



REPORT TO:	Council
DATE:	22 May 2024
SUBJECT:	Workforce Terms and Conditions alignment across the South & East Lincolnshire Councils Partnership
PURPOSE:	To bring forward the process for aligning Terms and Conditions and to agree to commence delivery.
PORTFOLIO HOLDER:	Councillor Craig Leyland, Leader of the Council
REPORT OF:	James Gilbert, Assistant Director - Corporate
REPORT AUTHOR:	James Gilbert, Assistant Director - Corporate
WARD(S) AFFECTED:	N/a
EXEMPT REPORT	N/a

SUMMARY

The Business Case approved by the Councils when the South & East Lincolnshire Councils Partnership formed identified the opportunity to align workforce Terms and Conditions across the Partnership. This was also identified as being important in the findings of the Partnership's LGA Peer Review and the Partnership's 2023 joint scrutiny.

The alignment of Terms and Conditions, as far as possible, is an identified action in the 2024/25 approved Partnership Alignment and Delivery Plan.

This report brings forward a process for moving towards greater alignment. To facilitate this programme of activity there will be a number of workforce and Union consultations that will be required due to the complexity of existing Terms and Conditions.

RECOMMENDATIONS

a) That Council delegates authority to the Head of Paid Service to:

1) review, determine phasing, and undertake consultation(s) on revised workforce Terms

and Conditions of employment to seek greater alignment across the South & East Lincolnshire Councils Partnership, subject to financial thresholds; and

2) implement revised Terms and Conditions after each phase.

b) That, following completion of the consultation(s), delegated authority be granted to the Head of Paid Service to revise HR policies as might be required to facilitate alignment.

REASONS FOR RECOMMENDATIONS

- At present there are variations to Terms and Conditions of employment across the Partnership Councils. With shared teams now in place in several Directorates, a shift towards a more common suite of Terms and Conditions of employment is required. This also supports recruitment and retention.
- To deliver on the Partnership's Business Case, the Peer Review and scrutiny recommendations and the approved Alignment and Delivery Plan action.

OTHER OPTIONS CONSIDERED

Do nothing – this is an option, however, in terms of managing service delivery and employee relations in shared teams, it would be helpful to have closely aligned/the same Terms and Conditions across the Councils. This is also important culturally for the Partnership.

1. BACKGROUND

- 1.1 In 2021 the South & East Lincolnshire Councils Partnership formed. The Partnership's Business Case identified an opportunity to align workforce Terms and Conditions across the Partnership. Greater alignment was also identified as being important in the Partnership's Peer Review findings and the 2023 Partnership scrutiny.
- 1.2 The alignment of Terms and Conditions, as far as possible, is an identified action in the Partnership's Alignment and Delivery Plan 2024/25.
- 1.3 At present the Councils have similar Terms and Conditions but there are variances in some key areas. As more teams gradually merge across the Partnership Councils, moving to a more common suite of Terms and Conditions for employees will be important from an employee relations perspective.
- 1.4 This report brings forward the proposed approach to Terms and Conditions alignment.

2. REPORT

- 2.1 Over recent months, a detailed piece of work has been undertaken by colleagues in PSPS HR to map the Terms and Conditions across the three Councils. The approach has been to

understand in detail the differences in the Terms and Conditions currently offered.

2.2 The starting point for any alignment of Terms and Conditions - excluding pay, which is a separate piece of work already underway – is, where possible, to seek to move the workforce to the most advantageous of the individual Terms and Conditions currently offered by the Councils.

2.3 In undertaking the work, it has been possible to identify the Terms and Conditions that can be aligned quickly and those that will take more time due to complexity and/or cost.

2.4 The table below sets out the Terms and Conditions likely to be aligned in Phase 1, which would commence in June/July 2024.

Reference	Boston only phase concluded end Feb 2024	Potential Phase 1 Terms & Conditions	Phase 1 Summary of changes to be consulted upon
1	BBC Only - Removed 2 Days waiting in Absence Sickness policy.		
2	BBC Only – Introduced Payment of Subscription and Professional fees identified as an essential requirement of the role.		
3		Emergency dependents leave	Align to ELDC - 3 days paid and reasonable amount of time off unpaid.
4		Fertility treatment	Align to ELDC - 7 days paid time off
5		Compassionate leave	Align to BBC - 7 days full pay and 20 days unpaid.
6		Purchase annual leave	Align to ELDC - 10 days per annum can be requested at the beginning of the calendar year (January & February) with deduction from salary spread across the following financial year April to March
7		Paternity leave	Align to ELDC & SHDC – Employees who qualify for Statutory Paternity Leave (SPL) and Statutory Paternity Pay (SPP) will receive either: <ul style="list-style-type: none"> • 2 weeks paid Leave (SPP) OR <ul style="list-style-type: none"> • 1 Week paid SPP and 1 week Council enhanced pay (full pay)
8		Pay date	Align to ELDC & SHDC - BBC is paid on 22 nd of the month and ELDC and SHDC are paid on 23 rd of month.

9		Incremental progression	<p>Align approach to incremental progression, which would mean all employees would receive an increment each April unless at top of grade (except Chief Officers who have their own performance related arrangements).</p> <p>For new starter's contracts, there will be no ability to have two increments in the first year as may have been the case previously depending on start date.</p>
10		Sick Pay	<p>Absences during 1st year of employment 1 month of full pay and for those with more than 4 months service align to BBC's 2 months full pay and 2 months half pay.</p> <p>Absences during 2nd year of employment align to BBC on 4 months full pay and 4 months half pay.</p> <p>Absences during 3rd year of employment (all currently aligned) 4 months full pay and 4 months half pay.</p> <p>Absences during year 4 & 5 of employment align to ELDC & SHDC 5 months full pay & 5 months half pay.</p> <p>Absences during and after 6 years of employment align to ELDC & SHDC 6 months full pay and 5 months half pay.</p>
11		Long service awards	<p>Implement a revised and consistent policy for the three Councils.</p>
12		Career break	<p>Align to ELDC - all employees with over 5 years continuous service are eligible to apply for an unpaid career break to pursue other interests for up to 12 months.</p>
13		Subscription and professional fees review	<p>This is primarily a review to ensure wording is consistent for all 3 Councils. The main difference (no provision for BBC) has been aligned during the consultation with BBC employees in February 2024.</p>

- 2.5 There is negligible financial impact resulting from the proposed changes to Terms and Conditions in Phase 1 (3 to 13) and any small impact that might arise can be contained within existing budgets. If a future phase has financial impacts of significance to the Council, this would be considered via the relevant decision-making process.
- 2.6 In seeking to align Terms and Condition, the Councils, via the Head of Paid Service, will need to consult the workforce and Trade Unions. Employees and Trade Unions know this work is underway. Employees and Trade Unions have been briefed that a report will be taken to Council for consideration.
- 2.7 Due to the requirement for consultation when implementing workforce Terms and Conditions, this report seeks Council's approval to delegate authority to the Head of Paid Service to consult the workforce and Trade Unions and take forward the implementation of revised Terms and Conditions thereafter, having considered consultation feedback.
- 2.8 Future phases of Terms and Conditions alignment would also be delegated to the Head of Paid Service, subject to financial impact, through the recommendations in this report.
- 2.9 The following Terms and Conditions would be those in the scope of future phases:
- Travel and Subsistence
 - Annual Leave Entitlements
 - Employer Notice Period
 - Car Loans/Assisted Vehicle Schemes
 - Pay Protection Policy
 - Redundancy Pay
 - Any remaining time off provisions not already aligned
 - Overtime and enhancement rates/shift pay
 - Allowances
 - Discretionary Pay – market supplements, upper banding etc
 - Call Out provisions
 - Mobility Clauses
 - Relocation/Disturbance Allowance
 - Training/Study Fees
 - Flexi Time
 - Injury Award Scheme
 - Secondments
 - Private Health Care
 - Essential Car User
- 2.10 The Partnership's Stakeholder Board (Leaders, Deputy Leaders and Finance Portfolio Holders) has met and supported the alignment approach for Phase 1. The Board will be consulted as the future phases come forward.
- 2.11 Whilst it is expected that the proposed revisions to Terms and Conditions will be welcomed by the workforce given the intention is to align to the 'best of' the three Councils where alignment takes place, it is possible that the Councils could dismiss and reengage colleagues

if they aren't willing to accept the Terms and Conditions proposed post consultation.

- 2.12 Boston Borough Council has already made amendments to two of its Terms and Conditions, which has brought greater Partnership alignment to Sick Pay and Professional Subscriptions (items 1 and 2 in the table at 2.4).
- 2.13 As referenced at 2.2 in this report, and already approved in principle by Members in the Partnership Alignment and Delivery Plan 2024/25, Officers are undertaking work to compare the three sovereign Council Job Evaluation Schemes to understand how the Partnership might move forward on the matter of pay. This is separate to Terms and Conditions. Once this is completed and options considered, a further report will come forward for consideration.

3. CONCLUSION

- 3.1 Moving forward with a review of workforce Terms and Conditions is positive for the Partnership and supports the service review process which is bringing teams together from across the Partnership Councils.

EXPECTED BENEFITS TO THE PARTNERSHIP

Aligned Terms and Conditions of employment were identified for delivery within the Partnership Business Case as it was recognised moving this forward would be important as teams come together through service reviews.

IMPLICATIONS

SOUTH AND EAST LINCOLNSHIRE COUNCILS PARTNERSHIP

As at 'Expected Benefits to the Partnership'

CORPORATE PRIORITIES

The Partnership Sub-regional Strategy has the priority of Efficiency and Effectiveness. This includes the alignment of service provision and policies.

STAFFING

The delivery will be undertaken by the Council's HR provider, PSPS. This will be a project that is identified as a priority for PSPS.

WORKFORCE CAPACITY IMPLICATIONS

The alignment of Terms and Conditions will require support from Managers across the Partnership Councils. This may create some short-term service management pressures but is to be managed locally.

CONSTITUTIONAL AND LEGAL IMPLICATIONS

Amendment of employee Terms and Conditions of service must be undertaken with appropriate consultation, where required, before Terms and Conditions can be amended. Subject to this there should be no other legal implications.

DATA PROTECTION

None arising directly from this report.

FINANCIAL

As set out in paragraphs 2.5, 2.8 and 2.13 the financial implications will either be constrained within existing budgets/approval limits or subject to further reports.

RISK MANAGEMENT

This will be delivered by the Council's HR service provider, PSPS. As our HR experts the company will help manage and mitigate any risks that arise from amendments to Term and Conditions of employment.

STAKEHOLDER / CONSULTATION / TIMESCALES

Consultation will take place with the workforce and Trade Unions as the revised Terms and Conditions are brought forward. Timescales for each phase are still to be developed but commencement of phase 1 is likely to be June/July 2024.

REPUTATION

A phased move to align Terms and Conditions across the Partnership Councils will hopefully be positively received by the workforce and Trade Unions.

CONTRACTS

This will impact contracts of employment.

CRIME AND DISORDER

None.

EQUALITY AND DIVERSITY/ HUMAN RIGHTS/ SAFEGUARDING

These will all be matters for consideration as the Terms and Conditions review is undertaken. Where necessary, Equality Impact Assessments will be undertaken.

HEALTH AND WELL BEING

Some of the Terms and Conditions to be aligned will have a positive impact on workforce wellbeing.

CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

None

LINKS TO 12 MISSIONS IN THE LEVELLING UP WHITE PAPER

None

ACRONYMS

APPENDICES

Appendices are listed below and attached to the back of the report: -

N/a

BACKGROUND PAPERS

Background papers used in the production of this report are listed below: -

Document title	Where the document can be viewed
Partnership Business Case	www.selcp.co.uk

CHRONOLOGICAL HISTORY OF THIS REPORT

Name of body	Date
N/a	

REPORT APPROVAL

Report author:	James Gilbert, Assistant Director - Corporate
Signed off by:	Rob Barlow, Chief Executive
Approved for publication:	Councillor Craig Leyland, Leader of the Council