

# Human Resources Committee Agenda



**Date:** Thursday, 26 September 2019

**Time:** 10.00 am

**Venue:** City Hall, College Green, Bristol, BS1 5TR

## **Distribution:**

**Councillors:** Harriet Bradley, Richard Eddy, Gary Hopkins, Jeff Lovell, Paula O'Rourke, Ruth Pickersgill and Jon Wellington

**Issued by:** Steve Gregory, Democratic Services

City Hall, PO Box 3399, Bristol, BS3 9FS

Tel: 0117 92 24357

E-mail: [democratic.services@bristol.gov.uk](mailto:democratic.services@bristol.gov.uk)

**Date:** Wednesday, 18 September 2019



# Agenda

**1. Welcome, Introductions and Safety Information** **10.00 am**  
**(Pages 4 - 5)**

**2. Apologies for Absence**

**3. Declarations of Interest**

**4. Minutes of the Previous Meeting**

To agree the minutes of the last meeting as a correct record.

**(Pages 6 - 9)**

**5. Public Forum**

*NB. up to 30 minutes is allowed for this item*

Any member of the public or councillor may participate in Public Forum. The detailed arrangements for so doing are set out in the **Public Information Sheet** at the back of this agenda. Please note that the following deadlines will apply in relation to this meeting:-

**Questions** - Written questions must be received 3 clear working days prior to the meeting. For this meeting, this means that your question(s) must be received in this office at the latest by 5 pm on 20 September 2019.

**Petitions and Statements** - Petitions and statements must be received on the working day prior to the meeting. For this meeting this means that your submission must be received in this office at the latest by 12.00 noon on 25 September 2019.

**6. Work Programme** **10.10 am**  
To note the work programme. **(Page 10)**

**7. Pay & Reward - Including Apprentice Pay** **10.15 am**  
**(Pages 11 - 61)**

**8. HR and Payroll Implementation - iTrent**

Presentation to be shared on the day



**9. Draft Health and Wellbeing Plan 2019-20**

**(Pages 62 - 87)**

**10. Workforce Dashboard**

Presentation to be shared on the day

**11. Exclusion of the Press and Public**

That under s.100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item(s) of business on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in paragraph(s) 1 (respectively) of Part 1 of schedule 12A of the Act.

**12. Salary of two Director Posts**

**(Pages 88 - 101)**



# Public Information Sheet

Inspection of Papers - Local Government  
(Access to Information) Act 1985

You can find papers for all our meetings on our website at [www.bristol.gov.uk](http://www.bristol.gov.uk).

You can also inspect papers at the City Hall Reception, College Green, Bristol, BS1 5TR.

Other formats and languages and assistance  
For those with hearing impairment

You can get committee papers in other formats (e.g. large print, audio tape, braille etc) or in community languages by contacting the Democratic Services Officer. Please give as much notice as possible. We cannot guarantee re-formatting or translation of papers before the date of a particular meeting.

Committee rooms are fitted with induction loops to assist people with hearing impairment. If you require any assistance with this please speak to the Democratic Services Officer.

## Public Forum

Members of the public may make a written statement ask a question or present a petition to most meetings. Your statement or question will be sent to the Committee and be available in the meeting room one hour before the meeting. Please submit it to [democratic.services@bristol.gov.uk](mailto:democratic.services@bristol.gov.uk) or Democratic Services Section, City Hall, College Green, Bristol BS1 5UY. The following requirements apply:

- The statement is received no later than **12.00 noon on the working day before the meeting** and is about a matter which is the responsibility of the committee concerned.
- The question is received no later than **5pm three clear working days before the meeting**.

Any statement submitted should be no longer than one side of A4 paper. If the statement is longer than this, then for reasons of cost, only the first sheet will be copied and made available at the meeting. For copyright reasons, we are unable to reproduce or publish newspaper or magazine articles that may be attached to statements.

By participating in public forum business, we will assume that you have consented to your name and the details of your submission being recorded and circulated to the committee. This information will also be made available at the meeting to which it relates and placed in the official minute book as a public record (available from Democratic Services).



We will try to remove personal information such as contact details. However, because of time constraints we cannot guarantee this, and you may therefore wish to consider if your statement contains information that you would prefer not to be in the public domain. Public Forum statements will not be posted on the council's website. Other committee papers may be placed on the council's website and information in them may be searchable on the internet.

### Process during the meeting:

- Public Forum is normally one of the first items on the agenda, although statements and petitions that relate to specific items on the agenda may be taken just before the item concerned.
- There will be no debate on statements or petitions.
- The Chair will call each submission in turn. When you are invited to speak, please make sure that your presentation focuses on the key issues that you would like Members to consider. This will have the greatest impact.
- Your time allocation may have to be strictly limited if there are a lot of submissions. **This may be as short as one minute.**
- If there are a large number of submissions on one matter a representative may be requested to speak on the groups behalf.
- If you do not attend or speak at the meeting at which your public forum submission is being taken your statement will be noted by Members.

For further information about procedure rules please refer to our Constitution <https://www.bristol.gov.uk/how-council-decisions-are-made/constitution>

### Webcasting/ Recording of meetings

Members of the public attending meetings or taking part in Public forum are advised that all Full Council and Cabinet meetings and some other committee meetings are now filmed for live or subsequent broadcast via the council's [webcasting pages](#). The whole of the meeting is filmed (except where there are confidential or exempt items) and the footage will be available for two years. If you ask a question or make a representation, then you are likely to be filmed and will be deemed to have given your consent to this. If you do not wish to be filmed you need to make yourself known to the webcasting staff. However, the Openness of Local Government Bodies Regulations 2014 now means that persons attending meetings may take photographs, film and audio record the proceedings and report on the meeting (Oral commentary is not permitted during the meeting as it would be disruptive). Members of the public should therefore be aware that they may be filmed by others attending and that is not within the council's control.



## Public Document Pack

### Bristol City Council Minutes of the Human Resources Committee (Annual General meeting)

4 July 2019 at 10 am



#### **Members Present:-**

**Councillors:** Harriet Bradley, Richard Eddy, Ruth Pickersgill, Paula O'Rourke, Jon Wellington

#### **Officers in Attendance:-**

John Walsh (Director: Workforce & Change), Mark Williams (Head of Human Resources), Mark Jefferson (Workforce Analytics Manager), Steve Gregory (Democratic Services)

Also in attendance: Jane Carter, Branch Secretary UNISON.

#### **1. Election of Chair for 2019/20**

Councillor Jeff Lovell was elected Chair for 2019/20. As Councillor Lovell had given his apologies, it was noted that the Vice Chair would be required to take the Chair for this meeting.

#### **2. Election of Vice Chair for 2019/20**

Councillor Paula O'Rourke was elected Vice-Chair for 2019/20. Councillor Paula O'Rourke took the Chair for this meeting in the absence of the Chair.

#### **3. Apologies for Absence**

Apologies received from Councillor Jeff Lovell and Councillor Gary Hopkins, no substitutes.

#### **4. Welcome, Introductions and Safety Information**

The Chair welcomed all parties to the meeting and introductions were made.

#### **5. Membership of Human Resources Committee**

Membership of the Human Resources Committee for 2019/20, set out below, was noted.

Councillors Harriet Bradley, Richard Eddy, Gary Hopkins, Jeff Lovell, Ruth Pickersgill, Paula O'Rourke, Jon Wellington.

#### **6. Terms of Reference**

The Terms of Reference were noted.

## **7. Dates and times of meetings for 2019/20**

Agreed that all future meetings would commence at 10 am on the following dates -

26 September 2019;  
7 November 2019;  
16 January 2020;  
5 March 2020;  
30 April 2020.

## **8. Declarations of Interest**

There were no declarations of interest.

## **9. Minutes of the previous meeting**

**Resolved – that the Minutes of the previous meeting held on 9 May 2019 be agreed as a correct record and signed by the Chair subject to Minute 9 (2) being re-worded as – ‘Some Members expressed the view that the report was incomplete and should have included the salary of the Interim Director for Growth and Regeneration’.**

Matter arising from Minute No. 4 – regarding writing to Councillor Cheney this had not yet been done, the Head of Human Resources agreed to draft a letter on behalf of the former Chair, Councillor Jon Wellington.

## **10. Public Forum**

None received.

## **11. Work Programme**

The Committee considered the draft Work Programme for 2019/20. The following amendments were made and agreed –

1. September meeting to include a presentation about the Council’s new HR and Payroll System iTrent system following some concerns that had been raised by employees to members of the committee. Individual cases raised to be referred to Head of Human Resources;
2. Gender Pay gap for April meeting to include other equalities issues, ethnicity, disability;
3. Equality issues around selection of senior officers to be included under HR Policies at the September meeting.

## **12. Exclusion of the Press and Public**

That under s.100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item(s) of business on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in paragraph(s) 1 (respectively) of Part 1 of schedule 12A of the Act.

### **13. Salary of Executive Director - People**

The Committee was advised that following a benchmarking exercise and a review of the roles and responsibilities of this post, it had been recommended that the annual salary for this appointment be set at the maximum of the range for the Executive Director – People role.

After due consideration, the recommendation was put to the vote. There were two members in favour, two against and one abstention. The Chair then exercised her casting vote, in favour, and it was -

**Resolved – that the annual salary for the Executive Director - People be set at the maximum of the salary range for this appointment.**

### **14. Salary of Director Education & Skills and Executive Chair: Bristol Holding Company**

The Committee was advised that the Selection Committee had resolved to recommend that the annual salary for both of these appointments be set at the maximum of the range for the Director Education & Skills and Executive Chair: Bristol Holding Company roles respectively.

Arising from discussion the Committee looked at the processes regarding the setting of salaries and in particular the starting salary point of newly appointed senior staff with a view to having more control on the amounts paid and where on the pay scale they should commence. It was noted that the Selection Committee played an important role in this, subject to ratification by the HR Committee. It was suggested that that it might be preferable for the Selection Committee to determine starting salaries at the appointment stage as long as they had all the facts including market pay data being available when coming to a decision on pay.

It was agreed that the concerns and ideas raised should be put to Councillor Cheney (Deputy Mayor with responsibility for Finance, Governance and Performance) with a request that he address the concerns of the HR Committee and with a proposal to give more control over the process in a more transparent way.

After due consideration and on being put to the vote it was unanimously -

**Resolved –**

- 1. That the annual salaries for the Director Education & Skills and Executive Chair: Bristol Holding Company be set at the maximum of the salary range for their respective appointments;**
- 2. That the concerns and ideas raised about the setting of salaries and in particular the starting salary point of newly appointed senior staff be conveyed to Councillor Cheney (Deputy Mayor with responsibility for Finance, Governance and Performance) with a request that he address the concerns of the Human Resources Committee with a proposal to give more control over the salary payment process for senior council officers.**

---

**15. Exempt Minute Extract – 9 May, 2019**

**Resolved – that the exempt Minute extract for the meeting held on 9 May 2019 be agreed as a correct record and signed by the Chair.**

The meeting ended at 11 am

**CHAIR**

## HR Committee

### Work programme 2019/20

Forthcoming meetings	Agenda items (subject to confirmation)
4 July (AGM)	<ul style="list-style-type: none"><li>• Work Plan</li><li>• Salary of Executive Director Post</li></ul>
26 September	<ul style="list-style-type: none"><li>• Pay &amp; Reward – Inc. Apprentice Pay</li><li>• HR and Payroll Implementation - iTrent</li><li>• Employee Health and Wellbeing</li><li>• Salary of Director Post - exempt</li></ul>
7 November	<ul style="list-style-type: none"><li>• Staff Led Group - Update &amp; Workplan</li><li>• Recruitment offer and employer brand</li><li>• Refreshed HR Policies – Inc. Recruitment of Executive Directors and Directors</li><li>• Progress report - response to 2019 staff survey findings</li></ul>
16 January	<ul style="list-style-type: none"><li>• Pay Policy Statement</li><li>• Organisational Improvement Plan – Year review</li><li>• Staff survey – Plan</li><li>• Contingent Workforce</li></ul>
5 March	<ul style="list-style-type: none"><li>• Avon Pension Fund annual report</li></ul>
30 April	<ul style="list-style-type: none"><li>• Gender, Ethnicity &amp; Disability - Pay Gap</li><li>• Staff Survey – Initial findings</li></ul>



# HR Committee

26<sup>th</sup> September 2019

**Report of:** Director: Workforce & Change

**Title:** Pay & Reward – Inc. Apprentice Pay

**Ward:** N/A

**Officer Presenting Report:** Mark Williams (Head of HR)

**Contact Telephone Number:** 07795 446270

## Recommendation

That the Committee notes the report and provides its views on the proposal to change the Apprenticeship pay arrangements.

## Summary

The purpose of this report is to update the Committee on recent Pay and Reward developments and the proposed changes to the Apprenticeship pay arrangements.

## The significant issues in the report are:

- This report includes details of the Council response to the HM Treasury Pay Cap Consultation on the Exit Pay Cap.
- Information on the unions pay claim for 2020/21 that attempts to increase the pay of all local authority staff on NJC terms.
- Proposal to increase apprentice pay levels from April 2020 to the foundation Living Wage rate for apprentices 18 years old and over and 80% of the foundation Living Wage for apprentices under 18 years old.



## **Policy**

The Localism Act 2011 requires local authorities (the Full Council) to agree and publish a pay policy statement annually before the start of the financial year to which the statement relates. It is recommended to full Council by the HR Committee.

## **Consultation**

### **1. Internal**

Proposal to increase apprenticeship pay has been considered the Deputy Mayor – Finance, Governance and Performance. Further detailed work on the financial implications is required for consideration as part of the 2020/21 budget proposals. There will also be consultation with the trade unions before the proposals are finalised.

### **2. External**

Not applicable.

## **Context**

### **3. Background**

- 4.1. The Council has a key role to play in setting an equitable pay structure and ensuring those in the lowest paid jobs receive a fair living wage.
- 4.2. As we continue to transform our services to the public we are reshaping our workforce so that we retain and develop people with the right skills, abilities and potential to help shape how we deliver services. With a commitment to workforce development and 'growing our own' we continue to maximise opportunities to develop the skills and capability of our workforce to meet the changing requirements in public service. We continue to focus on attracting, developing and retaining a talented workforce whilst creating employment opportunities for citizens.

### **4. Exit Pay Cap Consultation**

- 5.1. Bristol City Council has responded to the HM Treasury Pay Cap Consultation which closed on 3<sup>rd</sup> July 2019 and has highlighted concerns about the merits of the proposals and the consequences for the employees who could be affected.
- 5.2. The scope of the cap as set out in the consultation document could cover workers who have long service and earn less than £23,500 a year. The absence of any review of the cap limit of £95,000 means that over time, more people with salaries below the national average will be affected. Concerns have also been raised about the absence of a robust Equalities Impact Assessment.
- 5.3. Reservations have also been raised around the discretionary exemptions process set out in the consultation as it will prevent democratically elected Councillors taking the necessary decisions to reform and manage the local government workforce.
- 5.4. The Council has urged HM Treasury to enter into discussion with the Local Government Association to arrive at a fairer process which does not affect staff on lower pay. Bristol City

Council fully accepts that the large discretionary payments to staff who are already highly paid should discontinue. However, the draft Regulations in their current form would affect lower paid staff and result in much lower pensions and/or cash payments for these staff who have many years of service which is not considered to be fair or reasonable.

## **5. Pay claim 2020/21**

- 6.1. UNISON, GMB and Unite, representing 1.4 million employees in schools and councils across England, Wales and Northern Ireland have submitted a pay claim that attempts to increase the pay of all local authority staff on NJC terms.
- 6.2. The claim for the year 2020/21 would see the lowest paid staff earning at least £10 per hour, and all other council employees receiving a ten per cent pay rise.
- 6.3. UNISON, GMB and Unite's joint claim also includes a one-day increase to employees' annual leave entitlement and a two-hour reduction in the standard working week. It also calls for a review of the workplace causes of stress and mental health issues.
- 6.4. The claim was submitted to the LGA on 24<sup>th</sup> July 2019 to be included as part of collective bargaining and meaningful negotiation for public employees, in line with Labour Relations Convention. The LGA are currently consulting regional employers on the pay claim.

## **6. Apprentice pay**

- 7.1. Our Corporate Strategy seeks to make Bristol a fairer, more equal city for everyone, but particularly for our children to grow up in. Growing the economy and reducing poverty are not separate areas of activity and 'trickle down' economics has failed to reduce inequality. Poverty is caused by issues such as unemployment, low wages and insecure jobs, ill health, lack of skills and high costs (especially for housing).
- 7.2. The Pay Policy Statement states as a development priority for 2019/20 to review 'the pay arrangements for apprentices'.
- 7.3. In May 2017 the Apprenticeship Levy was introduced requiring large employers to contribute 0.5% of their salary bill into a Government managed fund for apprenticeship training costs. These funds are retained for employer use for 24 months from transfer to levy account (a digital 'virtual' funding system). After 24 months unspent levy funds are transferred to HM Treasury. The Enterprise Act 2016 also introduced a public sector duty requiring local authorities and others to ensure that by 2020 2.3% of staff would be undertaking learning and development through apprenticeships.
- 7.4. However, to prevent Levy funds being passed from BCC to the Treasury, a potential risk from August 2019 onwards, there are two ways the council can mitigate this risk; one recruit more apprentices to increase usage of the levy by drawing down the cost of training and two maximise training courses available for current employees.
- 7.5. The Social Mobility Commission state "Apprenticeships could also be a powerful vehicle for social mobility, but the reality is not as clear cut; those from lower socio-economic backgrounds are clustered in lower returning and lower level apprenticeships. However, Level 2 and 3 apprenticeships (equivalent to GCSE and A Level), which are more likely to be taken up

by those from disadvantaged backgrounds, decreased by 16 and 38 per cent in 2017/18. In contrast, the number of higher level apprenticeships, which are typically entered by more affluent people, grew by 32 per cent. If this trend continues, it will make it harder for people with low qualifications to get a first step on the career ladder. Progression to higher levels of apprenticeship is also difficult; only 25 per cent of Level 2 apprentices progress to Level 3.”  
Social Mobility Commission - State of the Nation 2018-19

- 7.6. In line with Corporate and Organisational Improvement priorities, positive action is being taken to recruit underrepresented groups into new apprenticeship roles, and also to support existing staff from priority groups to progress through apprenticeship opportunities. BCC apprenticeship recruitment of existing staff and new employees from priority groups is currently 29%.
- 7.7. There is evidence from a variety of government and third sector sources that low wages in apprenticeships may serve as a barrier which prevents people from low-income backgrounds from accessing apprenticeships. Women (63% apprentice, 60% workforce) and people from BAME backgrounds (21% apprentice, 13% workforce) are disproportionately represented in lower paying apprenticeships.
- 7.8. Young workers are more likely to be in insecure roles or on zero-hours contracts than their older colleagues. Apprentice wages have been falling in real terms since 2009 and reduced purchasing power is felt particularly harshly by those who are already at the bottom end of the wage spectrum. LPC (2017) National Minimum Wage: Low Pay Commission Report
- 7.9. It is essential that the Council attracts and retains the right talent to lead and deliver great services to Bristol’s citizens. Offering apprenticeships is a proven and effective method of attracting and retaining staff.
- 7.10. Proposals have developed to increase apprentice pay levels from April 2020 to the foundation Living Wage rate for apprentices 18 years old and over and 80% of the foundation Living Wage for apprentices under 18 years old. The proposals are not yet finalised and further detailed work is being undertaken and there will be detailed consultation with key stakeholders. However, it is already evident that there will be a number of benefits of changing the current arrangements:-
- Increasing the rate will improve the attractiveness of the council to younger people seeking apprenticeship roles.
  - The number of young people working in the organisation is likely to increase. Currently only 3.92% of the workforce are aged 24 or under.
  - Using apprenticeships will help to ensure that we are developing the skills we need for the future, to grow our economy in ways that also supports our City.
- 7.11. The proposed pay rates are below:-

Year	Age	Current pay <sup>^</sup>	Proposed pay <sup>^</sup>
One (30 hours per week)	All ages	£5.00 per hour - £7,821 per annum	See below
Two (35 hours per week)	Under 18	£5.00 per hour - £7,821 per annum	£7.20 per hour - £13,140 per annum*
Two (35 hours per week)	18 - 20	National minimum wage £6.15 per hour - £11,124 per annum	Bristol's living wage £9 per hour - £17,364 per annum*
Two (35 hours per week)	21 - 24	National minimum wage £7.70 per hour - £14,053 per annum	Bristol's living wage £9 per hour - £17,364 per annum*
Two (35 hours per week)	25 and over	National minimum wage £8.21 per hour - £14,983 per annum	Bristol's living wage £9 per hour - £17,364 per annum*
Three (37 hours per week)	All ages	Bristol's living wage £9 per hour - £17,364 per annum	Bristol's living wage £9 per hour - £17,364 per annum

<sup>^</sup> Per annum value based on the total hours per week for each year

## Proposal

7. That the Committee notes the report and provides it views on the proposed changes to the Apprenticeship pay arrangements.

## Other Options Considered

8. None.

## Risk Assessment

9. The Living Wage is an hourly rate set independently and updated annually which is calculated according to the basic cost of living in the UK. The UK Living Wage is calculated by the Centre for Research in Social Policy who could determine that it be increased again.

## Public Sector Equality Duties

- 16a) Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following "protected characteristics": age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:
  - i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
  - ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to --
    - remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
    - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled

people, this includes, in particular, steps to take account of disabled persons' disabilities);

- encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

- iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –
  - tackle prejudice; and
  - promote understanding.

- 16b) The proposal if accepted positively impacts on the lowest paid staff, as set out in the report. A positive impact for the youngest age group of employees, aged 16-24 where there is a higher representation than the whole council workforce profile. The impact is also likely to be positive for BAME staff who are more highly represented in the potentially impacted group than the wider council profile. Positive action is being taken to recruit under-represented groups into new apprenticeship roles, and also to support existing staff from these groups to progress through apprenticeship opportunities. The Council is aiming to increase BAME apprenticeships and also increase apprenticeship take up by other groups that face barriers to recruitment, including Care Leavers, Disabled People, 16-19 year olds and people over the age of 50. The implementation of the proposal will be monitored over the first year to assess whether the increase in pay rates has changed the representation of the impacted group.

## **Legal and Resource Implications**

### **Legal**

There are no specific legal implications arising from this Report. The proposed increase to the pay of Apprentices should be incorporated in the Pay Policy Statement applicable for the financial year 2020/2021 and approved by Full Council.

**Husinara Jones, Team Leader/Solicitor, 10<sup>th</sup> September 2019**

### **Financial**

#### **(a) Revenue**

The proposal if accepted would have financial implications for the increase in pay for current apprentices and the additional cost of bringing in apprentices to assist in delivery of the required 2.3% of staff undertaking learning and development through apprenticeships by 2020. These implications including funding streams will be submitted and considered as part of the 20/21 budget setting proposals and will be subject to the formal budget setting process.

**Kevin Lock, Finance Manager, 17th September 2019**

#### **(b) Capital**

Not required because this report is for information only.

### **Land**

Not applicable.

## **Personnel**

As set out in the report.

**Mark Williams, Head of HR, 18<sup>th</sup> September 2019**

### **Appendices:**

- A.** HM Treasury Exit Pay Cap Consultation and Bristol City Councils Response
- B.** UNISON, GMB & Unite's - Pay claim 2020/21

## **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

### **Background Papers:**

None.

1. Home (<https://www.gov.uk/>)
2. Restricting exit payments in the public sector  
(<https://www.gov.uk/government/consultations/restricting-exit-payments-in-the-public-sector>)

1. HM Treasury (<https://www.gov.uk/government/organisations/hm-treasury>)

Open consultation

# **Restricting exit payments in the public sector: consultation on implementation of regulations**

Published 10 April 2019

## **Contents**

1. Introduction
2. Proposed scope of draft regulations
3. Guidance and directions
4. Devolution summary and equalities impacts
5. Summary of questions



© Crown copyright 2019

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit [nationalarchives.gov.uk/doc/open-government-licence/version/3](https://www.nationalarchives.gov.uk/doc/open-government-licence/version/3) (<https://www.nationalarchives.gov.uk/doc/open-government-licence/version/3>) or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: [psi@nationalarchives.gsi.gov.uk](mailto:psi@nationalarchives.gsi.gov.uk).

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at <https://www.gov.uk/government/consultations/restricting-exit-payments-in-the-public-sector/restricting-exit-payments-in-the-public-sector-consultation-on-implementation-of-regulations>

## 0.1 Executive summary

Exit payments to employees leaving the public sector workforce in 2016-2017 cost the taxpayer £1.2 billion<sup>1</sup>, with payments at and above £100,000 amounting to £0.2 billion. Exit payments can be important to employers' ability to reform and react to new circumstances, whilst providing support for employees as they find new employment or as a bridge until retirement age. However, public sector employers have a responsibility to demonstrate that they are using public money efficiently and responsibly, and to ensure that pay and terms are always proportionate, justifiable and fair to the taxpayers who fund them.

The government does not believe that the majority of six figure exit payments, which are far in excess of those available to most workers in the public sector or wider economy, are proportionate or provide value for money for taxpayers.

The government therefore introduced powers to cap exit payments in the public sector at £95,000 in the Small Business, Enterprise and Employment Act 2015. This consultation sets out the proposed method of implementing that cap, including which bodies should be in scope.

These regulations will help public sector employers to ensure exit payments represent value for money to the taxpayer who funds them.

## 1. Introduction

### 1.1 Policy background

Exit payments associated with loss of employment, including redundancy, are important to employers' ability to reform, and an important source of support for employees as they find new employment, or as a bridge until retirement age. However, it is also important that exit payments are proportionate and fair to the taxpayer and the government is concerned about the number of exit payments made to public sector workers that exceed or come close to £100,000.

Such payments can exceed three times the average annual earnings in the public sector<sup>2</sup>, and are far higher than the value of exit payments made to the majority of public sector workers<sup>3</sup>. The government does not believe that such payments often provide value for money or are fair to the taxpayers who fund them.

The government legislated for a cap of £95,000 on exit payments (the cap) in the public sector in the Small Business Enterprise and Employment Act 2015 (the 2015 act) as amended by the Enterprise Act 2016 (the 2016 act). The 2015 act sets out the duty to implement the cap through secondary legislation.

This consultation sets out the proposed draft regulations, schedule to the regulations, accompanying guidance and directions. The government welcomes comments on the draft regulations.

The draft schedule 1 sets out in detail the proposed scope of the regulations for this first stage of implementation. The government will expand the bodies in scope to the whole of the public sector in due course, with exemptions for certain bodies. Exemptions will be considered on a case by case basis, taking into account the nature of and functions undertaken by the employer.

## **1.2 Policy intention**

Sections 153A to 153C of the 2015 act enable HM Treasury to make regulations restricting public sector exit payments to a maximum of £95,000. The draft regulations define the types of payments intended to be subject to the cap, how the proposed cap is intended to operate, and the scope of the regulations. The bodies in scope of the draft regulations are set out in schedule 1 of the draft regulations. It is the government's intention to extend the scope of the regulations to the whole public sector in due course.

## **1.3 Aim and scope of the consultation**

The government will consider the consultation responses and decide on how best to achieve its aims in relation to the questions and proposals set out in this document. Responses are particularly welcomed from:

- employing bodies within the scope of the draft regulations as well as employing bodies within the wider public sector but not included in schedule 1 at present
- bodies representing public sector employers
- employees and their representative bodies
- members of the academic community with expertise in this area
- pay, pension, remuneration and HR professionals in both the private and public sectors
- anyone else who may be impacted by this consultation

## **1.4 How to respond**

This consultation will run for twelve weeks and will close on 3 July. Responses can be submitted online (<https://www.smartsurvey.co.uk/s/QABLW/>) or sent by email to: [ExitPaymentCap@hmtreasury.gov.uk](mailto:ExitPaymentCap@hmtreasury.gov.uk) with the subject heading 'Consultation on Exit Payment Cap'.

Alternatively please send responses by post to:

Workforce, Pay & Pensions Team,  
HM Treasury,  
1 Horse Guards Road,

London  
SW1A 2HQ

When responding please say if you are a business, individual or representative body. In the case of representative bodies, please provide information on the number and nature of people you represent.

## **1.5 Consultation principles**

This consultation is being run in accordance with the government's consultation principles (<https://www.gov.uk/government/publications/consultation-principles-guidance>).

## **1.6 Privacy notice**

This notice sets out how HM Treasury will use your personal data for the purposes of the 'public sector exit payment' and explains how your rights under the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA).

### **Your data (data subject categories)**

The personal information relates to you as either a member of the public, parliamentarians, and representatives of organisations or companies.

### **The data we collect (data categories)**

Information may include your name, address, email address, job title, and employer of the correspondent, as well as your opinions. It is possible that you will volunteer additional identifying information about themselves or third parties.

### **Legal basis of processing**

The processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in HM Treasury. For the purpose of this consultation the task is consulting on departmental policies or proposals or obtaining opinion data in order to develop good effective government policies.

### **Special categories data**

Any of the categories of special category data may be processed if such data is volunteered by the respondent.

### **Legal basis for processing special category data**

Where special category data is volunteered by you (the data subject), the legal basis relied upon for processing it is: the processing is necessary for reasons of substantial public interest for the exercise of a function of the Crown, a Minister of the Crown, or a government department.

This function is consulting on departmental policies or proposals, or obtaining opinion data, to develop good effective policies.

## **Purpose**

The personal information is processed for the purpose of obtaining the opinions of members of the public and representatives of organisations and companies, about departmental policies, proposals, or generally to obtain public opinion data on an issue of public interest.

## **Who we share your responses with**

Information provided in response to a consultation may be published or disclosed in accordance with the access to information regimes. These are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 2018 (DPA) and the Environmental Information Regulations 2004 (EIR).

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals with, amongst other things, obligations of confidence.

In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on HM Treasury. Where someone submits special category personal data or personal data about third parties, we will endeavour to delete that data before publication takes place.

Where information about respondents is not published, it may be shared with officials within other public bodies involved in this consultation process to assist us in developing the policies to which it relates. Examples of these public bodies (<https://www.gov.uk/government/organisations>).

As the personal information is stored on our IT infrastructure, it will be accessible to our IT contractor, NTT. NTT will only process this data for our purposes and in fulfilment with the contractual obligations they have with us.

## **How long we will hold your data (Retention)**

Personal information in responses to consultations will generally be published and therefore retained indefinitely as a historic record under the Public Records Act 1958.

Personal information in responses that is not published will be retained for three calendar years after the consultation has concluded.

## Your rights

- you have the right to request information about how your personal data are processed and to request a copy of that personal data
- you have the right to request that any inaccuracies in your personal data are rectified without delay
- you have the right to request that your personal data are erased if there is no longer a justification for them to be processed
- you have the right, in certain circumstances (for example, where accuracy is contested), to request that the processing of your personal data is restricted
- you have the right to object to the processing of your personal data where it is processed for direct marketing purposes
- you have the right to data portability, which allows your data to be copied or transferred from one IT environment to another

## How to submit a Data Subject Access Request (DSAR)

To request access to personal data that HM Treasury holds about you, contact:

HM Treasury Data Protection Unit  
G11 Orange  
1 Horse Guards Road  
London  
SW1A 2HQ

[dsar@hmtreasury.gov.uk](mailto:dsar@hmtreasury.gov.uk)

## Complaints

If you have any concerns about the use of your personal data, please contact us via this mailbox: [privacy@hmtreasury.gov.uk](mailto:privacy@hmtreasury.gov.uk).

If we are unable to address your concerns to your satisfaction, you can make a complaint to the Information Commissioner, the UK's independent regulator for data protection. The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane

Wilmslow  
Cheshire  
SK9 5AF

0303 123 1113

casework@ico.org.uk

Any complaint to the Information Commissioner is without prejudice to your right to seek redress through the courts.

### **Contact details**

The data controller for any personal data collected as part of this consultation is HM Treasury, the contact details for which are:

HM Treasury  
1 Horse Guards Road  
London  
SW1A 2HQ

020 7270 5000

public.enquiries@hmtreasury.gov.uk

The contact details for HM Treasury's Data Protection Officer (DPO) are:

The Data Protection Officer  
Corporate Governance and Risk Assurance Team  
Area 2/15  
1 Horse Guards Road  
London  
SW1A 2HQ

privacy@hmtreasury.gov.uk

## **2. Proposed scope of draft regulations**

Employers in the whole of the public sector have a responsibility to demonstrate that they are using public money efficiently and responsibly, and to ensure that pay and terms are always proportionate, justifiable and fair to taxpayers.

In order to determine the scope of the cap, HM Treasury will be guided by the Office for National Statistics (for National Account purposes) classification of bodies within the central and local government, and non-financial public corporation sectors. There will be a limited number of

exemptions.

The government is proposing a staged process of implementation across the public sector. The first stage will capture most public sector employees, before extending the cap to the rest of the public sector in the second stage. Prioritising in this way will ensure most exit payments in the public sector are limited to £95,000 without further delay, while work continues on expanding the scope of the regulations.

## **2.1 Bodies in scope of the current draft regulations**

The draft regulations apply to payments made by public sector authorities to employees and by public sector offices to office holders. However, they do not apply to the following payments:

A. Payments made by a relevant Scottish authority, as defined in s 153B(5) of the 2015 act (see section 4.1 below)

B. A relevant Welsh exit payment, as defined in s 153B(6) of the 2015 act

C. Payments made by Northern Irish authorities which wholly or mainly exercise devolved functions

The following categories of public sector employer are within scope of these regulations where they fall within the responsibility of the UK government, regarding their employment:

- the UK Civil Service, its executive agencies, non-ministerial departments and non-departmental public bodies (including Crown non-departmental public bodies and Her Majesty's Prison and Probation Service)
- the NHS in England and Wales<sup>4</sup>
- academy schools
- local government including fire authorities' employees and maintained schools
- police forces, including civilian and uniformed officers

Some bodies have more than one classification. For example, if an executive agency is also classified as a type of body not currently in scope of the cap, such as a trading fund, it should not be captured during this round of implementation.

The full list of proposed public sector bodies in scope of the draft regulations are listed in draft schedule 1. The categories of final employers which will be included in schedule 1 is subject to responses to the consultation.

All public sector employers should make value for money decisions on exit payments, and spend public money responsibly. It is the government's strong expectation that bodies not in the proposed scope of these regulations will come forward with their own, commensurate cap on exit payments.

## 2.2 Bodies and payments exempt in the draft regulations

The government proposes that the Secret Intelligence Service, the Security Service, the Government Communications Headquarters and the Armed Forces should be exempt from the cap. Therefore, these employers are not listed in draft schedule 1 to the regulations.

Careers in these organisations have unique features, and the special requirements made of individuals – including the transition to civilian life – are reflected in the range and level of compensation payments for these workforces. Compensation and resettlement payments make up a core part of the overall remuneration and reward package for those working in these fields, and payments are sometimes required in order to ensure that individuals are properly compensated for what can be lifelong impacts, felt at relatively early ages. The government believes it is right that – in general – these employers have flexible and responsive remuneration practices which may fall outside of the scope of the draft regulations.

As a general rule accrued pension rights, including rights to pension commutation lump sums, are not within scope of the draft regulations because they do not normally involve any cost to the employer. However, in some cases pension payments do involve an additional employer cost relating to an exit and often represent a significant amount of an individual's exit payment. For this reason they are within scope of the draft regulations unless an exemption applies. These payments arise when an employer has to make a 'pension strain' payment, for example to provide the pension scheme member with an immediate unreduced pension before the member's Normal Pension Age or when an employer has to make a pension commutation related payment.

Fire and Rescue Authorities (FRAs) have discretion to remove the current commutation lump sum restriction (of 2.25 x pension) that applies to firefighter members of the 1992 Firefighters' Pension Scheme who are under age 55 and have less than 30 years' service. Where a FRA exercises this discretion, this results in an employer related cost because it is required to make a payment equivalent to the additional amount to the member's pension fund account. It is proposed that these payments should be exempt from the scope of the regulations as they do not fund an increase in the actuarial value of the firefighter's pension.

Therefore, regulation 7(c)(i) exempts payments made by a FRA to their pension fund account, where the FRA exercises its discretion to allow a firefighter (who is subject to the above 2.25 times pension commutation lump sum restriction) to commute up to a maximum of 25% of their annual pension for a pension lump sum. Effectively, this discretion aligns with the commutation entitlement available to firefighters who are aged 55 or over, or who have accrued the maximum 30 years' service.

The government is also considering an exemption for payments made by FRAs to their pension fund account in respect of firefighters who are unable to maintain operational fitness through no fault of their own and where the FRA has agreed to put into payment an authority initiated early retirement pension. This will honour the government's previous commitment

(<https://publications.parliament.uk/pa/cm201415/cmhansrd/cm141215/wmstext/141215m0001.htm>) that firefighter members of the 2006 and 2015 Firefighters' Pension Schemes in these circumstances should be awarded an unreduced pension if they cannot be redeployed.

#### **Question 1**

Does draft schedule 1 to the regulations capture the bodies intended (described in section 2.1 above)? If not, please provide details.

#### **Question 2**

Do you agree with the current list of bodies in scope, for the first round of implementation? If not, please provide reasons.

#### **Question 3**

Do you agree with the exemptions outlined? If not, please provide evidence.

### **3. Guidance and directions**

The government welcomes comment on the attached guidance and directions.

The guidance aims to explain, in plain English, how the draft regulations should be applied. In particular, the guidance details the circumstances in which the cap may and must be relaxed, and which actors have the power to relax the cap.

Section 5 of the guidance and the separate mandatory HMT directions are intended to ensure that the cap must be relaxed in specific mandatory cases, for example where a settlement agreement is entered into following a whistleblowing or discrimination complaint, and where it may be relaxed in specific discretionary cases, for example where imposing the cap would cause undue hardship.

This reflects the government's position – and the position reflected in the draft regulations – that the public sector exit payment cap is not designed to discourage workers from making disclosures covered by whistleblowing law or to prevent such people from receiving an appropriate remedy from an employment tribunal.

#### **Question 4**

Does the guidance adequately support employers and individuals to apply the draft regulations as they stand? If not, please provide information on how the guidance could be enhanced.

### **Question 5**

Is the guidance sufficiently clear on how to apply the mandatory and discretionary relaxation of the regulations, especially in the case of whistleblowers?

### **Question 6**

Is there further information or explanation of how the regulations should be applied which you consider should be included in the guidance? If so, please provide details.

## **4. Devolution summary and equalities impacts**

### **4.1 Devolution**

The cap policy extends to all the bodies where employment terms are subject to approval by the UK government (subject to exemptions set out in the remaining paragraphs of section 4.1).

Payments made by authorities which wholly or mainly exercise functions that could be devolved to Northern Ireland are not covered by the draft regulations.

Payments made by a relevant Scottish authority, namely the Scottish Parliamentary Corporate authority or any authority which wholly or mainly exercises functions devolved to Scotland are also not covered by these regulations, with the exception of payments made by the Scottish Administration to holders of non-ministerial offices in the administration or to staff of the administration, which are covered by these regulations.

Relevant Welsh exit payments, namely payments made to the holders of the offices specified in s 153B(6) of the Enterprise Act 2016 are not covered by these regulations.

The regulations contain a power in regulation 12 to relax the exit payment cap following compliance with HMT directions or with consent of HMT, however this power does not apply to exit payments made by a devolved Welsh authority.

### **4.2 Equalities**

An equalities impact assessment of the cap (<https://www.gov.uk/government/consultations/consultation-on-a-public-sector-exit-payment-cap/consultation-on-a-public-sector-exit-payment-cap#impact-analysis>) was conducted in the previous consultation, ahead of legislation on the policy.

If, following consultation, the government decides to implement a two stage implementation process, it will do so on the basis of a further assessment of the equalities impact.

### **Question 7**

Are there other impacts not covered above which you would highlight in relation to the proposals in this consultation document?

### **Question 8**

Are you able to provide information and data in relation to the impacts set out above?

## **5. Summary of questions**

### **Question 1**

Does draft schedule 1 to the regulations capture the bodies intended (described in section 2.1 above)? If not, please provide details.

### **Question 2**

Do you agree with the current list of bodies in scope, for the first round of implementation? If not, please provide reasons.

### **Question 3**

Do you agree with the exemptions outlined? If not, please provide evidence.

### **Question 4**

Does the guidance adequately support employers and individuals to apply the draft regulations as they stand? If not, please provide information on how the guidance could be enhanced.

### **Question 5**

Is the guidance sufficiently clear on how to apply the mandatory and discretionary relaxation of the regulations, especially in the case of whistleblowers?

### **Question 6**

Is there further information or explanation of how the regulations should be applied which you consider should be included in the guidance? If so, please provide details.

### **Question 7**

Are there other impacts not covered above which you would highlight in relation to the proposals in this consultation document?

### Question 8

Are you able to provide information and data in relation to the impacts set out above?

---

1. Whole of Government Accounts 2016-17

([https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/720178/WGA\\_2016-17\\_web.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/720178/WGA_2016-17_web.pdf)), page 70. 

2. Mean public sector earnings according to the ONS: £29,574 

3. Whole of Government Accounts 2016-17

([https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/720178/WGA\\_2016-17\\_web.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/720178/WGA_2016-17_web.pdf)), page 70, Table 4.E. 

4. The 2015 Act confers power to cap exit payments in the NHS in Wales, because the compensation schemes are not devolved to Welsh ministers. 



Date 3 July 2019

## **Restricting exit payments in the Public sector HM Treasury consultation on implementation of regulations Bristol City Council Response**

Dear Sir/Madam

### **Pay Cap Consultation**

Bristol City Council has serious concerns about the merits of the proposals in the consultation document and believe there to be serious consequences for the employees who could be affected by the proposals. It appears affected employees could also be low earning staff and not just staff on higher salaries. There are legal issues in scope which could increase costs to the Council which do not appear to have been addressed and finally there would be number of changes to legislation including regulations governing the Local Government Pension Scheme which would be required before changes to the regulations could be applied.

We also challenge and object to the proposals for the process to be followed to achieve exemptions which is way too bureaucratic and takes decision making away from the Council.

The key issues are listed below.

1. The scope of the cap as set out in the consultation document could cover Bristol City Council workers who have decades of service and earn less than £23,500 a year.
2. The absence of any review of the cap limit of £95,000 means that over time, more people with salaries below the national average will be affected.
3. When originally proposed, the concept of a salary floor was suggested to protect lower paid staff but there is no mention of that in this consultation. We suggest this needs to be reintroduced.
4. No implementation period is set out in this consultation. This does not seem viable.
5. Bristol City Council has serious misgivings around the discretionary exemptions process set out in this consultation as it will prevent democratically elected Councillors taking the necessary decisions to reform and manage the local government workforce. The overly bureaucratic process outlined which potentially requires three central government post holders (two civil servants and one Minister) to ratify a full council decision will frustrate employer engagement with our employees.

Bristol Resourcing  
City Hall (HR) PO Box 3176,  
Bristol City Council  
Bristol BS3 9FS

John Walsh  
Director: Workforce &  
Change

**Website**  
[www.bristol.gov.uk](http://www.bristol.gov.uk)



6. There is an absence of a robust Equalities Impact Assessment which is a huge cause for concern.

7. Cash exit payments could potentially increase as a result of these regulations resulting in increased national insurance costs to the council.

8. These regulations will inhibit pension access for some of our staff who earn considerably below UK average earnings, there will be pressure from trade unions to improve the severance framework in response to this which negates any savings.

9. Substantial clarification on the impact of the cap on the Local Government Pension Scheme is needed in order to make these Regulations workable. In particular there is no clarity on the application of the cap in a way which provides a 'fair choice' for the member between a reduced pension and the cash alternative referred to in the draft regulations.

The above identifies serious concerns surrounding many aspects of the consultation paper. Bristol City Council urges HM Treasury to enter into discussion with the Local Government Association to arrive at a fairer process which does not affect staff on lower pay. Bristol City Council fully accept that the large pay outs to staff who are already highly paid should discontinue, however, a process that would include lower paid staff and result in much lower pensions and/or cash payments for these staff after giving many years of service to Bristol is not palatable or acceptable.

Regards,

John Walsh  
Director: Workforce & Change



**Trade Union Side of the National Joint Council for Local Government Services:  
England, Wales and Northern Ireland**

## **NJC PAY CLAIM 2020-2021**

**This NJC pay claim for 2020/21 and accompanying submission is made by the Joint Trade Union Side (UNISON, GMB and UNITE) to the Local Government Association.**

Our claim is for:

- A real living wage of £10 per hour to be introduced for NJC scp 1 and a 10% increase on all other NJC/GLPC pay points
- A one day increase to the minimum paid annual leave entitlement set out in the Green Book
- A two hour reduction in the standard working week as set out in the Green Book
- A comprehensive joint national review of the workplace causes of stress and mental health throughout local authorities

**24 July 2019**

# CONTENTS

## **Key points in our claim**

### **1. The setting for our pay claim**

### **2. Economic background**

2.1 Inflation rates compared to NJC pay increases

2.2 Inflation forecasts

2.3 Average pay settlements

2.4 Average earnings growth

### **3. Comparing NJC pay**

3.1 Pay at the bottom

3.2 Across the pay spine

### **4. Pay-related conditions of work**

4.1 Allowances

4.2 Sickiness, Stress and Absence

4.3 Long Hours Culture

4.4 Exit Payments

### **5. Job losses**

### **6. Recruitment and retention**

### **7. Morale under Threat**

### **8. Equality Impact**

### **9. Conclusion**

## KEY POINTS IN OUR CLAIM

### Context of our claim

- Local Government has endured central government funding cuts of nearly 50% since 2010
- 1 in 3 councils fear they will run out of funding to provide statutory, legal duties by 2022/23
- Central government says that austerity is over - and all political parties now agree public services need greater investment.
- Two thirds of the public want the government to increase spending on public services

### Economic background

- RPI inflation is expected to average 2.7% and 2.8% respectively over 2020 and then run at 3% or above every year until 2023
- If these rates turn out to be correct, the cost of living the NJC workforce faces will have grown by over 15% between 2019 and 2023
- Most spine points have been devalued by 21.8% in real terms and for new scp 11, the most populated NJC pay point by headcount, the shortfall versus RPI inflation is £5,626, meaning a 26.6% pay increase is needed to catch up
- Between 2010 and 2018 a number of core costs rose faster than both NJC pay and RPI, including bus/coach fares (51%) electricity (48%) house prices (37%) and childcare (32%.)

### Comparing NJC pay

- A £10 an hour minimum wage has cross party support as a common sense solution to the unsustainable problem of topping up low pay via tax credits
- Establishing a £10 minimum hourly rate in this pay round enables the NJC to build in headroom and avoid skirting a new legal minimum wage
- If scp 1 was increased to £10 an hour (an 11% increase) then a 10% general increase would protect the new differentials established in the last pay settlement
- Pay in local government is still among the lowest in the public sector

### Pay related conditions

- For the last nine years councils across the board have cut working conditions like unsocial hours, overtime and car allowances
- 50% of the workforce is made up of part-time employees, working regular unpaid overtime
- A GMB survey found local government workers are significantly more likely to work unpaid overtime compared to those in other occupations
- Sickness caused by work-related stress, depression or anxiety is now an acute issue within local authority services - with local authority sickness rates now over double those for the economy as a whole
- Long hours can lead to serious and long term mental and physical ill health, stress, fatigue and increases in workplace accidents

- Local government workers are significantly more likely to work unpaid overtime compared to those in other occupations
- The proposal to cap exit payments at £95,000 will have a particularly negative effect on local government workers

### **Job losses**

- Across the UK, an estimated 876,000 jobs have been lost in local government since June 2010 – a reduction of 30%
- Local government has arguably been hit by more severe job losses than any other part of the public sector
- There has been no decrease in the statutory functions of local authorities - with many of these services seeing a significant increase in demand

### **Recruitment and retention**

- As of 2017/18, 78% of councils are experiencing recruitment and retention difficulties
- Local authorities' reported average vacancy rate of 8% is significantly higher than the averages for wider public sector and in the economy as a whole
- Councils spent £335 million on agency social workers in 2017/18.

### **Morale under threat**

- A survey of over 21,000 UNISON members found that 83% say that budget cuts in the past two years have had an impact on their ability to do their job
- 89% said that budget cuts have had a negative impact on staff morale and 54% said their workload is unmanageable
- A Unite survey found that only 11% of members rated morale as good or excellent in their workplace, with over 50% rating it as bad or terrible

### **Equality impact**

- Cuts to real pay, terms and conditions, and employment totals by NJC employers have had a disproportionate impact on workers who share protected characteristics as defined by the Equality Act

### **Conclusion**

- Local government workers have delivered efficiency savings year-on-year against immense pressure
- New money is needed to fund this claim. It cannot and must not be funded by local attacks on locally determined conditions
- Paying local government staff properly is an investment in both local services and the local economy
- The Trade Union Side notes that the LGA's engagement with us on collective bargaining has deteriorated in recent years. We expect the LGA to enter into meaningful negotiations with us on the claim in keeping with the Labour Relations (Public Service) Convention 1978 (No 15.)

## 1. CONTEXT OF OUR CLAIM

This year the LGA took stock of its workforce in its report 'Workforce Focus'<sup>1</sup>. The opening sentence reads: 'Local government needs a suitably skilled, well-motivated and engaged workforce that meets the changing needs of its residents to continue its work through challenging times.'

Paying staff properly and investing in career development will help deal with recruitment and retention issues and deliver improved public services and better outcomes for service users.

We understand that councils across the country are having to make difficult decisions on a daily basis, trying to balance budgets during a time when funding has been slashed. Local government has endured central government funding cuts of nearly 50% since 2010. Between 2010 and 2020, councils will have lost 60p out of every £1 they have received from central government.

The 2019 LGA survey of council finances found that 1 in 3 councils fear they will run out of funding to provide even their statutory, legal duties by 2022/23. This number rises to almost two thirds of councils by 2024/2025 or later. The LGA estimates councils will face a funding gap of £8 billion by 2025.

Responsibility has to lie with the government over their failure to provide adequate funding for councils and the communities that they provide for. Funding for this pay rise must come from central government, and we recognise that central government has made significant local government revenue funding cuts that were specifically linked to its pay cap policy in previous years.<sup>2</sup> Having claimed that austerity is over and that the pay cap policy has been lifted, we believe that Ministers have a moral obligation to increase funding to local government, including in connection with pay.

However it is now possible that the Comprehensive Spending Review may not take place in the autumn. In previous years the LGA has said it would wait to see what settlement it would get. In the political climate, which is unlikely to settle down in the near future, it would not make sense to wait and we urge our employers to meet our claim as soon as possible.

All political parties now agree public services need greater investment. Among the general public, two in three now want the government to increase spending on public services (Ipsos MORI poll, October 2018). But even with public opinion clearly turning against austerity, the so called 'end of austerity' must mean more than just words.

---

<sup>1</sup> <https://www.local.gov.uk/workforce-focus>

<sup>2</sup> See HM Treasury Written Ministerial Statement on RDEL Revisions, 08 December 2011 <https://hansard.parliament.uk/Commons/2011-12-08/debates/1112085600020/RDELRevisions>; and the Treasury's later statement to GMB that in the 2013 and 2015 Comprehensive Spending Review the assumption that pay awards would be limited to 1% 'was included in these departmental allocations at the outset' <https://static1.squarespace.com/static/58b828f44402436b74624b8a/t/59b6af5d2278e7557ed6c1c1/1505144781989/PAY+PINCH+REPORT+2+-+FINAL+SPREADS.pdf>

## 2. ECONOMIC BACKGROUND

### 2.1. Inflation rates compared to NJC pay increases

The global financial crisis was not caused by refuse collectors, council officers or school support staff workers. The Trade Union Side refuses to accept that, more than a decade on from the banking crash, these low to middle income workers should continue to pay the price.

We appreciate the fact that the last two year pay settlement did deliver above-inflation pay rises for low paid workers. However, that settlement only recovered limited ground compared to the sharp real-terms cuts to pay experienced by the local government workforce since 2009.

As our analysis shows, while a limited number of workers who were employed on now-deleted spine points will have received relatively small real-terms wage increases since 2009/10, the majority of spine points have been substantially devalued. All spine points above 23 (on the new scale) will have lost 22% of their value by the end of the current settlement.

Historically, periods of wage constraints have been followed by periods of ‘catch-up’ in line with their trend level in subsequent years.<sup>3</sup> The alternative is a permanent devaluation of wages in local government. Against this backdrop, we believe that the Trade Union Side’s claim of £10 per hour for NJC scp 1 and a 10% increase on other pay points is both measured and reasonable.

#### Real (RPI) changes to selected spine points 2009/10 to 2019/20

(See Appendix A for the full table)

Table 1

Typical Job	Old Spine Point	2009/10	2019/20	New Spine Point	Real change
Cleaner	6	£12,489	£17,364	1	-0.7%
Customer Services Officer	11	£14,733	£18,065	3	-12.5%
Library Assistant	16	£16,440	£19,171	6	-16.8%
Qualified Residential Care Worker	21	£19,126	£21,166	11	-21.0%
Teaching Assistant 3	26	£22,221	£24,799	19	-20.3%
Librarian	31	£26,276	£28,785	25	-21.8%
Social Worker	36	£30,011	£32,878	30	-21.8%
Accountant	41	£34,549	£37,849	35	-21.8%
Children’s Residential Manager	46	£39,855	£42,683	40	-21.8%

<sup>3</sup> Monitor, Closing the NHS funding gap: how to get better value health care for patients, 09 October 2013, page 3 [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/284044/ClosingTheGap091013.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/284044/ClosingTheGap091013.pdf)

The shortfall is even more shocking, if the percentage increase needed on 2019 pay rates to match RPI is calculated. For new scp 11, the most populated NJC pay point by headcount, the shortfall is £5,626, meaning a 26.6% pay increase is needed to catch up.

In contrast, prices for everyday goods continue to rise. Price changes to commodities that make up the RPI over the year to April 2019 are shown in the table below:

**Table 2**

Item	Average % increase to April 2019
Travel and leisure	4.2
Alcohol and tobacco	3.2
Housing and household expenditure	2.9
Personal expenditure	2.9
Consumer durables	1.9
Food and catering	1.5
All goods	1.9
All services	4.5
All items	3.0

Source: Office for National Statistics, Consumer Price Inflation Reference Tables, April 2019

Within these figures, some costs are rising significantly faster, such as electricity bills at 14.1%, gas bills at 7.1%, water and other charges 3.1%, bus and coach fares at 8.9%, rail fares at 6.6%, petrol and oil at 3.6%, council tax and rates at 4.7%, mortgage interest payments at 4.1% and telephone services at 5.6%.

The price of housing also remains one of the biggest issues facing employees and their families. Across the UK, house prices rose by 1.4% in the year to March 2019 alone<sup>4</sup> and have risen 37% between 2010 and 2018 (see table 3 below). The average house price in England and Wales is now £302,122<sup>5</sup>. Northern Ireland experienced the biggest increase at 3.5%<sup>6</sup>, followed by Scotland at 3.3%<sup>7</sup>, Wales at 3%<sup>5</sup> and England at 1.1%<sup>5</sup>

<sup>4</sup> UK House Price Index, March 2019

<https://www.ons.gov.uk/economy/inflationandpriceindices/bulletins/housepriceindex/march2019#strongest-english-growth-in-the-north-of-england-and-midlands>

<sup>5</sup> England and Wales House Price Index, April 2019 [https://isl-assets.s3.amazonaws.com/islps/uploads/media\\_file/EW-House-Price-Index-April-2019.pdf](https://isl-assets.s3.amazonaws.com/islps/uploads/media_file/EW-House-Price-Index-April-2019.pdf)

<sup>6</sup> Northern Ireland House Price Index, Q1 2019 <http://www.ninis2.nisra.gov.uk/InteractiveMaps/People and Places/Housing and Households/NIHPI/atlas.html>

<sup>7</sup> Scotland House Price Index, March 2019 [https://isl-assets.s3.amazonaws.com/islps/uploads/media\\_file/YM-SCOT-House-Price-Index-May-2019.pdf](https://isl-assets.s3.amazonaws.com/islps/uploads/media_file/YM-SCOT-House-Price-Index-May-2019.pdf)

Transport costs have risen significantly above reported inflation (measured against both the RPI and the CPI). On average, local bus fares have risen by an estimated 37% in England and by an estimated 31% in Wales since 2010, as measured by the Department for Transport’s own index (estimates are higher when long distance services are included – please see below).<sup>8</sup> Regulated rail fares (a category which includes almost all commuter costs) have risen by an average of 36% over the same period.<sup>9</sup>

Average private rents have risen by £1,900 a year compared to 2010<sup>10</sup> significantly outstripping wages and inflation with the national cost of renting from a private landlord having risen to a record high of £51.6bn from just £20.3bn in 2006<sup>11</sup>. Private rental prices have not grown as quickly as housing costs overall, but the average monthly rent for new tenancies in the UK nonetheless picked up 2% over the last year to reach £936.<sup>[3]</sup>

Though not specifically included in inflation measures, childcare costs represent a key area of expenditure for many staff (42% of local government workers have at least one dependent child in their household,<sup>12</sup> and UNISON surveys have consistently found that around a third of staff have child caring responsibilities). Therefore, it is also worth noting that the annual Family & Childcare Trust survey <sup>[4]</sup> for 2019 found that the cost of a nursery place for a two year old has risen by 4% since last year, with the annual cost of 25 hours care per week hitting £6,465.

Current inflation rates can mask longer term changes in the cost of living that have taken place since 2010. The examples below show major increases in core costs that have surpassed average prices increases over the period.

**Table 3**

<b>Expenditure item</b>	<b>House prices</b>	<b>Bus &amp; coach fares</b>	<b>Electricity</b>	<b>Childcare</b>
Price rise 2010 - 18	37%	51%	48%	32%

## 2.2 Inflation forecasts

The Treasury average of independent forecasts and the OBR’s last forecast state that RPI inflation will average 2.7% and 2.8% respectively over 2020<sup>[5]</sup>. It will then run at 3% or above every year until 2023, following the pattern shown in table 4 below.

These annual rates show the rate at which pay rises would be needed for wages just to maintain their current value.

<sup>8</sup> Department for Transport, Local bus fares index by metropolitan area status and country: Great Britain, updated 20 June 2019 <https://www.gov.uk/government/statistical-data-sets/bus04-costs-fares-and-revenue>

<sup>9</sup> GMB calculations based on regulated fare cap figures recorded in Table A5 of the House of Commons Library Briefing Paper, Railways: fares statistics, 30 November 2018 <https://researchbriefings.parliament.uk/ResearchBriefing/Summary/SN06384>

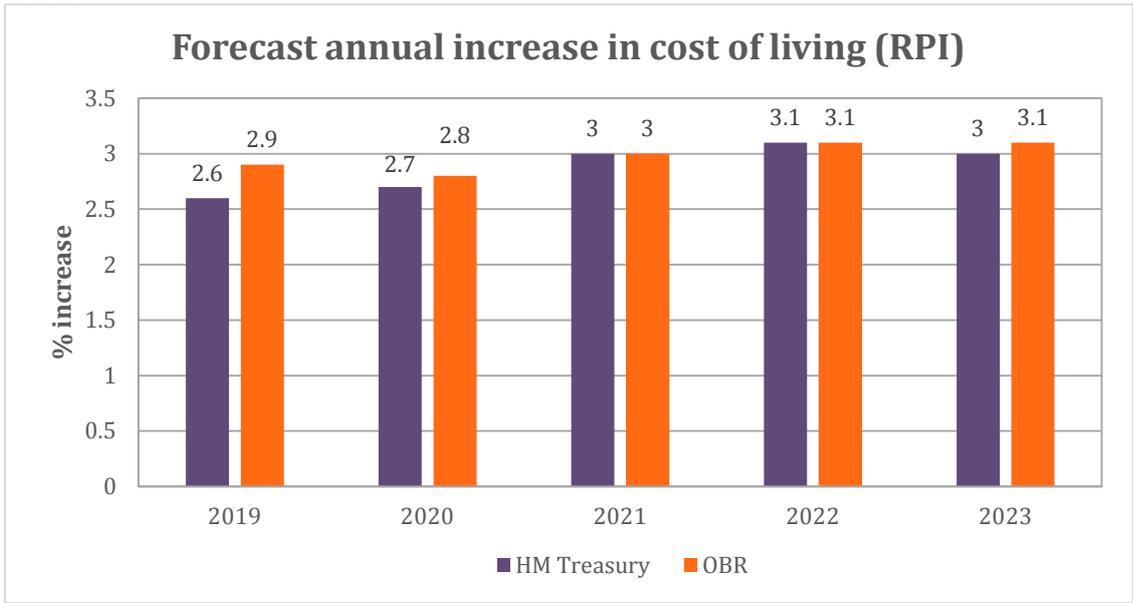
<sup>10</sup> English Housing Survey 2017 to 2018: headline report, MHCLG, 31 January 2019,

<https://www.gov.uk/government/statistics/english-housing-survey-2017-to-2018-headline-report>

<sup>11</sup> <https://inews.co.uk/opinion/spiralling-rents-show-housing-market-crisis-can-fixed-radical-action/>

<sup>12</sup> GMB analysis of Quarter One 2019 Labour Force Survey data.

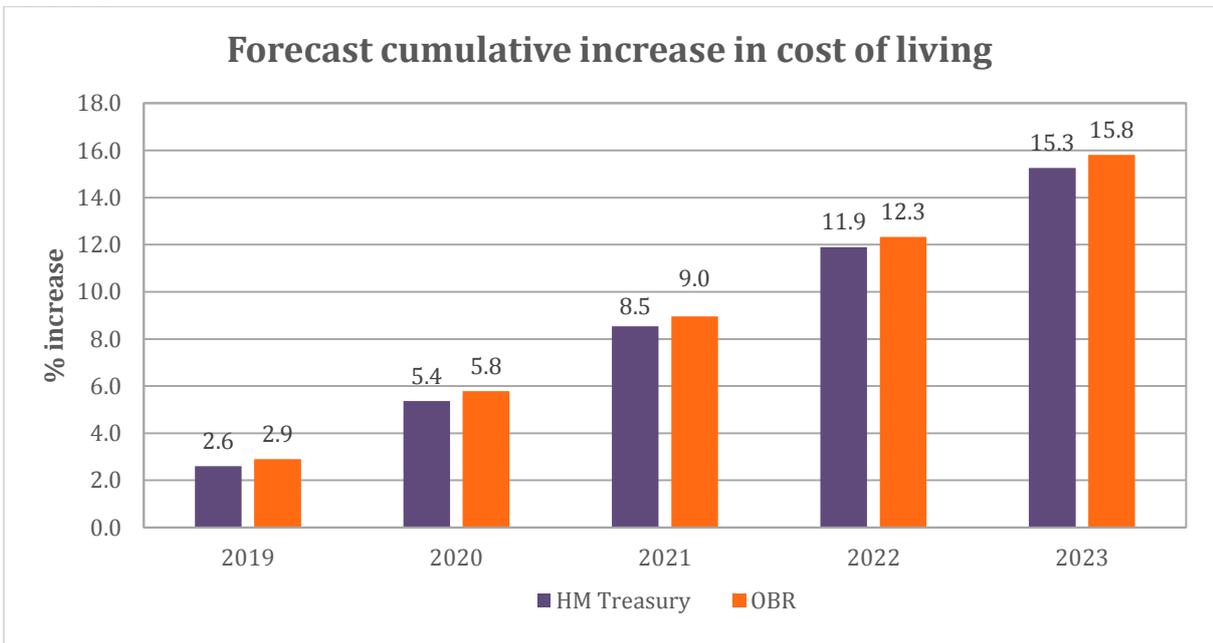
**Table 4**



Source: *HM Treasury, Forecasts for the UK Economy May 2019*  
*OBR, Economic and Fiscal Outlook, March 2019*

If these rates turn out to be correct, the cost of living the NJC workforce faces will have grown by over 15% between 2019 and 2023, following the pattern set out in table 5 below:

**Table 5**



The Trade Union Side feels that our claim is a relatively modest start to the process of reversing the significant real cuts in pay NJC workers have experienced.

## 2.3 Average pay settlements

Pay settlements in the private sector have been running far in advance of the public sector since 2010. While the pay freeze was in place across the public sector, the private sector saw average rises of around 2.5%, and the private sector continued to outpace the public sector by at least double the public sector rate during the ensuing period of the 1% pay cap.

Since 2018, the gap has been closing and table 6 below shows the latest average settlements across a variety of sectors:

**Table 6**

<b>Sector</b>	<b>Average pay settlements</b>
Across economy	2.5%
Private sector	2.7%
Public sector	1.5%
Not for profit	2.5%
Energy & gas	3.0%
Water & waste management	2.5%

*Source: Labour Research Department, settlements year to June 2019*

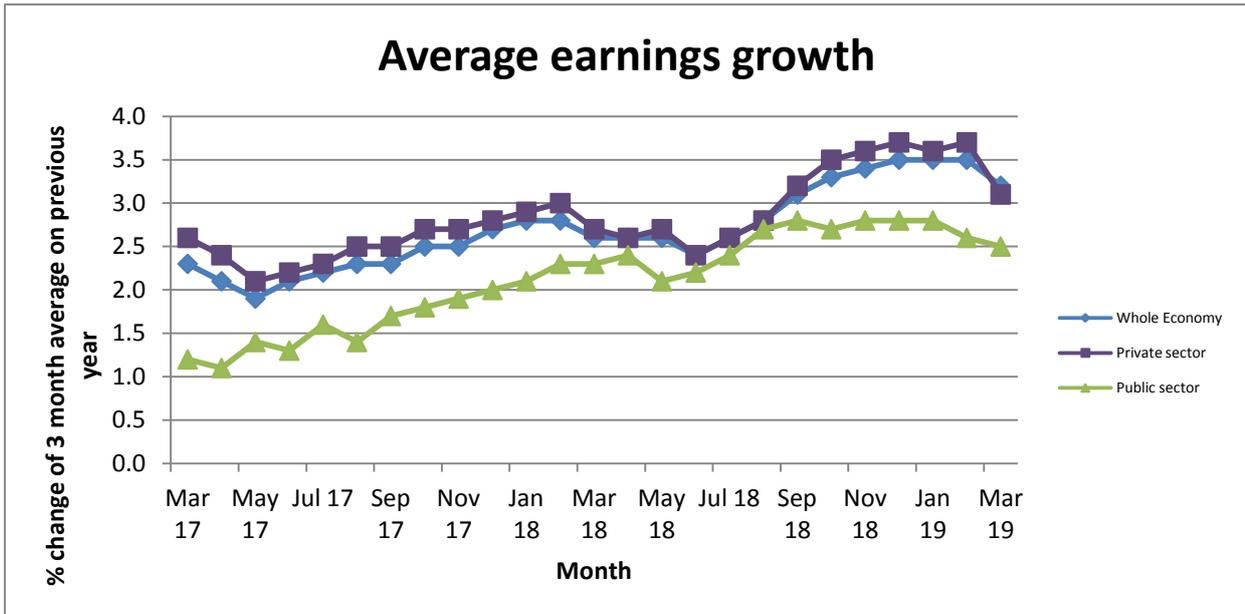
## 2.4 Average earnings growth

Table 7 below shows trends in average earnings growth over the last two years. The acceleration of the general rate to 3.5% by the end of 2018 and into early 2019 took average earnings growth to its highest level in over a decade.

As in the case of pay settlements, a gap between public and private rates has been a sustained feature of the economy, reflected in the fact that there have only been two months in the entire period since April 2013 when private sector earnings growth has not been running ahead of the public sector.

The end of the public sector pay cap saw the gap narrowing, though it has reasserted itself over recent months, with private sector earnings now rising at 3.2% compared to 2.5% in the public sector.

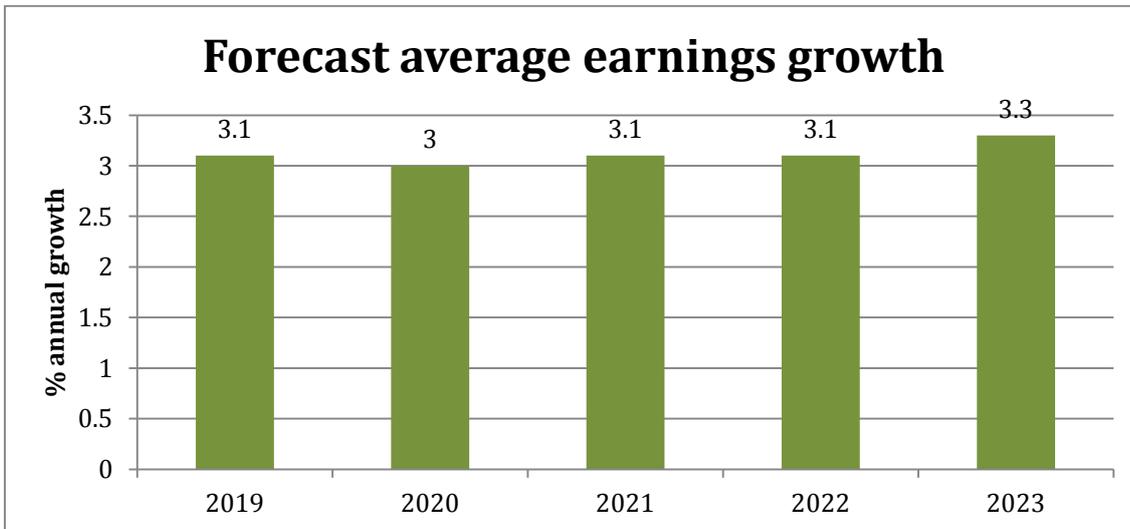
**Table 7**



Source: Office for National Statistics, Labour Market Overview UK, May 2019

Forecasts of average earnings predict that growth will average 3% in 2020 and then run in excess of 3% over the following three years, as per the pattern below [\[6\]](#).

**Table 8**



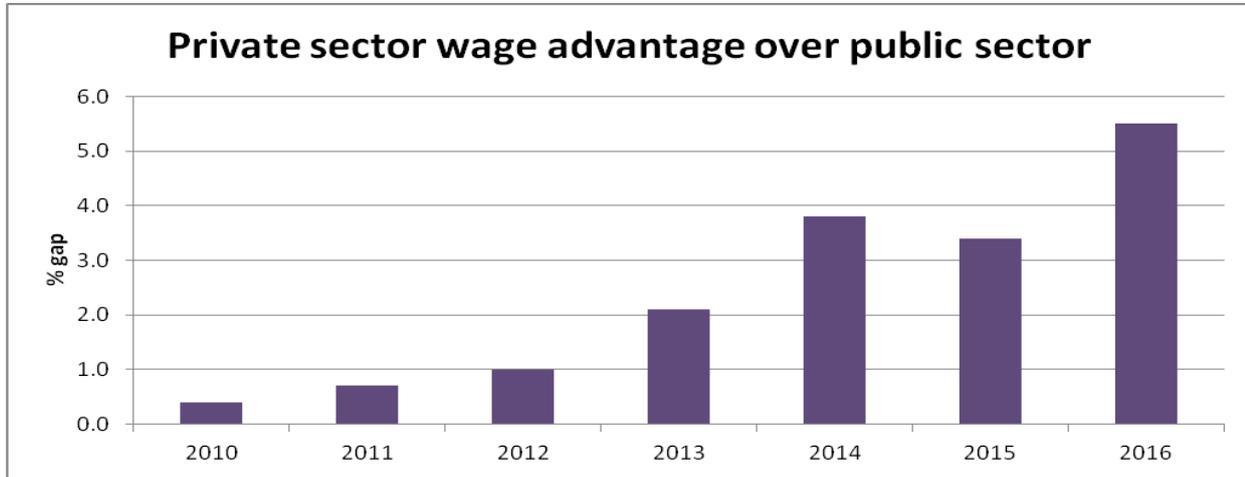
In other words, a significant above inflation pay rise is required to address local government workers' fall in living standards since 2010 and to avoid suffering damage to recruitment and retention.

**Note on comparisons between public and private sector**

The campaign by the government and much of the media to paint public sector workers as overpaid relative to private sector workers is not currently running at the pitch it was. However occasional ill-informed media outbursts happen. These, wrongly, use unweighted average earnings as the basis for making this false assertion.

However, ONS analysis, which took into account region, occupation, gender and job tenure, found that the average public sector worker was paid 1% less than a private sector worker in 2016.<sup>13</sup> And if organisational size is taken as a factor in the comparison, the gap grows to 5.5% (the graph below shows how the differential calculated on this basis has favoured the private sector since 2010).

**Table 9**



The Treasury also estimates that public sector pay dipped below equivalent private sector rates in 2016, according to papers obtained by GMB under the Freedom of Information Act (unlike the ONS study, the HMT figures did not take organisation size into account and the negative differential would have been higher if this factor had been considered).<sup>14</sup>

Basic pay for most local government roles is well behind private sector comparators. A recent benchmarking exercise<sup>15</sup> commissioned by UNISON showed that from a total of 25 jobs, from across the spectrum of wages, 19 roles showed pay at lower levels than in the private sector, with 16 of these at significantly lower levels.

**Table 10**

Job title	LG rate £pa	Rest of public sector median basic £pa	£ var	Var %
Library Assistant	£17,840.00	£21,764.00	-3,925	-18
Librarian	£25,463.00	£30,930.00	-5,467	-17.7
IT Worker (project management)	£29,646.00	£36,625.00	-6,979	-19.1
Social Worker (children's services)	£34,406.00	£36,644.00	-2,238	-6.1
Policy Officer (principal)	£35,123.00	£39,612.00	-4,489	-11.3

<sup>13</sup> ONS, Analysis of factors affecting earnings using ASHE 2016, October 2016

<sup>14</sup> The Observer, Austerity puts public workers' wages below private sector, 21 October 2017  
<https://www.theguardian.com/society/2017/oct/21/austerity-public-sector-pay-private>

<sup>15</sup> IDR NJC benchmarking May 2019

Engineer	£35,824.00	£36,565.00	-741	-2
Trading Standards Officer	£36,630.00	£40,283.00	-3,653	-9.1
Building Control Surveyor (case officer)	£38,791.00	£44,735.00	-5,944	-13.3
Engineer (higher)	£43,269.00	£46,116.00	-2,847	-6.2
Solicitor	£45,240.00	£54,625.00	-9,385	-17.2
Accountant /Finance Manager - Senior	£50,358.00	£56,761.00	-6,403	-4

### 3. COMPARING NJC PAY

#### 3.1 Pay at the bottom

A £10 an hour minimum wage has cross party support. Across the political spectrum, politicians see it as a common sense solution to the unsustainable problem of topping up low pay via tax credits - a cost to the Treasury that has now ballooned to £30bn a year.

Since May 2018, Labour Party policy has been to establish £10 an hour as the minimum wage for all workers, regardless of age. The Conservative Party has made it plain that it is considering setting two-thirds of average earnings as the next target for the National Minimum Wage. If adopted, this target would be expected to rapidly close on a £10 an hour rate.

Establishing a £10 minimum hourly rate in this pay round enables the NJC to build in some headroom now and avoid skirting a new legal minimum wage as has happened in the past. There is also good reason to call on the Government to fund an NJC pay rise. Analysis by the IPPR, which was sponsored by GMB, found that 43% of the cost of raising public sector pay would be returned to the Treasury through taxation and lower social security costs.<sup>16</sup> The macro-economic benefits of moving to two-thirds of average earnings, in terms of generating employment through the multiplier effect and increased government revenue, have been set out in a report commissioned by UNISON as evidence to the Low Pay Commission.<sup>17</sup>

If scp 1 was increased to £10 an hour (an 11% increase) then a 10% general increase would protect the new differentials established in the last pay settlement

#### 3.2 Across the pay spine

Pay in local government is still among the lowest in the public sector. When an average pay rate was last reported by the LGA, it was 19% below that of the public sector as a

<sup>16</sup> IPPR, Uncapped Potential: The Fiscal and Economic Impact of Lifting the Public Sector Pay Cap, November 2017, <https://www.ippr.org/files/2017-11/uncapped-potential-november2017.pdf>

<sup>17</sup> <https://www.unison.org.uk/content/uploads/2019/06/Supplementary-Evidence-2019-Landman-Economics-Report.pdf>

whole.<sup>18</sup> Benchmarking analysis<sup>19</sup> of 24 roles for UNISON found that 15 of them were behind other public sector comparators for basic pay.

**Table 11**

<b>Job title</b>	<b>LG rate £pa</b>	<b>Private median basic £pa</b>	<b>£ var</b>	<b>Var %</b>
Library Assistant	£17,840.00	£21,378.00	-3,539	-16.6
Librarian	£25,463.00	£29,790.00	-4,327	-14.5
IT Worker (project management)	£29,646.00	£41,074.00	-11,428	-27.8
Social Worker (children's services)	£34,406.00	£41,227.00	-6,821	-16.5
Policy Officer (principal)	£35,123.00	£37,286.00	-2,163	-5.8
Engineer	£35,824.00	£38,310.00	-2,486	-6.5
Trading Standards Officer	£36,630.00	£49,005.00	-12,375	-25.3
Building Control Surveyor (case officer)	£38,791.00	£50,000.00	-11,209	-22.4
Engineer (higher)	£43,269.00	£51,706.00	-8,438	-16.3
Solicitor	£45,240.00	£77,407.00	-32,167	-41.6
Accountant /Finance Manager - Senior	£50,358.00	£65,510.00	-15,152	-23.1

All of this has happened against a backdrop of increased job insecurity and increasing workloads. In the field of social care, for example, the number of people in the UK aged 80 or over increased by 11% between 2010 and 2017.<sup>20</sup> Our members describe being trapped in a vicious cycle as cuts to services lead to greater long-term demands on the workers who remain.

NJC workers are the poor relations when compared with equivalent roles under the NHS Agenda for Change pay structure. With transfers within the public sector becoming more common, NJC workers now often find themselves moving to a new employer and working alongside someone doing the same job but for a higher salary. This is unfair and discriminatory, is no way to motivate staff and has real implications for recruitment and retention in local government. We believe NHS pay rates are far more reflective of the value of the jobs concerned and that NJC workers' pay should be lifted to at least the same rates. Wages should reflect the job, not the employer.

<sup>18</sup> HM Treasury, Whole of Government Accounts, : year ended 31 March 2015, section 5.14  
<https://www.gov.uk/government/publications/whole-of-government-accounts-2014-to-2015>

<sup>19</sup> IDR NJC benchmarking May 2019

<sup>20</sup> ONS, mid-year estimates of the population for the UK, England and Wales, Scotland and Northern Ireland,  
<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/datasets/populationestimatesforukenglandandwalesscotlandandnorthernireland>

Mass redundancies have inflicted misery on the workers who lost their jobs, and also on their families. It has also led to an explosion of pressure on the remaining workers who are constantly expected to do 'more with less.' Measures that were supposed to reduce the impact of cuts to funding and staffing levels have not delivered. A recent academic study found that the move to shared services did not cut the cost of delivery.<sup>21</sup> It has however left many of our members with higher workloads, more complex duties, and longer commutes.

## **4. PAY RELATED CONDITIONS**

### **4.1 Allowances**

In an attempt to save costs, for the last nine years councils across the board have shredded working conditions. Our union surveys have repeatedly shown that conditions like unsocial hours, overtime and car allowances have been cut. This has a real impact on pay packets.

Over 50% of the workforce is made up of part-time employees, working regular unpaid overtime. Many workers are dependent on additional payments to make ends meet. The workforce is made up of over three quarters women, many are low paid and in low paid households and are single parents.

Their incomes are vital to the well being of their families and these additional payments are a lifeline. This makes these workers and their families especially vulnerable to any change in their financial circumstances, such as withdrawal of regular enhancements to their pay for working nights and unsocial hours.

While allowances are not covered by the NJC agreement it is clear that there has been a quiet campaign of cutting back on these locally negotiated terms and conditions. The decision to allow locally determined allowances under the NJC has led to a "licence to freeze" over the last few years and this needs to end.

Union members report attacks on overtime, allowances, standby payments, annual leave, sick pay and weekend working, while many have mentioned that their roles have been downgraded through restructuring and many employers have continued to use unpaid shut down days over Christmas or other public holidays.

Unite's recent survey highlighted examples of standby payments frozen for many years with members not receiving any increases alongside the annual pay award. Unite members have reported standby payments frozen for between 6 and 10 years in some places. There are even reports of management avoiding paying standby altogether.

Members have additionally reported the loss of shift allowances worth up to £2000 a year. Members in social work reported a locally determined restructure of shift work that resulted in the removal of unsocial hours payments and an increase in late night shifts and on call working.

---

<sup>21</sup> Dixon and Elston, LSE British Politics and Policy Blog, Austerity in English local government: why collaboration was not the answer after all, 19 March 2019 <https://blogs.lse.ac.uk/politicsandpolicy/councils-austerity-collaboration/>

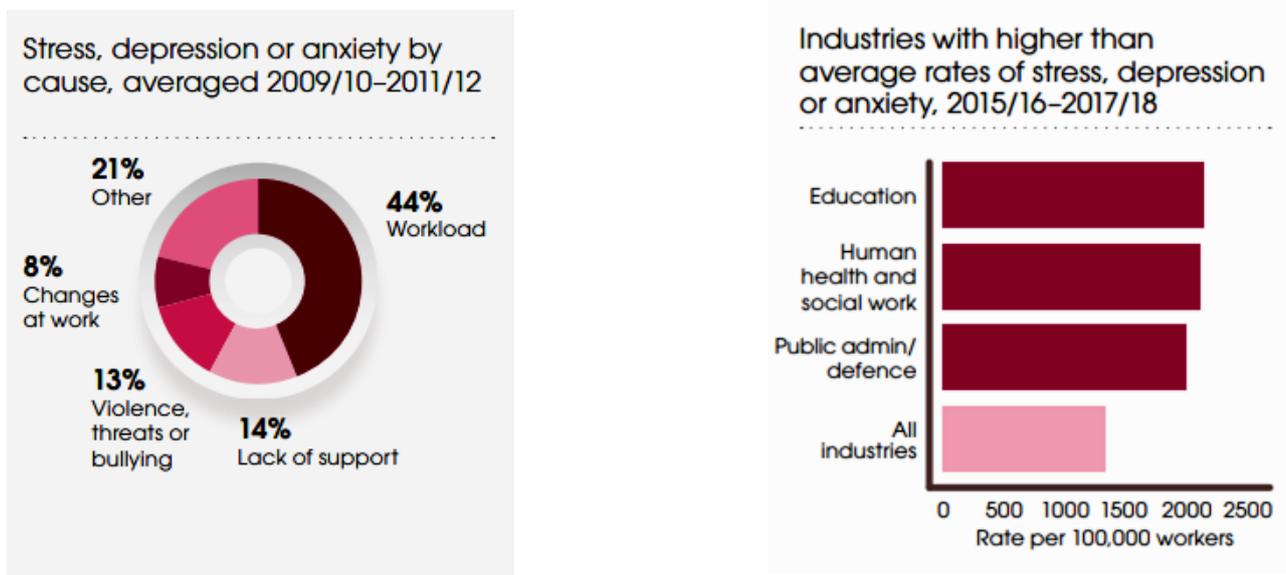
We believe that some of this has been due to employers opportunistically clawing back cost savings in response to pay rises that workers have received. NJC pay increases cannot and must not be met by slashing locally determined conditions and the joint unions are calling for the LGA to support statements confirming that.

## 4.2 Sickness, stress and absences

The UK is suffering from an epidemic of stress and anxiety. Work-related stress, depression, and anxiety now account for 57% of all sick days<sup>22</sup>. 15.4 million working days were lost due to work-related stress, depression or anxiety in 2017/18. One in four sick days in the UK is the result of workload<sup>23</sup> – the biggest single cause of sick leave by some distance.

Analysis by the Health and Safety Executive (HSE) of Labour Force Survey statistics shows that this is an acute issue within local authority services with human health and social work, public administration and education all accounting for the highest levels of average rates of stress, depression or anxiety.<sup>24</sup>

**Table 12**



**Source:** ONS Labour force survey

This is recognised in union surveys, for example in the recent Unite survey 75% of members reported experiencing work-related stress in the last 12 months, and 61% said that stress was one of issues they were most concerned about at work (second only to pay).

<sup>22</sup> [http://www.hse.gov.uk/statistics/causdis/stress.pdf?utm\\_source=govdelivery&utm\\_medium=email&utm\\_campaign=digest-8-nov-18&utm\\_term=report&utm\\_content=stress-stats](http://www.hse.gov.uk/statistics/causdis/stress.pdf?utm_source=govdelivery&utm_medium=email&utm_campaign=digest-8-nov-18&utm_term=report&utm_content=stress-stats)

<sup>23</sup> [http://www.hse.gov.uk/statistics/causdis/stress.pdf?utm\\_source=govdelivery&utm\\_medium=email&utm\\_campaign=digest-8-nov-18&utm\\_term=report&utm\\_content=stress-stats](http://www.hse.gov.uk/statistics/causdis/stress.pdf?utm_source=govdelivery&utm_medium=email&utm_campaign=digest-8-nov-18&utm_term=report&utm_content=stress-stats)

<sup>24</sup> <http://www.hse.gov.uk/statistics/overall/hssh1718.pdf>

Sickness absence levels can be seen as a proxy indicator for the wellbeing of staff and this has been recognised by the LGA in its Workforce Focus report<sup>25</sup>.

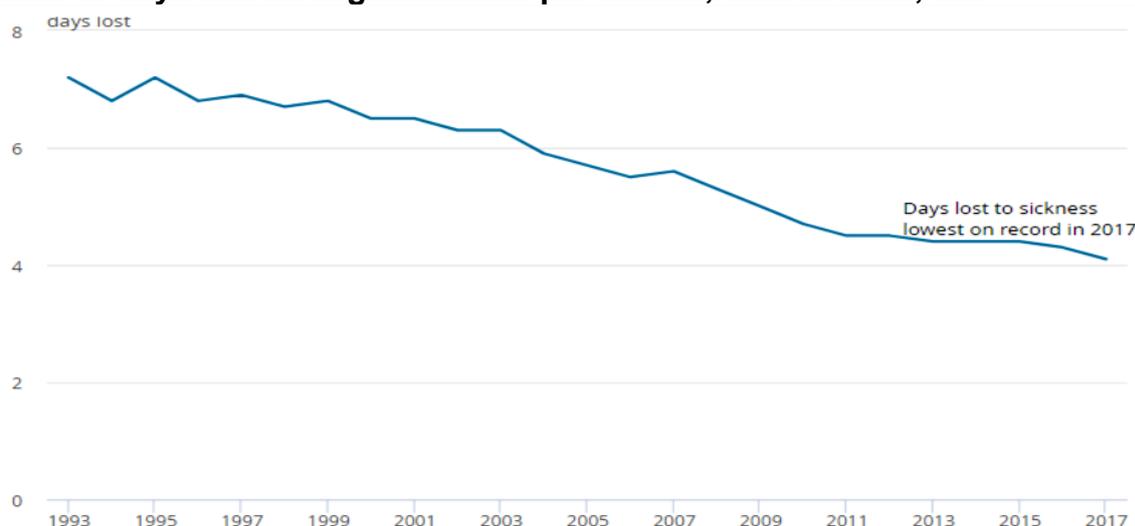
This highlights that:

- On average in 2016/17, 4.3% of days were lost due to sickness and 8.7 days per FTE employee.
- By comparison in 2015/16, 4.9% of days were lost due to sickness and 8.8 days per FTE employee.
- The earliest available comparable figures are for 2011/12 when on average 4.2% of days was lost, 8.4 days per FTE employee.
- The most common cause of sickness absence in 2016/17 was 'stress, depression, anxiety, mental health and fatigue' (28.9% of days lost).

Across the whole economy, as a rough comparison the average number of days lost per FTE in 2018 across the whole economy was 4.1. This means that local authority sickness rates are over double those for the economy as a whole.

In contrast to local authority statistics, the Labour Force Survey shows that economy-wide sickness absence has broadly been falling over the last two decades.

**Table 13**  
**Number of days lost through sickness per worker, 1993 to 2017, UK**



**Source: Labour Force Survey person datasets, ONS**

The 2017 *Stevenson / Farmer review of mental health and employers*<sup>26</sup> for the government found that the cost of poor mental health to Government is between £24 billion and £27 billion which includes the costs of providing benefits, falls in tax revenue and costs to the NHS. One of its core recommendations to employers is for them to “*provide employees with good working conditions and ensure they have a healthy work life balance and opportunities for development*”

<sup>25</sup> [https://www.local.gov.uk/sites/default/files/documents/11%20170%20Workforce%20Focus\\_03\\_web.pdf](https://www.local.gov.uk/sites/default/files/documents/11%20170%20Workforce%20Focus_03_web.pdf)

<sup>26</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/658145/thriving-at-work-stevenson-farmer-review.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/658145/thriving-at-work-stevenson-farmer-review.pdf)

The Trade Union Side therefore calls for a comprehensive joint national review of the workplace causes of stress and mental ill health throughout local authorities.

### 4.3 A culture of long hours

The negative impacts of long hours and high workloads are well documented. Long hours can lead to serious and long term mental and physical ill health, stress, fatigue and increases in workplace accidents<sup>27</sup>. For example researchers that studied<sup>28</sup> the work habits of more than 600,000 people in the US, UK, and Australia, found that people who work more than 55 hours a week are 33% more likely to suffer a stroke and have a 13% greater risk of heart attack than those who work 35-40 hours weekly.

Research also shows the impact that long hours can have in decreasing productivity within organisations<sup>29</sup>, lowering morale and leading to increased staff turnover<sup>30</sup>.

In contrast studies have found that reducing working time and taking holidays is extremely good for morale and health - it can even prolong lives<sup>31</sup>. Researchers who studied 974 vacationers from the Netherlands discovered that even planning for a holiday makes people happier before they go<sup>32</sup>. Researchers have also shown that more time off improves productivity and is therefore good for employers and the economy as a whole.<sup>33</sup>

Reducing working time has wider societal benefits too. It give staff more time to contribute to society, supporting family and friends, volunteering or getting more involved in the wider community or politics. The New Economics Foundation (NEF)<sup>34</sup> has pointed to studies that show that reducing working time is also better for the environment<sup>35</sup> and good for gender equality given women shoulder more than 60% of unpaid work<sup>36</sup>.

Working time practices and norms have not stayed static over time, and it is right that they should be reviewed and updated. NEF modelling has shown that UK working time has lagged behind long term national trends over recent years. If average hours had continued to fall at post-war levels after 1980, then the UK should be on target to reach a 30-hour working week by 2040<sup>37</sup>.

---

<sup>27</sup> [http://www.hse.gov.uk/research/hsl\\_pdf/2003/hsl03-02.pdf](http://www.hse.gov.uk/research/hsl_pdf/2003/hsl03-02.pdf)

<sup>28</sup> [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(15\)60295-1/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(15)60295-1/fulltext)

<sup>29</sup> <http://ftp.iza.org/dp8129.pdf>

<sup>30</sup> <https://www.employment-studies.co.uk/system/files/resources/files/352.pdf>

<sup>31</sup> [https://www.eurekalert.org/pub\\_releases/2018-08/esoc-tav082318.php](https://www.eurekalert.org/pub_releases/2018-08/esoc-tav082318.php)

<sup>32</sup> <https://link.springer.com/article/10.1007%2Fs11482-009-9091-9>

<sup>33</sup> <https://hbr.org/2015/06/are-we-more-productive-when-we-have-more-time-off>

<sup>34</sup> <https://neweconomics.org/2018/11/five-reasons-why-nef-supports-the-4-day-week-campaign>

<sup>35</sup> [https://www.researchgate.net/publication/323366145\\_Working\\_hours\\_and\\_carbon\\_dioxide\\_emissions\\_in\\_the\\_United\\_States\\_2007-2013](https://www.researchgate.net/publication/323366145_Working_hours_and_carbon_dioxide_emissions_in_the_United_States_2007-2013)

<sup>36</sup> <https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/earningsandworkinghours/articles/womenshouldertheresponsibilityofunpaidwork/2016-11-10>

<sup>37</sup> <https://neweconomics.org/2019/03/average-weekly-hours-fell-faster-between-1946-and-1979-than-post-1980>

The Global Workforce Happiness Index<sup>38</sup> that studies workplace wellbeing also found that the top ten countries make work-life balance a priority with employers enacting strategies to ensure their staff achieve this.

The economy is rapidly changing as is evidenced by a recent report from the ONS that illustrated the threats automation poses to workers<sup>39</sup>, particularly women workers. Staff side unions believe that automation needs to deliver for ordinary people and that reducing working time without loss of pay is a crucial part of the necessary response to increased automation and digitalisation of the economy – an issue that the LGA and local authority employers have been actively exploring in recent years<sup>40</sup>.

Yet union surveys highlight that 10 years of austerity is taking a huge toll on local authority staff with low pay settlements, expanding responsibilities and redundancies leading to increased workloads and a culture of long hours.

For example in Unite's recent all members' survey:

- 54% of members reported frequently or always working more than their contractual hours. That included nearly a quarter who "always" did, while a further 30% said that they did so "sometimes".
- 32% reported working more than 4 hours extra a week including 10% that worked more than 8 hours extra. A further 23% worked between 2 and 4 hours extra a week and 25% said that they regularly worked up to 2 hours extra a week.
- Only 17% of Unite members reported receiving overtime rates for these additional hours with 25% reporting that they were all completely unpaid.
- 75% of Unite members reporting experiencing work-related stress in the last 12 months.
- Over 50% of members rated morale in their workplaces as either "bad" or "terrible" as opposed to only 11% that thought it was "good" or "excellent".

A GMB study found that local government workers are significantly more likely to work unpaid overtime compared to those in other occupations.<sup>41</sup> An updated analysis, based on the latest available figures, produced similar results: 28% of local government workers normally work unpaid overtime, according to the Labour Force Survey, compared to 15% of all employees. The average local government worker who worked unpaid overtime contributed an additional 6.2 hours per week.<sup>42</sup>

It should be noted that even these figures may represent an underestimate. GMB asked NJC workers in its 2019/20 members' survey if they regularly worked unpaid overtime: nearly half (48%) said that they did. The NHS Staff Survey also reports higher rates of unpaid overtime working than the Labour Force Survey.

---

<sup>38</sup> <https://universumglobal.com/insights/global-workforce-happiness-index-2/>

<sup>39</sup> [https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/articles/whic\\_hoccupationsareathighestriskofbeingautomated/2019-03-25](https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/articles/whic_hoccupationsareathighestriskofbeingautomated/2019-03-25)

<sup>40</sup> <https://www.local.gov.uk/our-support/workforce-and-hr-support/workforce-videos/working-digital-council-video>

<sup>41</sup> Civil Service World, Civil servants 'work more unpaid overtime than private sector staff,' 25 July 2017  
<https://www.civilserviceworld.com/articles/news/civil-servants-%E2%80%98work-more-unpaid-overtime-private-sector-staff%E2%80%99>

<sup>42</sup> GMB analysis of Quarter One 2019 Labour Force Survey data.

Unpaid overtime is being worked on an industrial scale. It represents an enormous goodwill contribution by a workforce that is approaching its breaking point. The Trade Union Side strongly believes that workers should be paid for all the hours they work. If full-time local government workers who regularly work unpaid overtime were remunerated for their additional hours, they would be due an immediate pay rise of 25%.<sup>43</sup>

Other analyses have shown similar trends, for example the TUC found that public sector employees disproportionately work unpaid overtime – making up only a quarter (25%) of total employees but producing more than a third (39%) of all unpaid overtime<sup>44</sup>.

The Trade Union Side is therefore calling for:

- A one day increase to the minimum paid annual leave entitlement set out in the Green Book
- A two hour reduction in the standard working week set out in Green Book with no loss of pay

#### 4.4 Exit payments

The Trade Union Side is also extremely concerned about the planned attack on our members' terms and conditions in the form of the Treasury's proposal to cap exit payments at £95,000. If implemented, the Treasury's flawed regulations will have a particular negative effect on local government workers due to its inclusion of strain costs in the cap's calculations. As the LGA has calculated, a long-serving female member of the Local Government Pension Scheme who earns £23,500 a year and is made redundant above the age of 54 could be capped.

The effects of the cap will be on low to middle paid workers will be multiplied with each year that passes due to the non-inclusion of an index link to a £95,000 figure that has not changed since 2015. The proposed cap in 2019 is already effectively worth £85,000 compared to its value in 2015.

**Table 14**

**Forecast real value of the unindexed cap (£000s)<sup>45</sup>**

	2015	2016	2017	2018	2019	2020	2021	2022	2023
<b>RPI</b>	95	93.3	90.1	87.2	84.7	82.4	80.0	77.6	75.3
<b>CPI</b>	95	94.3	91.9	89.6	87.8	86.1	84.5	82.8	81.2

If pensions are a form of deferred pay then it is likely that implementation of the cap will give rise to demands for higher uplifts to regular pay and allowances in the future.

In the view of the Trade Union Side, this planned central government interference – which rides roughshod through past collective agreements – makes a mockery of Ministers'

<sup>43</sup> Illustrative calculation based on a local government worker who works 37 paid hours per week and 6.2 additional unpaid hours, compared to if those additional hours had been paid on time and a half.

<sup>44</sup> <https://www.tuc.org.uk/blogs/work-your-proper-hours-day-%E2%80%93-tackling-culture-unpaid-overtime>

<sup>45</sup> <https://www.gmb.org.uk/sites/default/files/exit-cap-consultation-response.pdf>

claims that they play no role in the setting of local government workers pay and terms and conditions. Consequently, in our view, the fact that the draft regulations have been brought forward strengthens the case for the provision of additional central funding to help meet the costs of this claim.

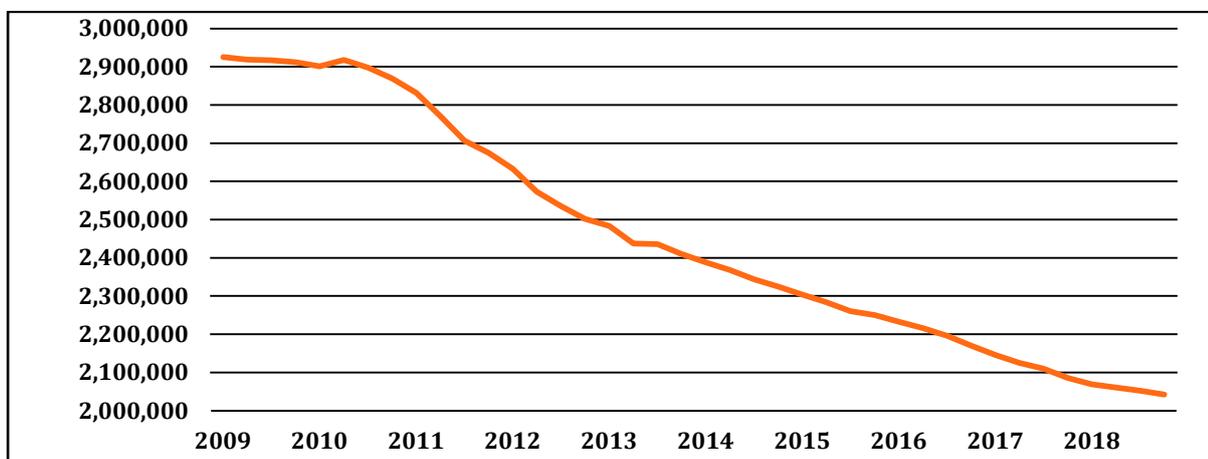
In addition, we believe that the Government's continued 'pause' in the redistribution of excess monies generated by the cost cap mechanism in the Local Government Pension Scheme in the wake of the McCloud judgement undermines government assurances and collective bargaining principles, and represents a further blow to the real take home pay of our members in local government. We further believe that the 'pause' is further evidence that Ministers continue to play an active role in the setting of pay and terms and conditions in local government.<sup>46</sup>

## 5. JOB LOSSES

Across the UK, an estimated 876,000 jobs have been lost in local government since June 2010 – a reduction of 30%. Local government has arguably been hit by more severe job losses than any other part of the public sector. But conversely, there has been no decrease in the statutory functions of local authorities - with many of these services seeing a significant increase in demand over the same period (children’s services, adult social care services and homelessness support). In addition, redundancy payments have cost councils an estimated £4 billion in England alone.<sup>47</sup>

**Table 15**

### UK local government employment (headcount)<sup>48</sup>



<sup>46</sup> For more information see: <https://www.gmb.org.uk/news/court-ruling-means-government-should-pay-24-billion-back-public-sector-workers>

<sup>47</sup> The Guardian, Redundancies have cost English councils £4bn since 2010 – study, 13 September 2018  
<https://www.theguardian.com/society/2018/sep/13/councils-in-england-spend-4bn-on-220000-redundancies-since-2010>

<sup>48</sup> ONS, Public sector employment quarterly estimates, December 2018 data  
<https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/publicsectorpersonnel/datasets/publicsectoremploymentreferencetable>

This loss of staffing, budgets and increased demand means that local services are suffering. For those staff who remain (predominantly women), this has increased workloads, pressure and stress - all against the backdrop of ever shrinking real-terms pay.

With considerably fewer workers to provide local services, local government staff deserve a pay rise that reflects the massive increase in their productivity. Those workers left behind are attempting to pick up the workloads of former colleagues, as well as do their own work on declining pay and conditions.

## 6. RECRUITMENT AND RETENTION

Recruitment and retention is a key priority for councils. As of 2017/18, 78% of councils are experiencing recruitment and retention difficulties, with 10% feeling forced to enact a recruitment freeze at some point during 2017/18 (LGA workforce survey 2017/18). This issue is particularly acute for a variety of professional and specialist roles, including social work, planning and building control.

Successive workforce surveys conducted by the LGA make it apparent that pressures are rising. Although there are discontinuities in the data series, it is clear that the trend is towards pressures returning to or even exceeding pre-crash levels.

Local authorities' reported average vacancy rate of 8% (rising to 9.5% for unitary authorities) is significantly higher than the averages for wider public sector and in the economy as a whole.

**Table 16**

### LGA reported recruitment and retention measures

[Note – the 2010/11 survey no longer appears to be online]

	<b>Vacancy rate</b>	<b>Turnover rate</b>	<b>Councils experiencing recruitment difficulties</b>
2008	-	12	83
2009	10	11	52
2011/12	4.5	13.1	-
2012/13	6.5	11.4	-
2013/14	8.2	11.9	74
2014/15	7	13	-
2015/16	5.4	13.2	71
2016/17	8.9	13.4	74
2017/18	8	13.4	78

Schools are also reporting that the declining real value of pay is contributing to recruitment and retention challenges for staff employed on NJC terms and conditions. Recent research commissioned by the Department for Education found that:

*'A number of sector-wide challenges ... were also reported by participating schools ... [including] low levels of TA pay due to limited funding and a lack of consistent training and career progression opportunities ... these issues, according to those interviewed, present challenges for the recruitment and retention of TAs.'*<sup>49</sup>

Brexit is also having an impact on the labour market. Around half of councils have noticed a recent reduction in the number of EU/EEA nationals applying for posts or leaving the organisation. As employers across the economy are reporting a similar impact the labour market is likely to tighten and local government employers need to meet our claim to ensure that they remain competitive.

The growing and widespread use of agency workers to fill gaps comes at a hefty cost to the public purse - with many councils already heavily dependent on temporary workers. During the last ten years, agency staff in some London boroughs have comprised up to a quarter of the total headcount. A 2018 Freedom of Information request by the Western Morning News newspaper, found that in 2017/18 Devon County Council spent a quarter (approx. £2.5m) of its total children's social work staffing spend (approx. £10.5m) on temporary agency staff – but that agency staff carried out just 8% of the work (<https://www.devonlive.com/news/devon-news/devon-county-council-spends-25m-1258468>). This picture is not uncommon, with Northamptonshire hitting the headlines last year after local media uncovered an annual spend of £1.5 million on temporary workers.

Data obtained through freedom of information requests by the Guardian newspaper this year shows that councils spent £335 million on agency social workers in 2017/18. Some councils were employing nearly half their children's social workers through private agencies.

With many local government workers approaching retirement, there is a genuine concern over how councils will attract the next generation of young council staff if pay remains low compared to similar jobs in the rest of the public or even in the private sector.

Meeting the Trade Union Side's pay claim this year will encourage workers to apply and remain in post. With the general unemployment rate in the UK economy at its lowest level in 44 years, employers reporting that they are experiencing the strongest growth in recruitment pressures since 2001,<sup>50</sup> and vacancies escalating across the economy, competitive wages are becoming ever more crucial.

## **7. MORALE UNDER THREAT**

People working in local councils and schools are loyal, hardworking public servants, determined to give the best possible service to the public. Last year UNISON surveyed its council members on the day-to-day impact of austerity measures across local services.

---

<sup>49</sup> DfE / Ask Research, Deployment of Teaching Assistants in schools, 27 June 2019, page 7 [https://www.gov.uk/government/publications/the-deployment-of-teaching-assistants-in-schools?utm\\_source=e39299c7-230c-400e-bb52-28e08a5536cc&utm\\_medium=email&utm\\_campaign=govuk-notifications&utm\\_content=immediate](https://www.gov.uk/government/publications/the-deployment-of-teaching-assistants-in-schools?utm_source=e39299c7-230c-400e-bb52-28e08a5536cc&utm_medium=email&utm_campaign=govuk-notifications&utm_content=immediate)

<sup>50</sup> Bank of England Agents' scores, recruitment difficulties measure.

Over 21,000 UNISON members replied. From refuse collectors to social workers, to senior managers; the experiences of employees at all levels in councils were represented.

Prevalent throughout the responses was the frustration that they are not able to deliver the best service possible to the public – hindered by budget cuts, staff redundancies and impossible workloads.

- 83% say that the budget cuts in the past two years have had an impact on their ability to do the best they can
- 89% say that budget cuts have had a negative impact on staff morale
- 54% say their workload is unmanageable
- 63% are concerned about the financial situation of their employer
- 73% say that jobs have been cut in their department
- 60% do not feel secure in their job
- 60% work beyond their contracted hours
- 63% identify the lack of front line staff as the top priority
- 49% are thinking about leaving for somewhere less stressful
- 43% are thinking about leaving for a better paid job

64% of respondents to GMB's 2019/20 members' survey said that they were stressed at work. Respondents who said they stressed a work further rated their stress levels at an average level of 6.5 out of ten. 5% of local government workers report that they were made ill by their work in the last year, above the average for other employees.<sup>51</sup>

According to Unite's survey only 11% of members rated morale as good or excellent in their workplace, with over 50% rating it as bad or terrible. Morale and pay seem to be strongly linked as when asked 83% said that an above inflation pay rise would improve morale in their workplace.

## **8. EQUALITY IMPACT**

Cuts to real pay, terms and conditions, and employment totals by NJC employers have had a disproportionate impact on workers who share protected characteristics as defined by the Equality Act.

For measures of protected characteristics that can be directly measured through the Labour Force Survey (LFS), it is clear from GMB analysis that local government workers are more likely to share those characteristics in every category other than race. Local government workers are much more likely to be female, and are more likely to be older, disabled, religious, and married or in a civil partnership than workers in other sectors.

It should be noted that, of the protected characteristics that are relevant to the Public Sector Equality Duty, gender reassignment, pregnancy, and sexual orientation cannot be measured by the LFS. The meaning of race and belief, within the definitions of the Equality Act, are also wider than the measures captured in table 17 below:

---

<sup>51</sup> Compared to an average of 4.2% for all workers. GMB analysis of Quarter One 2019 Labour Force Survey data.

**Table 17**  
**Breakdown of LFS workforce characteristics data<sup>52</sup>**

	<b>Local government</b>	<b>All workers</b>
Age (mean)	43.3	39.9
Female (%)	69	49.9
BAME (%)	9.4	12.3
Disabled - EA10 (%)	13.7	12.3
Religious (%)	56.2	54.6
Married/civil partnership (%)	58.2	50.1

The Women’s Budget Group and others have produced clear evidence that low pay and austerity are having a disproportionate impact on women<sup>53</sup> including most recently with through the disproportionate impact of the housing crisis on women<sup>54</sup>.

The Runnymede Trust and others have produced similar reports on the impacts on BME communities<sup>55</sup>.

In addition, a Treasury decision record obtained by GMB under the Freedom of Information Act reveals that in 2015 civil servants assessed that a continuation of the pay cap would lead to a worsening of child poverty rates.<sup>56</sup>

Public sector employers have a legal obligation to ‘remove or minimise disadvantages’ faced by workers who share a protected characteristic. Raising pay in real terms, after many years of decline, would be in line with at least the spirit of the Public Sector Equality Duty. In the Trade Union Side’s view, continued cuts would clearly be contrary to it.

## **9. CONCLUSION**

Local government workers face immense pressure – ever increasing workloads, deteriorating pay and conditions, and persistent job insecurity. Against the odds, they have delivered efficiency savings year-on-year, but we have reached the limit of what can be squeezed from an exhausted and demoralised workforce.

Those providing local services in councils and schools are supporting our children’s education and holding stretched communities together at a time when those services are overwhelmed by public demand and the government is cutting funding.

<sup>52</sup> GMB analysis of Quarter 1 2019 Labour Force Survey data. The local government sample is made up of respondents who described themselves as public sector workers, and who selected option 4 in response to question SECTRO03 ‘Local government or council (including fire services and local authority controlled schools/colleges).’ It should be noted that some workers who fall outside the NJC’s coverage will consequently be included within the sample. The 16 – 64 age filter has been applied due to the potential effects of outliers on the mean calculation, and as such the difference between age ranges is of relative rather than absolute value.

<sup>53</sup> <https://wbg.org.uk/resources/women-and-austerity/>

<sup>54</sup> <https://wbg.org.uk/analysis/reports/a-home-of-her-own-housing-and-women/>

<sup>55</sup> [https://www.runnymedetrust.org/uploads/PressReleases/1%20bme\\_executive\\_summary-A3-01.pdf](https://www.runnymedetrust.org/uploads/PressReleases/1%20bme_executive_summary-A3-01.pdf)

<sup>56</sup> <https://www.bbc.co.uk/news/uk-politics-45994303>

With the decline in the value of their pay, it is clear that staff have remained in local government and schools because they are committed to improving people's lives, supporting communities and maintaining a lasting public sector ethos against the odds. But they have bills to pay and families to support and so will be forced to look at alternative employment if the low pay in the sector continues. Staff cannot keep being asked to deliver more and more for another below inflation rise. This claim cannot and must not be funded by local attacks on locally determined conditions. Local government employees are on their knees – new money is needed.

Paying local government staff properly makes economic sense. It is an investment in both local services and the local economy. It is also unsustainable to continue to subsidise employers who pay lower wages through income support measures such as tax credits.

The Trade Union Side believes our claim is just and fair. Local government and school workers should and must get the decent and fair pay rise that they need and deserve.

We expect the LGA to enter into meaningful negotiations with us on our claim. We are concerned that their engagement with us on collective bargaining has deteriorated in recent years and has not always been in keeping with Labour Relations (Public Service) Convention, 1978 (No.15). This convention promotes collective bargaining for public employees, as well as other methods allowing public employees' representatives to participate in the determination of their conditions of employment. It also provides that disputes shall be settled through negotiation between the parties or through independent and impartial machinery, such as mediation, conciliation and arbitration...'

## **INVESTING IN THE NJC WORKFORCE IS MONEY WELL SPENT**

## Appendix A

### Changes in real (RPI) value to NJC spine points 2009/10 to 2019/20 (SCPs in cash values)

Old Spine Point	2009/10	2019/20	New Spine Point	Change (%)
4	£12,145			2.1%
5	£12,312			0.7%
6	£12,489	£17,364	1	-0.7%
7	£12,787			-3.1%
8	£13,189	£17,711	2	-4.1%
9	£13,589			-7.0%
10	£13,874	£18,065	3	-7.0%
11	£14,733			-12.5%
12	£15,039	£18,426	4	-12.5%
13	£15,444			-14.8%
14	£15,725	£18,795	5	-14.7%
15	£16,054			-16.4%
16	£16,440	£19,171	6	-16.8%
17	£16,830			-18.7%
18	£17,161	£19,554	7	-18.7%
19	£17,802	£19,945	8	-20.0%
20	£18,453	£20,344	9	-21.3%
		£20,751	10	
21	£19,126	£21,166	11	-21.0%
22	£19,621	£21,589	12	-21.5%
		£22,021	13	
23	£20,198	£22,462	14	-20.6%
24	£20,858	£22,911	15	-21.6%
		£23,369	16	
25	£21,519	£23,836	17	-20.9%
		£24,313	18	
26	£22,221	£24,799	19	-20.3%
27	£22,958	£25,295	20	-21.3%
		£25,801	21	
28	£23,708	£26,317	22	-20.8%
29	£24,646	£26,999	23	-21.8%
30	£25,472	£27,905	24	-21.8%
31	£26,276	£28,785	25	-21.8%
32	£27,052	£29,636	26	-21.8%
33	£27,849	£30,507	27	-21.8%
34	£28,636	£31,371	28	-21.8%
35	£29,236	£32,029	29	-21.8%
36	£30,011	£32,878	30	-21.8%

<b>Old Spine Point</b>	<b>2009/10</b>	<b>2019/20</b>	<b>New Spine Point</b>	<b>Change (%)</b>
<b>37</b>	£30,851	£33,799	<b>31</b>	<b>-21.8%</b>
<b>38</b>	£31,754	£34,788	<b>32</b>	<b>-21.8%</b>
<b>39</b>	£32,800	£35,934	<b>33</b>	<b>-21.8%</b>
<b>40</b>	£33,661	£36,876	<b>34</b>	<b>-21.8%</b>
<b>41</b>	£34,549	£37,849	<b>35</b>	<b>-21.8%</b>
<b>42</b>	£35,430	£38,813	<b>36</b>	<b>-21.8%</b>
<b>43</b>	£36,313	£39,782	<b>37</b>	<b>-21.8%</b>
<b>44</b>	£37,206	£40,760	<b>38</b>	<b>-21.8%</b>
<b>45</b>	£38,042	£41,675	<b>39</b>	<b>-21.8%</b>
<b>46</b>	£38,961	£42,683	<b>40</b>	<b>-21.8%</b>
<b>47</b>	£39,855	£43,662	<b>41</b>	<b>-21.8%</b>
<b>48</b>	£40,741	£44,632	<b>42</b>	<b>-21.8%</b>
<b>49</b>	£41,616	£45,591	<b>43</b>	<b>-21.8%</b>

### BRISTOL CITY COUNCIL

#### HR COMMITTEE

26<sup>th</sup> September 2019

<b>Report of:</b>	Director of Workforce and Change
<b>Title:</b>	Draft Health and Wellbeing Plan 2019-20
<b>Ward:</b>	N/A
<b>Officer Presenting Report:</b>	Mark Williams, Head of Human Resources
<b>Contact Telephone Number:</b>	<b>07795 446270</b>

#### RECOMMENDATION

That the HR Committee provides its views and observations on the Draft Health and Wellbeing Plan before it is finalised.

#### Summary

The Draft Health and Wellbeing plan sets our priorities to improve the wellbeing of our workforce. The views of the committee are sought on the plan.

#### The significant issues in the report are:

- Managers and leaders are vital to improving the health and wellbeing of the organisation
- Positive action on health and wellbeing is likely to impact sickness absence rates, employee engagement, talent acquisition and staff retention
- Employee consultation and engagement is key to creating a positive work environment.

#### 1. Policy

An engaged, healthy and supported workforce will have an impact on the quality of service that we provide to citizens and help achieve the corporate strategy priorities. Page 62

An organisation-wide understanding of mental health and our commitments towards supporting those with mental health requirements will provide a consistent corporate narrative and messages for our citizens.

## **2. Consultation**

### **a. Internal**

- Public Health,
- HR team
- OD and Internal Communications
- Learning and Development
- Disabled Employees Group (DEG)
- Trade Unions

### **b. External**

- Nine to Thrive, External contractor with expertise in Mental Health

## **3. Context**

The Organisational Improvement Plan sets out the overarching strategic priority to “create the conditions for everyone to perform at their best, each and every day. We will improve processes and policies, invest in health and wellbeing, and continue the development of our teams and individuals”. Based on the OIP targets and the key areas for consideration arising from the data review, the specific objectives of the 2019-20 Health and Wellbeing programme have been set out in the report and this is currently in consultation.

## **4. BCC progress to date**

In 2018-19 there was progress in developing health and wellbeing support for BCC employees:

- BCC signed the Time to Change Pledge In February 2019, celebrated Time to Talk day in February 2019 and Mental Health Awareness Week in May 2019.
- The Organisational Improvement Plan made health and wellbeing one of the top priorities for the organisation.
- Management information on sickness absence and turnover is being routinely monitored

- BCC included health and wellbeing questions in its March 2019 Employee Engagement Survey which will act as a baseline to measure employee perceptions of health and wellbeing support at BCC.
- Thrive Bristol was launched in 2018 and is a ten-year programme to improve the mental health and wellbeing of everyone in Bristol, with a focus on those with the greatest need, whatever their age. Thrive Bristol is part of the One City Approach to bring together partners and communities across the city, to tackle important issues for Bristol, including mental health. The One City Plan includes details around eradicating mental health stigma and discrimination; rolling out Mental Health Awareness training to 1 in 5 people in Bristol over the next decade and creating mentally healthy schools, workplaces, homes & communities.
- MHFA champion training has been delivered to over **500** colleagues across BCC. The course is accredited to Mental Health First Aid England.
- Managing mental health has been delivered to more than 300 managers.
- A new section has been included in the weekly brief to cover health and wellbeing opportunities.
- A TU led menopause initiative commenced in 2019. The first Time to Talk: Menopause groups have taken place in May, June and July. 120 requests were made by people at City Hall to join this, over 80 people at Temple and 100 more across the other venues.

## **5. Proposal**

That the HR Committee provides its views and observations on the Draft Health and Wellbeing Plan before it is finalised.

## **6. Other Options Considered**

Not applicable

## **7. Risk Assessment**

Improving the health and wellbeing is a corporate priority both in the Council's Corporate Strategy and Organisational Improvement Plan. The draft plan is designed to address wellbeing within the council's workforce. Failing to do this will have an adverse affect on employee engagement and productivity.

## **Public Sector Equality Duties**

- 8a) Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following “protected characteristics”: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:
- i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
  - ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to --
    - remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
    - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);
    - encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
  - iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –
    - tackle prejudice; and
    - promote understanding.
- 8b) A draft Equality Impact Assessment is attached at Appendix A. The Equalities Impact Assessment will be finalised at the close of consultation.

## **Legal and Resource Implications**

### **Legal**

There are no specific legal implications arising from this report. The Council's draft Health and Wellbeing Plan supports the Council in meeting the requirements of employment law legislation including the Equality Act 2010.

**Legal advice provided by Husinara Jones, Team Leader /Solicitor,  
13th September 2019**

**Financial**

**(a) Revenue**

Financial advice has not been sought as the funding for the draft plan has already been agreed as part of the Organisational Improvement Plan.

**(b) Capital**

None

**Land**

None

**Personnel**

As set out in the report and draft action plan.

**(Personnel advice provided by Mark Williams, Head of HR)**

**Appendices:**

1. Draft Health and Wellbeing plan 2019-20
2. Draft Terms of Reference, Health and Wellbeing Group
3. Learning and development courses proposed for 2019-20
4. A summary of other cost items to be included in the plan.
5. Equalities Impact Assessment

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**Background Papers:**

# Developing a Health and Wellbeing Programme 2019-20

## DRAFT FOR CONSULTATION

### 1.0 Introduction

“Wellbeing' refers to 'feeling good' and 'functioning well' - both physically and emotionally. Developing organisational wellbeing is focussed on creating an environment to promote a state of contentment which allows an employee to flourish and achieve their full potential for the benefit of themselves and their organisation” (CIPD, 2007, p. 4). Wellbeing is not merely the absence of ill health or infirmity.

Wellbeing means something different to everyone; some people will place greater value on their physical health, some on maintaining mental wellbeing and for others their wellbeing may be linked to their environment, spiritual needs, financial situation, personal development, career progression or relationships with others. An individual's personal values (for example compassion, creativity, responsibility) and the connection with corporate values is also a key driver in remaining well.

There are many factors at work that contribute to us being healthy, well and thriving. Disengagement or ill-health may result if needs are not met.

The health and wellbeing of an employee should not deteriorate because of work. The knowledge and skill of line managers and leaders is vital to imbedding a culture of health and wellbeing. Good leadership and people management practices form the bedrock of healthy and resilient workplaces.

Good Managers:

- Understand policies and procedures and apply them fairly with confidence to enable person centred support
- Are self-aware, confident and have emotional intelligence, they have effective sensitive 1:1's
- They engender trust, respect confidences and manage conflict

In practice good leaders and managers encourage employees to keep healthy and well and by working with their teams in an open and collaborative environment, monitor wellbeing and engagement and work with employees to prevent any health and wellbeing deterioration. They are able to support employees who report health concerns, preventing these concerns from escalating into absence. If a manager is aware of the challenges faced by individuals, and there is a supportive dialogue between the employee and their line manager, it should be possible for the organisation to put in place supportive measures that could make all the difference in some cases.

Employees report that they often feel that engaging with self-care will be seen as a negative by their manager especially during times of change and uncertainty; in fact self-care and understanding of one's health requirements should be celebrated as an act of personal resilience and long term commitment to the organisation.

Senior leaders and line managers who commit to the value of employee wellbeing, who promote a positive and fair working environment, who bring teams together and who value self-care are likely to see higher employee engagement, higher productivity, less absence and lower turnover.

## **1.1 Engagement and Wellbeing**

Employee engagement and employee wellbeing are intrinsically linked. A report by the World Economic Forum and consultancy Right Management in 2010 found that wellbeing is as much shaped by employee engagement as by physical and psychological health. This same research found that organisations engaged in promoting wellbeing are more likely to have significant improvements in employee engagement, productivity, creativity and lower talent drain. High levels of employee engagement are hard to maintain if health and wellbeing needs are not met (burnout).

The wellbeing of colleagues can affect employee engagement in different ways:

- negative attitudes towards employer
- low job satisfaction
- reduced motivation and clock watching
- lack of commitment and intention to remain with the organisation,
- unwilling to advocate brand
- impact team dynamics and create unrest
- loss of trust
- deterioration in communications,
- increase in fear,
- resistance to change
- increased rigidity,
- deterioration in quality, productivity and client relations.

The developing wellbeing programme is therefore strongly linked to organisational development, learning and development, reward and recognition, HR practices and Equality, Diversity and Inclusivity; all of which, will be linked in through the planned Health and Wellbeing Group.

## **2.0 BCC progress to date**

In 2018-19 there was progress in developing health and wellbeing support for BCC employees.

- BCC signed the Time to Change Pledge In February 2019, celebrated Time to Talk day in February 2019 and Mental Health Awareness Week in May 2019.
- The Organisational Improvement Plan made Health and Wellbeing one of the top priorities for the organisation.
- Management information on sickness absence and turnover is being routinely monitored
- BCC included health and wellbeing questions in its March 2019 Employee Engagement Survey which will act as a baseline to measure employee perceptions of health and wellbeing support at BCC. A new Health and Wellbeing Group is being created to lead this agenda.
- Thrive Bristol was launched in 2018 and is a ten-year programme to improve the mental health and wellbeing of everyone in Bristol, with a focus on those with the greatest need, whatever their age. Thrive Bristol is part of the One City Approach to bring together partners and communities across the city, to tackle important issues for Bristol, including mental health. The One City Plan includes details around eradicating mental health stigma and discrimination; rolling out Mental Health Awareness training to 1 in 5 people in Bristol over the next decade and creating mentally healthy schools, workplaces, homes & communities.

- MHFA champion training has been delivered to over **500** colleagues across BCC. The course is accredited to Mental Health First Aid England and to complete the course, delegates must complete an evaluation. Delegates are asked to rate their confidence and knowledge of MH at the beginning of the course and at completion. 114 evaluations taken to October 2018 show confidence and knowledge increased on completion in 100% of cases. The average commencing confidence was 5.46 and the completion average confidence was 7.75. The average commencing knowledge was 5.54 and the completion average knowledge was 8.041 (n114). This demonstrates the positive impact this session has had on employee confidence, knowledge understanding, recognising and talking about mental health.
- Managing mental health part 1 and 2 is delivered by an external provider with input from HR. The session aims to increase manager knowledge and confidence in supporting employees with Mental Ill-health. 300 managers (29% of all BCC managers) have completed this training to date and feedback shows it is extremely valued. A review of the course content will be carried out for 2019-20 courses to build in some of the key elements of the Time to Change action plan around employee lifecycle management (best practice in health and wellbeing from recruitment through the employee journey). 288 delegate spaces are suggested for The Mental Health for Managers course in 2019-20 (18 courses) which if capacity is achieved, will result in a total of 57% manager completion.
- A new section has been included in the weekly brief to cover health and wellbeing opportunities.
- A TU led menopause initiative commenced in 2019. The first Time to Talk: Menopause groups are taking place in May, June and July. Within the first two days of taking bookings, the City Hall and Temple Street events reached room capacity. 120 requests were made by people at City Hall to join this, over 80 people at Temple and 100 more across the other venues.

### **3.0 Our Health Data and Organisational Demographics**

By using existing data from demographics, absence data, OH usage, EAP usage and feedback from the employee engagement survey it is possible to identify the high level health and wellbeing requirements of employees. The EES has also collected data from Employees and it is important that this data is discussed and analysed in the planned EES wellbeing focus group to ensure the voice of employees is represented in the wellbeing plan.

Overtime and as the sophistication of the health and wellbeing programme develops, a more targeted health and wellbeing plan can be developed by using health and wellbeing data collection tools.

#### **3.1 Mental Health Absence**

- In the last year at Bristol City Council **58,712** working days were lost due to employee absence and of these, **23.22%** were absences cited for stress, anxiety or depression.
- Other absence reasons such as Musculoskeletal (19.41%), Gastric (5th highest reason) and Neurological (7th highest reason) are other possible indicators for mental ill-health.

#### **3.2 Gender and Age**

- The percentage of women in the workforce at Bristol City Council is 60.25% (as at December 2018). Of these, 2575 women are in the 40 year plus age range and the average absence rate for this age range higher than all age ranges for men and women.
- Both men and women over 40 have on average a higher number of days lost due to ill health absence
- The workforce age has slightly increased to an average of 44.99 years.

- One of the challenges of the rising pension age is that many employees will work for longer. This means that the numbers of employees living with and managing long term conditions in the workplace will rise.

Range	Number of Women	Women - Total number of Days Absent	Women - Average Number of Working Days Lost	Number of Men	Men - Total number of Days Absent	Men - Average Number of Working Days Lost
19 or under	17	97	5.71	23	106	4.61
20 - 29	382	2765	7.24	250	1914	7.66
30 - 39	767	5317	6.93	578	3606	6.24
40 Plus	2575	29,195	11.34	1656	14,106	8.52

Table 1: Absence by Gender and Age (March 2019)

### 3.3 Disability and long term conditions

- The proportion of disabled employees has increased to 7.86.
- We are unable to establish the number of employees who have a long term condition (not defined as a disability) that they manage at work.
- Anecdotally, the DEG report that some employees may not be supported with appropriate workplace adjustments in order to enable them to remain well and thrive at work.

### 3.4 Our Staff Engagement Survey Results

The key findings in 2019;

#### Question 21: I feel this is a workplace which supports good mental health and wellbeing

- 50% of respondents (1553 employees) agreed or strongly agreed that BCC is a workplace that supports good mental health and wellbeing
- 25% of employees neither agreed or disagreed, this may include some employees not having raised or dealt with any mental ill-health (lack of experience) or giving a “somewhat” answer.
- 25% of employees disagreed that the workplace supported good mental health and wellbeing

The free text section of the Engagement Survey asked employees to describe one thing they feel BCC is doing well and one thing that could be improved. The findings are set out below.

One thing we are doing well:

- Flexible working
- Team work
- Collaborations
- Manager competency / approachability

One thing we could improve: (Comments received were varied and widespread)

- behaviour based theme (bullying, diversity and inclusion, negative culture, management behaviour)
- Concerns on limited resources – needing to do more with less resource available.
- The tension around agile working.

### 3.4 Our Occupational Health, EAP and incident reporting data

- Mental health remains the highest referral reason (2017,2018) and Musculoskeletal is the second highest reason for referral
- The highest reasons for calls to the Employee Assistance Programme (Q4) were related to mental health
- The largest number of incidents/ accidents reported by employees in 2018-19 relates to violence and aggression

### 3.5 Thriving at Work Feedback

The Public Health Team report from the Thriving at Work workshops that across Bristol key themes from employees and employers as to what is working within organisational mental wellbeing programmes have been reported (mental health specific).

	Employer	Employee
<b>Things that employers/employees have found hardest about mental health in the workplace</b>	<ol style="list-style-type: none"> <li>1. Where to start – cultural/generational issues, challenges, with those most willing?</li> <li>2. Communication needs to be a combination of: top down, within teams, 1:1, through champions, one size does not fit all – cannot standardise approach</li> <li>3. Long term sustainable change – meaningful actions, embedded in policy</li> <li>4. reasonable adjustments</li> <li>5. understanding what is meant by MH in the workplace</li> <li>6. communication: normalisation of talking about MH in the workplace relating to: education, environment and culture; wellness action planning</li> </ol>	<ol style="list-style-type: none"> <li>1. Getting mental health on an open agenda and supported by leaders</li> <li>2. Stigma – fear of people knowing; fear that progression or promotion will be impacted; presenteeism</li> <li>3. Communications - Consistent messaging; clarity around policies and consistent application; signposting to resources</li> <li>4. Starting the conversation – lack of confidence (both employee and line manager); if the job or workplace is a trigger for poor mental health; feeling that their manager isn't equipped to deal with it</li> <li>5. Not knowing what everyone's role is – MH champions, MHFA's, HR, Manager etc; negative experiences that stigmatise it further</li> <li>6. Lack of mental health awareness amongst colleagues</li> </ol>
<b>resources they have found helpful</b>	<ol style="list-style-type: none"> <li>1. having internal and external champions</li> <li>2. training for all levels of staff/managers</li> <li>3. support groups – internal and external</li> <li>4. wellness action planning (MIND)</li> <li>5. signposting – single point of access</li> </ol>	<ol style="list-style-type: none"> <li>1. Social media, apps, signposting</li> <li>2. EAP, TTC Employer pledge, Workplace charter</li> <li>3. Mental health champions, MH first aid</li> <li>4. Minds wellbeing action plan templates (or similar structured questions to ask)</li> </ol>

	6. education – MHFA; websites like Heads Together; centralised BCC webpage with signposting and resources for SMEs	5. Mental health awareness (ongoing) training, workshops and group discussions; Time To Change awareness videos 6. Signposting the support available – internally and externally; EAP and occupational health support/services
--	--	---

Table 2: Thrive feedback on successful interventions

## 4.0 Developing A BCC Health and Wellbeing Plan

Priority areas for developing a Health and Wellbeing programme, according to the current BCC data and literature are;

- Investing to increase manager skill and confidence
- Improve understanding and support for mental ill-health
- Support Women’s Health (Menopause)
- Support for disabled people / people with long term health conditions
- Improvements to the workplace (Agile working / Musculoskeletal)
- Demand / limited resources (reduce demand or increase ability to manage demands, resilience)
- Reducing rates of violence and aggression towards employees (health and safety plan is picking this up)

In 2019-20 BCC has set a budget for Health and Wellbeing improvement work as part of the fund to support the implementation of the Organisational Improvement Plan. This section sets out a proposal for the 2019-20 investment. This is intended as a first step towards developing an organisational Health and Wellbeing plan in collaboration with employees. The timing of funding and requirement to get learning and development booked in, means that we are recommending spending for 2019-20 whilst at the same time developing collaborations, looking at results of the employee engagement survey and receiving feedback from employees on their health and wellbeing needs.

An holistic model for health and wellbeing is suggested; This being consideration of all elements of health and wellbeing (good mental health, good work, collective social wellbeing, physical health, values, personal development and financial wellbeing). It’s also important to include provision for prevention (of ill health) as well as good support for ill-health. The Health and Wellbeing Group will be able to agree how it wants to articulate the Health and Wellbeing plan. The wellbeing agenda will evolve over time, this is the first step and the Health and Wellbeing Group will be asked to consider the longer term plan with key milestones (Table 3).

Year		Projected Work Plan
Year 1	2019-20	Set up Health and Wellbeing Group Agree on strategic priorities Develop key tools and policies Develop manager skill and confidence Ensure existing signposting routes are robust and effective Raise awareness of health and wellbeing / self-care Create health and wellbeing networks and increase knowledge and capacity across the business

Year 2	2020-2021	Work with networks to increase locality engagement / employee participation Listen to feedback Collation of data (health, demographics) Tactical assessment of employee health and prioritise actions
Year 3	2021-2022	Review health and wellbeing offer Impact assessment and review Target improvements Continual improvement

Table 3: proposed stages of Health and Wellbeing programme development into maturity

#### 4.1 Objectives

The Organisational Improvement Plan sets out the overarching strategic priority to “create the conditions for everyone to perform at their best, each and every day. We will improve processes and policies, invest in health and wellbeing, and continue the development of our teams and individuals”. Based on the OIP actions and the key areas for consideration arising from the data review the specific objectives of the 2019-20 Health and Wellbeing programme are recommended:

##### 4.1.1 Demonstrate organisational commitment and leadership of health and wellbeing

###### How will we do this?

- Create a Health and Wellbeing Group (Draft TOR in Appendix 1)
- Publish the Health and Wellbeing Programme of work
- Review the sickness absence policy
- Review the reasonable adjustments policy
- Recruit to the newly created Disability and Wellbeing Advisor role
- Improve support for agile working for those with specific needs. Scope priority areas and test improvements (e.g. booths for Dragon users)
- Develop a communications plan to publicise commitment, engagement and opportunities in health and wellbeing
- Ensure Occupational Health and EAP services are set up to run smoothly and offer the full services required

##### 4.1.2 Increase management capability, skill and confidence in health and wellbeing

###### How will we do this?

- Develop a programme of Health and Wellbeing leadership and management training
- Mandate the Management of Mental Health Session for all Managers and ensure that managers are clear on the health and wellbeing objectives
- Develop a new Health and Wellbeing tool to support discussions between managers and employees in Appraisals, 1:1's and any return to work following absence
- Regularly report on training uptake to ensure adequate participation

##### 4.1.3 Raise awareness of health and wellbeing and increase participation in self-care

###### How we will do this?

- Develop a programme of health and wellbeing training (face to face and online, see Appendix 2)
- Create a programme of health and wellbeing events and groups and use feedback to feed into the health and wellbeing programme (Appendix 3)

- Create a health and wellbeing champion role for colleagues who will volunteer to champion Health and Wellbeing in their work area. This will include receiving Mental Health First Aid Champions Training and being a link person from the central team for communication and information and link to the Health and Wellbeing Group.
- Introduce wellbeing self-care opportunities (e.g. health and wellbeing classes, holistic therapy opportunity, health and wellbeing roadshows, health check technology)
- Support and continue to develop our Mental Health First Aiders and Champions

## **5.0 Governance Arrangements for 2019-20**

We will be creating a new Health and Wellbeing group which will take a strategic over view of the mental health and wellbeing work and will monitor progress with training and actions agreed in the OIP and Time to Change plan. This group will have regular communications to colleagues about progress with the plan and share the actions being taken. We will also agree a measurement plan (how do we know that what we are doing is making a difference)

In 2019-20, we plan to regularly feed training completion data into EDM's to enable the directorate leadership team to identify areas which could benefit from additional delegate attendance (hot spot assessment).

We will be working with the Performance Review team to establish strong links from the PDR to the health and wellbeing training and encourage routine health and wellbeing conversations to happen in 1:1's and PDRs by creating the Health and Wellbeing Tool (passport).

### **5.1 Risks associated with 2019-20 planning and delivery**

Suppliers need to be found within the budget. Every effort has been made to assess going market rates, but there may be an issue in finding suitable suppliers within the budget or agree that less course capacity may be the compromise.

We must ensure that course spaces are maximised. We also need to ensure that there is sufficient administration available in the L&D team to book the venues, arrange the course dates and greet the suppliers. We also need evaluations to be taken and processed to ensure we can determine ROI.

## **6.0 Action required**

Consider the 2019-20 plan, taking into account the journey required for implementation of impactful health and wellbeing programme, and note the steps proposed for 19-20 as the first set of enablers to provide support and awareness to managers (the priority group) with more health information and opportunities for self-care, to be available to all staff across BCC locations.

Following agreed on all or parts of the programme, the plan will be monitored at the new health and wellbeing group and via the OIP governance route.

### Draft Terms of Reference Health and Wellbeing Group

#### Terms of Reference

##### Purpose

The health and wellbeing of BCC employees is essential to delivering effective services to the citizens of Bristol. The organisation has made a commitment to continue to support and improve the health and wellbeing of employees within its strategic organisational plan 2018-2020.

Wellbeing can be described as “feeling good and functioning well”. This group is committed to supporting employees and managers to develop and continually improve the work environment to promote a state of contentment which allows an employee to thrive and achieve their full potential for the benefit of themselves and the organisation.

The Health and Wellbeing Group is focused on providing leadership to the Health and Wellbeing agenda, monitoring effectiveness and seeking out innovative ways to improve the health and wellbeing of employees.

##### Scope

The Health and Wellbeing remit is wide and varied. The priority areas for the Health and Wellbeing Group to focus on will be set by the Chair annually, according to

- Highest reason given for absence and ill-health
- Demographic information linked to ill-health (e.g. menopause, ageing population)
- Employee engagement survey results
- City health and wellbeing priorities (e.g. Thrive)

##### Aim

The aims of the Health and Wellbeing Group are to:

1. Champion a culture of good health and wellbeing across the Council at all levels, where employees are empowered to care for themselves and managers take responsibility for supporting good health and wellbeing of their employees
2. Increase awareness of the importance of health and wellbeing both for individuals and the organisation
3. Ensure managers are effectively supporting employee health and wellbeing
4. Monitor the impact of actions in improving health and wellbeing across BCC
5. Listen to employees and identify ways to improve

What the Health and Wellbeing Group will do:

1. Develop, agree and govern an annual health and wellbeing action plan and ensure this is communicated to all employees
2. Govern the Time to Change action plan
3. Govern the wellbeing actions within the Organisational Improvement Plan
4. Agree an annual communications and events plan
5. Use business intelligence (for example absence data, employee engagement survey feedback and learning and development reports) to identify key areas for focus

## **Governance**

Due to the strategic importance of employee health, the Health and Wellbeing Group is chaired on a rolling basis by a member of the executive team. The purpose of sharing the chairperson role across the three Executive Directors is to ensure that the highest level of leadership is provided and each of the executive team are fully involved in supporting health and wellbeing which they can champion across their respective directorate.

The chair persons, with support from the Health and Wellbeing Manager and Head of HR, will agree an annual report to be presented at the Corporate Leadership Board.

## **Membership**

- Executive Director (Chair)
- Health and Wellbeing Manager (Secretary)
- OH and EAP contract lead /MHFA training lead
- Disability and Wellbeing Advisor
- Head of HR
- Head of OD and Communication
- Representative of the Disabled Employees Group
- TU representative
- Representative of People Directorate
- Representative of Resources Directorate
- Representative of Growth and Regeneration Directorate
- Public Health Official
- Mental Health First Aid Champion Representative

## **Meetings**

The Health and Wellbeing Group shall meet three times per year. Meetings shall have the following standard agenda:

1. Minutes and actions from previous meeting
2. Report by the Health and Wellbeing Manager (update on action plans and events)
4. Report from Head of HR (Data analytics report)
5. Training data report
6. Feedback from DEG, TU and MHFA champion representatives
6. Any other business
7. Date of next meeting

Specific additional agenda items must be agreed with the Chair not less than three working days prior to the meeting.

Papers for the meetings shall be issued not less than three working days prior to the meeting.

## **Quorum**

The meeting shall be deemed as quorate where the Chair, Health and Wellbeing Manager and at least two other Health and Wellbeing members are present.

## **Review**

These terms of reference will be reviewed annually.

## Learning and Development Courses Proposed for 2019-20

Key for Provision: *U* = Existing course, to be reviewed and updated *N* = New course for 2019-20 *E* = Existing course, to continue

Managers and Leaders							
Provision	Course	Mandatory Status	Purpose and Learning outcomes	Delivery	No. courses 2019-20	Course capacity	Cost
U	Excessive workplace pressure risk assessment training	Mandatory for all managers	Explaining the requirements of the health and safety legislation, the BCC approach to personal workplace pressures risk assessment and how to carry out team risk assessments, analysis results and developing meaningful actions. To be updated to include managing stressors during change.	Face to Face (content to be reviewed)	12	16	
U	Managing Mental Health	Optional for all managers	This course is for line managers to increase their understanding of mental health in the workplace, and helps them develop the skills to have a supportive conversation with employees  NB: this is currently delivered in two parts and will be delivered in one session in 19-20 Include bereavement and loss	Face to Face	15	16	
E	Managing Mental Health (Part 2 only)	Optional for those managers who completed part 1 in 2018-19 only	To ensure all managers who completed part one in 2018-19, have the opportunity to complete part 2. (150 spaces needed).	Face to face	10	16	
N	Resilience Training	Optional for Managers (HRBP team to agree priorities)	Resilience is the ability to bounce back from setbacks and adapt to challenges. Resilient individuals are more likely to persevere when faced with pressure and thrive on a daily basis. Resilience training gives managers the skills needed to build their own resilience and impact positively on others. *psychometric questionnaires are used in this training.	Face to Face	10	20	
N	Emotional Intelligence	Optional for Managers (HRBP team to agree priorities)	Being emotionally intelligent is a significant contributor to both personal and corporate success. Emotional Intelligence is the ability to understand your effect on others and manage yourself accordingly. By inspiring others, emotionally intelligent leaders can ignite effort, boost productivity and create higher levels of employee engagement.	Face to Face	10	16	
E	Supporting health and wellbeing through change	Update existing online change course	Update existing change eLearning package Change and times of uncertainty can cause anxiety and additional workplace stressors. This course will help managers proceed with change programmes, whilst providing support for employees.	Online	Open	Open	
Total Managers investment							

New Managers							
Provision	Course	Mandatory Status	Purpose and Learning outcomes	Delivery	No. courses 2019-20	Course capacity	Cost
N	<b>Managers Induction</b>	<b>Mandatory</b> for new managers	Introduction to new managers on requirements for the management of mental health at BCC and signposting to sources of support and additional training requirements	Face to face			
Front Line and/ or Specialist							
Provision	Course	Mandatory Status	Purpose and Learning outcomes	Delivery	No. courses 2019-20	Course capacity	Cost
N	<b>Supporting a Neuro-diverse workplace</b>	Optional	Neurodiversity refers to the different ways the brain can work and interpret information. It highlights that people naturally think about things differently. We have different interests and motivations, and are naturally better at some things and poorer at others.it is estimated that around 1 in 7 people (more than 15% of people in the UK) are <b>neurodivergent</b> , meaning that the brain functions, learns and processes information differently. Neurodivergence includes Attention Deficit Disorders, Autism, Dyslexia and Dyspraxia.	Face to Face	20	10	
N	<b>Secondary Trauma and Vicarious Trauma</b>	<b>Optional</b> for all Front Line employees, supervisors and managers	psychological trauma can have an adverse effect. Typical effects include: burnout, negativity, cynicism, absenteeism, high turnover of staff and a range of debilitating psychological effects. While these are normal responses to working with traumatised people, they are preventable. This course will identify the steps that can be taken to prevent and the role of self-care This Includes a section for managers on how to support people with experiences of psychological trauma.	Face to Face	Open	Open	
N	<b>Health and Wellbeing Workplace Champions</b>	Optional for interested employees (ensuring a fair distribution across all BCC workplaces)	Health and Wellbeing Champions use their experiences of maintaining their own physical wellbeing and / or mental health to change the way people think and act about mental health. Workplace Champions will support others in their workplace to understand the benefits of health and wellbeing and support events and awareness raising campaigns	Face to Face	10	16	

Pr ovi sion	Course	Mandatory Status	Purpose and Learning outcomes	Delivery	No. courses 2019-20	Course capacity	Cost
N	<b>Menopause Awareness</b>	Optional for All employees	Menopause may effect a large number of people in our workplace. This course promotes an environment whereby colleagues can comfortably engage in discussions relating to menopause at work. Understand any necessary adjustments colleagues may receive as a result of menopause symptoms	Online	Open	Open	
N	<b>Sleep</b>	Optional for all Employees	Sleep plays a vital role in keeping us healthy and well. This course will explore the reasons why sleep may be an issue and give practical guidance on getting a better nights sleep	Online	Open	Open	
N	<b>Mental Health First Aiders</b>	Application and Approval only:  Target 1:50 employees (125) distributed across BCC premises and services	Mental Health First Aiders will commit to a role description and participate in regular CPD. There will be prerequisite learning and manager approval required.  They will;  Develop An in depth understanding of mental health and the factors that can affect wellbeing, develop practical skills to spot the triggers and signs of mental health issues. Have Confidence to step in, reassure and support a person in distress. Enhance interpersonal skills such as non-judgemental listening  Knowledge to help someone recover their health by guiding them to further support.	Face to face	8	16	
N	<b>MHFA Train the trainer</b>	One off	MHFA is currently delivered in combination of in-house and external. To create more in-house capacity it is proposed that 1x additional people from the Safety, Health and Wellbeing Team are trained to deliver. This will reduce costs in 2020.	Face to face	1	1	
<b>Front Line or specialist</b>							

All Employees							
Provision	Course	Mandatory Status	Purpose and Learning outcomes	Delivery	No. courses 2019-20	Course capacity	Cost
E	<b>Mental Health First Aid Champions</b>	<b>Optional</b> for all employees	An understanding of common mental health issues, Knowledge and confidence to advocate for mental health awareness, Ability to spot signs of mental ill health, Skills to support positive wellbeing	Face to Face	20	16	
U	<b>Mental Health Awareness</b>	<b>Optional</b> for all employees	This e-learning course aims to: Increase knowledge and understanding of mental health, Recognise stigma, Increase knowledge of how to support someone with mental health problems	Online (content to be reviewed)	Open	Open	
U	<b>Stress Awareness</b>	<b>Optional</b> for all employees	Advice and self-assessment exercises designed to help manage low level stressors	Online (content to be reviewed)	Open	Open	
U	<b>Personal resilience</b>	<b>Optional</b> for all employees	This course is designed to help you understand and think about your own resilience and how it can be improved upon	Online (content to be reviewed)	Open	Open	
Total all employees							

All New Employees							
Provision	Course	Mandatory Status	Purpose and Learning outcomes	Delivery	No. courses 2019-20	Course capacity	Cost
E	<b>Induction</b>	<b>Mandatory</b> for all new starters	Signposting to health and wellbeing courses, EAP and mental health commitments of BCC	Face to face			
U	<b>Corporate Health, Safety and Wellbeing induction online</b>	<b>Mandatory</b> for all new starters	An introduction to health, safety and wellbeing at BCC including links to EAP and mental health support	Online module (content being reviewed)	Open	Open	

Draft

## A summary of other cost items to be included in the plan

Event or product	Description	Cost
<b>Menopause Awareness</b>	A TU led initiative which will go out to premises across BCC and host conversations about the menopause, raise awareness of practical help and support available and generate understanding of the workplace needs of those going through the menopause. Red box Scheme set up (period poverty products available in all female toilets), Design and marketing, Desk fan stocks for WPS	
<b>Employee Lived Experience programme</b>	A confidential space (voluntary basis) for those with experience of mental health to share stories of how mental health affected them at work and how their workplace supported them and how they supported themselves. Building a narrative of good practice to share with others.	
<b>Manager Lived Experience Group</b>	A confidential space (voluntary basis) for Manager who have supported employees with mental ill-health, to share best practices, support and advice. Building a narrative of good practice to share with others.	
<b>Health and Wellbeing "Roadshow"</b>	Working with our newly trained Workplace Health and Wellbeing Champions a health and wellbeing "Roadshow" will be taken to BCC premises with information for employees on health and wellbeing covering a wide variety of information sources.	
<b>Time to Talk day 2020 (Feb)</b>	Time To Talk Day February 2020	
<b>Know your numbers</b>	9 <sup>th</sup> September - Promotion of health check technology to be mobilised across BCC Procurement of mobile health check technology (BP, body fat etc) - Advice on personal health and wellbeing is a result of the test (report from machine). Corporate data on health can be collated into report, by location, which will enable future campaigns to be targeted. Hire costs are more than purchase price.	Not for 2019
<b>Mental Health Awareness Week</b>	May 2019 – update staff on EAP, MHFA and other support in place Launch of Mental Health First Aid Champion Identifiers (signature logos to be issues)	Complete
<b>Extension to Counselling Services</b>	Employee Assistance Programmes cannot fully support those who are experiencing moderate-severe mental health - Employees are referred to GP as too serious to manage outside of a clinical setting. GP waiting lists for talking therapy are between 4 and 6 months. In 2018, 53 employees were in this category. Investing here may enable our employees to access talking therapy sooner than the NHS can provide it, meaning we can get employees into recovery and back to work. This investment (trial in 19-20) will enable us to identify if investing here does improve support, and reduce long term absence. Financial assessment on taxable benefits needed here.	
<b>DSE equipment loan library</b>	To improve support for MSK issues - establish a library of DSE loan and trial equipment to improve DSE comfort	
<b>Support those with specialist needs to work effectively in agile working environment</b>	<ul style="list-style-type: none"> <li>• Scope out requirements with DEG</li> <li>• Agree on priorities</li> <li>• Invest in solutions / trial solutions (eg. Dragon users booths)</li> </ul>	
<b>Introduce self-care classes</b>	Pay as you go sessions for Yoga, mindfulness and healthy eating, walking routes etc.	
<b>Total Cost for approval</b>		

## Bristol City Council Equality Impact Assessment Form

(Please refer to the Equality Impact Assessment guidance when completing this form)



Name of proposal	Health and Wellbeing Plan
Directorate and Service Area	Resources
Name of Lead Officer	Mark Williams

### Step 1: What is the proposal?

Please explain your proposal in Plain English, avoiding acronyms and jargon. This section should explain how the proposal will impact service users, staff and/or the wider community.

#### 1.1 What is the proposal?

To develop and implement an organisation wide health and wellbeing plan. This plan is draft and currently in consultation phase.

The Organisational Improvement Plan sets out the overarching strategic priority to “create the conditions for everyone to perform at their best, each and every day. We will improve processes and policies, invest in health and wellbeing, and continue the development of our teams and individuals”.

Based on the OIP actions and the key areas for consideration arising from the data review the specific objectives of the 2019-20 Health and Wellbeing programme are recommended:

#### **Demonstrate organisational commitment and leadership of health and wellbeing**

##### How will we do this?

- Create a Health and Wellbeing Group
- Publish the Health and Wellbeing Programme of work
- Review the sickness absence policy
- Review the reasonable adjustments policy
- Recruit to the newly created Disability and Wellbeing Advisor role
- Improve support for agile working for those with specific needs. Scope priority areas and test improvements (e.g. booths for Dragon users)

- Develop a communications plan to publicise commitment, engagement and opportunities in health and wellbeing
- Ensure Occupational Health and EAP services are set up to run smoothly and offer the full services required

### **Increase management capability, skill and confidence in health and wellbeing**

#### How will we do this?

- Develop a programme of Health and Wellbeing leadership and management training
- Mandate the Management of Mental Health Session for all Managers and ensure that managers are clear on the health and wellbeing objectives
- Develop a new Health and Wellbeing tool to support discussions between managers and employees in Appraisals, 1:1's and any return to work following absence
- Regularly report on training uptake to ensure adequate participation

### **Raise awareness of health and wellbeing and increase participation in self-care**

#### How we will do this?

- Develop a programme of health and wellbeing training
- Create a programme of health and wellbeing events and groups and use feedback to feed into the health and wellbeing programme
- Create a health and wellbeing champion role for colleagues who will volunteer to champion Health and Wellbeing in their work area. This will include receiving Mental Health First Aid Champions Training and being a link person from the central team for communication and information and link to the Health and Wellbeing Group.
- Introduce wellbeing self-care opportunities (e.g. health and wellbeing classes, holistic therapy opportunity, health and wellbeing roadshows, health check technology)
- Support and continue to develop our Mental Health First Aiders and Champions

The draft Health and Wellbeing plan is currently out for consultation with TU

reps and DEG members.

## Step 2: What information do we have?

Decisions must be evidence-based, and involve people with protected characteristics that could be affected. Please use this section to demonstrate understanding of who could be affected by the proposal.

### 2.1 What data or evidence is there which tells us who is, or could be affected?

The following data has been reviewed:

- Occupational health referral data
- EAP contacts
- Absence data
- BCC demographic data
- DEG verbatim comments
- Employee Engagement Survey data
- Feedback from Thrive Bristol
- 80 women in the menopause listening groups

### 2.2 Who is missing? Are there any gaps in the data?

BMEG, young workers group and LGBTQ+ groups will be consulted as part of the consultation. The Employee Engagement Survey (EES) workshop will aim to include reps from these groups.

### 2.3 How have we involved, or will we involve, communities and groups that could be affected?

Included to date in consultation phase

- TU
- DEG
- Menopause listening groups
- HR
- Learning and Development
- Organisational Development
- EDI

To follow

- EES wellbeing workshop (employee reps)
- Young employees SLG
- LGBTQ+ SLG
- BMEG SLG

- Religious groups (to be identified)

### Step 3: Who might the proposal impact?

Analysis of impacts on people with protected characteristics must be rigorous. Please demonstrate your analysis of any impacts in this section, referring to all of the equalities groups as defined in the Equality Act 2010.

3.1 Does the proposal have any potentially adverse impacts on people with protected characteristics?
None identified
3.2 Can these impacts be mitigated or justified? If so, how?
N/A
3.3 Does the proposal create any benefits for people with protected characteristics?
<ol style="list-style-type: none"> <li>1. Increase organisational awareness of health and wellbeing, disability, mental ill-health</li> <li>2. Improve skill of managers to support all employees</li> <li>3. Investment in understanding workplace barriers for disabled employees</li> <li>4. Develop mechanisms to receive regular feedback from employees on what is working / needs improvement</li> </ol>
3.4 Can they be maximised? If so, how?
Develop strong links with SLG's & TUs to ensure the wellbeing work supports the protected characteristics

### Step 4: So what?

The Equality Impact Assessment must be able to influence the proposal and decision. This section asks how your understanding of impacts on people with protected characteristics has influenced your proposal, and how the findings of your Equality Impact Assessment can be measured going forward.

4.1 How has the equality impact assessment informed or changed the proposal?
TBC
4.2 What actions have been identified going forward?
Include BMEG, LGBTQ+, Young workers SLG's and Religious groups in Health and Wellbeing group and EES workshop on an ongoing consultation basis.

Terms of reference for the Health and Wellbeing Group to be amended.  
Discuss how to ensure inclusion at Health and Wellbeing Group with Head of Equalities

4.3 How will the impact of your proposal and actions be measured moving forward?

The Health and Wellbeing plan should be reviewed annually, with full consultation on the next phase of the work.

The review should include;

- demographic data,
- absence and health data,
- review of the TOR,
- review of membership of the Health and Wellbeing group to ensure it is representative
- feedback from the SLG's.

Service Director Sign-Off:

Equalities Officer Sign Off:

Date:

Date:

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

Document is Restricted

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

Document is Restricted

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

Document is Restricted

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

Document is Restricted