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# Bristol City Council Minutes of the Human Resources Committee (Zoom Meeting)

18 February 2021 at 10 am



### Members Present: -

**Councillors:** Richard Eddy, Gary Hopkins, Ruth Pickersgill, Paula O'Rourke, Jon Wellington (Chair)

**Officers in Attendance:** - John Walsh (Director Workforce & Change), Mark Williams (Head of Human Resources), David Martin (Facilities Management), Jane Taylor Head of Service (Employment, Skills & Learning), Darren Perkins (Apprenticeship Manager), Steve Gregory (Democratic Services)

### 1. Welcome, Introductions and Safety Information

The Chair welcomed all parties to the meeting and introductions were made. The Chair set out the process about the meeting being held via Zoom facility.

### 2. Apologies for Absence

No apologies had been received.

Councillor Jeff Lovell was not present.

### 3. Declarations of Interest

There were no declarations of interest.

### 4. Minutes of the previous meeting

**Resolved – that the Minutes of the previous meeting held on 17 December 2020 be agreed as a correct record.**

Matters arising:

1. That an action sheet be produced for future meetings.
2. Head of HR confirmed that Recruitment Timescales item would be included in the Work Programme for 2021/22.

### 6. Public Forum

## Questions

Name	Subject
Suzanne Audrey Q1 & Q2	Senior leadership structure changes since 2016

The answers to Questions 1 & 2, as published on the Council's website were noted.

### Supplementary Question 1

Has there been any reduction of work put out to external consultants/agencies?

The report arose from a request by members of the HR Committee to show how many senior posts there were, compared to 2016, within the Leadership Structure at present. How workloads were dealt with and managed in a wider context would be considered as appropriate.

### Supplementary Question 2

The former interim Executive Director appeared to be still working for the City Council by attending a meeting of the Temple Quarter St Philips Marsh cross party working group held on 22 January 2021, if no longer employed by the Council clarify in what capacity?

The Head of HR clarified that the former interim Executive Director no longer worked for the City Council.

Further to SQ2 the Committee was advised by the Co-Chair of the Temple Quarter St Philips Marsh cross party working group (Councillor O'Rourke) that the former interim Executive Director had considerable experience working on this project, when previously engaged by the Council, and was present at the meeting on 22 January 2021 in a private capacity, being remunerated by the Project, not the City Council. This was deemed appropriate as it retained continuity of experience and gave best value for money for the Council.

## Statements

Name	Subject
Jeff Sutton GMB	Proposed TUPE transfer of BCC staff to BWC
Tom Merchant – Bristol UNISON	Proposed TUPE transfer of BCC staff to BWC
Councillor Jo Sergeant	Outsourcing of BCC Facilities Management to BWC
Councillor Mhairi Threlfall	Pay Policy Statement & Senior Management structures

All Statements were noted, and points raised were acknowledged.

## 7. Chair's Business

The Chair explained that the TUPE transfer issues raised during the public forum session could be discussed at this point of the meeting following a verbal update from the Director of Workforce & Change.

The Director of Workforce & Change said that the proposal to transfer cleaning and security staff to the Bristol Waste Company (BWC) was first considered in 2019 by the former Commercialisation Directorate, the work

had been subsequently picked up whilst reviewing facilities management to explore improved resource opportunities by the BWC given its historical experience in this area of work. Practices were looked at by a Council Board last February to explore options and significant scrutiny by the Board was undertaken to ensure the business case was sound. The findings had subsequently been reviewed and at all time staff conditions of service were at the forefront of the work including clauses in the contract to fully protect all employees. Consultation feedback from staff had mostly been positive. The proposals included significant benefits for staff including investment in people, provision of specialist equipment, professional development and training, health & safety improvements.

Some members of the Committee felt that the reassurances given conflicted with the information they had received from individual employees and with the comments made by the trade unions in their public forum statements. This included potentially poorer terms and conditions of employment, job losses, employees not being allowed to freely speak about the changes or make representation to council meeting public forums, and lack of quality assurances such as equality procedures e.g. access to SLG's.

The Director of Workforce & Change clarified that no member of the cleaning and security staff had been asked to sign an agreement regarding disclosure of information about the proposed changes. The legal contract had clauses to protect staff fully, up to and including withdrawing from the contract if staff were treated inappropriately by BWC. At the end of the contract period it could either be extended or employees could be brought back into the employ of the Council.

The Committee was also informed that extensive individual and trade union consultations had taken place in full accordance with HR policies. This included 121 meetings between employees and management, group zoom meetings and questionnaires being sent out to employees. There had been good levels of participation from both employees and trade unions and assurances had been given regarding job protection throughout the consultation process. Further TUPE consultations would take place if Cabinet agreed the proposals and would address any ongoing concerns prior to the transfer. Existing Terms & Conditions would transfer with existing employees and would be offered to new employees.

After further discussion Members felt that the significant change to policy in this matter should have received greater in depth scrutiny prior to a report being put to Cabinet in order to enable enough time to understand and comment on the proposed changes.

It was proposed and seconded that, as there would be insufficient time for OSMB on 24 February to effectively scrutinise this issue prior to Cabinet decision on the 25 February, the Chair on behalf of the Human Resources Committee write to Cabinet recommending that the report on Delivery of Cleaning and Security be postponed for further consideration until such time as sufficient scrutiny had taken place by the OSMB.

On being put to the vote it was unanimously -

**Resolved –**

**That the Chair, on behalf of the Human Resources Committee, write to Cabinet requesting that the agenda item Delivery of Cleaning and Security Services be deferred until such time as sufficient scrutiny had taken place by the OSMB.**

## **8. Work Programme**

The Committee received and noted the updated Work Programme for 2020/21.

## 9. Pay Policy Statement

The Committee received a detailed report from the Director Workforce & Change to consider the Pay Policy Statement (PPS) for 2021/22. It was noted that the Localism Act 2011 required local authorities to agree and publish a pay policy statement annually before the start of the financial year to which the statement related to.

The Committee's attention was specifically drawn to the following points –

1. The Pay Policy introduced a new pay range to the post of Chief Executive following its creation in May 2020 and a new provision that the pay ratio between the lowest and highest earner must not exceed 1:10.
2. The proposed pay range for the post of Chief Executive was £171,500 to £182,500 with a proposed salary for the existing postholder with effect from 1 April 2021, this would mean an increase in current salary of £2,000.
3. The proposals for the pay of the Chief Executive took account of advice from external pay specialists (Korn Ferry) who highlighted that the Chief executive post should have a different pay scale to other posts.
4. The average pay of a core city Chief Executive was currently £192,000 per annum (excluding Bristol City Council);
5. Korn Ferry had confirmed that the current pay ranges for Executive Directors and Directors were in line with the market rate.
6. The Pay Policy had been updated to reflect the introduction of the Exit Cap to limit exit payments however on 12 February 2021 the Government had revoked this, new legislation would replace this. The Council's constitutional arrangements in relation to exit payments would therefore continue to apply.

The Committee then received a summary of the report from Korn Ferry representatives Abul Uddin and Matthew Wilton.

Key points highlighted during discussion were –

1. Noted that some members of Council for the last three years had consistently voted against the PPS as it was considered that the bandings were heavily weighted at rewarding senior leaders at the expense of the rest of the organisation.
2. There was currently no cap or restrictions on remuneration for Director posts or external consultants.
3. Concern that the extra pay for the Chief Executive post, whilst modest, could lead to a further increase and this could further lead to increases in senior officers pay generally. It was clarified that the HR Committee would have a role overseeing a further pay rise of the CX post.
4. Senior officers and consultants were consistently in a better position than employees lower down in the organisation in terms of how they were treated.
5. Proper recognition for rewarding staff was appropriate, especially having regard to recruitment and retention, so the proposal to increase the Chief Executive pay was in line with the new pay range for the new post of Chief Executive. Noted that it was a Council decision to create the post of Chief Executive and so the situation

was not about a pay rise rather that the role must have the correct remuneration which in this case was the lowest point on the pay scale.

6. Regarding employing consultants, the Council now had a new strategic partner engaged to limit the use consultants to resolve this issue in relation to capital schemes in particular. Regarding employees working outside normal hours, as highlighted during public forum, this was something that the Committee could review soon. Regarding Chief Executive pay this was a post reinstated by the Council and so could not allow a pay anomaly in terms of the basic pay of the grade of the post.

It was then moved and seconded that the Pay Policy Statement and the recommendations as set out in the report be accepted.

On being put to the vote there were three in favour and two against. Therefore, the motion was carried.

#### **Resolved –**

- 1. That the Human Resources Committee recommend to Full Council, that the Pay Policy Statement 2021/22 take effect from 1 April 2021.**
- 2. That the annual salary of £171,500 for the Chief Executive to take effect from 1 April 2021, subject to Full Council approval of the Pay Policy Statement on 16 March 2021, be approved.**

*Councillor Eddy left the meeting at this point*

#### **9. Senior Leadership Structure Changes since 2016**

The Committee received a detailed report from the Director Workforce & Change which provided the committee with a summary of the changes to the Council's senior leaderships structure since 2016.

The Committee noted that Senior leadership costs had reduced by £941k per annum since 2016 and the number of senior leadership roles within the Council had reduced from 25.2 FTE to 15 FTE since 2016. Interim staff were no longer currently employed, this had achieved significant cost savings.

Key points highlighted during discussion were –

1. Recent pandemic had put extra pressure on officers' lower tiers in the organisation, this needed to be looked at by the HR Committee. Terms of Reference need be amended to fully include lower tiers.
2. Important to look at differentials in pay and conditions in other tiers within the Council.
3. Reduction in senior posts welcomed but work of external consultants should also be included as part of the overall pay structure. HR Committee to have oversight of these costs where salaries were paid directly by the Council. Noted that the Councils strategy was to reduce consultancy costs. A report would be brought to the HR Committee on this.
4. Members were advised that other committees of the Council oversaw aspects relating to the engagement of consultants ie, Audit Committee, Scrutiny Commissions.

5. Important that all ToR's for committees were specific to each committee to ensure absolute clarity and avoid cross over of functions.

**Resolved – That the report be noted.**

## **10. Covid-19 – update**

The Committee received an update report from the Director Workforce and Change in respect of the Covid-19 crisis which had been identified as the most significant incident the Council had faced in living memory and to which it had responded quickly and effectively.

The Committee noted that a program for all eligible staff to receive vaccinations had been rolled out i.e., staff working in care settings or where they visit people in their homes. Also, lateral flow testing had been offered to staff where they could not work from home.

Arising from questions the following points were clarified –

1. Furloughed staff that had been successfully redeployed and those that remained on furlough would return to their substantive posts once the Covid-19 crisis was over and there were no plans to reduce staff. If for any reason furlough needed to be extended the Committee was assured that all staff would be looked after.
2. Regarding carers leave the Committee was advised that this had been increased from six to twenty days per annum for the period October 2020 to March 2021 and that would remain in place, at the end of March the Council would review arrangements with the emphasis of giving continuing support to staff. Noted that up to the end of September staff had been able to take as much carers leave as was necessary.
3. There had been a positive response to take up of vaccinations amongst care staff and where needed encouragement was given whilst fully acknowledging that for reasons such as pregnancy this was not always possible.
4. Concern was expressed that some care staff might not want to take up a vaccination offer and if so it was asked that residents in care homes and people in their own homes should be made aware of this. The Head of HR confirmed that such disclosure would need to be clarified and undertook to investigate this.

**Resolved – That the Covid-19 update report be noted.**

## **11. Apprenticeships - Annual Review**

The Committee received a detailed report from the Director Education Learning and Skills providing an update on the progress of the Council's apprenticeship provision for departmental staff and staff employed within maintained schools and the progress that had been made on developing the Bristol Apprenticeships offer, levy funding and joint working needed to embed apprenticeships as a primary source of staff development and training aligned to workforce planning.

The Committee noted the following key points –

1. There had been 429 apprenticeships in total since May 2017.
2. The Covid-19 crisis had impacted on apprentice starts.
3. The Levy spend was £1.3m against contributions of £3.9m.
4. Levy funds expired at £583k.
5. The number of recruits had been significantly reduced during the Covid-19 crisis.
6. The growth in numbers of starts had been encouraging.

Arising from questions the following points were clarified/made –

1. Concern was expressed that young people might be missing out on career advice and apprenticeships, particularly the impact on the BAME community. It was asked if the Levy fund surplus could be used to provide additional staff resource. The Committee was informed that the Levy fund was not able to be used for the funding of additional staff unless costs related directly to the apprenticeship programme. However, there were other sources of funding available involving perhaps the West of England Combined Authority, that might be able to support further work especially for small and medium sized employers which formed the major source of apprenticeship employment.
2. Spending of Levy fund money was very restricted as it was primarily focused on training, and it was recognised that there were many barriers to the unlocking of funding. This was something being experienced across the City and other local authorities in the south west of England.
3. It was noted that the Bristol Waste company managed its own apprenticeship scheme.
4. There were several ideas and suggestion to resolve the funding impasse and members of the committee felt that further discussion should take place after the meeting to find areas where real progress could be made.

**Resolved – That the update report be noted.**

**CHAIR**

Meeting ended at 12.10 pm