

AGENDA ITEM NO: 4

To : Members of the Human Resources Committee

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HUMAN RESOURCES COMMITTEE

8th July 2010

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BRISTOL CITY COUNCIL HUMAN RESOURCES COMMITTEE**THURSDAY 8TH JULY 2010****COMMENTS OF UNISON****AGENDA ITEM 5 – OPTIONS FOR A SICKNESS ABSENCE SUPPORT LINE (SASL)**

UNISON notes and supports in principal the contents of the report of the Strategic Director of Human Resources.

UNISON would re-emphasise its concerns made previously in various meetings with management and HR Officers, that the use of an external provider under the pilot for the SASL did highlight serious errors in respect of employee confidentiality and data protection. Whilst these errors were minimal in their numbers, nonetheless they were sufficient to draw UNISON to the opinion that there was a poor communication process between the external provider and the City Council's managers. It was also disappointing that UNISON's concerns over the poor "Equality Impact Assessment" (EIA) prior to appointing the SASL provider had not been taken on board. Had a full EIA been conducted, many of the errors which occurred could well have been avoided.

UNISON does recognise that sickness absence attendance across the authority has improved significantly over the past twelve months but would caution that in some cases (not all), employees are still returning to work after spells of sickness such as stress, far too soon. This can leave them vulnerable to further stress etc. Where situations like this occur, managers must take immediate action, including advising the employee to leave work as clearly they are unfit to perform their duties and possess a risk to them selves and their colleagues.

Should the City Council consider operating its own in house SASL in the near future, UNISON would support this proposal in principal but seek an assurance from the City Council that a full EIA will be conducted beforehand and shared with the trade union side.

AGENDA ITEM 7 – EQUAL PAY AUDIT

This report was presented to the trade unions at the Employee Relations Policy meeting held on the 18th June 2010.

Whilst the original report was quite comprehensive and contained some 130 pages, UNISON expresses disappointment and concern that the issues in respect of the Working Arrangements Policy (WAP) have appeared to have been overlooked in the executive summary, though some reference was made in the original report that was presented to the TU Side.

UNISON questions Bristol City council as to why a full equal pay audit on the WAP has not⁶ been undertaken. Given on board the current WAP has not been modified in any way since it was implemented in July 2004, UNISON believes an audit on the WAP to be long overdue. In addition, UNISON's understanding from the original report, was that the equal pay⁷ audit on the WAP would be completed by April 2010. The need for the audit of the WAP is paramount in UNISON's opinion. Despite the policy being operational for 6 years, UNISON is still highlighting flaws in how the policy is being interpreted and paid by managers in CYPS and HSC.

UNISON therefore seeks clarity and an assurance that the equal pay audit of the WAP will be undertaken and completed as quickly as possible.

AGENDA ITEM 8 – AGENCY REVIEW

UNISON is pleased to note that in principal the number of external agency staff being employed by the City Council is being reduced as a result of vacancy management.

UNISON believes that this policy does offer potentially displaced existing employees the opportunity of securing alternative employment within the City Council.

UNISON is concerned however by the continued employment of Agency Staff, particularly in Health and Social Care where external Home Care Assistants (HCA's) for example are being employed. Whilst UNISON recognises the need for competent and experienced HCA's is paramount for the service when dealing with vulnerable and elderly adults, nonetheless it is a concern to UNISON that where staff in Learning Difficulties and Older People face an uncertain future, the continued practice of employing external HCA's as opposed to offering training for potentially displaced employees becomes extremely questionable.

UNISON believes that the vacancy management panel should agree not to employing any further requests for external agency staff. Where requests are made, these should be shared with the trade union side beforehand in order to (a) acquire the support of

the trade unions, and (b) to indicate the reasons as to why in house training cannot be given to potentially displaced staff who are at risk of redundancy.

AGENDA ITEM 9 – UPDATE ON THE SCHOOL SUPPPORT STAFF

NEGOTIATING BODY (SSSNB)

UNISON notes the contents of the joint letter dated May 2010 which has been circulated to members of the HR Committee for its information

UNISON holds the view that this letter should be presented to the next DJCC of CYPS for its information, if it has not been presented already.

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Submission for Human Resources Committee Thursday 8 July 2010

Agenda item 5 Options for provision of Sickness Absence Line

Sickness Absence levels in the Authority have been reducing and the current average number of day's absence confirms there isn't a sickness problem in the Authority.

Strategic Leadership Team were advised there was no business case which would justify the ongoing provision, by an external provider, of a sickness absence support line for the Council as a whole. Unite supports the decision to discontinue the external sickness absence support line function.

The working party set up to consider an in house option did note that the effectiveness of the pilot did reduce after six months. This may be because staff were becoming used to the different reporting arrangements. During the pilot staff would ring Diagnostic Health Solutions and speak direct to a trained Nurse. The STS option would require staff to contact the STS centre initially then a proportion would be referred to Occupational Health where a Nurse would ring employees back. This option is the cheapest but would only be available during working hours and not as straight forward as the pilot where you speak to a trained professional straight away.

The other option which is nearly three times more expensive is for the line to be staffed by Occupational Health. The advantage is this is a similar arrangement to the external pilot but medical staff would be engaged in a range of non medical tasks.

The Managing Attendance Policy puts the responsibility for managing sickness absence on managers. Human Resources are also supporting managers in areas of high sickness by providing additional management training. This I believe is sufficient to continue to manage sickness absence in the Authority.

Agenda item 6 Youth and Community Workers – 2009 Pay Award

As the report states in paragraph 3.1 Senior Youth Workers are either paid at 23- 26 or 26-29. Just because Bristol does not have officers at the top of the scale is not grounds to ignore the discretionary points. The national employers have introduced points 31 and 32 for a reason and work should be done to incorporate them into the Bristol JNC Youth Worker grades. In response to paragraph 2.1 I am unclear what consultation has taken place with the unions regarding this issue, no one has approached me regarding this issue. Youth and Play does have its own dedicated JCC but no meetings have taken place since December 2009.

Agenda item 7 Equal Pay Audit

The Equal Pay Audit has highlighted some areas of concern. These include in paragraph 4.5 that women are less likely to receive pay protection than men and the comparison between male and female employees in receipt of factorised pay were in excess of 5%. Further work should be undertaken in accordance with the report recommendations.

Agenda item 8 Agency Review

Its concerning that information is not currently available for Residential Care which does employ a large number of agency staff. Agency staff should be engaged to provide short term cover and not be a medium to long term solution. Paragraph 3.4 of the report states 28 had been employed for more than 2 years so it's good to see they have been converted into permanent employees. There are additional costs for the Authority so I hope future Agency workers will be employed in accordance with paragraph 4.1 of the report.

Agenda item 9 Joint Circular May 2010

I understand Bristol had been confirmed as one of the pilot Authorities to undertake testing on the role profiles and job evaluation scheme. Disappointingly this work has been put on hold nationally pending a decision from Ministers on the future direction of School Support Staff pay and conditions.

Steve Paines

Convenor

Ian Scott – Unite Steward - Public Forum Submission to Human Resources Committee
July 8th

1. APPRENTICES NEED A LIVING WAGE IN BRISTOL

The wage for apprentices in Bristol City Council is **£2.71 an hour - £95 a week - £4,954 a Year.** regardless of age.

An apprentice living as an independent person cannot pay an apprentice rate for their accommodation, or any other bills, they have to pay market rates.

How much does it cost to live in Bristol?

I have used the Bristol University Guide for Students The figures below (excluding the figure for private rentals) refer to a standard 38 week academic year and are based on 2009/10 figures.

Accommodation, which can range from around **£3,380 - £4,420** a year for private rentals (private rental contracts are usually for 52 weeks of the year and exclude heating, lighting, electricity and, in some cases, water rates)

- **heating and lighting** around **£600** if you're living in private accommodation based on 38 weeks
- **Food** **£1,170** a year for students living in private accommodation ba
- **clothes and toiletries** can be a large expense-around **£650** a year is not uncommon

Social life – There is no money left!

This already totals more than we pay our apprentices, and our apprentices have full year costs to pay not 38 weeks like students.

How can they afford to live? Either

Going into DEBT – or –

Taking on a SECOND JOB on top of their apprenticeship.

IS THAT WHAT WE WANT FOR A BRISTOL APPRENTICE IN 2010!?

I hope Bristol City Council can do more to take account of Bristol City Council's specific need to attract and retain younger staff and agree to pay Council employed apprentices a living wage for Bristol.

Bristol City Council's position will not be competitive with the best Bristol employers and being competitive is a key objective in the workforce strategy.

RECRUITING AND RETAINING THE BEST YOUNG PEOPLE – A MOUNTAIN TO CLIMB!

The greatest under representation in the Council that needs to address, is the under 25 workforce. The gap between the real workforce and a representative work force for this group is 12%, BME 4,7%,

Disability 1.7% and LGB 1.9% **Only 4% of our workforce is under 25 years of age**, with the smallest age group being the 16 to 19 years old band (0.3%). This compares with 16% of our local population who are aged between 16 and 24. **Even if we reached 100 apprentices (current figure about 60) this will only increase the under 25 workforce by about 1.5% to a total of 5.5% of the workforce, no where near the 16% we need to reach and which can only be done by direct recruitment of young people into proper paid council jobs.**

National Context

Do other employers pay apprentices more than Bristol's £2.71? – Yes

The TUC submission to the Low Pay Commission on apprentice pay - Source www.tuc.org.uk/extras/lpcapprenticepay2009.pdf

<i>Agreement</i>	<i>Union and date agreement effective</i>	<i>Apprentice level and pay rate (hourly unless stated otherwise)</i>	<i>Per of rate for fully qualified adult craft worker (lowest rate) unless otherwise stated.</i>
BVT Surface Fleet (Clude)	Unite, GMB, UCATT 1 April 2009	Yr 1 -£3.76 Yr2 -£6.29 Yr3 – £7.38	33.6% 55.9% 65.6%
Electrical Contracting JIB	Unite 5 January 2009	Lower "Transport provided" rates Stage 1 -£4.14 2 -£6.10 3 -£8.84 4 -£9.35	 36.5% 53.7% 77.9% 82.4%
Plumbing Mechanical Services JIB	Unite 5 January 2009	1st year -£5.29 2nd year -£6.06 3rd year -£6.85 3rd year (NVQ 2) - £8.32 4th year -£8.43 4th year (NVQ 2) -	48.5% 55.5% 62.8% 76.3% 77.3% 87.6% 96.7%
		£9.56 4th year (NVQ 3) -£10.55	
Institute of British Organ Building	GMB 1 January 2009	Year 1; 2; 3; 4 Age 16/17 £3.70; £4.18; £4.99; £6.06 18-21 £4.99; £5.77; £6.55; £7.32 18-21 (with previous qaul) £4.99; £6.06; £7.32; - 22 and over £5.99; £6.43; £6.87; £7.32	 50.5%;57.1%;68.2%; 82.8% 68.2%;78.8%;89.5%; 100% 68.2%;82.8%;100% 81.8%;87.8%;93.8%; 100% 81.8%; 89.3%; 100%

		22 and over (with previous qual £5.99; £6.54; £7.32; -	
Sanofi Aventis (chemicals)	Unite 1 January 2009	Age 16 -£7.13 17 - £8.42 18 -£11.01 19 -£11.66 20 -£12.31	55% 65% 85% 90% 95%
British Furniture Trade JIC	GMB 1 January 2009	Age 16 – £3.27 Age 17 – £4.05 Age 18 – ££4.83 Age 19 and above -£6.23	52.5% 65% 77.5% Full rate
GE aviation (Hamble)	Unite, GMB, UCATT 1 January 2009	Start (16-17) -£5.12 Start (18) -£7.66 Completed 1 year - £8.44 Completed 2 years - £8.57 Completed 3 years - £9.14 Finalisation (NVQ3) -£9.72	50.2% 69.7% 76.8% 78.0% 83.1% 88.4%
Scottish and Southern Energy	Unite, Unison, Prospect, GMB 1 January 2009	Between £8,006 - £17,382 per year	46.1%-100% of bottom craft rate
BMW (Oxford)	Unite 1 January	Stage 1 -£5.35	Per cent of bttm craft grde
	2009	2 -£6.44 3 -£7.94 4 -£9.44 5 -£10.23 6 -£10.90	39.6% 47.7% 58.9% 70.0% 75.8% 80.8%
Nissan (Sunderland)	Unite	Admin assistant £4.52-£6.69 (36 months) Manufacturing staff (60 months) £3.08 -£5.92 Maintenance technician 60 months £4.52 -£9.05	63.5%-93.9% 37.1%-71.4% 47.4%-94.8%

Completion Rates

Research published by the Learning and Skills Council showed that those who quit before completion received significantly lower average pay rates in their apprenticeships than did those who went on to finish their apprenticeships. The average wage in first week of apprenticeship for an early leaver was £104, compared with £117 for a completer. - Source: LSC, "The benefits of completing an apprenticeship", April 2009, p73.

The LFS, apprentice pay and the gender pay gap.

- £8.67 per hour - all employee apprentices
- £10.32 per hour – all male employee apprentices
- £6.55 – all female employee apprentices

29.1 per cent gender pay gap

Source: LFS spring 2009

Minor concessions on the national minimum wage (NMW) for apprentices were still completely inadequate – Source - Public and Commercial Services Union – Annual Report

London Living Wage rises by 25 p per hour to £7.85 – Source BBC News 9 June 2010

last updated at 15:15 GMT, Wednesday, 9 June 2010 16:15

The minimum pay per hour pay now stands £2 higher than the national minimum wage of £5.80 per hour.

Mayor Boris Johnson said the rise was needed to "combat poverty" and ensure that "people are better off in work than out of work".

About 100 companies and local authorities offer the London Living Wage to their workers and four new firms have also signed up.

Deloitte, Nomura, Prudential and Standard Chartered have now joined the group, **the mayor said.**

'No poverty wages'

Mr Johnson said: "The capital relies on the work of many who carry out the city's essential functions on a daily basis - from office cleaners to care workers in social services.

"It is right that their skills and commitment to London's success are recognised, and one of the most fundamental ways of doing this is to ensure that all Londoners are paid properly.

"That means receiving at least the London Living Wage, which is designed to combat poverty and also ensure that people are better off in work than out of work."

The regional secretary of Trades Union Congress, Megan Dobney, said: "It makes sense that both private and public sector employers across the capital are seeing the Living Wage as a way to treat their staff well.

"There is no place for poverty wages in London."

The wage rate is a 3.3% rise on last year's figure and has increased by 17% since it was introduced five years ago.

Does the HR Committee believe there is a place for poverty wages in Bristol?

£2.71 an hour?

HOT OFF THE PRESS – HOT OFF THE PRESS – HOT OFF THE PRESS – HOT OFF THE PRESS

A minimum income standard for the UK in 2010 – 6 July 2010

Joseph Rowntree Foundation – source - <http://www.jrf.org.uk/publications/minimum-income-standard-2010>

Key point

- A single person in the UK needs to earn at least £14,400 a year before tax in 2010, to afford a basic but acceptable standard of living.

Background

In 2008, the first minimum income standard (MIS) was published by JRF. It is updated regularly, to reflect changes to costs and living standards.

Conclusion and policy implications

Low-income households are especially vulnerable to inflation, especially when essentials like food go up faster than average. Unless employers and the government take this into account when uprating pay and benefits, their real living standards could fall.

On entering Downing Street, Prime Minister David Cameron said he wanted to ensure that the government "... always looks after the elderly, the frail, the poorest in our country." Fulfilment of this pledge will help determine whether people are able to achieve the minimum standard of living that allows them to participate fully in society, rather than being excluded.

A list of Apprentices and Contact details for the Welfare Officer

Following the last meeting, where the HR advisor stated there was welfare support for the apprentices, I have requested on 3 separate occasions. (18/06/2010 10:49 -04/06/2010 16:20 - 04/06/2010 08:47)

1. the contact details for the welfare officer?

2. and a list of all the apprentices?

I understand the unions are entitled to write to all new joiners and invite them to join a union.

I have not received a response to these 2 requests, despite 3 attempts, or even the courtesy of a reason as to why these requests are being refused.

Why is this information being withheld?

Ian Scott – Unite Steward - Public Forum Submission to Human Resources Committee July 8th

ADVERTISING OF PARTNERSHIP POSTS IN BRISTOL

Green Capital Posts for Bristol were recently advertised nationally in the Guardian Newspaper. I understand that it was necessary to advertise them externally because they are supported by a wide range of organisations and not just by the Council.

In line with our commitment to equal opportunities, when the current Bristol Partnership Interim Director leaves, can the HR Committee be assured that this very important Partnership Post in Bristol is also advertised to increase transparency?

n.b. Guardian National Newspaper Adverts for Bristol Green Capital Jobs

Green Capital Business Advisor Reference: 22171 - Salary: £25,472 - £28,636 - Green Capital Manager Reference: 22170
Salary: £38,961 - £41,616 - Sustainability Advisor Reference: 22172 - Salary: £25,472 - £28,636 - Sustainability Advisor Reference: 22173
Salary: £25,472 - £28,636

National Context – Source <http://www.communities.gov.uk/newsstories/localgovernment/1631889>

6 July 2010

Council job adverts should be syndicated across the internet, to save money, **increase transparency** and help reduce pointless posts, Eric Pickles, Local Government Secretary will say today.

It can cost £5,000 to £10,000 to place an advert in some national newspapers. Often classifieds are filled with job titles many people would struggle to understand and many more that appear superfluous to the key services local people look to their council to provide.

The new Government will be working with local government not only to put online information on spending, tenders and contracts over £500, but **also to publish job vacancies online, in an open and standardised format**, for anyone to use, re-publish and 'mash up' without charge. There will be no public sector monopoly - the jobs data can be used by anyone, from commercial recruitment, newspapers to pressure groups.

Eric Pickles will say to the LGA Conference:

"Putting jobs online not only shows local people where their money is going. It will mean they can question whether those jobs are really needed at all.

"What does an audience development officer do? Is a 'cheerleading development officer' what taxpayers want? How many transformation officers and business development directors does one council need?

"One council was even advertising for someone to spin for their bins last week. I wonder whether their residents actually want a 'communications waste strategy officer.' Or whether they'd prefer a few more bin men."

7 July 2010

GMB SUBMISSION TO HR COMMITTEE - 8th JULY 2010

The GMB wish to make the following statement:

Apprentices

Following the HR Committee on 3rd June regarding the exploitation of apprentices who are paid below the minimum wage (Bristol City Council pay 58 apprentices - £95 per week - £2.71 per hour) the GMB wish to quote from a letter from a HR Manager stating that a post which had previously been undertaken by an employment agency worker should now be filled by an apprentice.

The response reads as follows:

'I understand a request was made to the vacancy management panel on 30th March for an extension of the role of administrative assistant (BG7) to 30th September 2010. This was declined and the advice given by the panel was to consider employing an apprentice.'

Clearly this is yet another example of where departments are misusing apprentices - eg cheap labour.

The GMB would therefore request the HR Committee to reconsider its previous decision 'that all apprentices should not receive the minimum wage and that the status quo should remain'. This is clearly another example of a 'two tier' system operating within the Council as other apprentices are in fact paid the minimum wage - it is therefore dependant upon where they work and what nature of apprenticeship they are undertaking! As the majority of the 58 apprentices are in admin there would appear to be a distinct 'difference' in how the city council applies it apprenticeships.

Agenda Item No 5 - Options for provision of Sickness Absence Line

The GMB find this report to be quite interesting based upon previous management information relating to the success with the sickness absence line including significant 'savings' being made.

The GMB also note with interest yet again the apparent exclusion of the trade union side - yet another example of minimum consultation.

The GMB consider the option of an 'in-house' line not to be acceptable. The whole selling point of the external line was the fact this was operated by trained medical staff external to the city council. We would therefore have real concerns on any advice given by a non medical trained person giving advice to staff phoning in sick.

The GMB would also wish to raise our concern about the reason for high sickness absence in specific workgroups/service areas. Funding should be allocated to address the reasons of absence rather than punitive measures which are being put in place. We are still having people who have had surgery or suffering from cancer being given level 1 and 2 warnings with the threat of dismissal. Managers should manage but currently the culture of the council appears to be once a worker finds themselves in a difficult health situation they very little or no support from their 'employer'.

The GMB is concerned if this is used as another way to 'manage the budget' by fast tracking people out of work.

Agenda Item No 6 - Youth and Community Workers - 2009 Pay Award

The GMB fully support this pay award and would ask the HR Committee to confirm they will comply with the Government's national pay award for low paid workers eg £250 per annum minimum - or award more in recognition of the good work and additional stress they are now facing!

Equal Pay Audit

The GMB continues to request the council to address the issue of occupational segregation - until there is a much even 'mix' of jobs between men and women (especially at the management level) then the council will continue to allow inequality in relation to pay and promotion to thrive in its organisation.

Agency Review

The GMB consider the wholesale reduction in agency workers to be an unnecessary attack upon this sector of the workforce. What is missing in this report is the impact this is having upon the staff who are left behind after the agency worker has been removed. Obviously there was a need to have additional staff in these areas so what has happened to the work they were doing? The GMB recently had a meeting with the cleaners and management in the Council House where the cleaners were told 'massive changes are coming' and 'everyone has to look at doing more for less!' How much less can people earn when they are on a BG1? How much more than they do (without additional pay) when they are only allowed three hours per day? Why are vacancy freezes being put in place at the 'front line service' areas when at the 'rump' of the council (Head of HR, Promoting Bristol Manager, Third Tier Facilities Manager) are still going ahead with the recruitment?

If this council is serious about the massive savings it has to make over the next three to four years then no level of post should be given 'priority status'. After all in the Big Debate how many care assistants will be employed on the Chief Executive's salary (one person)? Who gives 'value for money' to the public?

The GMB would therefore request managers to give an updated report on the areas where these agency workers have been removed, the impact on the service including levels of sickness and the areas where future cuts of agency workers are due to take place. This will at least give a balanced approach to what is taking place across the council rather than a skewed one of specific financial savings but not the impact upon service delivery or remaining staff.

Wendy Weston
Corporate GMB Workplace Organiser

Rowena Hayward
Organisation Officer