



WOKINGHAM BOROUGH COUNCIL

A Meeting of the **PERSONNEL BOARD** will be held at the Civic Offices, Shute End, Wokingham, RG40 1BN on **TUESDAY 5 JULY 2016 AT 6.00 PM**

A handwritten signature in black ink, appearing to read 'Andy Couldrick', written in a cursive style.

Andy Couldrick
Chief Executive
Published on 27 June 2016

Our Vision

A great place to live, an even better place to do business

Our Priorities

Improve educational attainment and focus on every child achieving their potential

Invest in regenerating towns and villages, support social and economic prosperity, whilst encouraging business growth

Ensure strong sustainable communities that are vibrant and supported by well designed development

Tackle traffic congestion in specific areas of the Borough

Improve the customer experience when accessing Council services

The Underpinning Principles

Offer excellent value for your Council Tax

Provide affordable homes

Look after the vulnerable

Improve health, wellbeing and quality of life

Maintain and improve the waste collection, recycling and fuel efficiency

Deliver quality in all that we do

MEMBERSHIP OF THE PERSONNEL BOARD

Councillors

Stuart Munro (Chairman)	Alistair Auty (Vice-Chairman)	Prue Bray
Pauline Helliar-Symons	Pauline Jorgensen	Charles Margetts
Barrie Patman		

Substitutes

UllaKarin Clark	Richard Dolinski	Lindsay Ferris
Tim Holton	Clive Jones	John Kaiser
Dianne King	Anthony Pollock	Beth Rowland
Rachelle Shepherd-DuBey	Chris Singleton	Paul Swaddle

ITEM NO.	WARD	SUBJECT	PAGE NO.
1.		APOLOGIES To receive any apologies for absence.	
2.		MINUTES OF PREVIOUS MEETING To confirm the Minutes of the Meeting held on 4 November 2015.	5 - 8
3.		DECLARATIONS OF INTEREST To receive any declarations of interest.	
4.		PUBLIC QUESTION TIME To answer any public questions. A period of 30 minutes will be allowed for members of the public to ask questions submitted under notice. The Council welcomes questions from members of the public about the work of this committee. Subject to meeting certain timescales, questions can relate to general issues concerned with the work of the Committee or an item which is on the Agenda for this meeting. For full details of the procedure for submitting questions please contact the Democratic Services Section on the numbers given below or go to www.wokingham.gov.uk/publicquestions	
5.		MEMBER QUESTION TIME To answer any Member questions.	

6.	UPDATES TO EMPLOYMENT RELATED POLICIES	9 - 12
	To consider and approve updates to three employment-related policies:	
6.1	Pay Policy Statement 2016	13 - 20
6.2	Amendments to the Organisational Change Policy	21 - 28
6.3	Amendments to the Consultation Policy	29 - 46

7. EXCLUSION OF THE PUBLIC

That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 4 of Part 1 of Schedule 12A of the Act as appropriate.

8.	None Specific	SHAPING THE COUNCIL OF THE FUTURE	47 - 50
		To consider progress in developing the business case for the future size and shape of the Council.	

Any other items which the Chairman decides are urgent

A Supplementary Agenda will be issued by the Chief Executive if there are any other items to consider under this heading.

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**MINUTES OF A MEETING OF THE
PERSONNEL BOARD
HELD ON 4 NOVEMBER 2015 FROM 6.30 PM TO 8.55 PM**

Committee Members Present

Councillors: Alistair Auty (Vice-Chairman), Prue Bray, David Chopping, Pauline Helliar-Symons, Pauline Jorgensen and Barrie Patman

Officers Present

Madeleine Shopland, Principal Democratic Services Officer
Graham Ebers, Director of Finance and Resources
Sarah Swindley, Service Manager Human Resources
Billy Webster, Head of Support Services

1. APOLOGIES

An apology for absence was submitted from Stuart Munro.

2. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 17 November 2014 were confirmed as a correct record and signed by the Vice Chairman.

3. DECLARATION OF INTEREST

Pauline Helliar Symons declared a Personal Interest in Agenda Item 9 Shaping the Council of the Future on the grounds that she was an Investors in People assessor.

4. PUBLIC QUESTION TIME

There were no public questions.

5. MEMBER QUESTION TIME

There were no Member questions.

6. PAY POLICY STATEMENT AND GENERAL HR/ORGANISATION UPDATE

Sarah Swindley, Service Manager Human Resources presented the Pay Policy Statement 2015. Under sections 38 to 43 of the Localism Act 2011 the Council was required to prepare and publish a pay policy statement annually. Full Council was required to approve the statement. Comparisons had been made with neighbouring authority's statements and the Wokingham Pay Policy was fully compliant.

During the discussion of this item the following points were made:

- Councillor Helliar-Symons expressed concern that there were several senior Officers who were on temporary contracts. The Board discussed temporary contracts and the Director of Finance and Resources agreed to feed back Members' concerns.
- With regards to pay scales, Councillor Bray asked how many employees were on Grade 1 of the Council's pay scales (£14,075 per annum full time (37 hours per week) or £7.29 per hour) and was informed that there was 1 employee.
- It was noted that the £7.29 an hour rate was higher than the national living wage of £7.20 an hour for workers aged 25 and older, which would come into effect from April 2016. However, £7.29 an hour was lower than the voluntary Living Wage Foundation rate. Sarah Swindley indicated that further work was being undertaken to assess impact on schools and contractors arrangements. The Board noted that

Bracknell Forest Council had not signed up to the Living Wage Foundation but offered a similar scheme. Members questioned whether consideration could be given to a Wokingham scheme.

- In response to a question from Councillor Auty regarding how many employees earned less than £7.85 an hour, the Living Wage Foundation rate, Sarah Swindley clarified that there were 5 centrally employed employees and 147 school based employees who met the criteria.
- Councillor Bray asked how many apprentices aged 16-18 years old, the Council employed. The Board was informed that there were 6 apprentices, all of whom were in their first year of apprenticeship, 4 of whom were 19 years old, 1 who was 18 years old and 1 who was 20 years old.
- The Board noted the Council's pay ratios and requested that they be sent those of the other Berkshire authorities. Members also requested that they be informed of the salary of the other Berkshire Chief Executives.

The Board also received a general update on the organisation.

During the discussion of this item the following points were made:

- Members were reminded that the Performance Management Framework had been implemented in 2013.
- Councillor Helliar-Symons asked what training managers received to be able to undertake appraisals. Members were informed that when coaching had first been launched managers had attended a day and a half training session on coaching skills. Since then a one day coaching course was offered on a quarterly basis for new managers. E-learning on the Dials was also available. HR held open sessions on appraisals when appraisals were due to be carried out.
- Individual's appraisal targets related to their own personal and career development and the relevant department and Council objectives.
- Councillor Helliar-Symons asked if appraisees were asked what impact any training they had attended had had and was informed that they were but that the collection of this data could be improved.
- Members questioned whether appraisees were asked to feedback on their line manager's management style. It was noted that Tier 1-3 officers undertook 360° reviews. Whilst they were promoted by the HR Business Partners, lower tiers were not required to undertake such reviews.
- Councillor Jorgensen enquired whether employees were rated on their performance.
- Members wanted to ensure that poorly performing staff would be highlighted and addressed and those who performed well, received recognition. The Board asked for information on the current process and what more could be done to reward good performers and to address any poor performance. The Board was informed that the Council was addressing the issue of performance and that HR supported Stage 1, 2 and 3 capability hearings. Members requested further information on the matter.
- The Council had the ability not to pay the pay increment in cases of poor performance.
- Sarah Swindley agreed to circulate information regarding the number of employees who had had their probation period extended or whose employment had not continued following the end of their probation period.
- Graham Ebers, Director of Finance and Resources commented that the performance management framework had many facets. The Dials helped to create conversations.

- The Board felt that where appropriate feedback should be sought from Members. Two way feedback was healthy.

RESOLVED: That:

- 1) the draft Pay Policy Statement for 2015 be approved and that Personnel Board recommend its agreement to Full Council;
- 2) the appraisal process used within WBC be noted;
- 3) the changes to the look and feel of our HR Policies & Guidance be noted.

7. EXCLUSION OF THE PUBLIC

RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 4 of Part 1 of Schedule 12A of the Act as appropriate.

8. SHAPING THE COUNCIL OF THE FUTURE

The Director of Finance and Resources presented an exempt update on shaping the Council of the future.

The Board was also informed of the progress of the development of the People Strategy and considered the responses to the Council's Engagement Survey 2015.

RESOLVED: That

- 1) the ongoing work with regard to shaping the Council of the future be noted;
- 2) progress in development of the People Strategy be noted;
- 3) the 2015 Engagement Survey responses be noted.

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TITLE Updates to Employment Related Policies

FOR CONSIDERATION BY Personnel Board on 5 July 2016

WARD None Specific

DIRECTOR Graham Ebers: Finance & Resources

OUTCOME / BENEFITS TO THE COMMUNITY

Compliance with s38 of the Localism Act 2011
Building the workforce for the future in order to deliver on Council priorities

RECOMMENDATION

That:

- 1) Personnel Board approve the draft Pay Policy Statement for 2016 and recommend its agreement to Full Council
- 2) Personnel Board approve the amendments to the Organisational Change Policy
- 3) Personnel Board approve the amendments to the Consultation Policy

SUMMARY OF REPORT

1) Pay Policy Statement

Under sections 38 to 43 of the Localism Act 2011 we are required to prepare, approve by full Council (as a Part 1 item), and publish on our website a pay policy statement for the financial year 2016/17.

For ease, table one provides a comparison of the figures published in 2015 and those details in the 2016 statement:

	2015-2016	2016-2017	Shift
Mean	£ 28,009	£ 28,921	3%
Median	£ 23,698	£ 24,717	4%
Ratio Highest to Lowest	10:1	9.4:1	-6%
Ratio Highest to Median	6:1	5.7:1	-5%

This indicates that while there has been no change to Senior Management pay the gap is narrowing, despite the average salary increasing.

The Draft Pay Policy Statement is for your review and approval prior to submission to Full Council. This Statement reflects our pay arrangements as at 1 April 2016.

2) Organisational Change Policy

Roles in the 21st century council will put a greater emphasis on the behavior and interpersonal skills required to provide our residents with a customer focused and enabled service. The policy has been redesigned with this in mind. The key proposed changes are:

- Removal of the 'Placement Programme' and replace it with the concept of a 'Redeployment Pool'. This provides:
 - the individual with a greater opportunity to proactively determine which alternative positions they wish to be considered for
 - the council with the opportunity to ensure that the cultural fit is right as well as the technical skill as part of the redeployment selection process
- Provide both the employee and council the opportunity to mutually agree an extended trial period.
- Insert some of the custom & practice that has developed over the course of the existence of the current policy, namely:
 - What we do to support the employee through the change process
 - The right to delay issuing notice of redundancy until the ring-fenced selection process for the at risk cohort is complete
- Provide greater clarity of what the consultation period is for.

3) Consultation Policy

This policy has been refreshed to provide better clarity over roles & responsibilities and the only proposed change is to amend the terms of reference whereby:

- Copies of the minutes of the Corporate Works Council go to the Lead Member for Human Resources rather than the Executive member for Community Development.
- Greater clarity is provided with regard to what we consult on – i.e. the intent is to consult when there is material change to a policy or terms and conditions of employment rather than grammatical or appearance changes
- Inclusion of Schools HR as a management representative on the Schools Workforce and Health & Safety Committee which was an omission in the current policy rather than a material change.

Items 2 and 3 have been approved by our Corporate Leadership team, Corporate Works Council and Unison.

Personnel Board are requested to approve all 3 policies.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	Nil		
Next Financial Year (Year 2)	Nil		
Following Financial Year (Year 3)	Nil		

Other financial information relevant to the Recommendation/Decision

None

Cross-Council Implications

No cross council implications with regard to the decision to publish pay policy which is a legal requirement

Reasons for considering the report in Part 2

N/A

List of Background Papers

Draft Pay Policy Statement for 2016
 Organisation Change Policy
 Consultation Policy

Contact Sarah Swindley

Service Finance & Resources

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Date 23 June 2016

Version No. 1

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Pay Policy Statement 2015

Purpose

This document covers the requirements to publish a pay policy statement under s38 of the Localism Act 2011.

Full Council has approved the Pay Policy Statement.

Version	Date	Description
1	01/04/12	Annual Review
2	01/09/15	Updated to comply with regulations.

Document Approvals	
Author:	Sarah Swindley
Approval:	Personnel Board Full Council

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1. Purpose

- 1.1 Under sections 38 to 43 of the Localism Act 2011, we are required to prepare, approve by full Council (as a Part 1 item) and publish on our website, a pay policy statement for the financial year 2015/16.
- 1.2 We may amend this statement during the financial year in which it is effective; however any change must be approved by full Council. Any amended statement will be published on our website within 10 working days of the meeting.
- 1.3 In drawing up this statement, we have taken into account the guidance issued by the Department of Communities and Local Government and the advice supplied jointly by the Local Government Association and the Association of Local Authority Chief Executives (ALACE).
- 1.4 This statement does not include staff based in our schools as this is outside the scope of the legislation.
- 1.5 This updated statement was approved by full Council on 19 November 2015.

2. Definitions used in this document

- 2.1 Under the current structure of the Council, the following posts are included in the definition of 'Chief Officer':

- Chief Executive
- Director, Finance & Resources (S151 Officer)
- Director, Children's Services
- Director, Environment
- Director, Health & Wellbeing

- 2.2 Although falling within the definition of Chief Officer under the Localism Act, the pay policy applying to the following posts is as set out in Section 3 below for Senior Managers:

-
- Consultant in Public Health
- Head of Adult Social Care & Safeguarding
- Head of Children's Social Care & Intervention
- Head of Commercial Services
- Head of Community Services
- Head of Customer Services & IMT
- Head of Development Management & Enforcement
- Head of Development Policy & Planning
- Head of Finance
- Head of Governance & Improvement Services (Monitoring Officer & Returning Officer)
- Head of Highways & Transport
- Head of Housing
- Head of Integrated Mental Health
- Head of Learning & Achievement
- Head of SDL Delivery

- Head of Strategic Commissioning
- Head of Support Services
- Head of Town Centre Regeneration

2.3 Employees who are not chief officers; all other employees (including those employed on a casual basis) employed directly by the Council.

This policy does not cover the remuneration of other ‘workers’ employed by the Council, as employees of agencies or as self-employed consultants.

2.4 Lowest paid employee; minimum of grade 1 on the Council’s pay scales (£14,075 per annum full time (37 hours per week) or £7.29 per hour).

Apprentices aged 16-18, may be paid on the age-related National Minimum Wage. The Apprentice NMW rate is not used. Apprentices have been excluded from this definition on the basis that they are in specific posts created for training purposes.

2.5 Median salary; £23,698 (full-time equivalent). This is a measure of the ‘average’ salary for employees in the Council. It is defined as the ‘midpoint’ salary, such that there is an equal probability of falling above or below it.

2.6 Mean salary; £28,009 (full-time equivalent). This is an alternative measure of the ‘average’ salary for employees in the Council. The arithmetic mean is defined as the sum of all the salaries divided by the number of salaries.

2.7 Highest paid employee: the Chief Executive is paid £130,000 plus potential to earn a further 10% linked to performance related pay.

3. Pay Policy from April 2015

3.1 Policy on level and elements of remuneration for Chief Officers

3.1.1 The Council benchmarks its pay rates against relevant comparator groups. For Chief Officers the Council pays “spot salaries” (i.e. no incremental range) and seeks to position itself appropriately in the market in terms of pay.

Their salary is increased by nationally negotiated increases agreed by the:

- Joint Negotiating Committee (JNC) for Chief Executives and;
- Joint Negotiating Committee (JNC) for Chief Officers

Similarly, terms and conditions agreed nationally by these bodies are also applied, with local variations as appropriate

3.1.2 There is a performance related pay (‘PRP’) scheme for Chief Officers, approved by the Personnel Board and based on an assessment of performance against objectives.

3.1.3 Salary upon appointment will be made in line with 3.1.1

3.1.4 In accordance with the Accounts and Audit (England) Regulations 2011 and the Code of Recommended Practice for Local Authorities on Data Transparency, we publish annually the remuneration of our senior staff on our [website](#).

3.2 Policy on level and elements of remuneration for Senior Managers

3.2.1 Heads of Service report to either a Director of the Chief Executive. There are 4 levels, dependent upon responsibility as determined by budgets, headcount and impact on front line service delivery:

SM1: £52,248 to £57,365

SM2: £58,508 to £64,599

SM3: £65,890 to £72,753

SM4: £74,208 to £78,418

3.2.2 Payment arrangements for local returning officer are in line with the “Dorset Scheme” developed by Dorset County Council and updated annually in line with any pay increase agreed by the National Joint Council (NJC) for local government services.

3.2.3 All other terms and conditions are in line with all other employees and described in 3.4 onwards.

3.3 All other employees

3.3.1 The Council applies the national pay agreements reached by the:

- National Joint Council (NJC) for Local Government Services
- National Joint Council (NJC) for Youth & Community Services
- Soulbury Committee

3.3.2 Local variations are applied as appropriate.

3.3.3 All jobs below Head of Service (excluding those covered by national Youth & Community and national teaching-related Soulbury grades) are evaluated using the Peodesy job evaluation system.

3.3.4 All jobs are assigned to a grade within the Wokingham Borough Council salary structure on the basis of the job evaluation score. The Council benchmarks its pay rates against a comparator group and will seek to position itself appropriate to the market in terms of pay.

3.4 Salary on appointment

3.4.1 Appointments will normally be made to the minimum point of the grade. Managers may take into account the previous experience and skills of the employee to offer appointment above the salary minimum for the post.

3.5 Incremental progression

3.5.1 Each of the Grades has a series of incremental steps, progression within which is subject to satisfactory performance. Increments can be withheld in the event of unsatisfactory performance.

3.5.2 Progression by more than one increment, up to the maximum of the grade, can be made in acknowledgement of exceptional performance.

3.6 Additional payments – all employees

3.6.1 The Council will consider the use of market supplements to be applied to specific posts in the event of recruitment and /or retention difficulties. Where such supplements are introduced they will be applied, reviewed and withdrawn in accordance with the Council's policy.

3.6.2 Additional payment may be made for additional hours, overtime, undertaking higher responsibilities, and for non-standard working arrangements such as stand-by or evening work, or for exceptional working conditions.

3.6.3 All employees can claim for qualifying payments under our travel & expense policy.

4. Policies on redundancy and pension enhancement

4.1 Our Policies and Procedures for Organisational Change, Retirement and Employer Discretions outline how we will approach redundancy including redundancy pay

4.2 We calculate redundancy pay using the individual's actual weekly salary.

4.3 We do not enhance the number of statutory week's redundancy pay an individual is entitled to under the Employment Rights Act 1996.

4.4 The Local Government Pension Scheme contains provision for employers to enhance pension payments. Employers are required to determine how they will use these discretionary provisions. We have determined generally not to use our discretion to enhance pension payments by either additional years or additional pension.

4.5 In certain circumstances, eligible employees may request early retirement or flexible retirement. (Flexible retirement gives access to accrued pension, whilst allowing the scheme member to continue working). In both these cases, there must be sufficient financial or other benefit to the Council for such retirements to be approved and if there is a cost associated with the request, approval sought from the Personnel Board.

5. Pay ratios in the Council

5.1 It is the policy of the Council to ensure that the ratio of the salary of the highest paid officer and the lowest paid officer is well below the 20:1 ratio recommended as a maximum in the terms of reference for the 2011 Hutton Review of Fair Pay in the Public Sector.

5.2 As at 1st April 2015, pay ratios within the Council stand as follows;

- Highest : lowest = 10:1
- Highest : median = 6:1

5.3 This is based on the following salary packages;

- Highest paid (Chief Exec (incl. max PRP) = £143,000
- Lowest paid (Grade 1 SCP 9) = £14,075
- Median (average) = £23,698

6. Review

- 6.1 This policy will be reviewed at least annually and more frequently if necessary to respond to any changes.
- 6.2 The Personnel Board is responsible for recommending the policy statement for approval

7. Other relevant Council documents

Policies & Procedures relating to:

- Travel Expenses
- Retirement
- Honoraria
- Market Supplements
- Overtime
- Pension's discretions
- Organisational Change

Pay Scales relating to:

- National Joint Council (NJC) for Local Government Services
- National Joint Council (NJC) for Youth & Community Services
- Soulbury Committee

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Organisational Change Policy

Our commitment

- We will communicate change proposals effectively to all affected employees and their representatives.
- Consultation will take place on a collective and individual basis with any individual or affected group of employees and their representatives.
- Employee participation and involvement will be encouraged at all stages of the process.
- All HR processes will comply with relevant employment legislation and be underpinned by equality and diversity principles.
- A clear and transparent process will be followed to identify reasonable alternative opportunities within the Council.
- Reasonable steps will be taken to reduce, where possible, the need for compulsory redundancy.

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Version	Date	Description
1	23.11.02	New Policy and Guidance for Redundancy
2	30.01.03	Amendment to guidance
3	19.02.04	Amendment to guidance
4	12.08.08	Update of LGPS guidance and amendment to guidance
5	05.08.10	Amalgamating Redundancy, Redeployment and TUPE
5.1	04.07.13	Amendment to processes and update to consultation periods in line with legislation
6	May 2016	Moved to new format, amendment to trial period & redeployment pool process
Document Approvals		
Author:	Sarah Swindley	
Corporate Works Council:		
Personnel Board:		

Purpose

The organisational change policy sets out the main processes to be followed when it is necessary to modify the Council's organisational structure and workforce, due to:

- economic reasons;
- changes in the delivery of services;
- new technology;
- or new ways of working;

Scope

This policy applies to all employees including Chief Officers with the exception of those employed by schools where different arrangements may apply.

This policy is not intended to be contractually binding on the Council and may be revised by the Council following consultation with trade unions/employee representatives.

Roles and Responsibilities

The overall responsibility for the Organisational Change Policy within WBC rests with the Chief Executive. All managers are directly responsible for implementing this Policy and any related policies and procedures within their service areas, and for the adherence of their staff. A representative from Human Resources will be available to support a Manager through the change process.

Approval for change

When a need for change is identified a business case should be completed and approval should be sought from the Director(s) affected by the change. No change should be communicated until this approval process is complete. Changes resulting in job losses of more than 20 people require approval of the Personnel Board.

Designing the change process

It is expected that all employees directly affected by the organisational change will be placed at risk of redundancy. The proposed selection process will be consulted upon during the formal consultation period.

The design of the selection process will be dependent upon the number and type of posts that have been identified 'at risk', and whether there are ring-fenced positions for the affected staff to consider. Selection will be based on one of 2 principles: selection for redundancy or selection for new positions, with the resulting unsuccessful applicants being at greater risk of redundancy.

Selection for Redundancy

This would most commonly be used if there is a requirement to reduce the number of posts within one specific skill set & team.

Selection for new positions (or Job Matching)

The selection process for new positions as part of a re-organisation will be designed on a case by case basis with the assistance of Human Resources, and be consulted upon as part of the formal consultation process. It will typically involve inviting interest of preference for ring-fenced roles, skills matching to those new positions and if necessary, an Assessment Centre/interview selection process.

Assimilation

If the employee is selected into a new position that is a close match to their previous position, they will be assimilated into that post. A close match will be defined as one with at least an 80% match

with regard to duties, level of responsibility and accountability. If this is not the case then it will be considered 'Redeployment'.

Ring-fenced Recruitment

Depending upon the extent of the exercise, categories of post may be ring-fenced to certain 'at risk' groups, for example based on grade. This should be communicated to employees as part of the consultation exercise and should have been approved as part of the business case.

Voluntary change

In certain circumstances it may be appropriate to consider seeking expressions of interest from affected employees to a voluntary change in terms and conditions of employment or voluntary redundancy.

Employee Support Programme

An employee support programme should be arranged to provide practical steps towards career planning, whether that be internal or external, to support the employee to manage themselves through the change and prepare for applying for roles and attending selection interviews.

Consultation

Consultation Periods

- Where 100 or more employees are to be made redundant over a period of up to 90 days, consultation will begin at least 45 days before the first notice of dismissal due to redundancy is given
- Where between 20 to 99 employees are to be made redundant over a period of up to 90 days, consultation will begin at least 30 days before the first notice of dismissal due to redundancy is given
- Where less than 20 employees are to be made redundant the Council's consultation period will begin at least 30 days before the first notice of dismissal, whenever practicable

Collective Consultation

Where a change becomes necessary, consultation will take place both with Employee/TU reps and the affected employees at the earliest opportunity. This will be in the form of both written information and face to face meetings and include:

- the reasons for the proposed redundancies;
- the number and description of employees who are at risk of redundancy;
- the total number of employees of that description employed by the Council;
- the proposed selection criteria to be used;
- the proposed timescale;
- the compensation that will be applied

The consultations with Employee/TU Reps will include discussions about:

- alternatives to redundancy;
- mitigating against compulsory redundancies;
- reducing the number of redundancies;

'At Risk' Meeting

Shortly after consultation begins all employees who are directly affected will be invited to a meeting to discuss the re-organisation, and how this will affect them directly. At the meeting the employee will be advised if they are 'at risk' of redundancy. Where applicable, this will then be confirmed in writing and the individual consultation meeting arranged.

Employees on secondment, sabbatical, sick leave, maternity leave etc. must also be consulted; for those on maternity please also see the section on 'Employee's on Maternity Leave'.

Individual Consultation Meeting

This is attended by the manager, employee, HR and TU or employee representative or work colleague (if the employee wishes). The purpose of this meeting is to:

- ensure the employee fully understands the implications for themselves arising from the organisational change and new structure
- explain the selection and redeployment process
- identify any immediately known potential roles identified in the new structure against which individuals might be in scope for, taking into account any development needs
- explain the programme of support available
- discuss the completion of the Job Search Form and clarify any areas with employee
- clarify how the employee can provide feedback regarding the proposals and timescale
- clarify selection process for ring-fenced recruitment (if applicable)
- explain voluntary options (if applicable)

End of Consultation

At the end of the Consultation period, consideration will be given to any comments and feedback with regard to:

- The proposed structure
- The proposed roles
- The proposed selection process
- Ideas with regard to mitigating the need to make compulsory redundancies

The outcome of these considerations will be communicated to those affected by the change, with revised agreed versions supplied as applicable.

At the end of the consultation period the selection process will commence based on the process explained and agreed as part of the consultation process.

Where employees are unsuccessful for preferred roles during the selection process, then during the redundancy notice period, alternative suitable positions will be sought.

Employees on Maternity Leave

Consultation

It is automatically unfair to select a woman for redundancy on the grounds of her pregnancy.

However, where an employee on maternity leave has been selected for redundancy due to organisational change, she must be placed at risk of redundancy and be invited to participate in the consultation process at the same time as other employees being affected by the same change programme. The only time this may not occur is if the consultation period commences within 2 weeks of the employee giving birth. If this occurs then notification to the affected employee should be delayed until 2 weeks after the date of childbirth.

Selection

In line with regulations, someone on maternity leave takes precedence in the selection process over any individual in the redeployment pool. When a suitable alternative post is agreed this then becomes the employees substantive post that they will return to upon their return from maternity leave, and the trial period would commence from this time, with redundancy rights protected until the end of the trial period.

Notice and Pay

If no suitable alternative position is found during the consultation period then the employee will be given notice of dismissal by reason of redundancy, although the job search will continue during the notice period. If still unsuccessful, the final salary will include:

- Statutory Maternity pay entitlement for the whole maternity period paid in a lump sum
- Occupational maternity pay (where applicable) due to the end of the notice period
- Redundancy pay, as defined below

Employees will not be required to payback any Occupational Maternity pay paid up to the date of termination.

Redeployment

Employees who secure alternative positions as part of the organisation change, whether as part of the restructure or through expressing interest in other roles within the Council, have specific entitlements:

Trial Period

The statutory trial period of 4 weeks, as set out in S. 138 of the Employment Rights Act 1996 and may be extended, by mutual agreement, where the role is significantly different. This is to protect their right to a redundancy payment should the trial period be unsuccessful.

The intention of the trial period is to provide both the employee and the new Manager with the opportunity to assess the suitability of the role. If the Manager decides that it isn't suitable then the employee will return to being 'at risk' or under notice of redundancy and the search for other alternative positions will continue. If the employee feels the role is not suitable, and there are sound reasons for this, then the employee would also return to being 'at risk' or under notice of redundancy. There may be many reasons why a role could turn out to be unsuitable and each situation will be different. However, the rationale does have to be reasonable and based on fact. Should an employee decide that they do not want to do the new role without there being a valid reason, then the employee would no longer qualify for redundancy and their employment would come to an end at the end of the notice period, without qualifying for a redundancy payment. The same would apply should an employee refuse an offer of a redeployment opportunity that is considered a suitable alternative position. Should the employee commence a trial period during the initial consultation they will still receive notice of redundancy at the end of the 30 day consultation period.

Salary Protection

Salary protection will normally only apply where the employee is selected for a role one grade lower. Consideration will be given to protecting salary where the difference is greater than one grade in exceptional circumstances and the decision based upon the reasonableness of the additional costs and the rarity of the skill knowledge or experience that may otherwise be lost.

This protection is for Salary only and does not extend to annual leave or notice periods.

This is provided for employees with 2 years local government service or more, with details as follows:

- 12 months at 100% of the difference between the employees old and new salary, with no increments or pay awards, followed by 6 months at 50% of the difference between the employees old and new salary, again with no increments or pay awards
- At the end of this 18 month period the employee will receive their new salary and be placed at the maximum point on this grade

Suitable alternative employment

In order to mitigate the need for compulsory redundancy, where an employee is unsuccessful in securing a position within their restructured area of the Council they will be placed in the 'Redeployment Pool' where consideration will be given to suitable alternative opportunities as they become available, during the notice period.

Employees either at risk or under compulsory notice of redundancy are given priority for open vacancies and will be considered in advance of any other applicants.

. The selection process will vary, depending on the role and number of people in the redeployment pool interested in the role.

When an employee is successful as a result of a selection process they will be redeployed into the post, for a trial period.

Compulsory Redundancy

Notice of Redundancy

Where compulsory redundancies are required, notice of redundancy will normally be issued to employees at the end of the consultation period. For operational reasons, on occasions, the Council may, however, decide to delay the issue of notices of redundancy until after the selection process into the new roles is complete. The search for suitable alternative employment elsewhere in the Council will continue until final date of employment.

Once issued with notice of redundancy employees are entitled to reasonable time of, with pay, to search for work or to arrange and attend training. This must be agreed in advance with the employees' line manager.

Redundancy pay

Employees must have two years' continuous service to qualify for a statutory redundancy payment.

Under Employer Discretions – Statement of Policy (Regulation 5), Redundancy pay is currently calculated based on actual week's pay and will be paid either on the Employee's final salary date or within 5 days of the last date of employment. The employee will receive:

- 0.5 week's pay for each year of completed service up to the age of 21
- 1 week's pay for each completed year of service from age 22 to 40 years of age
- 1.5 week's pay for each completed year of service from age 41 and over

Only full years of service are taken into account when calculating statutory redundancy entitlement (up to a maximum of 20 years).

A redundancy payment is not paid when:

- An employee under notice of redundancy is offered employment with another body covered by The Redundancy Payments (Continuity of Employment in Local Government etc.) (Modification) Order 1999 (the Modification Order). The employee is not dismissed in law and retains continuity of service for statutory redundancy purposes. This only applies where the offer is made before the end of the old contract and the employment starts within four weeks of the date of redundancy. By definition an employee cannot be redundant where there is no dismissal

- an employee unreasonably refuses an offer of suitable alternative employment
- An employee commits an act of gross misconduct and is dismissed for a reason other than redundancy

Notice Period

The employee's notice period will be applied in line with their terms and conditions of employment.

The Council will try to accommodate requests for early release during notice periods. Consideration will be given to the impact this will have upon service delivery.

Garden leave and pay in lieu of notice may be discussed and mutually agreed in certain circumstances.

Employees aged over 55 and members of the Local Government Pension Scheme (LGPS)

Employees who are members of the LGPS, aged 55 and with 3 or more months membership in the pension scheme (or have transferred their pension rights into the Local Government Pension Scheme), will qualify for immediate pension where employment is ended on the grounds of redundancy, or in the interests of the efficiency of the service. There is a cost to the Council for early release of the pension.

The Modification Order does not apply to early retirement and payment of pension would still go ahead, even though the redundancy payment wouldn't, should the employee gain alternative employment with a body covered by the Modification Order.

Appeals against termination of employment

Employees will be given the right to appeal against the decision to terminate their employment by reason of redundancy when they are given their notice of redundancy, and have 5 working days to exercise this right. An employee appealing against the decision to terminate their contract of employment must submit a written appeal to their Director, or the Chief Executive if a Head of Service or above.

Employees will be given at least five working days' notice in writing of the appeal hearing which should be heard as soon as possible.

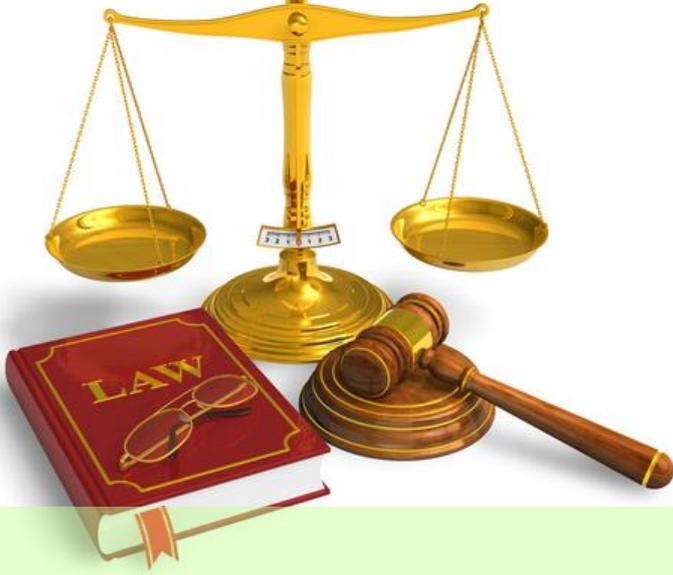
The date of termination of employment will not be delayed pending the outcome of the appeal.

The process of the appeal hearing will be the same as for the Grievance Policy & Procedure.

The decision of the appeal hearing will be final.

Further information

Template forms and letters are available on the Grapevine. For any questions or further information please contact your HR Business Partner or hrenquiries@wokingham.gov.uk or on 0118 974 6116.



Consultation Policy

Our commitment

Wokingham Borough Council will communicate information about its activities to all employees and recognised Trade Unions on a regular basis and encourages employees to provide ideas and feedback to management on all aspects of its operations. The Council believes that a regular flow of information from management to staff and vice versa will enhance its effectiveness and productivity.

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DOCUMENT CONTROL		
Version	Date	Description
1	14/11/07	Policy and Guidance for Consultation & Negotiation
2	14/08/08	Amended to incorporate Delegated Powers relating to Staffing Matters
3	29/12/08	Amended to update the Health and Safety Committee terms of reference.
	09/03/10	Updated to reflect amalgamations and changes of name of Trade Unions.
4	07/09/10	Amended to reflect change in consultation process
5	02/10/13	Reviewed TORs and consultation process with CLT approval
6	May 2016	Moved to new format – refinement of clarification with regard to matters for consultation
Document Approvals		
Author:	Sarah Swindley	
Corporate Works Council:		

Purpose

This Policy represents:

- a framework for formal consultation and negotiation with Union and staff representatives to ensure they contribute to and understand the reasoning behind decisions made and to gain their commitment
- the principles of an agreement between recognised Trade Union representatives and Branch Officers, and Wokingham Borough Council in accordance with national conditions

The Council acknowledges the right of recognised trade unions to organise and represent their members individually and collectively on matters connected with their employment, and to appoint representatives in each Service of the Council in order to represent their colleagues. The Council also recognises its responsibility to provide recognised trade unions with the facilities and any assistance reasonably required. Appendix 1 details the list of currently recognised trade unions.

The Trade Unions recognise the right of managers to plan for, manage and organise their staff in all relevant aspects of the Council's work. The Council will not withhold unreasonably the recognition of representatives where the Trade Union believes them to be necessary.

Scope

The Policy will apply to all employees within Wokingham Borough Council including Schools and will comply with relevant employment legislation, underpinned by equality & diversity principles at all times. Role titles used in this policy are intended to describe the responsibility of the role and may change from time to time.

Disputes

Any dispute surrounding the operation of this Policy should be progressed through the appropriate Director. Where a dispute cannot be resolved the matter can be referred to the Head of Human Resources or Chief Executive. In the event of a formal dispute where it has not proved possible to achieve resolution locally the matter can be referred for resolution to South East Employers or ACAS.

Where a failure to agree arises between Unions when negotiating a proposal in the absence of agreement, the proposal may be agreed by the union representing the majority of affected staff.

This policy may be reviewed or terminated subject to three months' notice from either side.

Procedure Description

Joint consultation provides an opportunity for managers and staff and/or their representatives to consult in good time about any issues, and discuss items of common interest or concern. Joint consultation requires readiness on the part of managers to be prepared to review any earlier assumptions they have made in the light of staff views if appropriate. Joint consultation is more than communication which is mainly about the passing on of information and data.

Levels of Consultation

Local Level Consultation - Service Level Forums

Each service may consult Union/staff representatives through a Service Level Forum. However, Directors may choose the most appropriate way to engage with employees and Trade Unions.

The Council structure for local consultation is based on Services. Each service has a Service Level Forum or equivalent. Where they are too small to have one of their own their services may be combined under one Forum

HR will attend local level consultation meetings for specific agenda items at the request of the meeting Chair.

The Constitution of Service Level Forums

These have been established to assist staff and Directors to achieve the following:

- Maximum co-operation and understanding between management and staff in the Service
- Improvements in the efficiency and effectiveness of the Council's services to the public
- The Health and Safety, and welfare of staff employed in the service and the satisfaction in their work, including localised conditions
- Issues not resolved at this level or cross service issues may be referred to the Corporate Works Council
- Meetings of Service Level Forums should take place at least once per quarter or as agreed locally

The subject matter for consultation will normally relate to staff, their wellbeing and items connected to the service, for example:

- Budget (information item) financial situation e.g. impact of savings proposals
- Service and Council restructuring
- Performance including Performance Indicators
- Health and safety
- Equal opportunities
- Working practices/changes to working practices
- Employee Wellbeing Survey results and action plans.
- Working environment/facilities
- Draft consultation documents
- Training and development
- Communications
- Efficiencies and savings

The Forums will not deal with aspects relating to individual cases (e.g. disciplinary, capability etc.).

There is no standard format for Service Level Forums, but the following are recommended as minimum requirements:

- Each consultation Forum is the accountability of the appropriate Director (shared in the case of Joint Forums)
- There should be at least one employee representative from each team within each service/workplace as far as possible

- Representation should reflect the workforce within the service so far as possible so that ethnicity, full-time/part-time, women/men, managers/non-managers and relevant trade union representatives including UNISON are represented
- Ballots may be held if necessary for representatives
- Ad-hoc meetings can also be called for specific issues by a manager/TU representative
- The appropriate Human Resources Consultant and, where required, Corporate Health and Safety advisor should see all agendas in advance, so that they can arrange to attend for appropriate items
- All agenda and minutes should be placed on the Grapevine for open access of information.
- Both management and Union/staff representatives will be able to provide items for the agenda
- Agendas should be sent out at least 5 clear working days in advance so appropriate people can be asked to attend depending on item e.g. Facilities, Information Management and Technology (IMT)
- Managers must make clear if any item is confidential. The terms of reference will require members of the Forum to respect any confidential information
- Local issues should be raised, discussed and where possible resolved

The Corporate Works Council (CWC)

The CWC will consider matters of a corporate or cross cutting nature. It will involve Trade Union and employee representatives meeting with management to discuss corporate issues.

The CWC has been established with the aim of:

- Maximum co-operation and understanding between Management (as the Employer) and all staff across the Council
- Improvement in communication and consultation with staff to meet changing circumstances facing the Council
- Improvements in the efficiency and effectiveness of the Council's services
- The Health and Safety and welfare of staff employed by the Council
- The satisfaction in their work, including localised negotiations and consultation on terms and conditions of employment where appropriate

The Corporate Works Council is not for consultation/information relating to individual disciplinary, grievance or capability cases.

This Terms of Reference for the CWC may be reviewed or terminated subject to three months notice from either side. For terms of reference see Appendix 2.

Schools' Workforce and Health and Safety Committee

Consultation with Schools will take place once each term at meetings with Children's Services Director (or a representative) and the recognised Trade Unions representatives. These meetings will provide a focus for local and national initiatives and developments and matters relating to employee health, safety and welfare.

Local schools consultation will be determined on school by school basis by the Board of Governors. Issues relating to individual school's policy or management will not be discussed at this meeting but would be raised with the appropriate Board of Governors. For terms of reference, see Appendix 3.

The Lead Member for Children's Services will be invited to all meetings.

Sharing outcomes of meetings

Communicating what has happened at meetings is the responsibility of the employee and union representatives. However, the Council will also share the outcomes of consultation meetings via the Grapevine. Sometimes it may also be necessary to use other media such as:

- briefing groups
- Team meetings
- news-sheets
- Email

Appointment of Trade Union Representatives

Formal notification of the appointment of union representatives or Branch Officers by the trade union will be given by the appropriate Branch Secretary to the Head of HR as soon as possible, and of any subsequent changes. The Head of HR will notify the appropriate Director of representatives or Branch Officers in their Service.

A representative will only act on behalf of members within the service/work area for which she/he was elected to represent unless there are no representatives available within that service. Each representative requires approval from his/her manager to take time off, and must provide reasonable notice.

Union representatives will be appointed in accordance with the rules of the respective union; they must be employees of the Council, and elected from amongst union members within their Service.

Branch Officers will be appointed in accordance with the rules of the respective union and, in the case of larger unions (e.g. UNISON, N.U.T.,) are acknowledged to have Council-wide responsibilities. The following posts are considered to be in this category:

- Branch Chair, Secretary and Treasurer
- Equal Opportunities Officer
- Welfare Secretary
- Health and Safety Officer
- Environmental Officer

Union representatives and Branch Officers will use their best endeavours to ensure that any complaint or difficulty affecting a member (or group of members) of the Union is raised with the appropriate Director. If the matter cannot be resolved or is considered to be of a corporate nature, it should be raised with the Head of HR.

A Branch Officer may act for a union member in any Service, in accordance with union rules within the provision of this agreement. They must first notify the line manager/ Head of Service.

Where the Disciplinary/Capability procedure is to be applied to accredited union representatives, no formal action will be taken until the case has been discussed with a full time official of the recognised Trade Union. The Head of HR must be informed of these cases and the appropriate Manager should ensure that the Trade Union official is informed as quickly as possible.

There are some specific details with regard to the following types of Union Representatives:

Trade Union Health and Safety Representatives

The responsibility for the health and safety of employees lies with managers and they have a duty to consult with representatives on the health and safety of employees. The Council believes in working in partnership with representatives to promote greater involvement in matters of health and safety to develop best practice for the benefit of employees.

Human Resources, including the Health and Safety Manager, must be informed in writing of the names of all appointments of Trade Union appointed Health and Safety Representatives. The number of representatives recognised should depend on the size of the workforce and type of work carried out.

Trade Union appointed Health and Safety representatives can represent members and non-members and groups that do not necessarily work in the same area especially as the majority of employees are employed in low risk activities. When agreeing the number of Trade Union Health and Safety representatives required by the Council the following criteria should be considered:

- Total number of employees
- Variety of different occupations
- The size of the workplace and range of workplace locations
- The operation of shift systems
- The type of work and risk.

The Safety Representatives and Safety Committees Regulations 1977 require that a person appointed by a Trade Union as a Health and Safety Representative should ideally have at least 2 years service with Wokingham Borough Council or 2 years experience in similar employment. Circumstances may, however, arise where it will not be reasonable practicable that they have such experience e.g. where there is high labour turnover.

There are distinct roles for safety representatives, the Corporate Works Council and the employer. These can be summarised as follows:

The role of the union/association safety representative is to:

- investigate potential hazards and dangerous occurrences
- investigate complaints by an employee he represents relating to health and safety
- make representations to the employer
- carry out inspections

The role of the Corporate Works Council in relation to Health and Safety includes the following:

- the study of accident statistics and trends so that corrective action can be recommended
- assistance in the development of health and safety policy and risk prevention strategies
- to consider reports arising from audits and significant accident investigation reports
- to consider effectiveness of employee training in relation to health and safety

The council will consult union safety and employee representatives on:

- the introduction of measures substantially affecting the health and safety of employees
- arrangements for the appointment of "competent" persons
- the planning and organisation of health and safety training
- the provision of health and safety training

- the health and safety implications of new technology

The above functions must not be interpreted as imposing any duty on a safety representative

Inspections of the workplace

Safety representatives may inspect the workplace, or part of it, if:

- Given managers reasonable notice in writing of their intentions to do so, and
- They have not inspected it in the previous 3 months

In addition, they may also carry out more frequent inspections after consultation with managers if:

- There has been a substantial change in the working conditions, or
- New information about relevant hazards has been published by the Commission of the HSE since the last inspection

Inspections should be jointly carried out by safety representatives and managers and a programme of inspections should be planned in advance. The Council's services/schools are situated in various locations therefore it would be impracticable for the same safety representative to carry out all inspections. It would be more appropriate for the safety representative within the service (if the service has a safety representative) to carry out the inspection.

Learning Representatives – Schools/non-schools

Union Learning representatives (ULRs) are members of an independent union recognised by the Council who:

- Analyse learning or training needs e.g. understanding the different methods for identifying learning needs and draw up a plan to meet identified learning requirements
- Provide information and advice about learning or training matters – providing members with information regarding available learning opportunities
- Arrange learning or training
- Promote the value of learning and training
- Consult the employer about such activities

ULRs are entitled to reasonable time off to carry out these duties as long as they have satisfied the following training conditions:

- ULRs must be sufficiently trained to carry out duties as a learning representative
- Either at the time when their trade union gives notice to WBC that they are a learning representative of the trade union
- Or within six months of that date

The duties are intended to complement and not to duplicate training activities arranged by the employer.

Time off Arrangements

Union Representatives and Branch Officers

Union Representatives and Branch Officers may request time off with pay for the following duties:

- To take part in a Joint Working Group or other negotiating arrangements with regard to any employment issue
- To attend meetings concerned with: the work of the NJC and Provincial Councils; Executive Committee or general meetings of the union, as appropriate
- Where requested to represent a member (or group) of the union within their Service in connection with their employment
- To prepare for and represent a member (or group) of the union in connection with the Council's Disciplinary, Capability or Grievance Procedure where he or she is a member of the Union
- To represent a member (or group) of the union before an external body (e.g. Employment Tribunal), which is dealing with an employee relations matter concerning the Council
- To consult on redundancy, business transfers, or other employment issues of direct concern to staff
- To consult on Health and Safety matters and carry out the functions of the role, time off should be balanced by the needs of the Council
- To communicate with new or existing employees as appropriate on the role of the union within the Council, and benefits of membership (e.g. Induction)
- To train in the duties of a trade union representative or Branch Officer, where the course is approved by the trade union and the content is relevant to the person's duties in representing the union. A syllabus or course outline should be submitted to their line manager and the Head of Human Resources in advance of the course
- For the branch's elected delegate(s) to attend the union's National Conference or regional meetings as necessary

Time off as set out above must first be approved by the relevant line manager or Head of Service. Line managers are encouraged to agree to Unison/Staff representatives having time off and, subject to the operational requirements of the Service, reasonable requests should not be refused. Where, due to operational requirements, time off cannot be approved alternative arrangements must be considered. Approval for time off should be requested on the appropriate form, see Appendix 4.

If a manager believes that a representative is taking unreasonable time off they should first raise this with the individual. Where it continues to happen they should report it to the Head of HR. Equally if a trade union representative believes they have been denied time off unreasonably they should raise it with their line manager. Where this continues to be the case they should report it to the Head of HR who will arbitrate on the matter.

N.B. All other union matters not connected with these arrangements should be dealt with in the representatives' own time.

School based union representatives

Time off for school based union representatives is agreed on an annual basis with supply cost to schools where agreed by the Schools Forum.

Representatives on Service Level Forum/ Corporate Works Council

Representatives for Service Level Forum and the CWC are entitled to the following time off to assist in fulfilling the objectives and functions of consultation meetings. Time off will be paid:

- Necessary time to consult and communicate with other staff within the Service. Consultation may take place using a variety of methods such as the Grapevine, face to face, team meetings, email, notice board etc.

- Time to attend the meetings and for the appropriate staff representative pre-meetings. Staff representatives or their agreed substitutes (union and non-union) will be released from their normal duties to attend the meetings
- Staff representatives, (union and non-union) will have the right to a pre-meeting which will normally be held immediately prior to the SLF/CWC meeting. This will be with full pay and shall not be longer than 1 hour
- Time, during working hours, to give feedback to employees within their Service or across the Council

Reasonable time off for training should be given to representatives to enable them to understand and fulfil their role effectively.

Facilities

Local facilities for the Trade Union Representatives and Branch Officers, elected Employee Representatives, or their agreed substitutes (union and non-union) will be released from their normal duties to attend meetings of Service Level Forums and the Corporate Works Council, with full pay.

The Council agrees to the following:

- The deduction of subscriptions for trade union membership direct from an employee's pay, (provided the employee has authorised such a deduction), and prompt payment of the subscriptions to the relevant union office, (at no charge)
- The use of stationery, telephone, notice boards, photocopier, computer and rooms affording confidentiality (when available), plus use of the Council's internal post delivery service, email and intranet, (or other means of communication where appropriate) for the purposes of consulting and communicating with the Union's members and other staff as appropriate
- The reasonable use of rooms for committee and general meetings, (at no charge)
- To disclose such information as necessary to enable full consultation and negotiation for example:
 - Pay and Benefits
 - Conditions of service - policies, appraisal systems, health and safety matters
 - Workforce information (excluding confidential personal data) numbers employed, labour turnover, absence information
 - Performance information relating to the Council
 - Financial information

Appendix 1: Trade Unions recognised by Wokingham Borough Council

- UNISON
- Assn. of Educational Psychologists (AEP)
- Assn. of Teachers & Lecturers (ATL)
- National Assn. of Head Teachers (NAHT)
- Nat'l Assn. of Schoolmasters/ Union of Women Teachers (NASUWT)
- National Union of Teachers (NUT)
- Association of School and College Leaders (ASCL)
- Voice
- University and College Union
- Prospect
- GMB
- Unite the Union

Some of these Unions have few or possibly no members in Wokingham Borough Council, and therefore for practical purposes (e.g. maintaining a quorum) it will be necessary to restrict entitlement to CWC places to those unions representing more than 10 staff.

Appendix 2: Terms of Reference – Corporate Works Council (CWC)

The CWC has been established to assist staff to achieve:

- Maximum co-operation and understanding between Management (as the Employer) and all staff across the Council
- Improvement in communication and consultation with staff to meet changing circumstances facing the Council
- Improvements in the efficiency and effectiveness of the Council's services
- The Health and Safety and welfare of staff employed by the Council
- The satisfaction in their work, including localised negotiations and consultation on terms and conditions of employment *where appropriate*

Membership

The CWC is comprised of:

- 1 member of non-teaching unions (recognised by Wokingham Borough Council) from each service (To ensure the CWC is representative of the organisation, places will be offered to those unions representing more than 10 employees at the Council)
- A minimum of 1 staff representative from each Service, as nominated by the Service
- Further members may be invited to attend the CWC with agreement from the Chair.
- Management Representatives which consist of:
 - Chair: The Chief Executive or his/her Deputy
 - Professional Lead for Human Resources
 - S151 Officer or his/her Deputy
 - Other members of the Extended Corporate Leadership Team dependent upon the agenda items for that meeting

Members of the CWC may request the attendance of an appropriate Executive Member where there are serious issues of concern. Where this occurs a Liberal Democratic Member should also be invited to attend.

The meeting minutes will be put on the Intranet and copied to the Leader of the Liberal Democratic Group and the Lead Member for Human Resources.

Agenda items should be provided to the minute taker at least three working days before the date of the meeting.

Meetings

A meeting will be held each quarter or more frequently as agreed by the members of the CWC. Meetings will be scheduled to last no more than two hours. Meeting dates will be agreed in advance for each financial year. If it is necessary to alter the set date at least 5 days' notice will be given wherever possible.

Representatives will be the Corporate Works Council's communication champions ensuring that colleagues are informed about the topics discussed at the meeting. There should be an exchange of information and any points raised about new/ongoing developments within the Council will be fed back for inclusion in the CWC agenda.

Purpose

We will consult on corporate matters including the Council's strategic direction and priorities e.g.:

- Communication about Council wide issues such as changes to government strategy, finance and business performance
- Consultation on employee related business strategy and initiatives and future developments

We will consult/negotiate on staffing matters e.g.:

- Changes to contractual terms and conditions of employment requiring central consultation and negotiation
- Consultation on employee related policy development and implementation

We will consult and inform on health & safety related matters e.g:

- provide oversight on the progress of the strategic health and safety plan developed to improve compliance and standards of health, safety and welfare across the service units.
- Statistics & trends in relation to accidents, notifiable diseases, and sickness absence
- The setting of key corporate health and safety priorities and the regular monitoring of their performance & the key health and safety performance indicators
- Review of audit, inspection & investigation reports, in summary format
- Safety initiatives and campaigns designed to raise staff awareness of good health and safety
- To consider any cross service matters referred to the Committee by SLFs

Matters affecting centrally employed teachers will be discussed at Wokingham Borough Council's Corporate Works Council and/or with individual representatives of teaching unions.

Individual staff matters relating to disciplinary action, grievance, pay or promotion are excluded as items for discussion.

Sub-groups/negotiating forums

The CWC chair will determine whether sub-groups/negotiating forums should be established at any time to problem solve issues and carry out formal negotiations around employment policies and terms and conditions of employment.

The composition of the sub-group will depend on the subject for discussion. Where consultation/negotiation is required for changes to terms of conditions of employment the sub-group would be made up of Union members for all other issues CWC non-union reps would be invited onto the sub-group to obtain a wider view.

Examples of the matters such sub-groups would meet to review/negotiate are:

- Changes to terms and conditions of service e.g. e.g. change of pay date;
- New and Revised Policies
- To discuss/progress learning and development issues
- To discuss/progress health and safety issues
- New benefits schemes e.g. replacing the Counselling Service
- Office moves or changes affecting the majority of employees e.g. Smart working.

Representation from Unison will be determined by the Branch Secretary or Regional Secretary in the absence of a Local Branch Secretary.

Non Unison staff will be appointed from representatives at CWC.

Confidentiality

All members of the CWC will respect any confidential information.

Review

The chair reserves the right to review and amend these terms of reference, following discussion with CWC members.

DRAFT

Appendix 3: Terms of reference - Schools' Workforce and Health and Safety Committee

Membership

- The Director Children's Services or his/her representative will Chair the Schools Workforce and Health and Safety Committee
- Members will consist of one representative from each teaching and non-teaching union recognised by Wokingham Borough Council as representing the schools workforce and three Head teacher representatives. Further members from any one union may be invited with the agreement of all represented unions and the Chair. Further members may be invited with the agreement of all represented unions and the Chair. Further members may be co-opted on a meeting by meeting basis as agreed by the Chair
- The attendance of the Executive Member for Children's Services will be requested for all meetings
- Management representatives:
 - Management will be represented by the Director of Children's Services or his/her representative, and other management representatives as agreed by the Director of Children's Services
 - Corporate Health and Safety Advisor or his/her representative
 - Professional Lead for Schools HR, or his/her representative

Management will provide a minute taker who will be responsible for issuing draft minutes within ten working days of the meeting. Minutes will be agreed by the Schools Workforce and Health and Safety Committee via email exchange.

The minute taker will seek agenda items and issue the agenda at least three working days before the date of the meeting.

Meetings

One meeting will be held each term or more frequently at the discretion of the Director Children's Services. Meetings will be scheduled to last two hours.

Meeting dates will be agreed in advance for each school year. Exceptionally if it is necessary to alter the set date at least 20 days' notice will be given.

Quorum

The quorum will be two of the union representatives and two of the management representatives.

Purpose

- To Consult with representatives on matters of general concern to staff across the schools within WBC, e.g. terms and conditions, business transfers, equal opportunities in employment and staff consultation across the schools workforce
- Management and representatives may also propose other concerns or issues that may be discussed at the Schools Workforce and Health and Safety Committee. Items must be included on the agenda to give the management/representatives an opportunity to give a full response. Where there are actions taken at the Schools Workforce and Health and Safety Committee it is the responsibility of the Member/Officer to report progress back to the Schools Workforce and Health and Safety Committee.

- To promote co-operation between the Council, schools and the school workforce, in instigating, developing and carrying out measures to ensure the health, safety and welfare of employees.
- To provide oversight on the process of Action Plans and Health and Safety Management Systems to improve safety compliance and standards of health, safety and welfare in schools.

Matters for consultation or discussion will include:

- Budget / financial situation e.g. impact of savings proposals
- Working practices/changes to working practices
- Employee information e.g. vacancies/turnover, sickness trends
- Working environment/facilities
- Draft consultation documents
- Training and development
- Equal opportunities
- Suggestions for improvement and sharing best practice
- Communications
- The study of accident and notifiable diseases statistics and trends.
- The review of sickness absence data
- Examination of safety audit and inspection reports
- Review of accident and incident investigation reports
- Review of reports and information provided by the HSE
- Review of safety representatives' reports
- Provide an overview of the effectiveness the Council's health and safety management system and each of its individual components
- A watch on the effectiveness of the safety content of employee training
- A watch on the adequacy of safety and health communication and publicity in the workplace
- The provision of a link with the HSE
- To consider matters referred to the Committee

Matters affecting centrally employed teachers will be discussed at Wokingham Borough Council's Corporate Works Council and/or with individual representatives of teaching unions.

Individual staff matters relating to disciplinary action, grievance, pay or promotion are excluded as

Governor Representative (1)

Primary responsibility for health and safety rests with the Council as employer. However education legislation means Governors have responsibility for implementing aspects of the Council's health and safety policy, where delegated management arrangements apply (nominee – controlled, community, special or nursery school governor).

Sub-groups

Where appropriate, and in agreement with member of the Schools Workforce and Health and Safety Committee, the Director Children's Services will determine whether a sub-group should be established at any time to:

- deal with employment matters including terms and conditions of employment, pay (excluding national arrangements)
- draft model Policy

The Director Children's Services in agreement with members of the Schools Workforce and Health and Safety Committee will agree on the membership of any sub-groups. The Sub-groups will report to the Schools Workforce and Health and Safety Committee.

Confidentially

All members of the Schools Workforce and Health and Safety Committee will respect any confidential information.

Facilities

Each member of the Schools Workforce and Health and Safety Committee will be provided with facilities time for a pre-meeting and to take part in the Schools Workforce and Health and Safety Committee or other negotiating arrangements with regard to employment issues.

Review

These terms of reference may be reviewed annually by the Schools Workforce and Health and Safety Committee.

DRAFT

Appendix 4: Application for time off for Union/Staff Representational duties

SECTION A - to be completed by staff/union representative

Full Name:		Date of application:	
Representing: (e.g. CWC or name of Union)			
Activity for which time off is requested, this may be agreed annually (for training attach course outline:			
Location of meeting or training course:		Date(s) of activity:	
Expected times of absence:	From:		To:
THIS APPLICATION SHOULD NOW BE PASSED TO YOUR LINE MANAGER/HEAD OF SERVICE.			

SECTION B - To be completed by Line Manager/ Head of Service

Is this time off approved?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If not approved, please state reason:		
Signed [^]	Date	Click here to enter a date.
[^] If form is emailed, a signature is not required.		
THIS APPLICATION SHOULD NOW BE RETURNED TO THE REPRESENTATIVE		

SECTION C - To be completed by representative as soon as possible after the absence

Total number of hours related to the above absence:	
Representative	
Signed [^]	Date
[^] If form is emailed, a signature is not required.	
Line Manager/Head of Service	
Signed [^]	Date
[^] If form is emailed, a signature is not required.	
THIS COMPLETED APPLICATION SHOULD BE SENT TO EMPLOYEE SERVICES TO BE PLACED ON YOUR HR FILE	

Agenda Item 8.

By virtue of paragraph(s) 4 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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