

# **PERSONNEL AND GENERAL PURPOSES SUB-COMMITTEE**

## **AGENDA**

**Date:** Wednesday, 15th July, 2020

**Time:** 7.00 pm

**Venue:** Remote Meeting

## **PERSONNEL AND GENERAL PURPOSES SUB-COMMITTEE**

### **Information for Members of the Public**

Due to the current Covid-19 pandemic Worcester City Council will be holding this meeting in accordance with the relevant legislative arrangements for remote meetings of a local authority. For more information please refer to: Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

Please note that this is a public meeting, conducting remotely by videoconferencing between invited participants and live streamed for general access by audio via the Council's website.

Part I of the Agenda includes items for discussion in public. You are able to listen to a live audio stream of the meeting via the City Council website [www.worcester.gov.uk/councillors-democracy](http://www.worcester.gov.uk/councillors-democracy). You have the right to inspect electronic copies of Minutes and reports on this part of the Agenda as well as background documents used in the preparation of these reports. Details of the background papers appear at the foot of each report. Part II of the Agenda (if applicable) deals with items of 'Exempt Information' for which it is anticipated that the public may be excluded from the meeting and neither reports nor background papers are open to public inspection.

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At the start of the meeting under the item 'Public Participation' up to fifteen minutes in total is allowed for members of the public to present a petition, ask a question or comment on any matter on the Agenda. Participation in remote meetings will extend to video and/or audio participation or written submission read aloud at the appropriate point in the meeting by the Chairman. Participants need to indicate that they wish to take part in a remote meeting by 4.30 p.m. on the last working day before the meeting by telephoning or emailing the officer mentioned below. A Democratic Services Officer will then contact to advise how to participate in the remote meeting, by invitation. Requests to participate received later than this cut-off time may not be accommodated.

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If you have any queries about this Agenda, require any details of background papers, or wish to discuss the arrangements for public participation please contact Julian Pugh, Democratic Services Administrator, Democratic Services, Guildhall, Worcester WR1 2EY Telephone: 01905 722027 (direct line). E-Mail Address: [committeeadministration@worcester.gov.uk](mailto:committeeadministration@worcester.gov.uk)

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**Personnel and General Purposes Sub-Committee  
Wednesday, 15 July 2020**

**Members of the Sub-Committee:-**

Chairman: Councillor Louis Stephen (G)

Vice-Chairman: Councillor Marc Bayliss (C) and Councillor Adrian Gregson (L)

Councillor Roger Berry (LCo)

Councillor Mrs. Lucy Hodgson (C)

Councillor Chris Mitchell (C)

Councillor Joy Squires (L)

C= Conservative

G = Green

L = Labour

LCo = Labour and Co-operative

LD = Liberal Democrat

**AGENDA**

**Part 1**

**(ITEMS FOR DISCUSSION AND DECISION IN PUBLIC)**

- |   |   |
|---|---|
| 1. <b>Appointment of Substitutes</b>  | To receive details of any Members appointed to attend the meeting instead of a Member of the Sub-Committee.   |
| 2. <b>Declarations of Interest</b>  | To receive any declarations of interest.  |
| 3. <b>Public Participation</b>  | Up to a total of fifteen minutes can be allowed, each speaker being allocated a maximum of five minutes, for members of the public to present a petition, ask a question or comment on any matter on the Agenda or within the remit of the Sub-Committee. |
| 4. <b>Minutes</b><br>Page(s): 1 - 2   | Of the meeting held on 26 <sup>th</sup> February 2020 to be approved and signed.  |
| 5. <b>Change Management Policy</b><br>Page(s): 3 - 10<br>Ward(s): All Wards<br>Contact Officer: Catherine Simcox,<br>Human Resources<br>Officer<br>Tel: 01905<br>722043 | That the Sub-Committee approve the proposed amendments to the Change Management Policy.   |

6. **Review of Unpaid Parental Leave - 2020**

Page(s): 11 - 18

Ward(s): All Wards

Contact Officer: Mark Edwards,  
Head of People  
Services  
Tel: 01905  
722042

That the Sub-Committee approve the proposed amendments to the Parental Leave Procedure.

7. **Any Other Business**

Which in the opinion of the Chairman is of sufficient urgency as to warrant consideration.

**PERSONNEL AND GENERAL PURPOSES SUB-COMMITTEE****26th February 2020**

- Present:** Councillor Louis Stephen in the Chair  
Councillors Berry, Mackay, Mitchell, Riaz and Squires
- Officers:** Mark Edwards, Head of People Services  
Shane Flynn, Corporate Director – Finance and Resources
- Apologies:** Councillors Bayliss and Gregson, David Blake (Managing Director)

**20 Appointment of Substitutes**

Councillor Mackay for Councillor Bayliss, Councillor Riaz for Councillor Gregson.

**21 Declarations of Interest**

None.

**22 Public Participation**

None.

**23 Minutes**

**RESOLVED: That the minutes of the meeting held on 4<sup>th</sup> November 2019 be approved as a correct record and signed by the Chairman.**

**24 Living Wage Accreditation Update Report**

The Sub-Committee considered a report on progress being made to identify the implications of and actions necessary to become an accredited Living Wage Employer. The Head of People Services presented the report and summarised the main points.

The report explained the difference between the Real Living Wage and the National Living Wage. Members noted that accreditation would commit contractors to having all regular third-party contracted staff paid the Real Living Wage. Contracts deemed to be in scope were identified in the restricted Appendix to the report. The Sub-Committee noted the contents of the Appendix.

It was highlighted that the Council would be required to build Living Wage compliance into its procurement processes and in particular communicate its position to all potential suppliers and build the living wage requirement into pre-qualification questionnaires. Officers estimated that Living Wage accreditation would potentially add around £300,000 a year to Council costs, but this was a very rough estimate and the figures would need to be firmed up before any final commitment to accreditation.

Furthermore, agency workers would transfer onto Real Living Wage rates after 12 weeks. It would be necessary to change that transfer point to 8 weeks to meet the Foundation criteria. It was estimated that this would add around £20,000 to employment costs each year although use of agency workers can vary from year to year.

It would be 5 years before the Council could build the Living Wage into all of its contracts. That would not preclude gaining Living Wage accreditation as long the Council can satisfy the Foundation that its plans and procurement process changes were meaningful and credible.

The report explained that perhaps the biggest concern was that some national players might be deterred from bidding due to concerns about the pay structure implications for their wider national workforce. More widely it would be reasonable to predict that building Living Wage compliance into the procurement processes would narrow the pool of providers willing to tender and would tend to increase costs.

It was also explained that requiring contractors to pay above the legal minimum wage (National Living Wage) would appear to be in breach of EU procurement regulations. Leaving the European Union may remove this barrier.

In conclusion, Members were advised that more work is required to resolve the issues described in the report. It was proposed to bring a further update to the next meeting of the Sub-Committee. Officers indicated that it may be appropriate to consider merging this initiative with the Fair Employer resolution also agreed at Council in October.

In the ensuing discussion, Members were in agreement that the information provided in the report was a useful starting point, but that more information was required before reaching a decision. Submitting a further report to the next meeting was the appropriate way forward. It was suggested that seeking feedback from contractor organisations would be helpful and Officers were requested to include this in the next report.

**RESOLVED: That the Sub-Committee:**

- 1. note the progress being made to identify the implications of and actions necessary to become an accredited Living Wage Employer; and**
- 2. request that a further report be submitted to the next meeting.**

**25 Any Other Business**

None.

**Duration of the meeting: 7.00p.m. – 7.20p.m.**

Chairman at the meeting on  
15<sup>th</sup> July 2020



**Report to: Personnel and General Purposes Sub-Committee, 15<sup>th</sup> July 2020**

**Report of: Head of People Services**

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**Subject: CHANGE MANAGEMENT POLICY**

**1. Recommendation**

**1.1. That the Sub-Committee approve the proposed amendments to the Change Management Policy.**

**2. Background**

2.1 The current change Management Policy came into effect in Dec 2017 and is therefore overdue for review. The update to this policy has so far incorporated feedback from the People Services team, and is in line with current CIPD and ACAS guidelines. The key changes include:

2.1.1 Updates to Pensions and EAP information

2.1.2 Inclusion of a process for minor changes that do not necessitate changes to T&Cs (section 6.)

2.1.3 Reference to additional related documents of: Redundancy Policy, Redeployment Policy and Pensions Discretions Policy. (section 14.)

**3. Implications**

3.1 Financial and Budgetary Implications  
None.

3.2 Legal and Governance Implications  
Although not directly referenced in the policy the any voluntary redundancies that meet the 2.6 times salary cost criteria, but would involve a payment in excess of £95,000 will need to be approved by this committee. This temporary arrangement will be reviewed when and if the government introduces the proposed public sector exit payment cap.

3.3 Risk Implications  
None.

3.4 Corporate/Policy Implications  
None.

3.5 Equality Implications  
This policy is designed to ensure that we meet our obligations in the Equality Act 2010 by completing an Equality Impact Assessment for any proposals.

3.6 Human Resources Implications

- To provide full HR Lead support on all change management initiatives (formal or minor changes)
- To ensure all options for avoidance of Compulsory Redundancies are considered.

3.7 Health and Safety Implications

None.

**Ward(s):** All  
**Contact Officer:** Catherine Simcox 01905 722043  
Catherine.simcox@worcester.gov.uk  
**Background Papers:** none

**Worcester City Council****CHANGE MANAGEMENT  
POLICY****EFFECTIVE DATE:**

Title	Change Management Policy
Status	Draft
Document Version	V2.0
Author	Catherine Simcox
Sponsor	Mark Edwards
Owner	People Services
Approved by	
Approved date	
Review frequency	Bi-annual
Next Review:	2022

<b>Version History</b>		
<b>Version</b>	<b>Date</b>	<b>Description</b>
0.1	01.12.2008	Agreed procedure
0.2	27.07.2017	Review of procedure to include as policy
0.3	17.08.17	Feedback from People Services incorporated into policy
1.0	13.12.17	Approved by P&GP
2.0	03.01.20	Detail on consultation packs and inclusion of minor change process

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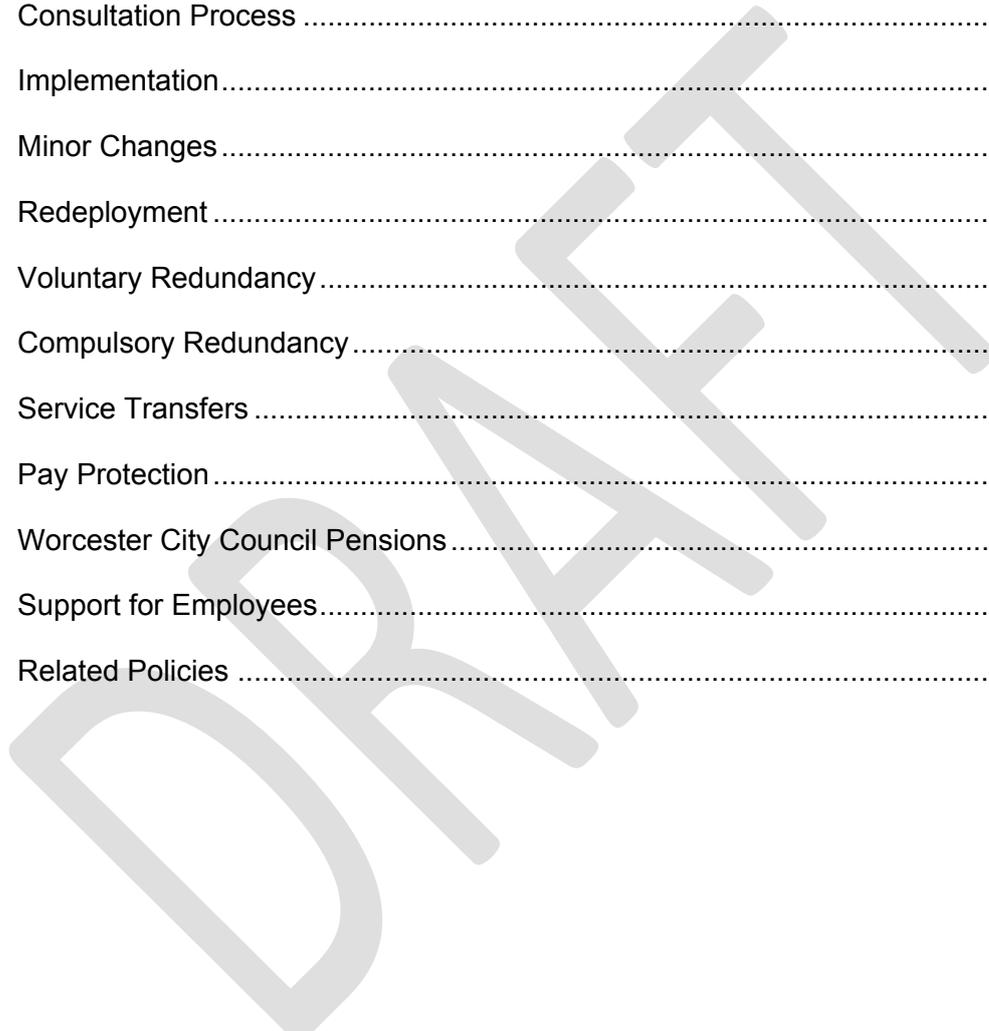
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## **CHANGE MANAGEMENT POLICY**

At Worcester City Council, our vision is to achieve excellence in everything we do.

Change is a constant and necessary part of a continually improving organisation. Whilst this can make the Council a dynamic and vibrant place to work and help provide an excellent public service, change can also create uncertainty for the workforce so it is essential that it is expertly managed.

Organisational, economic or technological changes may at times impact upon staffing requirements, structures and organisation. This can include mergers, re-structuring or introducing materially different working practices.

### **1. Purpose**

- 1.1 The purpose of this policy is to set out the Council's approach to any re-structuring or re-organisation process and is designed to assist managers and give clarity to those affected.
- 1.2 The Council is committed to managing the change process in a fair and consistent way, using effective communication. Where change may result in the reduction of posts and as a consequence, a risk of redundancy, all efforts will be made to deal with employees in a sensitive and supportive manner
- 1.3 Subject to our business needs The Council will seek to avoid compulsory redundancies and wherever possible will seek to achieve reductions in employee numbers through natural wastage, deletion of vacant posts, reduction of the use of agency workers, voluntary redundancy, early or flexible retirement and redeployment

### **2. Scope**

- 2.1 The Policy applies to all Council employees and should be read in conjunction with the Redundancy and Redeployment Policies and any related procedures, as appropriate.

### **3. Principles**

- 3.1 The Council must establish the reasons for the proposed change and communicate these to staff as appropriate. The employee groups affected by the change must be clearly identified.
- 3.2 If the change is minor, for instance, line management structures or where there is no change to contractual terms and conditions and where a substantial part of the employee's experience at work is unchanged there should be no need for consultation with the Trade Unions. In these cases a fair and reasonable process must nevertheless be followed and this should be carried out in a consultative manner within the prevailing employment legislation, local agreements and policies and procedures. See section 6.

- 3.1 If at any stage an employee requests consultation with Union Representatives this will be arranged and the time scale adjusted.

#### **4. Consultation Process**

- 4.1 The Council is committed to full and meaningful consultation with employees and with the recognised Trade Unions regarding proposed organisational change. It will consult with employees who may be affected, both directly and indirectly (e.g. posts involved in any re-structuring moves and those impacted upon by additional or changed workloads or practices) and with the relevant Trade Unions.
- 4.2 The consultation process will outline the changes proposed, the background and reasons for change, the benefits and efficiencies which are envisaged and agree the consultation processes and timetable. Where appropriate, role profiles will be drafted and the proposed process for the appointment to the jobs and any assimilation and ring fencing arrangements will be established. Trade Unions should also be consulted at the formative stage. This stage will be undertaken ahead of any formal approval being sought in order to ensure all consultation feedback is taken into account in the final decision making process.
- 4.3 The length and processes involved in each stage of the consultation will depend on the complexity of the proposed change and the number of employees involved but, in any case, shall be no less than the locally agreed consultation process and the prevailing employment legislation.

#### **5. Implementation**

- 5.1 At the end of the consultation period, approval from CLT and the relevant committee(s), if appropriate, will be sought before implementing the new structure.

#### **6. Minor Changes**

- 6.1 In cases of minor change, a fair and reasonable process must be followed and this should be carried out in a consultative manner.
- 6.2 A reasonable process for a minor change which is not an Organisational Change would include the following:
- i) An explanation of the operational reasons for the proposed changes and the benefits which may accrue to both the Council and employee
  - ii) Communicating, listening to and taking account of the views of employees
  - iii) Provision of a sufficient period of notice to the affected employees.

#### **7. Redeployment**

- 7.1 Where employees are not appointed to new posts, attempts will be made to redeploy them to an alternative appropriate post within the Council. Please refer to the Redeployment Policy for details on this process.

- 7.2 If redeployment is not possible, then employees may be placed “at risk” of compulsory redundancy. (See section 9)

## **8. Voluntary Redundancy**

- 8.1 The Council will consider requests for voluntary redundancy from any employee who is displaced by the restructuring proposals subject to our business needs. Requests will be considered on the basis of future skills requirements of the service area / organisation, cost (normally limited to 2.6 x the annual salary including any associated pension strain), potential efficiency gains and the availability or prospect of suitable alternative employment.

## **9. Compulsory Redundancy**

- 9.1 The Council may make compulsory redundancies in the event that displaced employees cannot be placed in suitable alternative posts through the Redeployment Policy. Compulsory Redundancy will follow the relevant statutory arrangements and be in line with the Council’s Redundancy Policy.

## **10. Service Transfers**

- 10.1 Where a re-organisation leads to services transferring to another organisation, it would normally be expected that TUPE applies and in such circumstances the employees involved would usually be required to transfer to the new employer under existing terms and conditions as within the prevailing TUPE legislation. Please speak with People Services if TUPE applies.

## **11. Pay Protection**

- 11.1 This is detailed in the Redeployment Policy.

## **12. Worcester City Council Pensions**

- 11.1 Our pensions are administered by Worcestershire County Council. (see [www.worcestershire.gov.uk/worcestershirepensionfund](http://www.worcestershire.gov.uk/worcestershirepensionfund) ) and they can be asked to provide information on individual pension positions as appropriate.
- 11.2 Pensions provisions will also be subject to the Council’s Pensions Discretions Policy.

## **13. Support for Employees**

- 13.1 The process of change can be a stressful experience for all concerned and employees should be made aware of the support mechanisms that are available to them.
- i) If employees have concerns they should speak to their manager in the first instance.
  - ii) They may also contact their Trade Union representative if they are a member; or a member of the People Services team.

- iii) Employees should be advised of the support available via our free and independent employee assistance programme for practical advice and counselling. Call 0808 168 2143 or online [www.carefirst-lifestyle.co.uk](http://www.carefirst-lifestyle.co.uk) and log in with the username **worcesterc** and the password **employee**.

#### **14. Related Policies**

Further information and guidance are available on the following topics:

- (a) Redundancy Policy
- (b) Redeployment Policy
- (c) Pensions Discretions Policy

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**Report to: Personnel and General Purposes Sub-Committee, 15<sup>th</sup> July 2020**

**Report of: Head of People Services**

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**Subject: REVIEW OF UNPAID PARENTAL LEAVE - 2020**

**1. Recommendation**

**1.1 That the Sub-Committee approve the proposed amendments to the Parental Leave Procedure.**

**2. Background**

2.1 The Parental Leave Procedure was last reviewed in 2017 and as part of the Bi-annual policy review is due an update in 2020.

**3. Key Changes**

3.1 There are minor changes to the procedure in line with the .GOV and ACAS guidance including:

- There can be confusion with Paternity and Parental Leave and Shared Parental Leave so clearly titling the procedure "Unpaid Parental Leave" assists with clarity.
- Simplifying points in line with .GOV & ACAS for entitlements which are part of normal employment practice.
- Clarifying number of days requested on the request form to avoid any ambiguity.

**4. Implications**

4.1 Financial and Budgetary Implications

Parental Leave is unpaid and so employees using it can lead to slightly reduced employment costs, however because it is unpaid it is rarely used.

4.2 Legal and Governance Implications

Unpaid parental leave subject to the eligibility criteria described in the procedure is a legal entitlement.

4.3 Risk Implications

None

4.4 Corporate/Policy Implications

None

4.5 Equality Implications

None as all ACAS and .GOV guidance has been followed.

4.6 Human Resources Implications  
As above.

4.7 Health and Safety Implications  
None.

**Ward(s):** All  
**Contact Officer:** Mark Edwards – Head of People Services 01905 722042.  
[mark.edwards@worcester.gov.uk](mailto:mark.edwards@worcester.gov.uk)  
**Background Papers:** none

# Worcester City Council

## UNPAID PARENTAL LEAVE PROCEDURE

Title	Unpaid Parental Leave Procedure
Status	
Document Version	V0.1
Author	Alison Darbyshire
Sponsor	Mark Edwards
Owner	People Services
Approved by	P&GP
Approved date	
Review frequency	Bi-annual
Next Review:	

Version History		
Version	Date	Description
0.1	16.9.19	Updated in line with .gov and ACAS

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## Unpaid Parental Leave Procedure

### **1. When could I use Unpaid Parental Leave?**

Parental Leave is unpaid leave and should only be taken to care for the welfare of a child (up to their 18th birthday), for example you may wish to take leave to:

- spend quality time with your child
- stay with your child while they are in hospital or while recovering at home
- make school/childcare arrangements and to help them settle in

### **2. What am I entitled to?**

- A maximum of 4 weeks unpaid Parental leave may be taken per child in any one year
- You are entitled to up to 18 weeks of unpaid Parental Leave entitlement per child up to their 18th birthday. For part time employees, a week is their normal working week (or for irregular weeks, it can be calculated by calculating the total number of days they work in a year divided by 52.14).
- Parental Leave must be taken in minimum blocks of one week (with the exception of a child in receipt of disability living allowance whereby leave may be taken in blocks smaller than 1 week).
- All contractual terms and conditions other than pay should continue throughout a period of parental leave.

### **3. Do I qualify for Unpaid Parental Leave?**

- Yes, if you are an employee with at least one year's continuous service with Worcester City Council.
- Yes, if you are the parent of a child (named on the Birth Certificate); or you are the adoptive parent of a child (named on the Adoption Certificate); or you have legal "parental responsibility" for a child.
- You will need to provide evidence of the child's date of birth or in the case of an adopted child, the date on which the placement began or is to begin
- Where relevant, evidence that a child is entitled to Disability Living Allowance.

### **4. How do I give notice to take Unpaid Parental Leave?**

- You must give us at least 21 days written notice to take Parental Leave.
- You must discuss with your manager if the request is able to be accommodated (based on operational and/or resourcing need).
- Complete the Form attached at Appendix 1 and forward to your Line Manager and People Services.

**5. Unpaid Parental Leave following Paternity Leave**

If you take unpaid Parental Leave to follow on from Paternity Leave, you should contact us no later than 21 days before the proposed period of leave is due to begin.

**6. What if my Unpaid Parental Leave is postponed?**

We can refuse or postpone your application for Parental Leave (other than at the time a child is born or adopted) based on operational and/or resourcing needs.

Postponements along with the reason will be given in writing. Alternative dates may be offered. You will be entitled to reschedule any postponed Parental Leave, to begin no later than 6 months after the date on which the original requested leave should have begun. However, parental leave can not be postponed so that the leave ends after the child's 18th birthday.

**7. Is my pension affected ?**

If you take a period of Parental Leave, you will not build up pension benefits. The Council will notify you of the lost amount of Pensionable Pay for the period and you can elect to cover the period of pension "lost" by taking out an Additional Pension Contribution (APC) contract.

Where an APC contract is taken out to cover the pension "lost" during a period of unpaid Parental Leave, the cost is shared 1/3<sup>rd</sup> to the employee and 2/3<sup>rds</sup> to the employer, provided that the member makes an election to buy "lost" pension within 30 days or returning to work.

**8. What if I am unhappy with a decision on Unpaid Parental Leave?**

If you are dissatisfied with any decision made in respect of Parental Leave rights, you should firstly highlight it to your manager, or speak to People Services. You are also able to raise your concern via the Council's formal grievance procedure, which is found on the Intranet.

**9. Our other Family Friendly Procedures**

- Paternity Leave and Pay
- Flexible Working
- Adoption Leave and Pay
- Maternity Leave and Pay
- Shared Parental Leave
- Maternity Support Leave and Adoption Support Leave.

**10. Appendix 1**

**APPLICATION FOR UNPAID PARENTAL LEAVE**

You must give at least 21 days' notice of when you propose to take Unpaid Parental Leave.

Employee Details:

Full Name \_\_\_\_\_ Payroll No. \_\_\_\_\_

Declaration

I hereby declare that:

- I have continuous employment with Worcester City Council for at least 12 months.
- I am \*the parent of a child (named on the Birth Certificate) /\* the parent of a child (named on the Adoption Certificate) / \*I have legal "parental responsibility" for a child under 18. (Delete as appropriate)
- I can provide evidence of the child's date of birth or in the case of an adopted child, the date on which the placement began or is to begin
- Where relevant, I can provide evidence that the child is entitled to Disability Living Allowance.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

**Dates for Unpaid Parental Leave**

I would like to start my Parental Leave on:	
I would like to return on:	
Total number of unpaid Parental leave days requested for this period:	

Name of Child \_\_\_\_\_ Date of Birth \_\_\_\_\_

Adoption: Date when placement for adoption began or will begin \_\_\_\_\_

The child is / is not entitled to Disability Living Allowance (*delete as applicable*).

**Approval by Manager**

Manager: Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Please send the completed form to People Services and attach a copy of the child's birth certificate/adoption certificate / court order/ Disability Living Allowance

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