasons for absence, patterns and trends, local initiatives, setting of directorate targets;
- Heads of Service - quarterly sessions to include review of levels of absence with Service Managers, reasons, patterns and local initiatives - identification and agreement of benchmarks for reductions;
- Service Managers - local information on attendance/barriers to be discussed with team supervisors in 1:1/manager meetings, including the achievement of targets and reasons for absence/RAG analysis;
- Supervisors - conduct return to work interviews, identify barriers to attendance, local trends report upwards to Service Managers in supervision;
- DJF's would have a role in reviewing the data considered by DMT's and be consulted upon and involved in initiatives to reduce absence - including (but not restricted to) monitoring the local implementation of the revised Wellbeing Action Plan. DJF's might decide to delegate these activities to sub groups established for that purpose and/or to sponsor or support specific, local

- activity/programmes where relevant;
- The HR Service would focus its resources on 'adding value' to manager activity at all levels, through -
 - The roll out and management of the iTrent manager self service systems to improve recording keeping input and 'real time' reporting;
 - The production of high level reporting for CMT and Directors;
 - Providing advice and guidance to managers on the effective management of absence and attendance;
 - Leading reviews with managers to identify and address barriers to the management of attendance;
 - The provision and review of training, guidance and procedures to assist managers;
 - Attending formal (but not informal) meetings held under the relevant procedures to advise managers;
 - Auditing processes.

Concern was expressed that the approach detailed in the report might cause additional stress for some staff with long-term health problems. It was recognised that sensitive handling and effective communication was imperative.

The Wellbeing Policy was welcomed by the Forum as a key to reducing stress and excessive workload, some of which contributed to the high levels of absence. The policy would be the basis for a revitalised action plan which would be launched in July 2013, subject to agreement with the JTUC and CMT on the terms and prioritisation.

AGREED:

- (1) That the actions set out in the report be noted;
- (2) That the identified approach and draft revision of the Wellbeing Policy, as detailed in Appendix A attached to the report, be endorsed.

8. REVIEW OF APPRAISAL SYSTEM

The HR Services Manager submitted a report updating the Forum on the review of the appraisal system. The current appraisal system used by the Council had been in place for two years and was now subject to a review involving JTUC, CMT, Managers and staff feedback from the 2012 and 2013 Staff surveys. Initial feedback and key themes had been shared with CMT and JTUC.

The following changes were proposed:

- That the current 'dial' format be replaced with a simpler 'Met, Part Met or Not Met' to indicate whether objectives have been achieved;
- That the number of objectives to be set were reduced to a minimum of 6

and maximum of 10;

- That the term 'grandparent', used to signify the senior manager signing off the appraisal, be replaced with a more appropriate term;
- Simplification of the appraisal guidance and aims - in particular, how these fitted within the general pay and grading framework;
- Adjustments to the processes used in social services to allow the appraisal process to meet the needs identified by regulatory bodies;
- Revised guidance on the setting and evaluation of performance targets;
- Ensuring that issues of general wellbeing and workload management were incorporated into the dialogue that took place as part of the appraisal.

Changes to the policy would be drafted in partnership with the JTUC and a further report submitted to the meeting on 24 September 2013.

The Forum discussed the report and it was requested that professional targets also be incorporated to assist staff such as social workers and educational psychologists.

It was agreed that there was merit in senior managers having an overview of the staff appraisals in their sections, but they would be encouraged to ensure that appraisals were signed off in a timely manner.

AGREED: That the report be noted.

9. STAFF PROFILE MAPPING EXERCISE

The HR Services Manager submitted a report updating the Forum on the staff profile mapping exercise. The Council currently captured and published the 'profile' of its staff (including staff in schools) in respect of key groups facing disadvantage as part of its annual equality survey and in its Equality Impact Assessments (EIA's).

However, the 2010 Equality Act replaced the race, disability and gender equality duties with a 'general' and 'specific' equality duty for Public Authorities. The duty covered age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation. The duty to have due regard to the need to eliminate discrimination also covered marriage and civil partnership.

By collecting and analysing diversity information, the Council could ensure that their HR processes were fair, transparent, promoted equality for all staff and did not have an adverse impact on any particular group.

Staff would be asked to provide information on a voluntary basis, a sample form was attached to the report at Appendix A, and all data would be anonymous. The data would be stored securely with access limited to authorised HR staff that had a need to analyse such data for statistical purposes only.

AGREED:

- (1) That the report be noted and the planned exercise to gather and store profile information from Council staff (including schools) endorsed;

- (2) That the format for the planned survey of staff, as set out in Appendix A attached to the report, be noted.

10. RECRUITMENT OF PEOPLE WITH A DISABILITY

The HR Services Manager submitted a report updating the Forum on the progress to date in the conduct of a review of the employment of staff with a disability. The report set out the terms of the review and explained that the review process was being carried out by a working group consisting of staff from HR/Directorates and the Trade Unions.

In scoping the work of the group to tackle the terms of reference provided by Personnel Committee, the focus group had identified a number of themes and potential initiative targets and these were developed into a five point plan:

1. Voice and consultation through focus groups;
2. Benchmarking and good practice;
3. Raising the profile of disability in the workforce;
4. Disability Awareness training;
5. Physical access.

These had an overarching objective of actively promoting the Council as an organisation which was ready and able to accommodate staff with different physical abilities and needs.

The actions from the working group discussions to date were being turned into an action plan with deliverables and a copy of the action plan was included in the report.

AGREED: That the summary update, contained in the report, be noted.

11. OTHER BUSINESS

The dates of meetings 2013/14 were confirmed as:

Tuesday 24 September 2013

Thursday 2 November 2013

Tuesday 4 February 2014

(The meeting opened at 5.00 pm and closed at 6.30 pm).

**READING BOROUGH COUNCIL
REPORT BY HEAD OF HR**

TO:	PERSONNEL COMMITTEE		
DATE:	24 th September 2013	AGENDA ITEM:	4
TITLE:	HR POLICIES AND PROCEDURES UPDATE		
LEAD MEMBER	CLLR LOVELOCK	PERSONNEL COMMITTEE CHAIR	
SERVICE:	CORPORATE RESOURCES	WARDS:	BOROUGHWIDE
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1. PURPOSE AND SUMMARY OF REPORT

1.1. To update the Committee on revisions to specific HR policies and procedures.

2. RECOMMENDED ACTION

2.1. That you note the report and approve the revised 'family friendly' policy framework.

3. UPDATE

3.1. FAMILY FRIENDLY POLICIES

- Maternity and related benefits and provisions for Reading Borough Council staff are governed by legislation and by national and local conditions of service. They are an important strand of the Council's approach to developing 'family friendly' policies and supporting flexible working, for the benefit of the service as well as individuals.
- There have been a number of changes to these provisions in recent times, and we are taking this opportunity to update and refresh these policies / guides to incorporate the changes.
- A copy of the proposed revised policies / guides can be found as appendices to this report. Since you first saw these revised documents earlier this year, we have undertaken some further work on the structure and presentation of these documents in order to ensure that they are as clear and concise as possible for staff and managers, as this area of benefit / provision is complex and can be confusing. This Committee is asked to note the key changes and agree the revised documents, subject to a few further 'cosmetic' changes.
- The main changes / sources are as follows (these have been discussed with the joint trades unions):

MATERNITY SCHEME

All the maternity documents (Guide for Employees, Guide for Managers and the Maternity Scheme guide) have been amalgamated into one document. This removes duplication.

The following points are amended in the proposed maternity scheme document:

Expected week of confinement changed to 'Expected week of childbirth (confinement)' throughout the document.

Paragraph

- 3.4 '...the higher rate is 100% of weekly...' changed to '...the higher rate is 90% of weekly...' - 90% is the rate paid on behalf of the DWP;
- 3.6 Employment and Support Allowance information added
- 8.4 ' Time off for antenatal classes for fathers-to-be...' (Green Book, Part 4.5, para 1.2)
- 9.3 Added - concurs with HMRC
- 10.2 Annual leave - European Court of Justice (Gomez)
- 10.3 Bank Holidays - European Court of Justice (Gomez)
- 11.2 Payroll contact - already happens, but not clear in current policy
- 16.5 Clarifying the flexible element of maternity pay
- 21.1 Outline of types of flexible working arrangements
- 22.4 In current policy - will receive Statutory Maternity Pay, not leave
- Appendix 2 The current letter which is sent out is included here

PATERNITY LEAVE

- Inclusion of information about additional paternity leave (APL):
 - Can be taken from 20 weeks after birth and must have ended by 12 months after the child is born
 - Up to 26 weeks can be transferred from the mother's maternity leave to the father's/partner's paternity leave
 - Can only taken when the mother goes back to work
 - Required to self-certify by providing details such as confirmation of responsibility for upbringing of child, details of date for start of leave
 - Mirrors some maternity leave rights eg returning to work, keeping in touch days, accrual of annual leave

ADOPTION LEAVE

- Mirrors maternity leave rights eg returning to work, keeping in touch days, accrual of leave
- Includes information such as parental leave and paternity leave for partner

PARENTAL LEAVE

Parental leave increased to 18 weeks (in total) from 8 March 2013.

4. LEGAL IMPLICATIONS

4.1. Included in the report, where applicable.

5. FINANCIAL IMPLICATIONS

5.1. None arising directly from the report.

6. BACKGROUND PAPERS

6.1. None

READING BOROUGH COUNCIL

FAMILY FRIENDLY POLICIES UPDATE

DRAFT 2 - FOR CONSULTATION WITH JTUC / LJF

PARENTAL LEAVE SCHEME

ADOPTION LEAVE SCHEME

MATERNITY LEAVE POLICY

PATERNITY LEAVE

MATERNITY SUPPORT LEAVE

ADOPTION LEAVE SCHEME

1. The Council recognises that for employees who adopt a child, the need to be able to successfully complete the adoption process and spend time with the child is important.
2. Am I entitled to adoption leave?
 - 2.1. Every employee irrespective of length of service will be entitled to 26 weeks Ordinary Adoption Leave (OAL) and 26 weeks Additional Adoption Leave, giving a total of 52 weeks. The earliest you can start this leave is 4 weeks prior to the date of adoption.
 - 2.2. Adoption leave may start on any day of the week.
3. How do I apply for adoption leave?
 - 3.1. You should complete the attached adoption leave request form, when you have been approved as a prospective adoptive parent. This should be submitted to your manager for authorisation. All relevant papers regarding the adoption should be enclosed. If you adopt a child from overseas, you must tell you manager when you expect the child to enter the UK or the date the child actually enters the UK within 28 days of entry.
 - 3.2. As a prospective adopter, you will need to attend pre-adoption meetings, classes, interviews etc, so reasonable paid time off should be granted to attend these.
 - 3.3. Only one period of leave is available at a time, irrespective of whether more than one child at a time is adopted.
4. How much notice must I give to take adoption leave?
 - 4.1. You will need to inform your manager of your intention to take adoption leave within 7 days of receiving your notification of adoption from the adoption agency.
 - 4.2. You can change your mind about the date on which you want your leave to start, providing you tell your manager 28 days in advance.
 - 4.3. Your manager will need to respond to you confirming leave dates and the date you will be returning etc.
5. How much adoption pay will I get?
 - 5.1. If you have less than one year's continuous local government service
You are entitled to:
 - i. Full pay for 6 weeks
 - ii. 33 weeks at the current rate of Statutory Adoption Pay (SAP) (£136.78 in 2013 or 90% of average weekly earnings if this is less).

5.2. If you have over one year's continuous local government service

You are entitled to:

- i. Full pay for 6 weeks
- ii. Half pay for 12 weeks at half pay, plus SAP (providing you return to work at the end of your adoption leave for a minimum of 3 months)
- iii. 21 weeks SAP

6. What happens to my pension?

6.1. Your period of adoption leave is treated as pensionable service and the Council will, therefore, continue to make contributions on your behalf into the Local Government Scheme (if appropriate). Deductions will be made from adoption pay and will be based on the adoption pay received rather than the usual salary.

6.2. However, during unpaid adoption leave, as your contributions have ceased they are not counted as pensionable service. You can choose to pay contributions whilst absent or elect to make up the deductions on return to work. The Payroll section will contact you to discuss options for pension contributions while on unpaid adoption leave.

7. What happens to my annual leave and Bank Holidays while I am on adoption leave?

7.1. During Ordinary Adoption Leave and Additional Adoption Leave, you are entitled to all conditions, apart from pay, as if you are at work. This means that you will be able to accrue annual leave and Bank Holidays during this period. You and your manager should agree when accrued leave can be taken; this could be before or after adoption leave.

8. Keeping in Touch (KIT) Days

8.1. Keeping in touch days will allow you, if acceptable to your manager, to carry out up to 10 days work during adoption leave without it ending adoption leave or pay. This may include training days. Managers and employees can decide how to manage these, whether individual days or in blocks.

8.2. Your manager cannot require this work to be carried out and you cannot demand that you carry it out.

8.3. Adoption leave will not be extended if any work is carried out.

8.4. Working part of a day counts as one day from the 10 allowed. However, you will only be paid for the hours worked; this can be offset against any SAP claimed.

8.5. You are entitled to protection from detriment under the Employment Rights Act 1996 (sec 47c) in respect of undertaking, considering and not undertaking any keeping in touch days. If you are dismissed for undertaking,

considering or not undertaking such work you will have been unfairly dismissed in accordance with the Act.

8.6. Right to return to work

- i. You are entitled to return to the job which you were employed to do under your original contract, on the terms and conditions not less favourable than those which would have been applicable if you had not been absent.
- ii. Where it is not practicable, due to redundancy, to return to the job under your original contract, you are entitled to be offered a suitable alternative vacancy where one exists. The work to be done must be suitable and appropriate, and the terms and conditions of employment must not be substantially less favourable than the job in which she was originally employed.
- iii. Suitable alternative employment may also be offered if exceptional circumstances other than redundancy (eg reorganisation), would have occurred if you had not been absent, and result in a change in the job in which you were employed prior to her absence.

8.7. No notification is required if you intend to return to work at the end of your adoption leave.

9. If you fail to return to work against expectations, the last day of service for payroll purposes is the last day of paid AAL to ensure that you receive all benefits you are entitled to receive.
10. If you are unable to return on the expected day of return, due to sickness, the absence is covered by the sickness scheme in the normal way.
11. If there is an interruption of work (eg due to industrial action), you may return when work resumes, or as soon as reasonably practicable afterwards.
12. Your manager should complete an HRPRS1 form confirming the return date, hours etc.

13. Parental Leave

- 13.1. Parental leave of 18 weeks will be granted up to 8 years following being placed for adoption or up to age 18, whichever is sooner; being placed means when the child begins to live in the new home. This leave applies to each child who is adopted. Parental leave is unpaid.

14. Paternity Leave

- 14.1. Your partner (regardless of sex) can take paternity leave and additional paternity leave, if they are not responsible for immediate care and do not take adoption leave.

15. Additional Paternity Leave

- 15.1. Your partner has the right to take up to 26 weeks additional paternity leave, if eligible. This is in addition to the Statutory Paternity Leave.
- 15.2. An employee is eligible for Additional Paternity Leave if they have been employed for 26 weeks by the week they are matched with the child for adoption.
- 15.3. Only service with Reading Borough Council counts, subject to the provisions on TUPE and special provisions where an employee has moved between certain schools within the authority.
- 15.4. An employee can take Additional Paternity Leave from 20 weeks after the adoption. It must have ended by the end of the 52nd week after the child is adopted.

16. Additional Paternity Pay

- 16.1. To be eligible for Additional Paternity Pay, the adoptive parent must have started work again and any relevant payment must have stopped, with at least two weeks of the 39 week payment period remaining.
- 16.2. Additional Statutory Paternity Pay is only payable during the 39 week adoption payment period.
- 16.3. The rate of additional paternity pay is the same rate of statutory adoption pay as the adoptive parent would have received.

17. More information on parental leave and paternity leave can be found on IRIS.

18. Definitions

- 18.1. 'Matched' means the adoption agency has given the prospective parent the details of the child they think is suitable for the employee to adopt.
- 18.2. 'Placed' means living in the adopter's home

MATERNITY LEAVE POLICY

1. PURPOSE

1.1. The document is designed to advise employees and managers about pregnancy and maternity related provisions, and about what should be done in order to claim benefits.

2. SCOPE

2.1. The entitlement outlined in this document applies to all employees of the Council, apart from teachers and lecturers who have separate provisions.

3. MATERNITY BENEFITS

3.1. The maternity benefits outlined in this scheme incorporate statutory maternity rights and the maternity provisions negotiated by National Joint Council for employees and legislative provision.

3.2. All pregnant employees are entitled to some form of maternity benefits regardless of their length of service. This includes permanent, part-time, temporary and casual staff. Individual elements will depend on the length and status of employment.

3.3. As the regulations relating to maternity and other related provisions are complex and confusing, if you are in doubt or have any queries or require any more information, please contact your HR Team.

3.4. Details of maternity related provisions can also be found on IRIS.

4. DEFINITIONS OF KEY TERMS

Expected week of childbirth (confinement) (EWC)	The week that the baby is due to be born.
Qualifying week	This is for Statutory Maternity Pay; it is the 15 th week before the week in which the baby is due.
Statutory Maternity Pay	A weekly payment that is paid by the Council on behalf of the Department for Work and Pensions (DWP). There are two rates; the higher rate is 90% of average weekly earnings and is payable for the first 6 weeks of maternity leave; the lower rate, which is paid from week 7 to week 39, is a set rate which is reviewed every year by the Government.
Maternity Allowance	A weekly allowance which can be

	<p>claimed from Department for Work and Pensions if there is no entitlement to SMP. Maternity Allowance is payable for a maximum of 39 weeks. Payroll will issue the relevant form to you.</p>
<p>Employment and Support Allowance</p>	<p>If there is no entitlement to either SMP or Maternity Allowance, you may be able to claim for Employment and Support Allowance.</p> <p>More information on these allowances may be found on the www.gov.uk website.</p>
<p>A Week's Pay</p>	<p>A week's pay for your working standard hours is the amount payable by the authority to you under your contract of employment.</p> <p>Where there are no normal working hours, a week's pay is taken from the average pay in the 12 preceding weeks.</p> <p>The calculation for other working patterns can be provided by Payroll.</p>

5. EARLY STAGES OF PREGNANCY

- 5.1. In the early stages you may not want to tell everyone that you are pregnant. It would be helpful, however, if your manager is informed as early as possible to allow any cover arrangements to be discussed.
- 5.2. In any event, you must complete and return the maternity form ([Appendix 1](#)) to your manager at least 28 days before planned maternity leave. It gives details of the EWC and intentions regarding leave and returning to work. Your MAT B1 certificate must accompany this notification.

6. EMPLOYER'S NOTIFICATION

- 6.1. Once you have told your manager that you intend to take maternity leave, your manager must, within 28 days of receiving notice, tell you when your maternity leave period will end.
- 6.2. A model letter to assist your manager in compiling the letter to you is attached as [Appendix 2](#).

7. ASSESSMENTS

7.1. Health and Safety - Risk Assessment

- i. Once you have notified your manager of your pregnancy, your manager should carry out a risk assessment to ensure that any risks or hazards have been identified. There is a specific risk assessment for pregnant workers. More information can be obtained from HR Teams or the Corporate Health and Safety Team.
- ii. You will continue to be employed in your existing job, unless the risk assessment identifies that the job is potentially unsuitable for you because it involves one or more risks either to the employee or the unborn child.
- iii. If risks are identified then the following options apply:
 - a. A decision needs to be made on whether the job can be altered to eliminate the risk
 - b. If this is not possible then alternative employment may need to be considered. This would need to be a suitable alternative post at an equivalent grade and rate of pay.
 - c. If these options are not possible, paid leave needs to be considered until the risks are eliminated or maternity leave starts, whichever happens first.
 - d. If a suitable offer of alternative employment is refused, then an employee will be granted unpaid leave.
- iv. Consideration must be given to any health and safety implications for pregnant women, new mothers or breast-feeding mothers as identified in the Workplace Risk Assessment.

7.2. Occupational Health - Pregnancy Assessments

The Occupational Health Service is available to provide pregnancy assessments if required. The assessment, following a referral from management, would normally be when the pregnancy reaches 18 weeks, although this can be earlier if there are concerns. Whenever possible, you should take with you the pregnancy risk assessment, which should have been completed by your manager. Managers should make appointments through the Occupational Health Administrator on ext. 72894. This **does not** replace any appointments with a GP or midwife.

8. TIME OFF

8.1 Antenatal Care

- i. You are entitled to take paid time off during working hours to attend antenatal appointments. These may be with a GP or midwife, hospital clinics or appointments for scans and tests, or antenatal (sometimes called parentcraft) classes recommended by a GP or midwife.
- ii. As much notice as possible should be given about the appointments and, wherever possible, these should be made for the beginning or end of the working day.
- iii. You may be asked to produce appointment cards or some other confirmation of the appointment.
- iv. Time off for antenatal classes will be granted to fathers-to-be, partners or nominated carers, eg, to attend parentcraft classes or accompany the expectant mother when undergoing a medical examination. Evidence of the appointments may be requested. A nominated carer is the person nominated by the mother to assist in the care of the child and to provide support to the mother at or around the time of birth.

8.2 Sick Leave

- i. Maternity leave will not be treated as sick leave. However, if you are sick during your pregnancy before you start your maternity leave, the normal arrangements for sick notification (sick notes, sick leave and sick pay entitlements) will apply.
- ii. If you are sick as a result of a pregnancy related illness, at any time after the start of the fourth week before your baby is due, it will automatically trigger maternity leave and your entitlement to maternity pay. This will commence on the following day from notification of the sickness or the birth. If sickness is not pregnancy related this will be classed as sick leave and the period of maternity leave will start when it was intended.
- iii. Employers may decide not to trigger the start of maternity leave if the employee is only absent for a short period of time and wishes to continue working.
- iv. Maternity leave counts as continuous service in the calculation of extra leave, redundancy and sick pay entitlement. You will be entitled to any pay awards and annual increments (see appraisal scheme) which you would have received if you had been at work. You do not have to clock up another year's service before going on maternity leave for a second time.

8.3 Annual Leave

- i. Paid maternity leave and authorised unpaid maternity leave are regarded as continuous service and annual leave is accrued during that period.

- ii. You are entitled to take this annual leave during a period other than maternity leave. In many cases, you will still be able to take annual leave in the leave year in which it has been accrued and carry forward up to five days leave as normal. However, if you take maternity leave for the majority or all of a leave year, eg April to April, and so are not at work to take annual leave, you and your manager will need to discuss when this accrued annual leave is taken. This means that more than five days annual leave may be carried into the next leave year.
- iii. Bank Holidays are also accrued and can be taken outside maternity leave and do not have to be taken by a certain date. You are entitled to a paid day's leave for each of the Bank Holidays as they occur.

9. BENEFITS

9.1 Pension

- i. The maternity leave period is treated as pensionable service and the Council will therefore continue to make contributions on your behalf into the Local Government Pension Scheme (if appropriate). Deductions will be made from maternity pay and will be based on the maternity pay received rather than the usual salary.
- ii. However, during unpaid maternity leave, as your contributions have ceased they are not counted as pensionable service. You can choose to pay contributions whilst absent or elect to make up the deductions on her return to work. The Payroll section will contact you to discuss your options for pension contributions while on unpaid maternity leave.

9.2 Other Benefits

You should receive all non-pay related contractual benefits during their maternity leave, eg, childcare vouchers.

10. MATERNITY LEAVE

a. How much maternity leave can I have?

Irrespective of length of service, you are entitled to 26 weeks Ordinary Maternity Leave (OML) and 26 weeks of Additional Maternity Leave (AML), which gives a total of 52 weeks maternity leave.

You must be on maternity leave for at least 2 weeks after the birth of the baby (compulsory leave).

b. When can I start my maternity leave?

The earliest you can start your maternity leave is the 11th week before the Expected Week of Childbirth (Confinement) (EWC), or from the day after childbirth, if earlier.

c. **What happens if I start my maternity leave before this?**

You will have no entitlements to maternity leave and pay (unless the baby is born early). Where a baby is born prematurely each case will be looked at on its merits and the appropriate action decided.

If the baby is born early, contact Payroll as this may affect maternity pay.

If the baby dies, or is stillborn, after 24 weeks of pregnancy, the occupational maternity scheme applies and you will be entitled to Statutory Maternity Pay.

When this occurs before 24 weeks, sympathetic consideration will be given to the circumstances and where necessary compassionate or sick leave will be granted, as appropriate, depending on the individual circumstances. You may be entitled to Statutory Sick Pay or Employment and Support Allowance.

If a baby is born alive at any stage of the pregnancy, even if he or she dies an instant later, you will be entitled to Statutory Maternity pay.

More information on your rights may be found on various websites including the [Equality and Human Rights Commission](#) website, the [DWP](#) website and www.gov.uk.

3

11. MATERNITY PAY

11.1 Less than one year's continuous service

- i. If you have worked continuously for the Council for 26 weeks, by the beginning of the 15th week before the Expected Week of Childbirth (Confinement), you are entitled to 39 weeks of SMP.
- ii. If you qualify for SMP, you will receive:
 - a. full pay for the first 6 weeks
 - b. followed by 33 weeks at the lower rate of SMP or the average weekly earnings, whichever is lower
- iii. This is set by the government each year and is £136.78 per week as at April 2013 (the current amount can be found [here](#) on the Department for Work and Pensions (DWP) website).

11.2 At least one year's continuous service

- i. If you have over one year's continuous local government service (ie one year before the 11th week before the baby is due) and meet the conditions of SMP, you are entitled to 39 weeks maternity pay as follows:
 - a. Full pay for the first 6 weeks of absence.
 - b. For the following 12 weeks the lower rate of SMP. If the employee has declared her intention to return to work, she will also receive 50% of her contracted weekly pay in addition to the SMP for the 12-week period.
 - c. For the remaining 21 weeks, the lower rate of SMP will be paid.
- ii. SMP can start on any day of the week.
- iii. Any payment made to you under (i) is made on the understanding that you will return to work for a period of at least 3 months.
- iv. If you change your mind and do not return to work for 3 months, then the monies paid out under (i) will have to be refunded by you minus the SMP.
- v. Alternatively, the six weeks full pay may be spread over any other mutually agreed distribution. For example, it may be agreed to pay 3/10th pay for the remaining 20 weeks of the OML period, or to pay the amount in full after the employee returns to work after the maternity leave period.
- vi. The distribution of the payment needs to be agreed between you and the Council.

11.3 What if I don't qualify for SMP?

- i. Maternity Allowance

If you do not qualify for SMP, a maternity allowance, which is a weekly allowance, can be claimed from Department for Work and Pensions (DWP). Payroll will issue the relevant form. It is payable for a maximum of 39 weeks. To claim this, you will need to have paid at least 26 weeks national insurance contributions in the 66 weeks before the baby is due. If insufficient contributions have been made, means tested benefits are available from the DWP.

- ii. Employment and Support Allowance

- i. If there is no entitlement to either SMP or Maternity Allowance, you may be able to claim for Employment and Support Allowance.
- ii. More information on these allowances may be found on the www.gov.uk website.

12. RETURNING TO WORK

12.1 What rights do I have if I want to return to work?

- i. Subject to 15.1 (ii), you are entitled to return to the job which you were employed to do under your original contract, on terms and conditions not less favourable than those which would have been applicable if you had not been absent.
- ii. Where it is not practicable, due to redundancy, to return to the job under your original contract, you are entitled to be offered a suitable alternative vacancy where one exists. The work to be done must be suitable and appropriate, and the terms and conditions of employment must not be substantially less favourable than the job in which you were originally employed.
- iii. Suitable alternative employment may also be offered if exceptional circumstances other than redundancy (eg reorganisation), which would have occurred if you had not been absent, result in a change to the job in which you were employed prior to your absence.
- iv. The work to be done must be suitable and appropriate, and the terms and conditions of employment must not be less favourable than the job in which you were originally employed.

12.2 What if I want to return to work before the date I originally told my manager?

- i. You must give 21 days notice to return early (para 11.7(a)(ii) Green Book). An additional 21 days will be required if the original early return date is altered.
- ii. Where the notice given is less than 21 days, your manager may postpone the return to ensure 21 days notice, but not beyond the end of maternity leave.

12.3 What do I need to do if I am returning to work on the date I originally planned?

- i. No notification is required if you intend to return to work at the end of your maternity leave.
- ii. Your manager should have completed an HRPRS1 form confirming the return from maternity leave, including date, hours etc.

12.4 What if I don't return to work on the date I originally told my manager?

- i. If you fail to return to work against expectations, the last day of service for payroll purposes is the last day of paid maternity leave, to ensure you receive all benefits you are entitled to receive.

- ii. If you are unable to return on the expected day of return, due to sickness, the absence is covered by the sickness scheme in the normal way (ie a self certification form/doctor's certificate should be submitted).
- iii. If there is an interruption of work (eg due to industrial action), you may return when work resumes, or as soon as reasonably practicable afterwards.

12.5 Flexible Working Arrangements

- i. The full range of flexible working arrangements and support facilities should be considered for employees returning to work.
- ii. These include:
 - a. Flexitime - working certain core hours (10 am to 12 noon and 2pm to 4pm) but also choosing when to start and end within agreed limits
 - b. Job sharing - two people do one job and split the hours
 - c. Working from home - it may be possible to do some or all of the work from home
 - d. Working part time hours - working fewer than full time hours
 - e. Working compressed hours - working full time hours over fewer days
 - f. Annualised hours - working a certain number of hours over the year with some flexibility about when to work
 - g. Staggered hours - working different start, finish and break times from other employees
 - h. Term time hours - working during school terms only
 - i. Career break - this will be unpaid
- iii. Some of these options may be appropriate for some service areas and not for others.
- iv. The needs of breast-feeding employees should be taken into account. The Health & Safety Executive has produced guidance that should be referred to if a facility for breast-feeding is requested.

13 WHILE YOU ARE ON MATERNITY LEAVE

13.1 Reasonable contact

- i. Your manager has a legal right to initiate contact with you while you are on maternity leave, to reduce uncertainty regarding date of return to work and to discuss other aspects relating to your maternity leave or return to work.

13.2 Keeping in touch days

- i. Keeping in touch days will allow you, if it is acceptable to your manager, to carry out up to 10 days work during maternity leave without it ending maternity leave or pay. This may include training days or team meetings. You and your manager can decide how to manage these, whether individual days or in blocks.
 - ii. Your manager cannot require this work to be carried out and you cannot demand that you carry it out.
 - iii. These days cannot be taken during the 2 week compulsory maternity leave.
 - iv. Maternity leave will not be extended if any work is carried out.
 - v. Working part of a day counts as one day from the 10 days allowed. However, you will only be paid for the hours worked; this will be offset against any SMP claimed.
 - vi. You are entitled to protection from detriment under the Employment Rights Act 1996 (sec 47c) in respect of undertaking, considering and not undertaking any keeping in touch days. If you are dismissed for undertaking, considering or not undertaking such work you will have been unfairly dismissed in accordance with the Act.
- 13.3 You may consider it important to continue with a subscription to any journals relevant to the job and to keep up membership of any professional bodies to which you belong.
- 13.4 If you are a temporary or casual member of staff and your contract of employment expires during your maternity leave, this will end employment as well as your maternity leave. You will continue to receive any Statutory Maternity Pay. The termination of the contract will have nothing to do with the fact that you are pregnant.

14 OTHER MATERNITY RELATED ISSUES

14.1 Further information on the following types of leave can be found on IRIS:

- i. Paternity leave and pay (including Additional Paternity Leave and Pay)
- ii. Maternity Support Leave
- iii. Parental Leave
- iv. Flexible Working

MATERNITY COUNTDOWN

18 weeks	Occupational Health pregnancy assessment should be done, if required, unless this has been undertaken earlier due to concerns.
15 weeks before baby is due	<p>Qualifying week for statutory maternity pay.</p> <p>You must give at least 3 weeks notice of intention to be absent. If you intend to start maternity leave 11 weeks before the baby is due, your manager should be told now. Complete and return this form to HR: <u>Formal notification/Request for maternity leave and pay</u></p>
14 weeks before baby is due	A copy of the MAT B1 (certificate of expected childbirth (confinement)) should be given to the directorate HR team. The MAT B1 must not be dated earlier than 14 weeks before the baby is due.
11 weeks before baby is due	Maternity leave can start at any time from this week right up until the week before the baby is due (you should not go on maternity leave if you wish to exercise your rights to maternity leave and pay). Statutory Maternity Pay may be payable from the beginning of this week, provided that you are not working.
4 weeks before baby is due	If you are ill for a reason related to pregnancy at any time after the start of the 4 th week before the baby is due, this will automatically trigger maternity leave. If the sickness is not pregnancy related this will be classed as sick leave and maternity leave will then start when it was intended to start.
28 days	<p>You must have completed and returned the maternity form (Appendix 1) to your manager at least 28 days before planned maternity leave.</p> <p>Your manager should let you know when your maternity leave ends within 28 days of receiving notice of planned maternity leave.</p>

4 Childcare for Staff

Kennet Day Nursery

The Kennet Day Nursery is a day nursery situated in the Civic Centre of Reading.

The nursery was previously a workplace day nursery for Reading Borough Council employees only, but we are now also open to other public sector workers.

The nursery is open from 08:00 am through until 6:00 pm. There are also half day sessions available from 08:00 am until 1:00 pm and 1:00 pm until 6:00 pm.

We offer breakfast, a mid morning snack, hot lunch and a hot or cold tea. We provide all formula milks for babies and only ask that you provide nappies for your child.

At the nursery the children are divided into 3 areas: Minnows 3 months to 18 months, Dragonflies 18 months to 30 months and the Kingfishers 30 months to 4 years old.

The staff at the nursery are very caring and committed. They have chosen to work with children as their vocation and are very passionate in ensuring that they deliver a high quality of care. The children each have a key person who forms a close bond with them and their family and will be responsible for feeding, changing and liaising with the parents.

We offer a fantastic range of activities and experiences for the children. This can range from painting, cooking, dressing up, sand and water, looking at the letters in our name and music and movement to name but a few. We go on outings to the market, the library or even the Hexagon to watch a show.

We work closely with the child and parents to settle the child into the nursery and offer home visits and lots of visits leading up to taking up a place. We will ease the transition for both parents and the child in order that you are both happy and ready for your exciting time with us.

We do a lot of preparation for school. Again, this will involve working with both the child and their parents to talk about this important transition to ensure it is a smooth and happy one.

For more information about the nursery, please contact the Under 5s Manager on (0118) 937 2509 or internal extension 72509.

Other Childcare Providers

For information about other forms of childcare in Reading, please visit the Reading Borough Council website or contact the [Family Resource Centre UK](#).

FORMAL NOTIFICATION/REQUEST FOR MATERNITY LEAVE AND PAY

Name:

Payroll reference no.

Directorate: Service:

Length of continuous Local Government service:

Date of commencement with Reading Borough Council:

Home address:

.....

Expected date of childbirth (confinement):

Form MAT B1* attached/to follow (*delete as appropriate)

I wish to take advantage of my entitlement to maternity leave and pay under Reading Borough Council's provisions for maternity leave.

I expect to commence my maternity leave on:
(give the date)

Please tick the appropriate box:

I do not wish to return to work
I wish to reserve the right to return to work

Request for pay: *(tick box)*

I wish to receive my entitlement to SMP
I wish to receive my SMP plus 12 weeks half pay which will be repayable if I do not return to work for a period of 3 months or more
I do not wish to receive my 12 weeks half pay until I return to work (contact Payments Section at that time). I understand that payment will be made once I have returned to work for a period of at least 3 months.

Signed: Date:

Please return this form to your HR contact who will pass it to the Payroll Section

APPENDIX 2

Model letter for employers to acknowledge notification of maternity leave

(Employer must respond within 28 days of receipt of employee's notification)

Date:

Dear *(name of employee)*

Congratulations and thank you for advising me that you intend to take maternity leave. I note that you intend to commence your maternity leave on *(insert date)*. Under current legislation, you are entitled to 26 weeks of Ordinary Maternity Leave (OML) and a further 26 weeks of Additional Maternity Leave (AML). You are therefore entitled to remain absent for a total of up to fifty two weeks from *(insert date)* ending on *(insert date)*.

You may also be eligible to receive 39 weeks Statutory Maternity Pay (SMP). Please refer to the Guide to the Maternity Scheme for more details or contact Human Resources. For employees who do not qualify for Statutory Maternity Pay, then maternity allowance may be payable by the Department for Work and Pensions.

You are not obliged to inform us if you are returning to work after your period of AML, as we will assume you intend to take the full period of leave. However, if you decide to return to work before *(insert date)*, you must give at least 21 days notice. You may not return to work within two weeks of the birth of your child at the earliest. If you decide not to return to work you must still give appropriate notice, according to your employment contract. Your decision may affect your maternity pay entitlement.

Annual leave and leave in lieu of bank and public holidays accrue while you are on maternity leave. You will need to liaise with your manager about how and when you take the accrued leave. How long you take as maternity leave, how much annual leave you have already used in the leave year and when the bank/public holidays fall will all determine how many days you will need to take on your return.

You will already have seen the Guide to the Maternity Scheme and noted the principle of reasonable contact and opportunity for keeping in touch days. I hope this information is useful and will help you to make plans during your pregnancy. If you have any questions about any aspect of your maternity entitlement, please do not hesitate to contact me or any member of the Human Resources team on the telephone number above.

Please accept my best wishes for your pregnancy.

Yours sincerely

1. The purpose of granting Maternity Support Leave is to help employees cope with the problems relating to maternity, which may have a bearing on their wellbeing and ability to perform their duties. This leave is available to all staff.
2. This leave differs from paternity leave and is not in addition to it.
3. What maternity support leave can I have?
 - 3.1. You have an entitlement of up to 5 days paid leave if you are the child's father, the partner, or nominated carer of an expectant mother at or around the time of the birth. The equivalent proportion of paid time off will need to be calculated for part-time workers or those who do not work a standard 5-day week work pattern.
4. What is a nominated carer?
 - 4.1. A nominated carer is someone nominated by the expectant mother as her primary provider of support at or around the time of the birth. In most cases, such care and support would be provided by the father; however, the role may otherwise be fulfilled by a relative or someone who has a caring relationship with the mother and/or child.
5. How do I apply for Maternity Support Leave?
 - 5.1. Anyone wishing to request maternity support leave should do so by completing the attached request form and returning it to his or her manager. Once completed and authorised, it should be forwarded to the directorate HR contact. As much notice as possible should be given to allow for any necessary cover to be provided as with any other leave.
 - 5.2. When making a request for leave, a copy of the expectant mother's form MATB1 (maternity certificate) and written notification from the mother declaring that the employee is the primary carer should be attached to the authorised request form.
6. If you are not the primary carer or another employee has applied for paternity leave for the same expectant mother, then a request for this leave will be refused.
7. A maximum of up to 10 days maternity support leave will be granted in any 12 month period. (This would cover the support required by two expectant mothers).
8. It is for you to decide how much leave you take and when, but this must be agreed with your manager. NO payment will be made for any untaken maternity support leave.

Parental Leave Scheme

This Parental Leave Scheme applies to all Reading Borough Council employees.

1. Introduction

- 1.1. The right to parental leave is contained in the Maternity and Parental Leave Regulations 1999 (as amended). The regulations give parental leave rights to parents of a child born or adopted on or after 15th December 1999.
- 1.2. The leave is intended to be an important means of reconciling work and family life, and promoting equal opportunities and treatment between men and women.
- 1.3. Examples of where parental leave may be requested could be as follows:
 - Spend more time with the child in the early years
 - To accompany a child during a stay in hospital
 - Check out new schools
 - Settling a child into new childcare arrangements

2. How much parental leave am I entitled to take?

- 2.1. Parental leave of 18 weeks (in total) will be granted to all employees who have or are expecting to have responsibility for a child as defined in the Maternity and Parental Leave Regulations 13 (2) 1999 (as amended).
- 2.2. Parental leave will be granted up to the child's 8th birthday.
- 2.3. If you have responsibility for a child for whom Disability Living Allowance has been awarded, you have leave entitlement of 18 weeks (in total) up to the child's 18th birthday.
- 2.4. Parental leave is **unpaid**.
- 2.5. Parental leave is available to those with parental responsibilities; this includes parents, parents adopting children and foster parents.
- 2.6. In the case of foster parents this leave is available for one foster placement per year. There is no entitlement to retrospective parental leave if a foster arrangement has ceased.
- 2.7. One week's parental leave is defined as equal to the length of time that an employee is required to work in a week, e.g. pro-rata. When your working week is variable, then an average working week is calculated.
- 2.8. Parental leave is an individual entitlement and, therefore, cannot be transferred between parents.
- 2.9. The right to parental leave is available to each parent and for each child.

3. How do I qualify for parental leave?

3.1. You have the right to parental leave if you:

- Are the parent named on the birth certificate of a child born after 15th December 1999 who is under 8 years old
- Have at least one year's continuous service
- Have adopted or fostered a child on or after 15 December 1999.
- Have "parental responsibility" under the law (as defined in S.3 Children's Act 1989 and S.1 (3) Children (Scotland) Act 1995)

4. How much notice do I need to give?

4.1. You need to give at least 21 calendar days notice of their intention to take parental leave; they must give dates for the start and finish of the leave period.

4.2. Parental leave may be granted to employees who have not given the required notice in special circumstances, eg due to premature birth or an adoption placement, at the discretion of their Head of Service. This discretion will not be unreasonably withheld.

5. Can my manager postpone my parental leave?

5.1. If it is considered that an your absence would unduly disrupt the service delivery or operation of the employee's work area, then the leave can be postponed for up to 3 months, or more than 3 months in exceptional circumstances. It should not be postponed if it means that you would no longer be eligible (ie after the child's 8th or 18th birthday - whichever is applicable).

5.2. Every attempt should be made to avoid postponement of parental leave. Your manager must discuss the postponement with you with a view to coming to agreement over alternatives. These might include:

- A different pattern of leave - part-time rather than full-time.
- A shorter or longer period of leave.
- Alternative dates within the 3 month period.

5.3. Following this consultation, and not more than 7 days after your notice period was given to take leave, you will be given notice of the postponement, which states the reasons for it and specifies the date on which the agreed period of leave will begin and end.

5.4. Postponement cannot be used where you have requested the following:

- Following Maternity Support Leave - the unpredictability of childbirth timing may have implications for notice. It is recommended that employees expecting to take maternity support leave should discuss likely requirements for parental leave.

- Following Maternity Leave - where a mother takes a period of parental leave following on from maternity leave, she will need to be informed that, where parental leave is taken as a block of leave, she does not have to refund the half-pay element of occupational maternity pay, unless she does not return to local authority employment for a period of at least three months after the end of the parental leave period.
- At the time of adoption - at times prior to adoption where the parent is required to be at home by the adoption process, or following adoption leave.

6. Flexibility

- 6.1. The council recognises an employee's entitlement to parental leave and will be sympathetic to leave arrangements requested by employees.
- 6.2. Parental leave may be taken:
- As a single block of up to 18 weeks
 - As a minimum of 1 week's leave period
 - In patterns which provide a part-time or reduced hours working arrangement for a period of time equivalent to taking 13 weeks leave (increasing to 18 weeks from 8 March 2013) as a single block
- 6.3. Parental leave should be documented for each requested employee.
- 6.4. If you wish to request parental leave, you should complete the request form and send it to your manager.

7. Return to work

- 7.1. If you are on parental leave you have the same right to return to your job as provided to those on maternity leave under Part 2, Para 11.6 of the Green Book.

8. Terms and conditions during parental leave

- 8.1. Time treated as parental leave will be treated as continuous service for the purpose of Part 2, Para 14 of the Green Book, i.e. annual leave, sickness scheme and occupational maternity scheme.
- 8.2. The parental leave period is unpaid and, as such, your contributions have ceased into the pension scheme. You should contact the Payroll Section to see if contributions can be made up.
- 8.3. If you fall sick during a period of parental leave and give the Council the relevant notification, you shall be entitled to pay under the sickness scheme for the period covered by a doctor's certificate. This period shall not count towards your parental leave entitlement.

PATERNITY LEAVE SCHEME

1. Paternity leave is designed to enable the mother's partner (including those in same sex relationships) to assist at crucial times during pregnancy and childbirth. There is no qualifying service for this leave.
2. Paternity leave is available to parents (regardless of sex) of adopted children if they have not taken their entitlement to adoption leave (see adoption policy).
3. This leave differs from maternity support leave and is not in addition to it. If maternity support leave has been taken, then there is no entitlement to paternity leave or vice versa.
4. What is ordinary paternity leave entitlement?
 - 4.1. The maximum amount of paid paternity leave is 10 working days; this is for those who work full-time on a standard 5-day week work pattern. The equivalent proportion of paid time off will need to be calculated for part time workers or those who do not work a standard 5-day week work pattern.
5. When can paternity leave be taken?
 - 5.1. The leave is to be taken by the employee, during the period commencing when the mother of the child first attends antenatal clinic, until the time she ceases attending postnatal clinic.
 - 5.2. It is for each employee to decide how much leave should be taken, and when, but this must be agreed with the manager. No payment will be made for any untaken paternity leave. While the requirements of the section must always be considered, a measure of flexibility should be applied, to ensure that the needs of both parties are met wherever possible.
 - 5.3. If the baby is stillborn after 24 weeks of pregnancy or born alive at any time but then dies, the right to take paternity leave still exists.
 - 5.4. Only one period of leave is available per pregnancy or adoption, irrespective of whether more than one child is born or adopted at a time.
6. How do employees apply for statutory paternity leave?
 - 6.1. An employee should request paternity leave by using the application form provided within this policy. When this formal request is submitted, a copy of the mother's form MATB1 should be attached. The paternity leave has not been agreed until the request has been authorised by the manager.
7. How do employees qualify for statutory paternity pay?
 - 7.1. If they have sufficient qualifying service of 26 weeks continuous service and have sufficient earnings at the end of the 15th week before the start of the week when the baby is due they can claim statutory paternity pay.

7.2. If average weekly earnings are £109 or more (before tax), statutory paternity pay is paid for one or two consecutive weeks at £136.78 (April 2013) or 90% of average weekly earning if this is less.

7.3. Payroll can provide further information on statutory paternity pay.

8. Additional Paternity Leave

8.1. Additional paternity leave is available to employees (regardless of sex) who are eligible for ordinary paternity leave; this includes parents of adopted children.

9. Who qualifies?

9.1. Employees must have been continuously employed by Reading Borough Council for at least 26 weeks by the 15th week before the baby is due and still be employed until the week before additional paternity leave starts.

9.2. Only service with Reading Borough Council counts, subject to the provisions on TUPE and special provisions where an employee has moved between certain schools within the authority.

10. What is the additional paternity leave entitlement?

10.1. Up to 26 weeks leave can be transferred from the mother's maternity leave to the father (or partner's) paternity leave, which can be taken by the father once the mother has returned to work.

11. When is additional paternity leave taken?

11.1. The leave can be taken from 20 weeks after the birth (or adoption) and must have ended by 12 months after the child is born.

11.2. Some of the leave may be paid if it is taken during what would have been the mother's 39 week statutory pay period. Fathers will receive the same rate of statutory maternity/adoption pay as the mother would have received.

12. How do employees qualify?

12.1. The partner taking additional paternity leave must be eligible for ordinary paternity leave and be in the same employment until the week before additional paternity leave starts.

12.2. The mother must have been eligible for:

- i. Maternity/adoption leave
- ii. Statutory Maternity Pay (SMP)/Statutory Adoption Pay (SAP) or Maternity Allowance (MA)

- 12.3. The mother must also have signed a declaration and returned to work; any entitlement to statutory maternity pay or maternity allowance is stopped and any maternity leave she is entitled to is ended.
- 12.4. The mother's declaration will confirm:
- i. The mother's name, address and National Insurance number
 - ii. The date the mother intends to return to work
 - iii. That the partner taking paternity leave is the only person taking additional paternity leave and that the information can be processed by the respective partner's employer
- 12.5. Parents will be required to 'self-certify' by providing details of their eligibility.
- 12.6 Self-certification means that not less than eight weeks before the date chosen for additional paternity leave, the father must provide:
- i. Details of the expected week of the child's birth
 - ii. Actual date of the child's birth
 - iii. Dates chosen for additional paternity leave to start and end
 - iv. Confirmation of responsibility for the upbringing of the child (must be the father to, the partner or civil partner of the child's mother) and confirmation that leave will be taken for the purpose of caring for the child
 - v. A signed declaration from the mother (see above)
- 12.7 Only one period of leave is available at a time, irrespective of whether more than one child is born at the same time.

13. Returning to work

- 13.1. The employee has the right to return to either the same job on the same terms and conditions before taking Additional Paternity Leave or to a suitable alternative work on terms no less favourable. There is protection from detriment for any reason connected with the fact that additional paternity leave has been requested or taken and protection from dismissal if the fact that Additional Paternity Leave has been requested or taken was the reason, or principal reason, for dismissal (including selection for redundancy).
- 13.2. If, having given notice of a period of additional paternity leave, the employee changes his mind about the timing of the leave, he may write to his employer to give notice that he wishes to change the start and/or finish date of the period of leave. Such notice must be given at least six weeks before either the original start/finish date or the new date, whichever falls first.

- 13.3. If the employee wishes to return to work early, the manager must be informed at least 6 weeks before the return. If that does not happen, the manager can refuse the employee's return until 6 weeks after the requested return date or the original return date (whichever is earlier).
- 13.4. If an employee's job becomes redundant during additional paternity leave, he will be entitled to be offered any available suitable vacancy with his employer, or an associated employer, on terms that are not substantially less favourable to him. Where a suitable vacancy exists, this must be offered before the employee's current contract comes to an end and must be effective immediately, irrespective of whether the employee is ready, at that point in time, to return to work.

14. Keeping in touch days

- 14.1 Employees on additional paternity leave may work up to 10 keeping-in-touch days during the leave period, regardless of the length of the leave period and regardless of how many keeping-in-touch days the mother or main adopter has taken during maternity or adoption leave. There is no obligation on employers to offer keeping-in-touch days and no obligation on employees to work them.
- 14.2 During additional paternity leave, employees may, by agreement, work for up to 10 days (either separately or in a block) without losing entitlement to additional statutory paternity pay or triggering the end of the period of additional paternity leave.

15. What if the child dies?

- 15.1. If the employee's child dies during additional paternity leave (or during the period of notice that the employee has given with respect to taking additional paternity leave), the period of additional paternity leave will terminate at the end of the week that falls eight weeks after the death of the child. If the notified return date is less than eight weeks after the death of the child, additional paternity leave will end on the date it was due to end.

16. Annual leave

- 16.1 Annual leave continues to accrue during additional paternity leave.

Additional Paternity Pay

- 15.2. To be eligible for Additional Paternity Pay, the mother must have started work again and any relevant payment must have stopped, with at least two weeks of the 39 week payment period remaining.
- 15.3. Additional Statutory Paternity Pay is only payable during the 39 week maternity payment period.
- 15.4. The rate of additional paternity pay is the same rate of statutory maternity pay as the mother would have received.

**READING BOROUGH COUNCIL
REPORT BY HEAD OF HR**

TO:	PERSONNEL COMMITTEE		
DATE:	3 rd October 2013	AGENDA ITEM:	6
TITLE:	REVIEW OF CHANGE MANAGEMENT GUIDANCE FOR STAFF & MANAGERS - UPDATE		
LEAD MEMBER	CLLR LOVELOCK	PERSONNEL COMMITTEE CHAIR	
SERVICE:	CORPORATE RESOURCES	WARDS:	BOROUGHWIDE
AUTHOR:	JIM HOGGART	TEL:	72492/939 0492
JOB TITLE:	HR SERVICES MANAGER	E-MAIL:	james.hoggart@reading.gov.uk

1. PURPOSE AND SUMMARY OF REPORT

1.1. To update the Committee on a review of change management guidance for staff and managers.

2. RECOMMENDED ACTION

2.1. That you note this update.

3. BACKGROUND

3.1 Earlier this year we updated the Local Joint Forum on an exercise that was being undertaken into the processes and systems that the Council uses for the management of change. This exercise was led by HR and involved representatives of the JTUC and managers.

3.2 This review is now coming to a conclusion and one of the first outcomes is a 'refresh' of the guidance already available for staff and managers to assist them with the change process as well as a review of the broader support that can be made available for both groups.

4. REVIEW FOCUS

4.1 In conducting the review, particular attention was paid to the following areas -

For Staff

- Understanding the language and process of change.
- Re-enforcing the role of all the different parties.

- Re-enforcing the commitment of the Council to find alternative employment.
- Ensuring that a sufficiently wide range of other work / non work based support services are available.

For Managers

- Greater clarity about sequencing and planning
- Consultation and involvement of staff and trades unions
- Finding work for staff at risk

4.2 The opportunity has also been taken to bring together various guides and information available for managers and staff which have been developed since the Employment Stability Agreement was put in place in 2004.

5 The Revised Guidance

The revised (draft) guidance for managers and staff is attached as **Appendix A** to this report. The drafts are currently the subject of consultation with the JTUC and you are asked to note the current versions which will be finalised with managers and the local trades unions shortly.

6. LEGAL IMPLICATIONS

Included in the report, where applicable.

7. FINANCIAL IMPLICATIONS

None arising directly from the report.

8. BACKGROUND PAPERS

None



ORGANISATIONAL CHANGE

GUIDANCE FOR MANAGERS

DRAFT - REVISION 23 August 2013.

INDEX

	Section	Page
Introduction	1	
Vocabulary	2	
Introduction to the Employment Stability Agreement	3	
Scope of the Agreement	4	
Context	5	
Consultation and Staff Involvement	6	
When should consultation start	7	
Consulting Widely	8	
Do I need to consult the trade unions if there are no members?	9	
Involving Staff in Organisational Development	10	
Consultation in Operation	11	
Consultation on Major or Significant Change	12	
Should I tell the Unions and Staff?	13	
Achieving Employment Stability	14	
Selection Criteria in the event of reduced staffing levels	15	
Staff who are 'at risk'	16	
Finding Alternative Work - Redeployment	17	
Salary Protection/Buy out	18	
Staff given formal notice of redundancy	19	
Rights to a redundancy payment	20	
Enhancing redundancy payments	21	
Appeal Rights	22	
Supporting Redundancy Survivors	23	
Support for Managers	24	
After Implementation	25	
Time Line for Consultation and implementation of change	Appendix 1	
An example of a Presentation of Proposals (summary of the Consultation document)	Appendix 2	
Trade Union Contacts	Appendix 3	
Form to record the 4 week trial review	Appendix 4	
Application of Salary Protection	Appendix 5	
Employee Assistance Programme	Appendix 6	

1. INTRODUCTION

- 1.1 This Guide has been written to aid managers through organisational change processes and focuses on when applying the Council's Employment Stability Agreement (ESA). Its status is **advisory** and the contents do not form part of individual or collective contracts of employment. It should be read in conjunction with the **Employment Stability Agreement, Change Management Checklist Managers Guidance and the Organisational Change Guidance and Support for Employees**. **ADD LINKS**

- 1.2 This is a guide to the contents of the ESA and how they can be applied - it is not intended to be an 'all purpose' guide to achieving organisational development or organisational change generally, albeit that some of the contents will be of relevance to a wider context. If you need further advice on any of these issues, please discuss them with the HR adviser for your area.
- 1.3 The format of this guide shadows that of the [Employment Stability Agreement](#).

2. VOCABULARY

Often during change programmes, there can be confusion about the language being used and this is understandable. Often the terms used to describe change have very specific meaning and are defined in law or in Council procedures and agreements. In this section, some of those terms are defined.

'At Risk' and 'Redeployment'

Where a post has been deleted and not replaced or you are in a 'ring fence' for a post, then you will be categorised as 'at risk' of redundancy at the end of the consultation period. If this is the case, the Council - with your active participation - will seek to identify alternative employment for you - this is called 'redeployment' and you are the 'redeployee'. The steps that will be taken are set out in **Section 6 (c)** of the ESA.

Notice Period

All employees are entitled to a period of notice before their contract with the Council is ended and the period is set down in law and in your main terms and conditions document. You will be given notice by letter that your contract is to end on the due date and the period between the letter and the end date is the 'notice period'. See **ESA Section 8 (a)**

Potentially at risk of redundancy

An employee who is told that his/her service area is subject to a review where it has been identified, subject to consultation, that there may be a net reduction in the number of posts or significant changes to the types of posts required. During this period, consultation over the organisational changes will continue and this includes not only the reasons for the changes, but also the change process itself - timescales, arrangements for ring fencing/slotting in, job roles and scope etc. A designation of being 'potentially at risk' does not assume that the postholder will remain at risk at the end of the consultation process

Prior Consideration

Staff who are designated as 'at risk' (i.e. a redeployee) will be given 'prior consideration' for available posts. This means that if you meet the basic requirements for the post that there is a presumption that it will be offered to you. It may be necessary to undertake a formal interview to make this assessment or where more than one person has prior consideration and have applied for the post. If you apply for a post within RBC, mark your application clearly that you have prior consideration. See **ESA Section 6 (c) (ii)**

Ring Fenced

If a post in the new structure is the result of combining the duties of 2 or more posts in the old structure, then the original postholders will be 'ring fenced' - that is that they will be considered for appointment to the new post before any other member of staff. The selection method used will be based around the Council's recruitment and selection procedure. See ESA Section 6 (b)

Slotting in

Where a post in a new structure is wholly or largely the same as your old job, then you may be 'slotted in' to the new post providing that you meet the basic requirement for the post contained in the person specification and the new post is the same grade (or one grade above / below your current grade) - See ESA Section 6 (b) and Appendix 3.

Trial Period

If you are offered alternative employment as a redeployee 'at risk' of redundancy, then there will be a minimum 4 week trial period where you or your manager can assess whether the new post is suitable for you. The assessment covers areas such as the standard of your work, customer service and attendance as well as any further training and development needs. A form is completed by your manager and yourself at the end of the 4 weeks to confirm the decision. If the post is deemed a successor post, i.e. it is very similar to your previous post, then the trial period may be waived. Your right to a redundancy payment is protected during the trial. However, the amount of redundancy payable may be reduced in the event that you unreasonably refuse an offer of suitable alternative employment. See ESA Section 6 (c) (v).

3. INTRODUCTION TO THE EMPLOYMENT STABILITY AGREEMENT

- 3.1 The Employment Stability Agreement came into effect on 1st April 2004. It applies to all staff employed by the Council at that date with the exception of School based staff ([see below](#)).
- 3.2 The Agreement forms part of the individual contract of employment of Council staff, except school based staff and those staff on casual or 'as and when' contracts of employment.
- 3.3 The effect of the agreement is not to supersede arrangements for redeployment, salary protection etc already put in place under agreements that were in force before 1ST April 2004.
- 3.4 The introductory passage of the Agreement is intended to establish the underpinning principle that whilst change is part of the fabric of modern local government, there is mutual commitment within the Council to achieve change within a context of employment stability - retaining the skills and resources that we already have. This principle is further developed in [section 3 of the Agreement](#).

4. SCOPE OF THE AGREEMENT

Staff employed in schools will be covered by a separate agreement modelled around the Corporate one. The scope of the ESA is set out above.

5. CONTEXT

This section is in 3 parts -

- the first paragraph defines further what 'employment stability' means in a practical sense
- the second paragraph touches on the need for effective communication
- the third paragraph is a commitment to the avoidance, where possible, of enforced job losses within the Council

6. CONSULTATION AND STAFF INVOLVEMENT FRAMEWORK

- 6.1 This section sets out one of the cornerstones of the new Agreement - the principles of consultation and staff involvement in the process of delivering organisational change.
- 6.2 The section reaffirms that consultation should take place with unions and individual staff over changes to organisational structures and ways of working. In addition, where there are smaller scale changes proposed to individual job descriptions, then staff should still be consulted and have the right to involve their union representatives in such discussions.
- 6.3 The importance of this section is that it establishes the principle of collective and individual consultation taking place **during anything that could be described as 'change' in the workplace.**
- 6.4 The term **consultation** is not defined - the authors of the Agreement preferred to concentrate on a series of key measures that should be undertaken to achieve meaningful consultation. The definition of consultation adopted by the Council will be the commonly understood one which can be summarised as - *'the exchange of ideas and proposals with the aim of reaching agreement'*. In addition, consultation *'must be meaningful - both sides should have an open mind and the process must not be a sham'*. Note the emphasis on 'both sides' in the latter definition.

7. WHEN SHOULD CONSULTATION START?

- 7.1 *'Consultation should commence as soon as it becomes known that there is a possible need to effect organisational change and meaningful details can be tabled'*. This is a two-part definition and one that may not be easy to 'tie down' precisely. In practice, however, most managers will be communicating on a regular basis with their staff in an open and transparent manner. Therefore, the first part of the definition *'as soon as it becomes known that there is a possible need to effect organisational change'* may not be too burdensome - most staff will be aware that change is likely to be on its way and it is unlikely to come as a 'bolt out of the blue'. If it is possible, outline the timescales at this stage as it may ease some anxiety.

- 7.2 The second part of the definition refers to *'meaningful details'* - this can be interpreted as a point at which proposals have some structure or coherence, but which are not a foregone conclusion. The proposals do not have to be in a complete form - depending on the organisational development model being followed, there may be a desire by managers to engage staff further in the development of the structural or other changes ([see below](#)).
- 7.3 The Agreement also refers to the 'active involvement' of trade unions (TU) and the staff group. This is not an either/or option - both groups have their role to play in the formal and informal consultative processes and 'active involvement' denotes that they should not simply be seen as the passive recipients of management information or desired outcomes. Essentially, consultation should be seen not just as a legal right, but also as a powerful tool to achieve staff commitment to change as well as enhancing the creative process.
- 7.4 The Council's commitment to principles of openness and transparency means that TU presence at meetings of staff should be welcomed and facilitated - if nothing else, it ensures that union representatives hear the authentic voice of the managers involved in the change process.
- 7.5 Consultations will generally last a month, but may be shorter, but a minimum 3 weeks is recommended. However, where redundancies are proposed the legal consultation timescales are 30 days where there are 20 to 99 redundancies and 45 days where there are 100 or more. Note that some significant proposals require a 90 day public consultation. The consultations usually run alongside each other and the feedback is all collated and used to develop the final structure or proposal.

SEE APPENDIX 1

8. CONSULTING WIDELY

- 8.1 Very often, managers consult with staff **directly** involved in a workplace change, but do not include areas which may be **indirectly** affected by the change process. These staff are, in effect, being subjected to organisational change too and their needs and ideas should be sought and considered at an early stage. There may be other stakeholders to consult with - such as other organisations the service works closely with or may be impacted by the proposed changes, as well as users of the service.

9. DO I NEED TO CONSULT TRADE UNIONS IF THERE ARE NO MEMBERS?

- 9.1 Consultation with trades unions is **not** affected by whether or not the group of staff affected by the change are (or are not) members of a trades union at any one point in time during the change process. The commitment to consultation with relevant trades unions is not conditional upon there being union members present (even if this could be clearly established which in many cases it cannot). If you need further advice on the appropriate trades union representatives to contact, then seek the advice of your HR adviser.

There are a range of unions that organise in the Council and we predominately liaise with the 3 Joint Trade Union Committee Convenors over change in the first instance - they in turn will usually notify other unions as necessary. *SEE APPENDIX 3*

10. INVOLVING STAFF IN ORGANISATIONAL DEVELOPMENT

- 10.1 Many managers, government agencies and other professional bodies do not regard organisational development as being solely a management prerogative. In this model, staff are seen as being key to the development of new ideas and innovative ways of working. The potential pitfall here is when to move from a developmental phase into a formal consultative phase with, essentially, the same group of staff.
- 10.2 The Agreement suggests that the key test here is to be clear about when, as a manager, you are moving from developing (or 'working up') ideas and options and have achieved a firmer set of proposals. There is no absolute value here and there will always be a debate about timing - the important thing to remember is that you should be able to objectively justify the timing of the consultation stage if challenged.
- 10.3 In addition, the Agreement suggests that greater clarity and confidence can be engendered through the drafting and publication of a clear consultation plan or timetable that allows all involved to know how the change process will be conducted, the timings and their role (as well as the role of the trades union) in this process. In addition, staff need to be assured that they will have the ability to affect the outcome of the change process, rather than be passive participants in it - participation rather than just involvement. *SEE APPENDIX 1.*

11. CONSULTATION IN OPERATION

- 11.1 The Agreement sets out that TU's should be given details of proposed changes before staff. The reason for this is to enable the TU representatives to be prepared for the enquiries that they may receive once staff are made aware of proposed changes and makes sure that they are 'in the loop'. Much time and effort is wasted during critical periods of organisational change in reacting to enquiries from various stakeholders complaining that they were not aware of what was going on or simply seeking clarification. This could be significantly reduced through effective and planned information sharing at the outset. Consultation is usually a month, but 3 weeks may be appropriate in some cases. If there are likely to be more than 20 redundancies across the Council, check the statutory consultation period required. *See Section 7.5 in this Guide.*
- 11.2 The TU's for their part are committed to keeping such advice confidential until such time that local managers have conveyed the advice to their staff - it is a key principle here that managers should own ideas for change as well as the process for delivering it and that it should not be left to another party to convey advice about proposed change to staff.
- 11.3 How the information is delivered to staff can also be a difficult decision. The best advice here is that such advice should be done face to face wherever possible and preferably through a collective meeting. However, there may be times when such a launch may not be appropriate - or at least should follow on from some initial individual discussions. For example, if you are putting forward a proposal, where a number of posts are possibly to be deleted from the structure, it may not be desirable to do this in the first instance in an open meeting where the postholders will receive this news for the first time. Such decisions need to be weighed very carefully as do

the follow-up arrangements such as individual meetings etc. Again, these elements should form part of an implementation plan which you could discuss confidentially with local unions before launching the proposals with the staff group.

- 11.4 Make sure that you are very familiar with the change proposals, including the reasons for them and the benefits they will bring. Employees need to know that managers believe in the changes being proposed. You will need to be able to answer as many questions as possible at the meeting.
- 11.5 Consultation meetings can be difficult and emotional and is important that managers remain calm. Honesty is vital throughout the process, so if a manager is not sure of an answer to a question, they should say so and ensure they seek the answer and feedback as soon as possible.
- 11.6 Throughout the process, managers should remind staff of the guidance and support available to them. *SEE APPENDICES 1, 2 and 6*

12. CONSULTATION ON MAJOR OR SIGNIFICANT CHANGE

- 12.1 Where organisational development may result in significant change, then the lead Head of Service is requested to ensure that a briefing is given to the Joint Trade Union Committee at the earliest opportunity in addition to any local consultation that may be taking place in the work place. Significant in this context means not only change that may involve net job losses, but change which signifies a change in policy or direction which may be of interest to the joint trade union group as a whole.

13. WHAT SHOULD I TELL THE UNIONS AND STAFF?

- 13.1 The requirements are set out in 5 (iv) to 5 (ix) - in summary, the essential elements are -
 - The **details** of the proposed changes and the reasons behind them.
 - The **likely impact** of the proposed changes on the **structure and organisation** of the service area affected - include the current and proposed structures, including numbers of employees and full time equivalents.
 - The **details** of any proposed changes to **job descriptions and roles** of individuals.
 - If there are likely to be **job losses** and, if so, the **estimated number**.
 - A **proposed timetable** for the introduction of the organisational change including **key consultation stages** with staff and trades unions. Include the date the formal response are planned to be issued.
 -

The following should also be included:

- How feedback to the proposals can be made - use a variety of methods, such as a whiteboard in a team, suggestion boxes for written feedback, emails as well as meetings.
- How to request a meeting with management and/or HR.

- If staff are not based together and only meet all together for team meetings, it is helpful to run workshops where they can meet to understand the proposals and potentially put together comments and alternatives.
- 17.7.1 Remember to ensure that staff who are unable to attend the meeting are sent the information and consultation pack and are offered a meeting. This may need to be handled sensitively, especially if the reason they were not at the meeting is long term absence. *SEE APPENDIX 2*. An employee who is absent from work due to sickness, must be consulted with as all other employees. There may be a need to make special arrangements for the selection process, which the manager will discuss with the employee and HR.
- 13.2 Many of these elements have been referred to already and would generally come under the heading of 'good practice' or 'legal requirement'. For instance, telling staff the details of the changes and the 'drivers' of the change is a sensible place to start. Likewise, the likely impact on the organisation (as far as it is known) is also a logical progression of the first element and a good place to start the discussion about what may happen next.
- 13.3 Details of job descriptions and roles are likely to be more problematic. In some change processes these details may not have been fully worked through, or you may be looking for staff to work with you in developing these. If this is the case then say so and show these strands of work within the overall work programme that you will be tabling. It is essential that staff know what is expected of them as the change process rolls forward. Significant changes in job descriptions may require evaluation as well as consultation and sufficient time should be scheduled into the consultation timetable to allow for this.
- 13.4 Details of the estimated number of possible job losses is again a difficult area, especially as the whole question of job losses is a key issue for consultation. However, there needs to be an honest and open assessment of this element and there is nothing to be gained from hiding away what you may consider to be bad news. Likewise, there is little to be gained in over-estimating the number of potential job losses, simply to reduce the proposed net reduction later on in the process. The credibility of managers in delivering organisational change is an important element in achieving a successful outcome.
- 13.5 Individual consultation is stressed here (and has been referred to in earlier sections). This means that managers should not rely simply on collective TU consultation and discussion (albeit that this is important), but should also seek to establish mechanisms where individual discussions can take place with staff on an ongoing basis. Staff should be allowed to be accompanied by their trade union representative or workplace colleague during such meetings. These meetings with managers may be in addition to the meeting staff may request with HR.
- 13.6 There is not a single model of effective consultation methodology and the best suggestion here is to discuss the range of mechanisms that you propose to use with staff and trades unions at the outset.
- 13.6.1 It is important that managers remain visible and in contact throughout the process, not just at the launch.

14. ACHIEVING EMPLOYMENT STABILITY

- 14.1 This section contains a series of measures that directorate or corporate management can consider introducing when achieving the jointly shared ambition of employment stability within the Council. Whilst they are not mandatory, they do provide a useful set of devices that may reduce or eliminate the need for enforced job losses - either directly from the section or service that is facing change or across the Council when looking to redeploy staff. Many of these measures are logical - for instance, the Council would find it difficult to defend the dismissal of an employee by way of redundancy if it was still employing agency staff in work areas to which displaced staff could be redeployed.
- 14.2 Likewise, it is difficult to state that an employee is no longer needed in one area if there are large amounts of non-contractual overtime being worked in another area. These are simplistic examples, but there is a serious underpinning point - the **Council as a large employer has a duty to a potentially redundant employee across its whole operation**. The fact that the employee is not based in a particular area does not mean that the employment patterns in that area are of no relevance. There is, in effect, a corporate responsibility to find alternative work and this duty cuts across department and directorate boundaries.
- 14.3 Within the service area vacancies should be held back, i.e. frozen, as early as possible, with due regard to the needs and safety of the service. Agency staff or overtime can be used to back fill, with appropriate authorisation.
- 14.4 The concept of voluntary redeployment means that managers should consider whether there is scope for staff not directly affected by a change to volunteer to be redeployed to allow for a person 'at risk' to be redeployed into their post. This is seen as a broader and more imaginative use of redeployment than has been used in the past and the HR service as well as managers should look creatively at suggestions to reduce and eliminate the need for enforced job losses. All such suggestions are, of course, subject to consultation and staff and unions are also encouraged to come forward with their own suggestions.
- 14.5 The option of seeking volunteers for redundancy is permissible and there may be occasions where this is the preferred route. However, managers should also have regard for the consequences of this approach and ensure that these are thought through at the planning stage - for instance, will this approach produce the desired outcome in terms of skills and resources; what selection procedure will you use if there are too many volunteers; what will be the effect of seeking expressions of interest and then declining these at a later date.
- This may involve 'bumped' redundancies where employees in another team are asked if they wish to express interest in voluntary redundancy which creates an alternative post for someone who wants to remain in work.
- 14.6 In some cases, it may be desirable to allow employees who are 'at risk' to take voluntary redundancy rather than be redeployed. However, the thrust of the agreement is about job security and the retention of skills and such a route is not mandatory.
- 14.7 These are all issues which should be explored during the consultation phases of the change process.

15. SELECTION CRITERIA IN THE EVENT OF REDUCED STAFFING LEVELS

- 15.1 The issue of selection criteria is potentially a difficult one and how you proceed very much depends upon the change that you are thinking of bringing about.
- 15.2 There are broadly types of reduction in staffing levels that can occur -
- **Across the board reductions** where change has to be achieved to meet, say, a saving target and 'x' number of jobs need to be removed from a team or service structure. This is a relatively blunt tool to bring about quick results.
 - **Reconfigurations in service structures** where roles and responsibilities are amended/changed - some posts may be deleted, but others will be created. Many of the new posts will contain responsibilities/roles from some of the posts deleted elsewhere in the structure. This is a more sophisticated, thoughtful approach to organisational development.
- 15.3 The 'drivers' for both sets of changes may be the same, but time constraints and scale may be a factor in determining which approach is used. In many cases, the 'reconfiguration' option will be the one that is adopted.
- 15.4 The question arises how to get from point 'a' to point 'b' in a manner which is lawful, effective and within the principles of the ESA as well as the values of the Council.
- 15.5 In the case of 'across the board' reductions, the ESA suggests that a selection criterion should be devised which is *'open, transparent, clear and consistently applied'*. Any such criteria should be the subject of consultation as part of the overall change process. The reason for a set of principles instead of a 'one size fits all' corporate template is that the range of occupational contexts within the Council is so varied as to make the creation of a single set of criteria almost worthless or driven to the lowest common denominator.
- 15.6 Having said this, there is some advice that can be included at this stage which might help managers to arrive at a set of selection criteria (sometimes referred to as a 'matrix').
- The criteria should relate to the need to retain those staff best placed to make a positive and continued contribution the future of the service/section affected. Any such criteria should seek to weigh or assess skills in a **demonstrable** way. **Subjective criteria should be avoided** and there should be a **clear audit trail** relating to decisions as well as the evidence on which those decisions were based. If a 'scorecard' is developed, then the factors contained within the scorecard or matrix should be relevant to the job.
 - **Accurate and full records** should be kept of all decisions, meetings and the evidence base for these.
 - As a general rule, criteria that are **too broad** or which do not meet the above objectives should be avoided. First in, Last out (FILO) or Last in, First out (LIFO) will not necessarily deliver the skill mix that the organisation may want. It may also be indirectly discriminatory inasmuch as it will favour the long-standing employee and discriminate against staff who have left the workforce for, say, childcare reasons. In addition, measuring sickness absence as a factor may be

discriminatory and disadvantage someone with a disability. Using conduct or capability disciplinary outcomes may be considered, but the effect of these may be problematic. However, it could be that non-disability related absence or conduct/capability could be used as a 'tie breaker' in the event of an even score.

- 15.7 In the event of the more sophisticated approach referred to above, equal care should be taken to devise a system that fulfils the principles of openness, transparency etc, but which also fulfils the legitimate management need to maintain experienced and skilled staff that will make a continued contribution to operational success.
- 15.8 In this scenario, the Agreement defines concepts such as 'ring fencing' and 'slotting in' and these are not set out again in detail in this guidance. *See Section 2 in this Guide*. The overall effect of these arrangements and principles are to ensure that during the process of organisational change, the extent of potential disruption and displacement of staff should be kept to a minimum. Organisational development or reorganisation is neither an opportunity for a 'free for all' for staff where they can apply for other posts in the structure (and thereby displace other staff). Neither is it an opportunity for management to displace staff and to attempt to deal with perceived performance issues through structural reorganisation.
- 15.9 The pool of ring-fenced employees should include all those who carry out work of a particular kind for which the need has diminished.
- 15.10 Where staff are unsuccessful, they may be ring-fenced to the next tier of posts, depending on the difference of the tasks between the posts. In this situation, the selection process can be designed to cover both posts to avoid the employee having to go through another process.
- 15.9 This does not mean that the change process will not give rise to advancement of staff. However, such opportunities should only occur once safeguards for staff who are 'at risk' of redundancy have been put into effect. These mechanisms - their timing, application and extent, should form part of the implementation plan for the organisational change and be consulted upon in the way described earlier in this guide.

16. STAFF WHO ARE 'AT RISK'

- 16.1 Staff designated as 'at risk' are those for whom the organisational change gives rise to the potential for their post to be deleted and consequently be displaced from their existing structure. Such staff will need assistance to be redeployed within the Council and the main aim of this Agreement is for this to be successfully achieved and for there to be no need for enforced job losses.
- 16.2 Staff should be encouraged to find out about the work of other teams that they may want to work in. They could visit to talk to the manager or team members or they could shadow someone to really see what the work is like.
- 16.3 These staff have prior consideration for posts within the Council. *See Section 2 in this Guide*.

17. FINDING ALTERNATIVE WORK – REDEPLOYMENT

- 17.1 In this section of the Agreement, a series of practical steps are shown which aim to focus efforts in finding alternative employment for a member of staff who is potentially 'at risk'.
- 17.2 There is an organisational responsibility on the part of the whole Council to identify and offer alternative employment to a member of staff who is 'at risk' (or under notice) of potential redundancy. In addition, the ESA makes it clear that the employee must take an active involvement in the redeployment and related processes. This means that staff should not see themselves (and managers should not treat them) as passive recipients of management action and activity. They should engage positively in the redeployment process and not just await the outcome of management interventions.
- 17.3 **The redeployee's manager retains the core responsibility for ensuring that staff 'actively consider' alternative employment, working in partnership with HR as necessary.**
- 17.4 Staff who are 'at risk' of redundancy (ie the consultation stage has been completed and their post is confirmed as being deleted or substantially altered) shall, in addition to their other rights under the Employment Stability Agreement (ESA), be expected actively to consider alternative employment offered by the Council, except where an employee has applied for voluntary release (efficiency or redundancy) under a defined voluntary release scheme or has volunteered (and been accepted) for redundancy as part of a change programme.
- 2.2 'Actively to consider' in this context means that the 'at risk' employee engages with their manager and / or HR Service as appropriate to consider alternative employment and apply for such employment when it is identified and / or accept suitable alternative employment when it is offered by the Council.
- 2.3 Suitable alternative employment is a post / job which the 'at risk' employee
- can reasonably be expected to undertake and meet the minimum requirements of within 3 months of appointment;
 - Maintains their current level of contractual earnings (for a minimum of at least 2 years in the case of an offer of a fixed term contract)
 - Is within the Council's geographical boundary.
 - Which does not involve a notional start or finish time in excess of a hour before or after the employees current notional start or finish time
- 2.4 Whilst a refusal of the offer of a post defined as suitable as set out above (or active engagement in the redeployment process) may not be unreasonable in law, it is likely to result in a reduction of discretionary redundancy compensation by the Council in the event that the employee is dismissed by reason of redundancy. The test of 'suitable alternative employment' in 2.3 will have to have regard for the personal circumstances of the individual employee and the outline elements above will not be unreasonably applied.
- 17.5 When an employee is placed 'at risk' (the point that consultation has completed and the employee is told that their post will be deleted) that that they will have an individual meeting with their manager and a representative from HR. This principle

should be maintained with the manager having lead responsibility for liaising with the employee and ensuring that the Council's responsibilities are discharged.

- 17.6 The manager will work with HR to carry this responsibility forward, working with HR as necessary using a variety of methods to identify staff concerns, needs and questions - sometimes using group meetings, surgeries and Q&A fact sheets as well as written advice from HR about 'what happens next'. Some of this material is already available as are the systems to make the contact and support happen in practice. These interventions are designed to provide the prospective redeployee with the maximum opportunity to find work in the Council or, failing that, when they exit employment.
- 17.7 Staff who are 'at risk' should receive at the point of the declaration of their 'at risk status' and at regular intervals thereafter, copies of the Council's internal vacancy notices ('Job News'). Additionally, managers should look at Job News and bring any posts that may be suitable to the attention of the staff and encourage applications to be made. They will also receive details the posts (including job description, grade, location, hours of work) within the new structure or of any other frozen vacancies that may exist at this time in the service area. 'Any' in this context means 'all' and managers and HR advisers should resist the temptation to filter out what they consider to be 'unsuitable' vacancies. They will be asked to state which posts they wish to be considered for in the new structure and service area.
- 17.8 Meetings / discussions should take place between the manager and employee no less than every 10 days. A note should be maintained of these meetings and in particular the job vacancies considered but not applied for or other initiatives undertaken by the manager or the employee to prepare the employee for future employment.
- 17.9 In the event that the Manager feels that the member of staff is not engaging with the redeployment process they will warn the employee that this may have implications for the level of their redundancy compensation. Similar advice will be provided by HR when drafting 'at risk' / redundancy notice letters within the context of the policy statement above.
- 17.10 In the event that the Manager feels that the member of staff is not engaging with the redeployment process they will warn the employee that this may have implications for the level of their redundancy compensation. Similar advice will be provided by HR when drafting 'at risk' / redundancy notice letters within the context of the policy statement above.
- 17.11 The manager will determine whether the employee has or has not been engaged in the redeployment process. If it is felt that the principles of the above policy have not been complied with the manager will discuss the matter with HR and the Head of Service. It will be for the Head of Service to make a recommendation regarding the withholding of part of the redundancy compensation following discussion with the relevant manager and HR.
- 17.12 The manager who has a vacancy should take active steps to identify through HR where there are potential 'at risk' candidates who may be able to fit the vacant role. The manager with the vacancy will contact either the manager of the 'at risk' redeployee or the redeployee his / herself direct with details of the vacancy and invite them to consider making an application.
- 17.12 The definition of 'prior consideration' is set out in the Agreement. The Council has a legal and moral duty to offer vacancies to staff who are 'at risk' or under notice of

redundancy and may face a claim of unfair dismissal if this is not done. It is for this reason that managers are asked to prepare and submit full reasons to the employee in the event that they are unsuccessful in their application for a post. Employees are advised to mark application forms clearly that they are to be given prior consideration.

- 17.13 There is sometimes an impression that the 'offer of alternative employment' should be just that - there is a vacancy and the Council must then 'offer' that vacancy to the employee. In reality, it does not happen in this way. The employee should express a desire to be considered for a post. The vacancy is not theirs as a right, but there is a strong presumption in law that the employee should be redeployed to it unless there is good reason not to do so. However, the employee may need to satisfy the manager of the vacant post that they have the basic skills or potential to fulfil the role. The emphasis here is on 'potential' as well as actual skills. For example, if a post requires basic computer skills which the employee does not have, then an assessment should be made as to how long it will take to train the employee and whether, in the meantime, the service can still be provided. Very often a balance can be struck between the training/development lead time and the need to provide a service - and the employee will be given the benefit of the doubt. Trial periods can be used for this purpose. It is only at the end of the assessment process (or in some cases, a short interview) that the employee will be 'offered' the post in the normal way. The offer will be made after the conclusion of whatever assessment process is used. Such a process will not be unduly onerous and should have regard for the principles set out above. It would be expected that the employee can undertake and meet the minimum requirements of the post within 3 months. *SEE APPENDIX 4.*
- 17.14 It follows from the above that there should be at least an initial meeting between the 'at risk' employee which should involve the manager and an HR adviser. Such a meeting is seen as an important element in establishing a context to the redeployment process. The member of staff may wish to have trade union representation at meetings.
- 17.15 Meetings should be held by managers with the individual(s) and teams on a regular basis thereafter, but the Agreement does not specify on what frequency this should occur. Ideally this should be established at the outset with a clear plan of action and regular review sessions. It is helpful to minute the meetings and circulate team meeting minutes so that everyone reads the same message. Regularly updating and circulating a Frequently Asked Questions document will ensure everyone sees the same message.
- 17.16 The manager will determine whether the employee has or has not been engaged in the redeployment process. If it is felt that the principles of the above policy have not been complied with the manager will discuss the matter with HR and the Head of Service. It will be for the Head of Service to make a recommendation regarding the withholding of part of the redundancy compensation following discussion with the relevant manager and HR.
- 17.17 Following redeployment, the employee will need support. They may require training. If they have moved to a new team there will need to be induction so they are made to feel welcome and supported in the way a new employee would be. The local working practises are likely to be different to what they have known before. Their confidence may have been affected by the change process
- 17.18 An employee who is on Maternity Leave must be consulted with as all other employees and she must offered a suitable vacancy before any other employee. If she

is not, her dismissal may be automatically unfair. If there is no suitable vacancy, she can be made redundant provided the reason is not her pregnancy or maternity leave and a fair process has been followed.

18. TRIAL PERIODS

- 18.1 Trial periods have already been referred to above and are an important tool in allowing the employee or the manager to assess whether the job/redeployee are compatible over a reasonable period of time. The initial period for the trial period is 4 weeks and this is extendable by both sides by joint agreement.
- 18.2 It is not possible to set out exactly what should be assessed in every case as this will vary depending upon the context of the reorganisation itself, the skills (potential and actual) that are being assessed and the length of time available. Assessment criteria (ie measurable outcomes) should be established at the outset of the trial and the employee should be aware of these - they could simply be a series of basic behavioural competencies, the successful demonstration of an identified skill or completion of key aspects of the job role. *SEE APPENDIX 4.*
- 18.3 The mechanics of the trial are that the employee remains on their existing terms and conditions during the trial period. The option of protection or buy out is made at the end of the successful trial. *SEE APPENDIX 6.* In the event that the employee is under formal notice of redundancy, then the notice is suspended for the duration of the trial except for when the employee declares that the trial has been unsuccessful when the period of the trial will count towards the contractual notice period. If the manager declares that the trial has been unsuccessful, then the period of the trial will not count towards the contractual notice period which has effectively been put 'on hold' for the duration of the trial, so moving the last day of service forward.
- 18.4 There is no maximum number of trial periods that an employee can undertake during their period of contractual notice.

19. SALARY PROTECTION/BUY OUT

- 19.1 There is a ceiling on the upper limit of salary protection payable to a redeployed employee. *SEE APPENDIX 6.*
- ◆ All employees receive the same salary protection arrangements
 - ◆ The 'buy-out' payment is repayable if the employee leaves the employment of the Council within 12 months of the payment having been made and a clause will need to be inserted into the letter approving the payment to remind the employee of this obligation. However, as the ESA forms part of the individual contracts of employment of staff, there is no need to obtain a signed acceptance to this effect from the employee.
 - ◆ The amount to be recovered from the employee should be pro rata'd as set out in the Agreement. If the employee gives notice of their wish to take the 'buy out' after being redeployed and receiving salary protection, then the amount of the 'buy out' should be reduced by the net amount of salary protection already received.

- ◆ The 'buy out' figure is calculated on the difference between the protected salary amount and the employee's salary spinal column point and contracted hours at the time of redeployment only.

20. STAFF GIVEN FORMAL NOTICE OF REDUNDANCY

- 20.1 As referred to above, redundancy is a form of dismissal and before it can take effect, the employee must be given contractual notice of the termination of their employment. The presumption is that staff will, in most cases, work through their period of notice or be placed on 'garden leave' whereby they are not required to attend their place of work. In either situation, they are still employees of the Council and the commitment under this Agreement to find alternative employment remains.
- 20.2 Although the employee has moved from 'at risk' to 'under notice' status, Council officers will continue to investigate the possibility of alternative employment as set out above. In addition, the employee has certain legal rights which are set out in the Agreement - these cover the right to have reasonable time off to look for alternative employment as well as the right to give counter notice. It is worth noting here that an employee who is not under formal notice of redundancy, but 'at risk' is not eligible for these rights in law, albeit that managers will not want to unreasonably restrict an employee's ability to apply for other jobs in the Council and to have reasonable time off to attend interviews. It should be stressed, however, that 'at risk' status does not imply a right to give 'counter notice' as set out in the Agreement or for the employee to seek to receive a redundancy payment. These rights only take effect when the employee is under formal notice of redundancy.

21. RIGHTS TO A REDUNDANCY PAYMENT

- 21.1 Staff do not have an unfettered right to receive a payment in the event that they are dismissed by reason of redundancy. If an employee unreasonably refuses an offer of alternative employment, then the employer may choose to refuse the payment. A 'reasonable refusal' may be because of longer (or different) hours of work, greater travelling distances or diminished status. There is no definitive list and the final decision on such matters would be taken by an employment tribunal. The refusal to pay a redundancy payment to an employee would only occur in exceptional circumstances. See above for further details of action where an employee does not become 'actively involved' in the redeployment process.

22. ENHANCING REDUNDANCY PAYMENTS

- 22.1 Officers of the Council are not authorised to offer enhanced redundancy payments. Such authority lies solely with the Council's Personnel Committee. In addition, such payments cannot be in excess of the enhancements allowed for under the relevant statutory Orders governing compensation (sometimes referred to as the Local Government Compensation Modification Orders) .

23. APPEAL RIGHTS

These are set out in the Agreement.

24 SUPPORTING REDUNDANCY SURVIVORS

- 24.1 Employees who remain in employment when others have left due to redundancy, are likely to have experienced a period of uncertainty themselves and have now lost colleagues, who they may have worked with for a long time. Survivor Syndrome is an emotional reaction experienced by them. It can impact on work performance and can be negative. Effective communication throughout together with a fair process will help to mitigate this as will ongoing support and discussion.

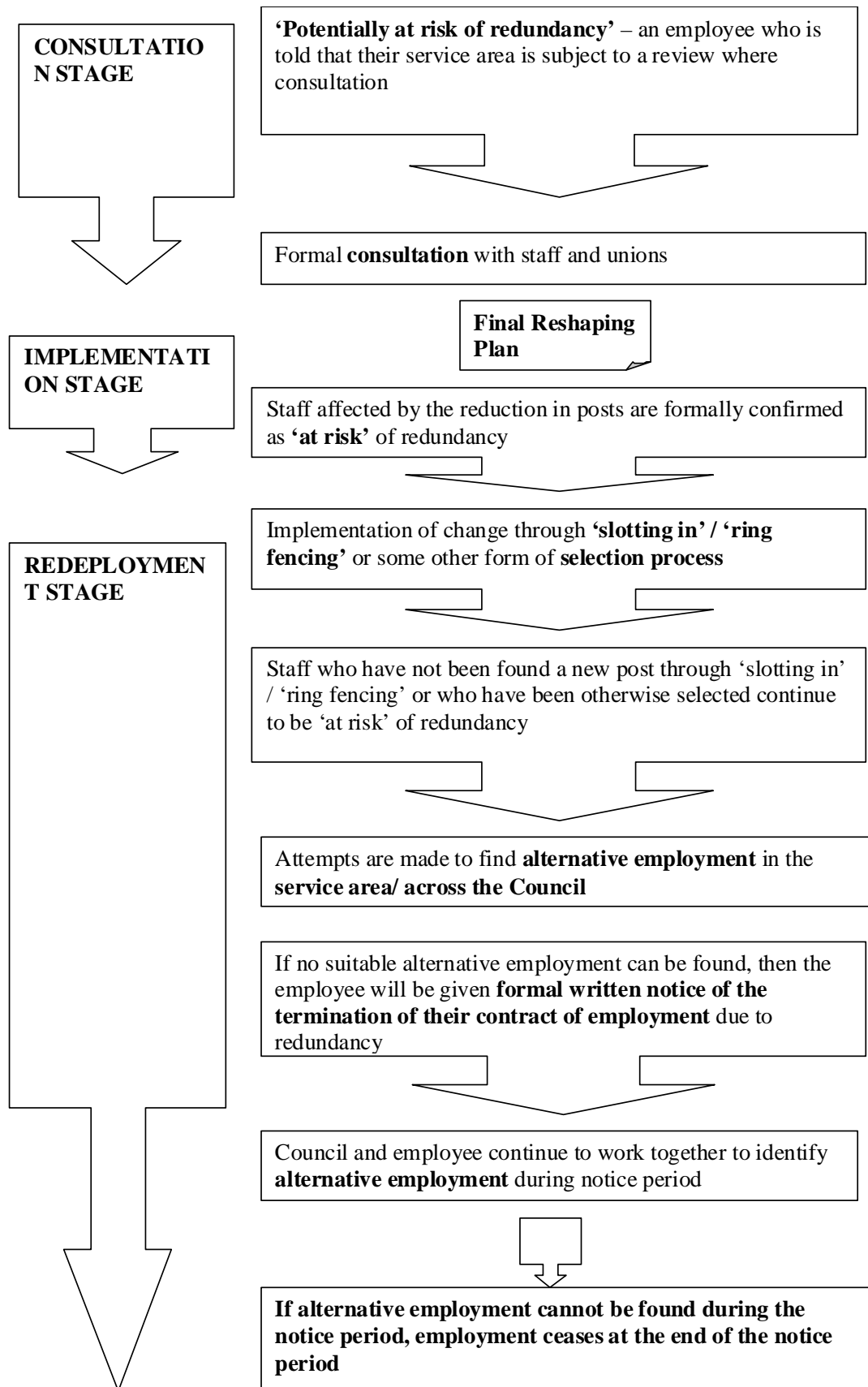
25. SUPPORT FOR MANAGERS

- 25.1 In addition to the support from your line manager, there is support for managers through the Learning and Development Team - Information can be found on the [L&D Pod on IRIS](#), or you can contact the L&D team by email to corp.training@reading.gov.uk, or by phone to 0118 937 2520 (ext 72520). Support is also available through the Employee Assistance Programme. *SEE APPENDIX 7.*

26. AFTER IMPLEMENTATION

- 26.1 The timetable developed at the outset should have included conducting a review of how effective the change has been in meeting the objectives as well as reflecting on the process to assess what could have been done differently. The review should involve the employees, trade unions and any other parties who may be relevant such as other teams and stakeholders.

TIME LINE FOR CONSULTATION AND IMPLEMENTATION OF ORGANISATIONAL CHANGE



An example of the possible steps outlined in this Guide are listed below to help you plan the timescales. You will need to decide which are relevant to the particular change process you are managing:

	For some change proposals there will be preliminary discussions between Heads of Service and elected members.
	Speak to Trade Unions to let them know you are thinking of consulting on changes.
	Speak to employees to gather their thoughts on where improvements could be made, where barriers to service delivery etc are. Remember to include anyone who is not at work or is on a secondment.
	Freeze vacancies in the service area that may be suitable alternatives.
	Speak to employees - team meetings; 1:1s; workshops.
	Develop the dates of key events, allowing enough time for each step.
	Develop Consultation proposal and include revised and evaluated job descriptions where possible as well as key dates.
	Identify training that may be required in revised roles.
	Meet with any individuals directly affected a day or so before the launch.
	Launch Consultation.
	Communicate and meet regularly throughout.
	Ensure that any employee unable to attend the launch meeting is offered a meeting and is sent the Consultation Pack.
	Encourage employees to take up training and support that is available.
	Encourage feedback from employees, trade unions and stakeholders.
	Set a range of feedback methods - use of whiteboard in the team; boxes in various locations for written responses to be put in, emails.
	Gather the feedback throughout.
	Consider all the feedback and write responses to employees, trade unions and stakeholders.
	If the feedback leads to a change to the proposal, give the employees time to consider and feedback on the revised proposal. This could be 1 or 2 weeks depending on the extent of the changes.
	Confirm outcome - e.g. final structure.
	Send 'At Risk' /preference for posts in new structure or voluntary redundancy (if applicable) letters to employees.
	Provide ongoing support to employees.
	If 'bumped redundancies' will create suitable vacancies, write to appropriate employees.
	HR prepare early retirement / redundancy estimates.

	Collate preferences and expressions of interest in 'bumped' redundancies and set up selection process.
	Offer letters sent.
	Head of Service agrees any redundancies/ early retirements.
	HR prepare early retirement / redundancy committee reports.
	HR assist in the preparation of notice and offer letters.
	Complete appropriate payroll.
	Inform payroll of final new structure.
	New or amended Statements of Main Terms and Conditions of Employment issued by HR.
	Implement new structure/ way of working.
	Conduct a review to determine whether the changes have brought about the expected changes.

AN EXAMPLE TEMPLATE FOR PRESENTATION OF PROPOSALS

This summarised the Consultation Document in a clear and easily read format.

Reason for Restructure

Sets context of the service history and current situation.

In one example, in a service that covers 24 hours a day every day of the year, this included:

Team had been operating for 4 years following a previous restructure and the shift patterns had not been reviewed at that time. There was an imbalance meaning that there were not enough staff working in the evenings and too many working in the mornings.

Current and New Structure

This included the number of team members who had already been agreed could leave through the Voluntary Release Scheme (agreement made before the change proposals were formalised).

Proposals

Changes proposed - Rotas, Management Team, and Ways of Working.

Changes to Rotas

Two proposals were put forward for consultation, one was for all team members to cover three shifts on a rota basis and one for nights to remain separate and other staff cover 7am to 11pm.

Changes to Management Team

These were clearly set out.

Review of Decisions for Staff with Additional Jobs

This was part of the consultation as previously agreed additional job commitments now made it difficult to ensure staff were on duty when most needed, i.e. in the evenings.

Changes to Out Of Hours

This included the coordination of this and the way of working.

Consultation Dates

Dates for each step of the process - when to return forms, feedback, when the new structure will be issued, when preference letters would be sent and when to be returned by.

How to Comment on the Consultation

This gave the range of ways to comment - workshops, 1:1 meetings with any of the management team and in writing.

Additional Staff Support

Listed all the sources of support available to staff.

TRADE UNION CONTACTS

The three Joint Trade Union Conveners are:

UNISON (Patrick Kenny) - pat.kenny@reading.gov.uk

UNITE (Kieran Magee) - unite@reading.gov.uk

NUT (Rob Ketley) - rob.ketley@reading.gov.uk.

In some service areas there may be members of the GMB union and the contact there is Barry Beaven (barry.beaven@gmb.org.uk).



**PLEASE COMPLETE AND RETURN
TO HUMAN RESOURCES**

SUITABLE ALTERNATIVE EMPLOYMENT - REVIEW OF 4 WEEK TRIAL PERIOD

Details of Employee

Name:

Job Title: Date Started:

Directorate: Team:

Interviewing Officer: Date of Interview:

ASSESSMENT OF PERFORMANCE

Brief Assessment by Supervisor:

Standard of Work

Initiative

Relationship with
Colleagues

Customer Service

Equal Opportunities
Awareness

Attendance

Other Comments

DEVELOPMENT

Areas for further training and development:

Follow up action / targets to be achieved

EMPLOYEE'S ASSESSMENT

Brief comments by employee:

Workload (level of difficulty, variety etc)

Working conditions

Has the trial period in the job met your expectations? (If not, why not?)

Your standard of work

Employee's Declaration: I confirm that my 4 week trial period interview occurred as described above.

Employee's Signature:Date

DECISION ON 4 WEEK TRIAL PERIOD

Select one of the following

- 1. The 4 week trial period has been successful. I recommend a transfer to the post on a permanent basis and have told him/her.

IF APPLICABLE - I would like to take the:

- Monthly Protection payment*
- Compensatory 'buy out' payment*

- 2. I would recommend an extended trial period for the following reasons:

.....
.....

.....
.....

- 3. The 4 week trial period has not been successful and this placement will therefore end.
Please specify reasons:

.....
.....
.....
.....
.....
.....

Signature:

Employee

Signature:

Interviewing Officer

Signature:

Head of Service

Received by Human Resources on: (date)

NEW GRADING STRUCTURE - APPLICATION OF SALARY PROTECTION

1. INTRODUCTION

- 1.1 This document sets out the application of the Council's salary protection arrangements with effect from **19th July 2012**.
- 1.2 This policy has been agreed with the Council's Trades Unions, Council Management Team (CMT) and Personnel Committee.

2. BACKGROUND

- 2.1 Salary protection arrangements in the event of organisational change are contained within the Council's Employment Stability Agreement (ESA) (section 6 (d)) and form an important element of the agreement to achieve successful change programmes across the Council.
- 2.2 The relevant section of the ESA is attached as **Appendix A**.
- 2.3 This policy is designed to apply the ESA principles to the Council's new grading structure introduced in May 2011.

3. APPLICATION & EXAMPLES

The following application will apply from 19th July 2012 -

- 3.1 Each new RG grade contains incremental steps, but is also divided by a 'gateway' which is fixed by Job Evaluation (JE) criteria - i.e. 'above the gateway' is a separate, evaluated additional element to the main grade consisting of 2 or 3 additional spinal column points (scp) - see **Appendix B**.
- 3.2 Salary protection in the new grading structure should therefore be based on JE principles rather than whole RG 'grades'. This represents a principle consistent with the old salary protection arrangements.
- 3.3 Where the employee will be placed relative to their old grade will also be determined relative to
 - where the new post is graded - above or below the gateway,
 - whether there are pre-existing gateway progression criteria and
 - whether the employee meets those criteria in terms of skills and abilities.
- 3.4 Viewed in this way, (and applying the terms of the current ESA agreement) an employee:

- redeployed from scp 48 (below the gateway) in RG8 to a post graded RG6 (above the gateway) would be protected at the gateway in RG7 (scp 42).
- in the above example, where the new post is graded RG6 (below the gateway), the employee would be protected at the top of RG6, unless there is a pre-existing progression criteria for that post and the employee meets those criteria, in which case they will be protected at the gateway in RG7.
- redeployed from RG8 (above the gateway) to a post graded RG7 (above the gateway) would be protected at the gateway to RG8; if the employee is currently below the gateway in RG8 they would be protected at their current scp.
- redeployed from above the gateway in RG9 to RG6 would be protected at the gateway in RG7 (providing that the RG6 grade JE assessment is above the gateway or there are pre-existing gateway progression criteria that the employee meets). If, however, the post is graded below the gateway and no progression criteria exist / are not met, the employee will be protected at the top of RG6.
- redeployed from above the gateway in RG5 to a post which is graded below the gateway in RG4, the employee would be protected at the top of RG4 (ie above the gateway).

JWH190712

RBC EMPLOYMENT STABILITY AGREEMENT

(A) SALARY PROTECTION IN THE EVENT OF REDEPLOYMENT

A member of staff who has been redeployed to a post with a lower level of salary will be entitled to a period of salary protection or to accept a sum of money in lieu of such protection as follows -

- (i) Salary protection will be paid at the rate of pay that the person was on at the time of their redeployment, or one grade above the substantive grade to which the person is redeployed (whichever is the lower).
- (ii) This rate of pay in (i) above will be frozen at this level for 4 years from the date of redeployment. There will be no incremental increases; however, national pay awards will be paid in the normal way. At the end of this period of protection, the rate of pay will become that for the post being filled.
- (iii) Contractual pay entitlements will continue to be paid based upon the average level of payment over the 3 months prior to the redeployment. This sum will be paid as a monthly allowance in addition to the protected salary for a period of 4 years from the date of redeployment.

As an alternative, the employee may opt to be paid a sum of money in lieu of the above protection. This sum will be calculated as the difference between their protected salary and the spinal column point of the grade of the substantive post to which they have been redeployed. The annual difference will be multiplied by 3 to arrive at a compensatory sum. This payment shall not exceed £9,554 (1 April 2009). This upper limit shall be reviewed on an annual basis and updated in accordance with the pay awards made in the NJC of local Government Services.

This compensatory sum will be paid to the member of staff as a single amount. However, if the employee leaves the employment of the Council within 12 months of the date of payment, then part or all of this sum is recoverable from the employee. The repayment shall be calculated on a pro rata basis whereby the amount to be repaid is 1/12 of the sum paid to the employee under this provision for every month between the employee's last date of work and the 12 month anniversary of the original payment. Calculations shall be in whole months only.

An employee may opt for the compensatory sum option within 4 weeks of being redeployed.

Upon agreeing to the compensatory sum, the salary protection arrangements under this procedure come to an end.

New NJC Pay Structure						
SCP	Apr-13		Current Grades			
59	£52,916	£27.43			59	
58	£51,640	£26.77		RG 10	58	
57	£50,365	£26.11			57	
56	£49,241	£25.52			56	
55	£48,115	£24.94	RG 9	← Gateway	55	
54	£46,991	£24.36			54	
53	£45,866	£23.77			53	
52	£44,742	£23.19			52	
51	£43,830	£22.72		RG 8	51	
50	£42,937	£22.26	→ Gateway			50
49	£42,032	£21.79				49
48	£41,148	£21.33				48
47	£40,254	£20.86			47	
46	£39,351	£20.40		RG 7	46	
45	£38,422	£19.92				45
44	£37,578	£19.48	← Gateway			44
43	£36,676	£19.01				43
42	£35,784	£18.55			42	
41	£34,894	£18.09			41	
40	£33,998	£17.62		RG 6	40	
39	£33,128	£17.17	→ Gateway			39
38	£32,072	£16.62				38
37	£31,160	£16.15				37
36	£30,311	£15.71			36	
35	£29,528	£15.31		RG 5	35	
34	£28,922	£14.99				34
33	£28,127	£14.58	← Gateway			33
32	£27,323	£14.16				32
31	£26,539	£13.76			31	
30	£25,727	£13.34			30	
29	£24,892	£12.90		RG 4	29	
28	£23,945	£12.41	→ Gateway			28
27	£23,188	£12.02				27
26	£22,443	£11.63				26
25	£21,734	£11.27			25	
24	£21,067	£10.92			24	
23	£20,400	£10.57			23	

22	£19,817	£10.27			22	
21	£19,317	£10.01	RG3		21	
20						20
	£18,638	£9.66			← Gateway	
19	£17,980	£9.32				19
18	£17,333	£8.98				18
17	£16,998	£8.81				17
16	£16,604	£8.61				16
15	£16,215	£8.40			15	
14	£15,882	£8.23			14	
13	£15,598	£8.08		→ Gateway	13	
12	£15,189	£7.87			12	
11	£14,880	£7.71	RG 1		11	
10	£14,013	£7.26				10
9	£13,725	£7.11				9
8	£13,321	£6.90				8
7	£12,915	£6.69				7
6	£12,614	£6.54				6
5	£12,435	£6.45				5
4	£12,266	£6.36			4	

PPC - Employee Assistance Programme (EAP)

You are only a phone call away from independent advice, information and support that's completely free and confidential. Reading Borough Council has chosen to offer this service to you and your family household members to make life easier.

Brought to you by PPC, this Employee Assistance Programme (EAP) is available any time, day or night, on any day of the year. Over the 28 years PPC has been in business we have built up an international reputation as the leading provider of professional advice and counselling to organisations and their employees. So you can be safe in the knowledge that you are getting the very best help and support - just when you need it.

We can all benefit from the right help and advice at some time in our lives. As life continues to create new challenges getting another point of view can be beneficial. It may be that you would like to improve your communication skills at work or would benefit from setting personal development goals. Perhaps you would like professional advice on money management or you may feel there are areas in your life that you would like to improve. Our specialist team of personal advisors will enable you to meet these challenges with more confidence.

By calling the EAP free-phone number below you can access the full range of PPC's services:

- General information and Citizens Advice services (anything from consumer issues to education, child and dependant care or residency advice)
- Telephone debt counselling
- Counselling, both on the telephone and face-to-face

We aim to answer your query there and then, or link you with the right advisor for more specialist advice. We will give you the opportunity to meet one of our fully qualified counsellors near to your home or place of work. Your PPC counsellor will work with you towards a positive outcome.

Reading Borough Council has already paid for you to access this confidential service as often as you like, so feel free to start using the following free-phone number immediately.

0800 282193
minicom 0800 0854739

Website: <http://ppcworldwide5.com/ppconline/> (Username: RBC, Password: Readingx)

You can continue to use EAP for up to 3 months after leaving RBC employment.



ORGANISATIONAL CHANGE

**GUIDANCE AND SUPPORT FOR
EMPLOYEES**

DRAFT - REVISION August 2013.

Change Management - Guidance for Employees

INDEX

	Section	Page
Introduction	1	
Using the Guidance	2	
Key Principles and Commitments	3	
Key Support and Advice Sources	4	
Roles and Responsibilities	5	
What Happens when Change is necessary	6	
Vocabulary	7	
Frequently Asked Questions	8	
Employee Assistance Programme	Appendix 1	
LifeTrack	Appendix 2	
Application of Salary Protection	Appendix 3	
Summary of Conditions that apply to staff who leave the Council	Appendix 4	
Request for a meeting form	Appendix 5	

1. Introduction

We are all working within environments where structural and organisational change is becoming more common - these could be changes to the structures of our departments / sections, the ways in which we work and provide our services or even, on occasions, the organisation that we work for through a transfer of our employment.

The Council is committed to ensuring that staff are engaged and consulted throughout the change process and we will actively involve you as a team member and as an individual. By continuing to talk with you and listen to your thoughts and ideas we want you to ensure that you are involved and supported at all stages.

2. Using the Guidance

This guidance is designed to help you find advice and guidance to support you through the process - what you can expect to happen, what part you will play and includes answers to some frequently asked questions.

If there are to be changes to job roles or grades, it is important that this guide is read alongside the **Employment Stability Agreement (ESA)** which sets out the principles and process that should be followed by the Council when undertaking change. The ESA has been negotiated and agreed with the Council's trades unions.

You will see references to the ESA within this Guide.

3. Key Principles & Commitments

In dealing with change, the Council will adhere to its core value principles of -

- We will learn from what we do and develop
- We will be open and honest
- We will value and respect diversity
- We will take responsibility for ourselves
- We will work together
- We will meet high standards

And aspire to meet our key vision of becoming -

'A highly regarded, leading Council; ambitious and focused on what matters most to our communities, delivering value for money and quality services'.

The Council is committed to the principle that if change is necessary that it should be achieved through a framework which seeks to protect staff and as far as possible eliminates the need for compulsory redundancies.

4. Key Support and Advice Sources

Many staff find periods of change can lead to feeling insecure and can be a stressful and emotional time. The Council strives to provide a supportive environment in which change can happen, but also recognises that staff may want to access a range of support services. The following sources may be of assistance to you -

- **Council documents and guides** available on IRIS or from your manager:
 - Employment Stability Agreement (ESA)
 - Change Management Checklist
- **The Employee Assistance Programme** provides **independent and confidential** advice and support. They can be contacted on 0800 282193 or through the website <http://ppcworldwide5.com/ppconline/> (Username: RBC, Password: Reading)
They can provide emotional support, help you develop coping strategies and also support you in practical matters such as where to get advice about financial planning. *See Appendix 1.*
- **LifeTrack** - a free, **on line** service provided by the Council to all staff which provides advice, guidance and practical tools for dealing with stress, work/life balance and wellbeing issues. Staff at **formal risk of redundancy** can also access 'career transition' tools for things such as job searching, CV writing and preparing for interviews. *See Appendix 2.*

- **Learning and Development** offer a range of courses, resources and development options to support employees through change and the interview process. Information can be found on the [L&D Pod on IRIS](#), or you can contact the L&D team by email to corp.training@reading.gov.uk, or by phone to 0118 937 2520 (ext 72520).

- If you are a member of a **trade union** you can also direct questions to them.

There are a range of unions that organise in the Council and we predominately liaise with the 3 Joint Trade Union Committee Convenors over change in the first instance - they in turn will usually notify other unions as necessary. These are UNISON (Patrick Kenny), UNITE (Kieran Magee) and NUT (Rob Ketley) - their contact details are pat.kenny@reading.gov.uk; unite@reading.gov.uk and rob.ketley@reading.gov.uk. In some service areas there may be members of the GMB union and the contact there is Barry Beaven (barry.beaven@gmb.org.uk).

- Formal and informal discussions with team colleagues and your manager.

By law, we cannot advise you on financial benefits or how your personal circumstances may be impacted. For this you will need to approach an independent financial adviser.

- Information about the Local Government Pension Scheme can be found here <http://www.lgps.org.uk/lge/core/page.do?pagelid=1>

Or here: <http://www.rbwm.gov.uk/berks-pension/>

Information about the Teachers Pension Scheme can be found here: <https://www.teacherspensions.co.uk/>

- Department for Work and Pensions <http://www.dwp.gov.uk/>
- Revenue & Customs <http://www.hmrc.gov.uk/index.htm>
- Fluent Wealth Management Limited (known as Fluent IFA).
- Tel No: 0870 099 4130; Email: teresa@fluentwm.co.uk ; Web: www.fluentwm.co.uk

5. Roles and Responsibilities

Role of line managers

- The key point of contact for any questions or queries.
- Support individuals through organisational change.
- Provide accurate and timely information to individuals, at pre-consultation stage as well as throughout consultation.

- Ensure that where staff are absent due, for example to sickness or maternity, they are included in consultation and notification arrangements.
- Talk honestly to individuals and teams throughout the change process even when there is no new information to share.
- Ensure the process is fair and consistent.
- Support redeployees who move into your team through making them feel welcome, induction and training.

Role of Human Resources

- To provide advice, guidance and support in relation to the application of the Employment Stability Agreement and change management generally.
- To manage and promote the support and training available, such as the Employee Assistance Programme.
- Ensure compliance with legal and good practice requirements in achieving change.

Role of Trade Unions

- To provide advice, guidance and support for their members
- To participate in individual and collective consultation arrangements.

Role of Employees

- Participate in consultation arrangements and the change process generally, this includes feeding back to the consultation proposals.
- Actively engage with managers and HR in identifying alternative employment choices. This may, for example, include arranging to spend a day in another team or talking to staff and managers in other teams or service areas to find out more about the work they do.
- Discuss training and development needs with managers and access appropriate training and support, for example interview skills or IT.
- Ensure that you ask for advice or guidance on anything that you do not understand following meetings or reading documents.

6. What Happens when Change is necessary?

The Employment Stability Agreement sets out the steps that will be taken, which in summary are -

- Staff may be involved in developing options for change prior to formal consultation starting.
- Informal consultation with staff and unions will take place when the ideas are thought about enough to have a meaningful conversation, but not so far developed that it is past the informal stage.

- Formal **consultation** with staff and unions will take place as soon as it becomes known that there is a need to effect change and meaningful detailed proposals can be tabled.
- **Consultation** will take place 'collectively' (i.e. with teams or groups of staff) and with individuals. Staff indirectly impacted, but affected by the change will also be consulted. Other stakeholders (such other organisations the service works closely with or as users of the service) will be consulted.
- **Consultation** will be 'active' - that is to say, it will not be the passive passing of information to you, but will seek your involvement and contribution. All feedback will be considered by managers and will be collated and feedback to the affected teams, stating why suggestions could or could not be incorporated into the final outcome or team structure.

The **information** that will be provided to you as part of the consultation is -

- Details of the change and the **reasons** for them
- The **likely impact** of the changes on structures and organisation of your service
- **Details of changes to job roles** , including revised job descriptions and grades.
- The **estimated number of possible job losses** (if any)
- The **timetable** for the change programme / process

These processes are set out in **Section 4** of the **ESA**.

7. Vocabulary

Often during change programmes, there can be confusion about the language being used and this is understandable. Often the terms used to describe change have very specific meaning and are defined in law or in Council procedures and agreements. In this section, some of those terms are defined.

'At Risk' and 'Redeployment'

Where a post has been deleted and not replaced or you are in a 'ring fence' for a post, then you will be categorised as 'at risk' of redundancy at the end of the consultation period. If this is the case, the Council - with your active participation - will seek to identify alternative employment for you - this is called 'redeployment' and you are the 'redeployee'. The steps that will be taken are set out in **Section 6 (c)** of the **ESA**.

Notice Period

All employees are entitled to a period of notice before their contract with the Council is ended and period is set down in law and in your main terms and conditions document. You will be given notice by letter that your contract is to end on the due date and the period between the letter and the end date is the 'notice period'. See **ESA Section 8 (a)**

Potentially at risk of redundancy

An employee who is told that his/her service area is subject to a review where it has been identified, subject to consultation, that there may be a net reduction in the number of posts or significant changes to the types of posts required. During this period, consultation over the organisational changes will continue and this includes not only the reasons for the changes, but also the change process itself - timescales, arrangements for ring fencing/slotting in, job roles and scope etc. A designation of being 'potentially at risk' does not assume that the postholder will remain at risk at the end of the consultation process

Prior Consideration

Staff who are designated as 'at risk' (i.e. a redeployee) will be given 'prior consideration' for available posts. This means that if you meet the basic requirements for the post that there is a presumption that it will be offered to you. It may be necessary to undertake a formal interview to make this assessment or where more than one person has prior consideration and have applied for the post. If you apply for a post within RBC, mark your application clearly that you have prior consideration. See ESA Section 6 (c) (ii)

Ring Fenced

If a post in the new structure is the result of combining the duties of 2 or more posts in the old structure, then the original postholders will be 'ring fenced' - that is that they will be considered for appointment to the new post before any other member of staff. The selection method used will be based around the Council's recruitment and selection procedure. See ESA Section 6 (b)

Slotting in

Where a post in a new structure is wholly or largely the same as your old job, then you may be 'slotted in' to the new post providing that you meet the basic requirement for the post contained in the person specification and the new post is the same grade (or one grade above / below your current grade) - See ESA Section 6 (b) and Appendix 3.

Trial Period

If you are offered alternative employment as a redeployee 'at risk' of redundancy, then there will be a minimum 4 week trial period where you or your manager can assess whether the new post is suitable for you. The assessment covers areas such as the standard of your work, customer service and attendance as well as any further training and development needs. A form is completed by your manager and yourself at the end of the 4 weeks to confirm the decision. If the post is deemed by your manager to be a successor post, i.e. it is very similar to your previous post, then the trial period may be waived. Your right to a redundancy payment is protected during the trial. However, the amount of redundancy payable may be reduced in the event that you unreasonably refuse an offer of suitable alternative employment. See ESA Section 6 (c) (v).

8. Frequently Asked Questions

1. How do I know whether I am entitled to a redundancy payment?

You must have 2 years continuous local government service to be eligible to a redundancy payment.

2. Am I entitled to a redundancy payment if my post is deleted?

The Council is committed to retaining staff and reducing the need for redundancies by actively seeking redeployment for staff who are at risk. This will continue throughout your 'at risk' and formal notice period and therefore there is no guarantee until your last day of service that you will be made redundant.

3. Will I get paid notice?

Yes. You will be entitled to the period of notice allowed within your contract of employment and will normally be required to work during this period.

4. Can I choose to be made redundant instead of accepting alternative employment?

Where suitable alternative employment has been offered and refused without good reason an employee may have their entitlement to a redundancy payment reduced. You will be asked to set out the reasons for your refusal and management will consider these in light of your personal circumstances.

5. How am I considered for alternative employment?

You will be given 'prior consideration' for posts if you are a 'redeployee' (i.e. declared formally 'at risk'). This means that there is a presumption that you will be offered a vacant post in the event that you meet the minimum requirements. However, you may need to be interviewed to assess this 'match' and if there are other redeployees who are also interested in a vacant post, then there may be an element of competition depending on circumstances. You will be sent the councils job advertisements each week and can apply for any posts within the Council.

6. Can I find out what other teams do to help me decide where I would like to work?

Yes, you are encouraged to speak to other teams, visit or spend a day shadowing or working there as appropriate.

7. If I move to another workplace do I get compensated for the extra travel?

If you are required to move to another workplace you are entitled to reimbursement of extra travel costs in accordance with the Councils local

agreement for the 'Reimbursement of Expenses' provides for the reimbursement of travel expenses for staff who relocate as follows:

'Where employees are subject to a compulsory change in their place of work, ie another Council site, they will be reimbursed the additional costs arising from that move. Acceptable expenses would include the difference in the cost between home and the new place of work, and home and the previous place of work. For some this may mean additional expense, for others there may be a gain.

Reimbursement of additional travel costs will be made on the basis of 2nd class public transport rates or petrol costs where a private car is used.

The actual cost of the petrol element will be reimbursed not a mileage rate.

The items of expenditure and the period for which the reimbursement is made, is subject to an agreement made with their manager.

This will be for a period of 4 years. If the employee returns to their original site, or voluntarily moves into another job, then this allowance will cease.'

No extra time is given for any additional time it takes to get to your new work base.

8. Will I get my pension paid once I have been made redundant?

Only those over the age of 55 when made redundant will receive immediate payment of pension benefits. Those under 55 will be able to take their pension at the normal retirement age or look at the option of transferring it to a new pension provider.

9. Will I get financial information with regard to my redundancy package?

Yes, you will be given an estimate of your redundancy entitlement as calculated as at the estimated date of leaving (this may change), and any pension benefits if applicable. The timing of giving the estimate will depend on the circumstances of each change programme.

A 'ready reckoner' is used to do the calculations and you can use this to see for yourself how many weeks pay you would be entitled to. It can be found on IRIS [XXXXXXXX LINK](#).

10. If any pay award is agreed but is delayed - how will this affect my redundancy calculation?

Your redundancy entitlement will be calculated using the current pay rates. If these are changed retrospectively for any reason, then your compensation will be recalculated and the balance sent to you.

For those in receipt of a Local Government pension, this will be adjusted automatically.

11. As I am nearing retirement age will I be entitled to a phased reduction of my working hours?

You can find details about flexible retirement on IRIS in the Pension POD or from your manager.

12. Do Elected Members see the representations put forward by staff during the formal consultation period?

Responsibility for leading and implementing change is devolved to Council Managers to lead and deliver. Elected Members may receive updates or briefings on progress, but are not involved in assessing detailed comments.

13. What happens to any holiday entitlement before I leave?

You will be given sufficient notice of any termination date to allow you to use any holiday accrued by this date. If you have used more than your holiday entitlement, this will be recovered from your final salary.

14. When does pay protection take place and for how long?

If you accept suitable alternative employment you will be entitled to 4 years pay protection. This means that you will not receive any increments, but will receive any cost of living increases over this period. Alternatively, you could accept a 'buy out' of this protection. The full details of your entitlement are set out in Section 6 (d) of the ESA. *See Appendix 4.*

13. Can I return to work after taking Redundancy /Early Retirement?

If you are dismissed by reason of redundancy (or receive early retirement / redundancy for staff over 55 and members of the local government pension scheme), then you cannot work for another local authority or organisation covered by the Local Government Redundancy Modification Order for 4 weeks after the point of dismissal. In addition, if your redundancy / early retirement compensation is given discretionary enhancement by Personnel Committee then you may not be employed by the Council in a permanent capacity for a period of up to 12 months from the date that your employment ceased. *See Appendix 4.*

14. What if I am offered another job?

If you have been given formal notice that your employment will be terminated by reason of redundancy, then you may give the Council 'counter notice' of your intention to leave - that is the period of notice that you must give under your contract of employment - and still protect your right to a redundancy payment.

If you are offered another job and you intend to take it up within 4 weeks of your post with the Council ending, you must let HR know which organisation it is with so that they can advise if it is on the Modification Order - see question 13.

See Appendix 4

15. Will I pay tax and national insurance?

This varies between the type of payment. *See Appendix 4*

16. What if I am on Maternity Leave?

You will be consulted with as all other employees, with specific arrangements depending on the circumstances (e.g. you may not be able to attend consultation meetings and your manager will ensure they remain in contact with you). RBC will try to find alternative employment and they have an obligation to offer suitable alternative posts that exist. You may therefore be treated more favourably than other employees who are also at risk of redundancy. If there is no suitable vacant post then your contract would be ended by reason of redundancy - see questions above.

If you qualify for Statutory Maternity Pay (SMP) and are redundant after the beginning of the 15th week before your baby is due, RBC will pay your SMP and your redundancy compensation payment. Any additional contractual maternity pay would end on your last day of service.

17. What if I am on sick leave?

You will be consulted with as all other employees, with specific arrangements depending on the circumstances (e.g. you may not be able to attend consultation meetings and your manager will ensure they remain in contact with you). You will be treated the same as other employees, except that there may need to be special arrangements made if you are to take part in a selection process that requires an interview. These arrangements will be discussed with you and will depend on your particular circumstances.

PPC - Employee Assistance Programme (EAP)

You are only a phone call away from independent advice, information and support that's completely free and confidential. Reading Borough Council has chosen to offer this service to you and your family household members to make life easier.

Brought to you by PPC, this Employee Assistance Programme (EAP) is available any time, day or night, on any day of the year. Over the 28 years PPC has been in business we have built up an international reputation as the leading provider of professional advice and counselling to organisations and their employees. So you can be safe in the knowledge that you are getting the very best help and support - just when you need it.

We can all benefit from the right help and advice at some time in our lives. As life continues to create new challenges getting another point of view can be beneficial. It may be that you would like to improve your communication skills at work or would benefit from setting personal development goals. Perhaps you would like professional advice on money management or you may feel there are areas in your life that you would like to improve. Our specialist team of personal advisors will enable you to meet these challenges with more confidence.

By calling the EAP free-phone number below you can access the full range of PPC's services:

- General information and Citizens Advice services (anything from consumer issues to education, child and dependant care or residency advice)
- Telephone debt counselling
- Counselling, both on the telephone and face-to-face

We aim to answer your query there and then, or link you with the right advisor for more specialist advice. We will give you the opportunity to meet one of our fully qualified counsellors near to your home or place of work. Your PPC counsellor will work with you towards a positive outcome.

Reading Borough Council has already paid for you to access this confidential service as often as you like, so feel free to start using the following free-phone number immediately.

0800 282193
minicom 0800 0854739

Website: <http://ppcworldwide5.com/ppconline/> (Username: RBC, Password: Readingx)

You can continue to use EAP for up to 3 months after leaving RBC employment.

LIFETRACK

The LifeTrack support service is available to all employees of Reading Borough Council.

The Service is completely free of charge to you as an employee of the Council and is provided by Working Transitions, an independent provider of employee support services. This 'on line' support facility is designed to assist you through periods of change and transition and complements the existing Council Employee Assistance Programme.

The LifeTrack service offers you a complete range of support which can be accessed through a dedicated, and confidential to you, website. The features of this service include:

- a section helping you understand change and the need for it and how to take the right steps to cope with it and the uncertainty often associated with change
- managing pressure and emotions - varied information sources to allow you to understand your emotions through to managing pressure and reducing stress effectively
- a comprehensive assistance and life-balance programme, designed to help you gain personal insight into your state of physical and emotional wellbeing and how to improve it.

Other services range from advice about exercise and general wellbeing, through to learning how to relax and achieving an appropriate work/life balance. These services are designed to complement and support Reading Borough Council's existing policies, procedures and systems in this regard and provide an additional on-line facility that you can access at home as well as at work.

Please first visit the LifeTrack website to register, using the details below:

The web addresses for the links to the LifeTrack website (which you can use e.g. to access from home pc's) are:

LifeTrack Registration: <http://www.wtecoach.co.uk/registration.aspx>

LifeTrack Login: <http://www.wtecoach.co.uk/login.aspx>

LifeTrack Registration

Your registration code is **RECO-COUN**. You will also be asked to enter your name/e-mail address details and a password (which you create yourself), in order to gain access to the site. Should you have any problems accessing the site, please e-mail advice@workingtransitions.com

Once you have registered, your e-mail address will be your username and you will be asked to enter the password you created at registration. The link to access the login page in future, after you have registered, is **LifeTrack Login**

You might find it helpful to add this to your 'favourites'.

(Please note that if at any time you get a 'websense' message, just click 'continue' to confirm your access is for work-related purposes - this won't affect your personal internet quota time).

Staff who do not have access to a PC at work can access the system from home or a third party.

The LifeTrack system can also be used to provide additional on-line support and assistance to staff who are formally at risk of redundancy/redeployment. If you would like to access this, please provide your e-mail address (this can be work or personal) to your HR contact.

Please note that whilst all proper enquiries have been made by RBC as regards the handling of personal data by Working Transitions, the Council recommends that you read carefully the Privacy Policy on the LifeTrack website to ensure you are happy with its terms before providing your personal data.

Please note that RBC gives no legal warranty representation or undertaking:

- as to the handling of your personal data by Working Transitions or
- that the information provided on the website is accurate, complete or current or
- that the site is virus free.

Original information issued January 2011

You can continue to use LifeTrack after leaving RBC employment, as long as you retain your password.

NEW GRADING STRUCTURE - APPLICATION OF SALARY PROTECTION

1. INTRODUCTION

- 1.1 This document sets out the application of the Council's salary protection arrangements with effect from **19th July 2012**.
- 1.2 This policy has been agreed with the Council's Trades Unions, Council Management Team (CMT) and Personnel Committee.

2. BACKGROUND

- 2.1 Salary protection arrangements in the event of organisational change are contained within the Council's Employment Stability Agreement (ESA) (section 6 (d)) and form an important element of the agreement to achieve successful change programmes across the Council.
- 2.2 The relevant section of the ESA is attached as **Appendix A**.
- 2.3 This policy is designed to apply the ESA principles to the Council's new grading structure introduced in May 2011.

3. APPLICATION & EXAMPLES

The following application will apply from 19th July 2012 -

- 3.1 Each new RG grade contains incremental steps, but is also divided by a 'gateway' which is fixed by Job Evaluation (JE) criteria - ie 'above the gateway' is a separate, evaluated additional element to the main grade consisting of 2 or 3 additional spinal column points (scp) - see **Appendix B**.
- 3.2 Salary protection in the new grading structure should therefore be based on JE principles rather than whole RG 'grades'. This represents a principle consistent with the old salary protection arrangements.
- 3.3 Where the employee will be placed relative to their old grade will also be determined relative to
 - where the new post is graded - above or below the gateway,
 - whether there are pre-existing gateway progression criteria and
 - whether the employee meets those criteria in terms of skills and abilities.
- 3.4 Viewed in this way, (and applying the terms of the current ESA agreement) an employee:
 - redeployed from scp 48 (below the gateway) in RG8 to a post graded RG6 (above the gateway) would be protected at the gateway in RG7 (scp 42).

- in the above example, where the new post is graded RG6 (below the gateway), the employee would be protected at the top of RG6, unless there is a pre-existing progression criteria for that post and the employee meets those criteria, in which case they will be protected at the gateway in RG7.
- redeployed from RG8 (above the gateway) to a post graded RG7 (above the gateway) would be protected at the gateway to RG8; if the employee is currently below the gateway in RG8 they would be protected at their current scp.
- redeployed from above the gateway in RG9 to RG6 would be protected at the gateway in RG7 (providing that the RG6 grade JE assessment is above the gateway or there are pre-existing gateway progression criteria that the employee meets). If, however, the post is graded below the gateway and no progression criteria exist / are not met, the employee will be protected at the top of RG6.
- redeployed from above the gateway in RG5 to a post which is graded below the gateway in RG4, the employee would be protected at the top of RG4 (ie above the gateway).

New NJC Pay Structure

SCP	Apr-13	Current Grades	
59	£52,916	£27.43	RG 10
58	£51,640	£26.77	
57	£50,365	£26.11	RG 10
56	£49,241	£25.52	
55	£48,115	£24.94	RG 9
54	£46,991	£24.36	
53	£45,866	£23.77	
52	£44,742	£23.19	
51	£43,830	£22.72	RG 8
50	£42,937	£22.26	
49	£42,032	£21.79	
48	£41,148	£21.33	
47	£40,254	£20.86	RG 7
46	£39,351	£20.40	
45	£38,422	£19.92	
44	£37,578	£19.48	
43	£36,676	£19.01	RG 6
42	£35,784	£18.55	
41	£34,894	£18.09	
40	£33,998	£17.62	
39	£33,128	£17.17	RG 5
38	£32,072	£16.62	
37	£31,160	£16.15	
36	£30,311	£15.71	
35	£29,528	£15.31	RG 4
34	£28,922	£14.99	
33	£28,127	£14.58	
32	£27,323	£14.16	
31	£26,539	£13.76	RG 4
30	£25,727	£13.34	
29	£24,892	£12.90	
28	£23,945	£12.41	
27	£23,188	£12.02	
26	£22,443	£11.63	
25	£21,734	£11.27	RG 4
24	£21,067	£10.92	
23	£20,400	£10.57	
22	£19,817	£10.27	

APPENDIX 4

SUMMARY OF CONDITIONS THAT APPLY TO STAFF WHO LEAVE THE COUNCIL

	TYPE OF EXIT		
	EFFICIENCY TERMINATION OR EARLY RETIREMENT (includes VRS) ¹	VOLUNTARY REDUNDANCY OR EARLY RETIREMENT ²	COMPULSORY REDUNDANCY OR EARLY RETIREMENT ³
Entitlements	Compensation (as agreed) and / or immediate access to pension if 55+ and a member of the LGPS ⁴	Redundancy payment and immediate access to an unreduced pension if 55+ and a member of the LGPS	Redundancy payment and immediate access to an unreduced pension if 55+ and a member of the LGPS
Can Return to RBC Employment	After 12+ months if permanent, but in exceptional cases, immediately if non permanent but only with approval of CMT.	12+ months if permanent, but after 4 weeks if non permanent.	12+ months if permanent, but after 4 weeks if non permanent
Employment by <u>other</u> Local Authority or Modification Order Body	Straightaway providing do not accept offer before being given formal notice by Council	After 4 weeks if offer accepted whilst under formal notice from RBC	After 4 weeks if offer accepted whilst under formal notice from RBC
Type of Post	Any	Any	Any
Employment for any other organisation	Immediately, providing offer not accepted before formal notice of termination given by RBC	Immediately, providing offer not accepted before formal notice of termination given	Immediately, providing offer not accepted before formal notice of termination given

¹ Where an employees employment is terminated in the interests of the efficiency of the service - if over 55+ and a member of the LGPS, then this becomes an 'early retirement in the interests of the efficiency of the service'

² Where the employee volunteers for redundancy - if over 55+ and a member of the LGPS, then this becomes a 'redundancy early retirement'

³ Where the employee is made redundant - ditto 2 above

⁴ Whilst compensation package may vary, it cannot exceed the amount that the employee would have received had they been made redundant. Pension does not have to be unreduced.

PENSION

Flexible Retirement

This is a relatively new provision of the 2008 Local Government Pension Scheme which allows staff to access their pension benefits and move to part time working (with or without remaining a member of the local government pension scheme).

An application for flexible retirement will only be approved if the costs of the release to the Council will be recovered over a 2 year period to produce a saving.

For example, employee A is paid £30,000 pa. She wants to move to a part time role (either her existing job or another job) at which she will be paid £15,000 pa. The cost of her pension to the Council (sometimes called the 'capitalised cost' - see below) is estimated to be £20,000. Whilst the release of pension will cost £20,000, the savings in salary over 2 years will be £30,000 (net saving of £10,000) and then an ongoing saving of £15,000 pa. The application is likely to be approved.

Capitalised Cost

This is the cost to the Council of an early release of pension benefits to an employee aged 55 + when the pension is unreduced (ie because it is a redundancy or the Council agree not to reduce it in the case of an efficiency termination). It is essentially the 'bill' the Council has to pay to achieve the release and it can be substantial - the pension administrators will normally advise us of this figure when ER estimates are produced.

ENDING OF FIXED TERM CONTRACTS

Note: Not agency staff, contractors or consultants.

	TYPE OF CONTRACT		
	Less than 1 Year	One to Two Years	Two Years and Over
Prior consideration for posts within RBC	Yes	Yes	Yes
Apply for 'Internal Only' posts	Yes	Yes	Yes
Right to a redundancy payment	Not unless they have previous continuous service with RBC (or another Modification Order Body) which added to the RBC service is more than 2 years.	Not unless they have previous continuous service with RBC (or another Modification Order Body) which added to the RBC service is more than 2 years.	Yes