

## AGENDA ITEM NO: 4

### To : Members of the Human Resources Committee

Councillors : Steve Comer, Mark Wright (sub:Glenise Morgan),  
Geoff Gollop, Sean Beynon, Fi Hance

Copy to : Robert Britton, Service Director, Strategic HR  
Will Godfrey, Strategic Director; Resources  
Minute Book, DSO, ISO, Spares x 15, Linda Fitton  
Report Authors: Mark Williams, Lorna Whitehead,  
Chris Dagger (& Linda Fitton)

### HUMAN RESOURCES COMMITTEE

18<sup>th</sup> November 2010

### PUBLIC FORUM STATEMENTS

AGENDA ITEM	AUTHOR OF STATEMENT	SUBJECT(S) OF STATEMENT	No.
5	UNISON	PMDS Coordinating/ Monitoring	1
6		NJC Car Mileage Allowances – VAT Increase	
7		School Support Staff Negotiating Body	
5	UNITE	PMDS Coordinating/ Monitoring	2
6		NJC Car Mileage Allowances – VAT Increase	
7		School Support Staff Negotiating Body	
n/a	GMB	Minutes of the Previous Meeting	
5		PMDS Coordinating/ Monitoring	
6		NJC Car Mileage Allowances – VAT Increase	
7		School Support Staff Negotiating Body	

**THURSDAY 18<sup>TH</sup> NOVEMBER 2010**

**COMMENTS OF UNISON**

**AGENDA ITEM 5 – PMDS SCORES 2009 - 2010**

UNISON is disappointed that the contents of this report had not been shared with the trade union side at any time, prior to presentation at the HR Committee. UNISON holds the view that any report taken to a committee which will be of interest to employees, should be shared beforehand with the trade union side for their observations.

With regards to the contents, UNISON is encouraged from the statistics presented, that there has been a small improvement in the number of PMDS reviews conducted as shown against the corresponding period for the 2008 – 2009 year. UNISON is also encouraged that the overall number of employees across the authority achieving the “expected level of competency”, had risen by 3.43 %. The fact that a near 95% of City Council employees were achieving this score, coming at a time of job uncertainty is considered commendable.

The “down side to the report” as highlighted, concerns the lower scores and survey returns recorded against other departments, as shown by Health and Social Care. Whilst the City Council have recognised that this is an area which is being targeted for improvement, UNISON is concerned by the comment expressed in the report, as to how this will be achieved. Under paragraph 3.5 (last “bullet point on page 24), it indicates that “the scoring of employees in the Learning Division will be delegated to managers who have fewer reports and are working more closely with the employees concerned”. UNISON is astonished by this remark, because it implies that the managers, who had been conducting the scoring of the employees, were not actually supervising them. It further suggests that the employees own team managers have never given any type of accurate appraisal to their staff, and bearing in mind some of these employees may have been subjected to the formal Improving Poor Performance Procedure, UNISON must pose the question on whose “judgement” were the scores being made.

This part of the report concludes that training and support will be given to the managers. UNISON would ask as to why because part of the key functions to the Bristol Manager Scheme is “people management”. UNISON would argue that the managers should already be aware of their responsibilities in conducting PMDS reviews, and any manager requiring training and support themselves, are falling short of the expectations under the Bristol Manager Scheme.

**AGENDA ITEM 6 – MILEAGE ALLOWANCES REVIEW**

UNISON will confirm that this report and its contents has been shared with the trade union side. However, there are two overriding factors which for whatever reason, has been overlooked by the author of the report and for which UNISON will raise its objections to the recommendation, not to increase the current fuel allowance.

Firstly, under paragraph 3 of the report, what the author has completely omitted was the background to the 40 pence per mile rate. The City Council in 2005 had to implement the “single status agreement”, but in view of the potential costing implications, and despite strong objections from the trade unions, the national car allowance scheme was abolished and the adoption of the HMRC rates was imposed. UNISON would argue that many employees suffered financial detriment due to escalating fuel and running costs since, of a motor vehicle. In addition, the fact that employees contract of employment for many posts have since been amended to indicate a clause that they must provide a motor vehicle for the purpose of their job, only amplifies UNISON’s concerns that the City Council should pay a mileage rate which reflects current running costs of a motor vehicle.

Secondly, when the City Council agreed to impose its own rate of 42.9 pence per mile, this followed lengthy discussion with the trade unions as a “joint working party” had been established in late 2008. It was fully understood that 2.9 pence per mile would be subject to taxation. The trade union side was led to believe that any reviews of the car mileage rate would be considered by the joint working party. Without any pre warning or consultation, the trade union side was verbally advised in May of this year at a trade union / employee relations meeting, that in view of the budgetary situation facing Bristol City Council, there would not be any increase in the fuel allowance. A unilateral decision had been made by the Chief Executive / Head of Human Resources. UNISON and its trade union colleagues have not only been angered by this decision, but have rightly questioned in joint meetings, including the recent JERB, as to why the joint working party that was set up to look at travel costs, has been disbanded without any consultation. To date, no satisfactory explanation has been given.

The report recommends that the current allowance of 42.9 pence per mile remain until further notice, despite the recent increase on the NJC rates due to the VAT increase. UNISON would point out that the cost of fuel has escalated significantly since the last increase in April 2009, and the costs of ensuring a car is roadworthy has also increased since 2009. The fact that employees are now contracted to provide a motor vehicle is ample reason why the rates must be increased.

The only part of the report which UNISON would agree is paragraph 6.1 on page 39, and by refusing to increase the allowance will only increase the risk of employees refusing to use their motor vehicles, and increasing the risk of disciplinary action being taken against them.

#### **AGENDA ITEM 7 – SCHOOL SUPPORT STAFF NEGOTIATING BODY (SSSNB)**

UNISON note the contents of the letter dated the 28<sup>th</sup> October 2010 from the Secretary of State (Michael Gove, MP) to the Independent Chair of the SSSNB (Philip Ashmore), which sets out his proposals to abolish the SSSNB at the earliest opportunity.

Given on board that Administrative Staff in CYPS are currently being reviewed , although administrative staff in locally managed schools are not subject to the review, any potential outcomes could have an equal pay impact. Now that it is almost certain the SSSNB will be abolished, UNISON would like a report taken to the CYPS “DJCC”, setting out how the City Council intends to monitor the situation to ensure that there will not be any equal pay issues arising.

**UNISON Bristol Branch  
6<sup>th</sup> Floor  
Tower House  
Fairfax Street  
Bristol BS1 3BN**

**Tel. (0117) 9405002**

**E-mail :- [bristol.unison@bristolunison.co.uk](mailto:bristol.unison@bristolunison.co.uk)**



Submission for Human Resources Committee Thursday 18<sup>th</sup> November 2010

Agenda item 5 PMDS Scores 2009-10

Paragraph 3.4 of the report states one third of employees are still not participating in the Authorities PMDS process. How can the Authority increase performance when its principle performance process is not applied to so many employees?

What message is being sent to the rest of the Authority if Human Resources itself suspends the process because of a service review and move to Somerfield? It appears that to make the figure of 96.02% eligible employees receiving a PMDS the Authority has to create a large exemption list which is one third of the Authority!

Agenda item 6 Mileage Allowances Review

Employees are providing a motor vehicle for work to undertake Council business which benefits the Authority. If they withdrew their goodwill and used alternative methods of transport e.g. Public Transport there would be a reduction in productivity.

The Trade Union views are covered in paragraph 2.1 of the report. Fuel costs will increase for our members because VAT increases to 20%. The Authority can reclaim some of the VAT so it's not reasonable to keep the mileage rate the same. Unite therefore supports the proposal to increase the mileage allowance to cover the increase in VAT to ensure union members are not worse off.

Agenda item 7 School Support Staff Negotiating Body

This news to abolish the SSSNB is very disappointing for Unite. School Support Staff are mainly female and the work to create national job role profiles would have harmonised pay around the country for this work group.

Steve Paines

Convenor



South Western Region

**SUBMISSION FOR HR COMMITTEE, THURSDAY 18<sup>TH</sup> NOVEMBER 2010**

The GMB wishes to make the following statement to the above Committee:-

Minutes of the meeting of the HR Committee held on 24<sup>th</sup> September 2010.

Pay Protection

The GMB would like to congratulate the LibDem administration for pushing through the reduction in pay protection. The GMB is aware that counsel advice was sought a few years ago about whether or not the original time scale of 3 years for pay protection would withstand an equal pay challenge. At that time it was deemed that it would. Therefore the GMB would like it noted in the minutes that the Council is acting not in the interest of protection against an equal pay claim but purely to save money at the cost of their workers.

Redundancy Pay

The top 10% of earners referred to in the minutes who earn £36,500+ per annum have now had their redundancy capped. Is this including the teachers within the top 10%? We would therefore like this included in the minutes.

PMDS Scores 2009/2010 (Agenda item no. 5)

The GMB welcomes this report. However, we are still concerned that there is inequality in the way the PMDS is carried out across the Council. Point 3.5 (2009/10 results) highlights the continual equality within Health and Social Care. The compliance rate of 86.44% is significantly below target and this has been an area that the GMB has been consistently highlighting. This is also the directorate where there is a significant high percentage of women workers, especially in the low-paid part-time jobs, and we would draw members' attention to the fact that only 83.98% in care services are receiving a PMDS. This is clearly unacceptable. Why should employees in this sector be treated any differently from other employees across the Council? Whilst we note with interest the proposal to delegate this role to managers who have fewer reports, we are unconvinced this will address the continuing inequality.

The GMB is also aware that some staff are not being given a copy of their PMDS. Is this now another way of saving money?

### Mileage Allowances Review (Agenda item no. 6)

Members of the HR Committee will be mindful of our ongoing concern surrounding mileage allowance payments for our members employed by Bristol City Council. Rather than keep the mileage allowance static, we would urge Councillors to consider the increase in fuel charges that is currently taking place almost on a daily basis – you only have to go to your local garage to see the cost of fuel has jumped over the last few weeks, in some instances a difference of 10 p per litre.

The GMB finds the proposal to “shift” the increase in VAT on to the employee to be totally unacceptable. Not only are they having to use their cars and incur general wear and tear (for which they receive no financial reimbursement) but the Council is now looking to offset the increase in VAT onto their workers.

The GMB fully supports the Green Travel Plan and reducing the carbon footprint but would ask the Council how sensible it is to encourage staff not to use their cars if it is a requirement of their job as these proposed changes, e.g. not to increase the mileage allowance for car users and to transfer the increased VAT cost to the employee could well be the tipping point where staff elect not to use their cars as it could be deemed as a significant change in their terms and conditions in that they will receive a significant detriment if this goes through. We consider that this will have a disproportionate impact on women workers as in many cases they have to use their cars for child care purposes, e.g. to get from work to the school within a short period of time, where cycling would now allow them to meet their deadlines.

**Rowena Hayward**  
**Organiser**

Bristol Office: 4 Hide Market, Waterloo Street, Bristol, BS2 0BH  
Telephone: (0117) 9554470 Fax: (0117) 9554409