

## **HUMAN RESOURCES COMMITTEE**

Minutes of a Meeting of the HR Committee held in the Luttrell Room - County Hall, Taunton, on Tuesday 24 January 2023 at 2.00pm

**Present:** Cllr L Leyshon (Chair), Cllr A Dingwall, Cllr D Fothergill, Cllr A Kendall, Cllr G Oakes, Cllr E Pearlstone, Cllr D Rodrigues, Cllr M Stanton, Cllr S Wakefield,

**Committee members attending virtually:** Cllr S Ajula, Cllr L Redman, Cllr T Robbins

**Absent:** Cllr M Healey

Cllr Liz Leyshon welcomed all to the meeting including members of the public and explained that she was chairing in her capacity as lead Member for Finance and Resources. She stated that this was the fourth monthly meeting of this Committee and that the Committee has powers delegated to it by Full Council in the area of human resources, meeting as and when required, reporting as necessary to Full Council. The principal functions of the Committee are to determine monitor, review and amend staffing policies and practices to secure the best use and development of the Council staff, including the power to deal with all matters relating to staff terms and conditions.

### **12. Apologies for absence – Item 1**

Cllr S Ajula (attended online), Cllr L Redman (attended online), Cllr T Robbins (attended online).

### **13. Declaration of Interest – Item 2**

a) Cllr Leyshon and Cllr Kendall declared a personal interest as members of the Local Government Pension Scheme.

### **14. Minutes from the previous meeting held on 13 December 2022 – Item 3**

The minutes were approved as a true and accurate record.

### **15. Public Question Time – Item 4**

There were no public questions, statements, or petitions.

### **16. Pension Policy and Processes – Item 5**

The Chair welcomed the Service Manager - HR Policy and Project, Sarah Welland who highlighted the following:

- Draft policy flagged for information only combining documents in relation to pensions and retirement.
- One change from existing policies which is favourable to district employees in that those applying for flexible retirement are not required to make a significant reduction in earnings.

Questions were invited:

- A Councillor asked for clarification of process for flexible retirement. The Officer explained this is one option available to staff over the age of 55 where previously employees were required to reduce earnings (through reduction in hours, grade or both) for early access to retirement benefits whilst continuing to work via a flexible working request. Employer to undertake cost benefit analysis to decide whether to approve or decline request. Reduction in employment costs should offset early payment to employee and therefore be cost neutral to Council.
- A Councillor asked how many employees over 55 make this request. The Officer replied there were approximately 10-12 requests per year that were approved but figures were not known for the districts. The Councillor queried whether offering this option for employees at 55 could be costly considering that staff were likely to continue to work longer and live longer past state retirement age. There was discussion about loss of knowledge and experience.
- A Councillor stated that the minimum pension age will rise from 55 to 57 from 2028. The Officer stated that ways to retain employees should be found to avoid labour shortages and as well as offering opportunities for flexible retirement. Later retirement can help prevent labour shortages and provide mental health benefits to older employees.
- A Councillor stated that flexible retirement should be viewed as encouraging employees to consider lifestyle changes to continue working if they choose; asked what strain this would put on the pension scheme and if this is quantifiable; and queried if re-investment of pension funds into new pension funds. The Officer said that earnings from continued working could be paid to a new pension fund in agreement with the provider of the LGPS, Peninsula Pensions.
- A Councillor asked if this indexed linked to inflation if taken at age 55. The Officer confirmed this is index linked.
- A Councillor suggested the Council engage with pension holders to ascertain whether employees are comfortable with investment in tobacco related industries, gambling, fossil fuels or other sectors deemed less socially responsible and asked if it was the view of this Committee that employees should be able to voice opinion on this. The Officer said that the Pensions Committee includes pension holder representatives. A Councillor said that these representatives do articulately express their views.
- A Councillor stated support for the policy and process on confirmation that the policy did not contain any guidance which would lead to illegal recycling of pension funds.

**The members of the HR Policy Committee noted for information purposes only, the new Pensions Policy and Processes Statement, which falls into the category of being a change to one or more of the District Council's existing policies, but no significant change to the existing SCC policy.**

### **17. Chief Officers Annual Leave Entitlement – Item 6**

The Chair welcomed the Strategic Manager – HR Business Partner (Adults Social Care and Policy & Projects), Cherry Russell to the meeting. The Officer highlighted the following:

- November meeting saw a report on pay award, as nationally agreed on 1 November 2022, which referenced leave entitlement.
- Leave entitlement either follows nationally agreed conditions as per Green Book for Staff or a local agreement. In Somerset, there is a local arrangement for pay and grading which is linked to the National Joint Council (NJC) Green Book annual leave entitlement. To implement addition leave from 1 April 2023 as agreed nationally, this needs to be agreed locally. It was suggested that the Committee gives authority to the Service Director to agree Green Book terms as recognised by the trade unions.
- There was discussion about the historical context of Green Book terms from 1999/2000 and specifics of grade and leave entitlement. Somerset leave entitlement is currently in excess of minimum entitlement for higher grade staff.
- Proposal to increase leave for lower grade staff (grades 17-13) from 25 days annual leave to 28 days after 5 years' service, and proposal for 28 days annual leave for grade 12, 30 days for grades 11 to 9, and 33 days for grade 8 and above. This constitutes one additional day to the existing entitlement.
- Local arrangements would be agreed with the three recognised trade unions, Unite, UNISON and GMB. Following a recent meeting, UNISON and Unite were in agreement with the proposal to amend the existing local collective agreement in line with the national agreement from 1 April 2023, with the exception that annual leave entitlement form part of forthcoming negotiations on wider terms and conditions review by the new authority. Concerns were raised by the unions about linking leave and grade; it was stated that the historical context of this was unknown. GMB were unable to respond. Strong view from unions that annual leave entitlement be based on length of service and not on grade.

- 1. The members of the Human Resources Committee agreed to note the nationally agreed NJC Green Book increase of one day to annual leave entitlement from 1 April 2023 as outlined in paragraph 1.1, 1.2 below**

**and Appendix 1.**

2. **Members of the Committee unanimously agreed to give the Director of Customers, Digital and Workforce, authority on behalf of this Committee and the Council to agree with the Green Book recognised trade unions, an amendment to the local collective agreement on annual leave entitlement for all staff on Green Book terms and conditions Somerset Grades up to grade 4, in order to implement the increase agreed nationally for NJC Green Book staff, as recommended in paragraph 2.2.**

It was confirmed that this was in relation to the 2022-23 pay award for Somerset County Council staff (not Somerset Council) for the current year, which if agreed will take effect from 1 April 2023. Similar decisions are being considered in the four district authorities and, if agreed, will be enacted by the single payroll administration of Somerset Council from April 2023 for all Somerset Council staff (former SCC and former district staff).

A Councillor asked if the additional days leave would be on top of the additional day granted by the national agreement. The Officer confirmed this was not the case for the majority of grades as the local agreement was already in line with the new national agreement, but an enhancement for grades 13 to 17. It was stated that there can be no deviation from the national agreement aside from enhancement.

Proposal to increase annual leave entitlement for Chief Officers, grades 1 to 3, by one day in line with Green Book changes. It was explained that around 2012, SCC opted out of national negotiations for chief officers, so that terms and conditions, including annual leave, were subsequently taken by this Committee ahead of ratification by Full Council. Current entitlement is 32 days per annum, with managers on lower grades rising to 33 days. It is suggested to award an additional day of annual leave to increase to 33 days from 1 April for equity (option 3), and proposed to Full Council on 22 February.

Questions were invited.

- A Councillor asked the expected trade union reaction to the principle of all staff grade having the same leave entitlement dependent on length of service. The Officer said that this would not be known without consultation with members. Unions support the principle of discretionary pay awards, and leave entitlement linked to Green Book.
- A Councillor expressed that all staff should be paid fairly and receive adequate leave entitlement.

**The Committee agreed to the increase in annual leave entitlement by**

**one day (pro-rata) for the Chief Executive and Chief Officers Grade 1 to 3, with effect from 1 April 2023, in line with NJC Green Book changes, as recommended in paragraph 2.3.2.**

**The Committee requested that a report is submitted to Full Council on 22 February 2023 to approve the recommendations of this Committee relating to the proposed increase in annual leave entitlement for Somerset Grades 1 to 3.**

### **18. Dynamic Working Strategy – Item 7**

The Chair welcomed Lead Specialist – People, Support Service, South Somerset District Council and Lead Officer, Amanda Kotvics who is the co-lead for the Dynamic Working Strategy, and joined the meeting online, highlighted the following:

- Large changes since covid and an increase in benefits to employees with an increase in trust between staff and managers. To note, new finance system is Microsoft Dynamics, a distinct system with no link to this strategy.
- Dynamic working is role specific and gives the ability to flex working arrangements and is based on outcomes, whereby work is completed to best suit the needs of the organisation and individual. New organisation is opportunity to reset the standard for ways of working.
- The strategy encourages inclusivity, promoting healthy work-life balance, trusting employees, ensuring fairness without sacrifice of productivity whilst supporting climate emergency agenda by minimising travel and business usage through better use of technology for collaborative working.
- Culture of trust, productivity and wellbeing in a forward-looking organisation with improved recruitment and retention with a diverse workforce.
- Strategy achieved by agreement, not contract changes, as a flexible, non-permanent arrangement with no change to terms and conditions. Strategy is distinct from the Flexible Working Policy whereby an employee can request (once per year) a formal flexible working arrangement.
- Dynamic working can be viewed as a benefit when public sector salaries are behind private sector, a benefit in the move toward carbon neutrality, a benefit to employees and/or their families, and a benefit to budget with the potential to reduce office space.
- Engagement with employee groups, unions and other stakeholders have been very positive.
- Members views and questions were invited.

- A Councillor welcomed the strategy but stressed the importance of in-person working for mental health and the impact of isolation of home-working for some employees. The Officer said it was likely that dynamic working would suit 85-90% of employees but would not suit staff with unsuitable conditions at home or who may not feel safe to work at home. The importance of in-person working for new starters was highlighted for sharing of information and experience, and also support to colleagues.
- Trials of team charters will be taking place as part of action plans to support the strategy as well as training for managers to be alert to signs of poor mental health within their teams.
- Desk counts have been completed in the autumn and during the colder, winter months.
- A Councillor stated that many businesses are experiencing recruitment issues and with a majority improving terms of work to make them more competitive by increasing flexibility in terms of location, work hours etc and welcomed the dynamic strategy. They asked if managers monitor productivity. The Officer said that it was important to retain the ability to request employees return to the office if required as the contract remains unchanged with an office base. It was also stated that productivity can increase with a shorter working day due to loss of commuting time through home-working.
- A Councillor recognised that trust features highly in management of home-working colleagues and asked what processes are in place to encourage a healthy work-life balance where employees may work more hours than contracted. The Officer stated employees have the ultimate responsibility for their own wellbeing with managers monitoring working hours with apps that monitor in a positive way, by for example suggesting downtime when a large meeting workload is detected.
- A Councillor asked if any analysis has been undertaken in energy efficiency of home-working where multiple workspaces are heated and powered versus the office environment for multiple colleagues and whether job roles are carbon-audited. The Officer detailed work with the Climate Agenda Group which has not previously considered carbon-auditing roles but would now consider this. The Councillor asked for clarification of 'basic appropriate equipment provided' for a role. The Officer said this is a laptop but not a desk unless there was a specific need for adjustment such as desk riser or other specialist arrangement but would include keyboard, headphones, mouse etc to enable efficient working as well as Display Screen Equipment (DSE)

assessment of correct desk working position. The Officer confirmed that this is a strategy and not a policy so would come back to the HR Committee in due course rather than to Full Council for ratification. The Committee's comments were welcomed. The Councillor referred to the Equality Impact Assessment and asked if Trade Union representation had been sought. The Officer said the strategy had been signed off by the National Negotiating Forum. The Councillor asked for reassurance that an employee predominantly working from home could retain the option of office-working, particularly if their domestic situation changed. The Officer re-iterated that the strategy embodied choice for the employee. The Councillor asked how the strategy would be monitored. The Officers said that the strategy is a working document which could return to the HR Committee to show what mitigations have been considered. The Councillor expressed some concern about the perception of the reference to employee anxiety regarding sexual orientation or gender reassignment and work-space positioning, and whether this could be re-worded to strengthen inclusivity, in addition to equalities training. The Officer thanked the Councillor for the question and suggested removal of the reference to sexual orientation for the issue of employee anxiety. There was agreement to remove any unintended negative reference to infer general anxiety and to encourage dialogue between employee and manager.

- A Councillor asked how health and safety concerns are managed with home-working. The Officer said this was the employees' responsibility through measures such as the DSE assessment. Employees are encouraged to consider insurance arrangements.
- A Councillor asked for clarification of insurance arrangements for home-working and whether there was a requirement to produce an insurance certificate. The Officer stated that this was not a requirement but may be covered at appraisal. Guidance, developed during Covid, is still available in relation to home-working. It was confirmed that any SCC equipment is covered by SCC insurance in employees' homes or where work is undertaken. It was suggested that a reminder is sent to all staff on wellbeing and health and safety when working from home.
- A Councillor suggested that this should also be circulated to all 110 members.

There was discussion about hearing loops in meeting rooms which is now largely outdated due to modern digital hearing aids.

- A Councillor suggested that there may be a move towards office working for employees living closer, due to the cost of heating at home. An Officer said that office attendance is periodically monitored and that the carbon reduction analysis from dynamic working could be undertaken.
- An amendment to the recommendation was suggested to include a six-month review of the Equalities Impact Assessment of the Dynamic Working Strategy Action Plan and report to the HR Committee in late 2023. The Committee agreed to the amendment of the recommendation.

The following recommendation was proposed by Cllr D Rodrigues and seconded by Cllr G Oakes. The Committee voted unanimously in favour.

**The members of the HR Policy Committee formally approved the new Dynamic Working Strategy, for use in the new Somerset Council with effect from 1<sup>st</sup> April 2023 with a six-month review following April 2023 of the Equalities Impact Assessment in late 2023.**

The Chair thanked the Lead Specialist – People, Support Service and their team for their work on this strategy and presentation today and suggested this approval be highlighted to Full Council at the next available meeting.

### **19. LGR People Workstream Update – Item 8**

The Committee received a presentation from the Director of Customers, Digital and Workforce – Chris Squire as the Lead Officer of the LGR People Workstream.

The following points were highlighted:

- Achievements to date include completion of all tier 2 appointments; imminent commencement of 14 tier 3 appointments; warm offices initiative for staff struggling with cost of energy of home-working; Employee Support Toolkit; development of Change Protocol including move to one electronic recruitment system for the new Council; new Careers website; continuing work of the culture workshops; move to single learning management system; new temporary labour contract for new Council; development of new staff networks including ethnic minorities, LGBTQ+, young people, new mum's, men's health and armed forces.; and payroll migration to SAP for all district colleagues. The Chair particularly praised the successful work on payroll migration.

A Councillor asked if these successes had been disseminated to all colleagues in each of the authorities to give assurance of readiness for 1



April. The Officer said that the message was given to senior staff to disseminate. An agreement was outlined that where staff are on temporary contracts, these could continue where this is within budget, but where this is not the case then local 151 Officer approval is needed to extend contracts. The Chair, as Lead Member for Finance and HR, stated this involves some risk for service delivery.

- Still to be achieved ahead of Vesting are approval of new structure; development of new corporate health and safety training; standardised Disclosure and Barring (DBS) system; TUPE arrangements; as well as smaller projects.

The Chair asked for confirmation of the budget for equality, diversity and inclusion to include provision for reasonable adjustment. The Officer confirmed there is a small budget for such events.

A Councillor expressed concern about the timescale for tier 3 appointments in a March, very close to Vesting. The Officer confirmed imminent commencement of the tier 3 appointment process and outlined a pre-transfer redundancy consultation as well as consultation on the new structure. Matching process to begin shortly whereby posts will be ring-fenced for district colleagues.

A Councillor asked if agency workers would transfer. The Officer confirmed that TUPE only affects contracted staff from the districts with new temporary labour arrangements commencing on 1 April. Agency staff are not contracted and will therefore not TUPE. SCC employees will not TUPE as Somerset County Council is the continuing authority as Somerset Council. There will be a continuing need for temporary labour through agency arrangements in Children's Services, Adult Services and Public Health. Support for existing employees and job evaluation arrangement will also need to be finalised.

The Chair stated the move to a unified Council was a large undertaking in terms of HR and Finance.

The Officer stated that there would be huge amount of continuing work on culture to address issues such as differing terminology for example used by different planning committees,

## **20. Any other urgent items of business – Item 9**

There were no items of urgent business.

**Meeting closed at 16.40pm**