



BASSETLAW

DISTRICT COUNCIL
NORTH NOTTINGHAMSHIRE

JOINT EMPLOYEE COUNCIL

AGENDA

Meeting to be held in
Ceres Suite,
Town Hall, Worksop

on

Tuesday, 21st September 2010

at

2.30 p.m.

**PLEASE NOTE PRE-MEETING WILL COMMENCE
AT 1.45 P.M.**

(Please note later start time of meeting)

(Please turn off mobile telephones during meetings - In case of emergency Members can be contacted on the Council's mobile telephone)

Bassetlaw - Serving North Nottinghamshire

District Council Offices, Potter Street, Worksop, Notts. S80 2AH.

JOINT EMPLOYEE COUNCIL

Membership 2010/11

Councillors C. Entwistle, J. W. Holland, Mrs. S. Isard, G. A. N. Oxby,
Mrs. V. Wanless

Substitute Members: In the event of any member of either side being unable to attend any meeting, another representative may be appointed to attend in his/her place, provided that the substitute is drawn from the same area of representation as the member unable to attend

Quorum: 2 Members

Lead Officer for this Meeting

Mr. L. Hull - Ext. 4136

Administrator for this Meeting

Linda Dore - Ext. 3249

JOINT EMPLOYEE COUNCIL

Tuesday, 21st September 2010

AGENDA

1. APOLOGIES FOR ABSENCE
2. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS
(Members' and Officers' attention is drawn to the attached notes and form)
 - (a) Members
 - (b) Officers
3. MINUTES OF MEETING HELD ON 22ND JUNE 2010* (pages 1-5)
4. MINUTES FOR ACTION * (page 7-8)
5. OUTSTANDING MINUTES LIST * (page 9)

SECTION A – ITEMS FOR DISCUSSION IN PUBLIC

Key Decisions

None

Other Decisions

6. REPORT(S) OF THE EMPLOYER'S REPRESENTATIVES *
 - (a) Corporate E-Induction + (*Presentation by J Rodriguez*)
 - (b) Review of Joint Employee Council Constitution (pages 11-18)
 - (c) The Equality Act 2010 (pages 19-22)
 - (d) Paternity and Adoption Leave Policy (pages 23-31)
 - (e) Apprenticeship Programme Information (pages 33-35)
7. REPORT(S) OF UNISON, BASSETLAW LOCAL GOVERNMENT BRANCH *
 - (a) Cycle to Work – Save Everyone Money! (pages 37-38)

Exempt Information Items

The press and public are likely to be excluded from the meeting during the consideration of the following items in accordance with Section 100A(4) of the Local Government Act 1972.

SECTION B - ITEMS FOR DISCUSSION IN PRIVATE

Key Decisions

None

Other Decisions

8. REPORT(S) OF THE EMPLOYERS REPRESENTATIVES *
 - (a) Review of Agency Workers (pages 39 - 48)
9. ANY OTHER BUSINESS WHICH THE CHAIRMAN CONSIDERS TO BE URGENT

- * Report attached
- + Presentation/verbal report

NOTES:

1. The papers enclosed with this Agenda are available in large print if required.
 2. Copies can be requested by contacting us on 01909 533249 or by email:
linda.dore@bassetlaw.gov.uk
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DECLARATION OF INTEREST

COMMITTEE

DATE

NAME OF MEMBER :

Levels of Interest

- 1. Personal
- 2. Personal and prejudicial

| Agenda Item No. | REASON * | Level of Interest (1 or 2) |
|-----------------|----------|----------------------------|
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| Signed | | |
| Dated | | |

Note:

* When declaring an interest you must also state clearly the reason for your declaration.

Completion of this form is to aid the accurate recording of your interest in the Minutes. The signed form should be provided to the Minuting Clerk at the end of the meeting.

A nil return is not required.

It is still your responsibility to disclose any interests which you may have at the commencement of the meeting and at the commencement of the appropriate Agenda item.

DECLARATION OF INTERESTS

HOW TO USE THIS FORM

There are now only two types of Declaration of Interest:

| | | |
|------------------------------------|---|--|
| Level 1 – Personal |) | Details can be found in the Councillors |
| |) | Code of Conduct which is contained in |
| Level 2 – Personal and Prejudicial |) | the Council's Constitution (a summary is |
| |) | printed below) |

Upon receipt of the attached form you will need to enter the name and date of the Committee and your own name. By looking at the Agenda you will no doubt know immediately which Agenda Items will require you to make a Declaration of Interest.

Fill in the Agenda Item number in the first column of the form.

Enter the subject matter and any explanations you may wish to add in the second column.

In the third column you will need to enter **either** level 1 if you are declaring a personal interest, **or** level 2 if you are declaring a personal and prejudicial interest.

The form must then be signed and dated. Please remember that if during the actual meeting you realise that you need to declare an interest on an additional Agenda Item number please simply amend the form during the meeting.

The form must be handed into the Committee Administrator at the end of the meeting.

NB. The following is a summary prepared to assist Members in deciding at the actual meetings their position on INTERESTS it is not a substitute for studying the full explanation regarding INTERESTS, which is contained in the Council's Constitution and the Code of Conduct for Councillors, which is legally binding.

Members and Officers are welcome to seek, **PREFERABLY WELL IN ADVANCE** of a meeting advice from the Council's Monitoring Officer on INTERESTS.

Personal Interests

May relate to employment or business interests
May relate to property interests
May relate to contents
May relate to interests in other bodies
OR if a decision on the matter to be discussed:
MIGHT REASONABLY BE REGARDED AS AFFECTING (A MEMBER OR OFFICER) TO A GREATER EXTENT THAN OTHER COUNCIL TAX PAYERS, RATEPAYERS OR INHABITANTS OF THE AUTHORITY'S AREA, the well being or financial position of himself, a relative or a friend or any employment, business, interest, etc. of such a person.

Prejudicial Interests

A Member with a personal interest **ALSO** has a prejudicial interest if a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Members judgement of the public interest.
(Note – there are special provisions which may exclude the above provisions in certain circumstances.)

Action to be Taken – Personal Interests

Must disclose to the meeting
- existence of the interest
- the nature of the interest

Action to be Taken – Personal and Prejudicial Interests

Must:-
- declare existence and nature
- withdraw from the room
- not seek improperly to influence a decision on the matter.
(Note – there are some exceptions when acting in a scrutiny capacity.)

JOINT EMPLOYEE COUNCIL

Minutes of the meeting held on Tuesday, 22nd June 2010 at Retford Town Hall

Present:

Employer's Representatives

Councillors D Challinor, J W Holland, B Hopkinson, Mrs S Isard, I Jones, J B Rickells and Miss M Stokes.

Employee Representatives:

K Circuit, A Dainty, M Glascott, L Marsh and R Parr

Officers in attendance: L Dore, L Hull.

ACTION BY:

1. NOMINATIONS FOR ELECTION OF CHAIRMAN

RESOLVED that Councillor J W Holland be appointed Chairman of the Joint Employee Council for the ensuing year.

(Councillor Holland in the Chair).

2. NOMINATIONS FOR APPOINTMENT OF VICE-CHAIRMAN

RESOLVED that Mr K Circuit be appointed Vice-Chairman of the Joint Employee Council for the ensuing year.

3. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors G A N Oxby and Mrs V Wanless. Also from Employee Representatives, D Harwood, A McLoughlin and J Rose.

The Chairman welcomed new Employee Representatives to the meeting.

4. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

(a) Members

There were no declarations of interest by Members.

(b) Officers

There were no declarations of interest by officers.

5. MINUTES OF MEETING HELD ON 9th MARCH 2010

RESOLVED that the Minutes of the meeting held on 9th March 2010 be approved.

6. MINUTES FOR ACTION

RESOLVED that the Minutes for Action be received.

7. OUTSTANDING MINUTES LIST

There were no items on the Outstanding Minutes List and the Chairman commented that this was commendable and showed the great spirit of co-operation that now existed between the Employer's and Employees Representatives.

RESOLVED that the Outstanding Minutes List be approved.

8. REPORT(S) OF THE EMPLOYER'S REPRESENTATIVES

(a) Learning and Development Progress Report

The Head of Human Resources presented a report which informed members of the progress to date on learning and development and highlighted future activities.

Following an assessment between 29th June and 2nd July 2009, the Council has retained the Investors in People Award for a further three years. To further improve learning and development, a number of projects have been implemented, including a management competency framework, an electronic appraisal system and an e-induction initiative. The Head of Human Resources highlighted an increase of 7.9% on appraisal completion and 100% corporate course requests being approved as a result of improvements. In addition, courses and training is being provided cost effectively compared to the national average.

Further projects are planned including leadership development programmes, apprenticeship opportunities and succession planning.

Questions were asked regarding the length of apprenticeships and retention of apprentices. The Head of Human Resources advised the programme length would depend on the area of work and that it was hoped a succession plan meant that apprentices could be retained, however, there could not be a contract to 'tie' them to the Council on completion of an apprenticeship.

A Member suggested that in order to advertise and promote the Council as an employer, contact should be made with local secondary schools to let them know of the apprenticeships that will be available.

RESOLVED that:

1. The report be noted.
2. An invitation be issued to the Investors In People (IIP) assessor to review the authority in twelve months to evaluate the impact of the improvements and changes that will be adopted in response to the 2009 audit and to ensure that the organisation is on target to meet and exceed the IIP standard in 2012.
HHR
3. The projects outlined in 3.4 of the report be delivered to achieve further improvements to support the IIP pre-assessment audit in June 2011.
HHR
4. The e-induction programme be presented to the next meeting of the Joint Employee Council for the committee to view.
HHR
5. The Head of Human Resources contact local secondary schools to promote the Council as an employer and the availability of apprenticeship opportunities.
HHR

(b) 'Well-Being at Work Award Scheme'

The group were presented with a report which provided information on the 'Well-being at Work Award Scheme' and gave an update in respect of further initiatives in support of the over-riding objective to improve the health and well-being within the workplace.

The Head of Human Resources advised that excellent progress is being made in reducing the levels of sickness absence now assisted by the 'Day 1' Absence Management Programme. In addition, the Council is now working in partnership with Bassetlaw PCT and have signed up to a 'Well-being at Work Award Scheme' which will provide a structured opportunity to promote health in the workplace. There are six key programme themes at three different levels. The Council are currently working towards the Bronze level of the Scheme before progressing onto Silver and then Gold.

The report noted that the level of sickness absence for 2009/10 was 8.6 days, however the Head of Human Resources advised that this had further improved and for April 2010 was 5.8 days and for May was further reduced to 4.7 days.

RESOLVED that:

1. The report be received.
2. The 'Well-being at Work Award Scheme' be supported and further initiatives to improve health and well-being be pursued to strengthen the perception of the Council as a proactive caring employer.

HHR

(c) Paternity and Adoption Leave Policy

The Head of Human Resources presented a draft Paternity and Adoption Leave Policy document which has been produced to clarify entitlement and advise how it can be requested. The Policy complies with current legislation, (Paternity and Adoption Leave (Amendment) Regulations 2006), and will ensure a consistent approach to paternity and adoption leave throughout the Council.

RESOLVED that:

1. The draft Paternity and Adoption Leave Policy be received.
2. Consultation to commence on the draft Policy between the Employers and Employees Representatives and be brought back to the next Joint Employee Council prior to presentation to Cabinet.

HHR

SECTION A – ITEMS FOR DISCUSSION IN PUBLIC

Key Decisions

None.

Other Decisions

9. REPORT(S) OF UNISON, BASSETLAW LOCAL GOVERNMENT BRANCH

(a) Regular Financial Updates

The Branch Secretary of Unison/Vice-Chairman presented a report which requested regular formal meetings with Senior Officers of the Council to discuss and be appraised on finance matters, given the possible implications of future public spending cuts.

The Head of Human resources commented that the Director of Resources was agreeable to such meetings taking place in addition to the quarterly meetings that the union currently has with the Chief Executive.

The Chairman commented that openness and transparency was key to good employer/employee relations.

RESOLVED that:

1. The report be received.
2. The Joint Employee Council agrees that the Senior Officers of the Council meet with Trade Union officials on a bi-monthly basis to discuss the financial situation of the Council and its possible implications.

HHR/Unison

10. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RESOLVED that, in accordance with Part 1 of Schedule 12A of the Local Government Act 1972, and after considering the public interest test as set out by the officer in the body of the report, Members agree that the following items of business involve the likely disclosure of exempt information as defined in Paragraph 4, and, therefore, in accordance with Section 100A of the Act, the press and public be excluded from the meeting:

Agenda item 10(a) – Review of Agency Workers – Paragraph 4

SECTION B – ITEMS FOR DISCUSSION IN PRIVATE

Key Decisions

None.

Other Decisions

11. REPORT(S) OF THE EMPLOYERS REPRESENTATIVES

(a) Review of Agency Workers

Members were updated on the use of agency workers for the period 1st January 2010 to 31st March 2010.

The Head of Human Resources advised that there had been a significant reduction in the use of agency workers. This was most notable in Environment Services where intervention from the Joint Employee Council had led to investigation resulting in some former agency staff becoming permanent employees. A message from the Environment Services Manager advised that he expected the number of agency workers will show a further reduction during the next reporting quarter. Agency workers will still be used when absolutely necessary.

In response to a query, the Head of Human Resources informed the Joint Employee Council that the interviews for a replacement Council Solicitor would be held shortly.

RESOLVED that:

1. The report be noted.
2. Thanks be recorded to all those involved in the achievement of reducing the number of agency workers the Council uses and in particularly in the Environment Services unit.

12. ANY OTHER BUSINESS WHICH THE CHAIRMAN CONSIDERS TO BE URGENT

As there was no other urgent business to discuss, the Chairman closed the meeting.

MINUTES FOR ACTION AND IMPLEMENTATION SHEET

JOINT EMPLOYEE COUNCIL

22/06/10

FROM: Senior Democratic Services Officer TO: Head of Human Resources

The following decisions are brought to your attention for action by the appropriate Officers within your Service.

8. **REPORT(S) OF THE EMPLOYER'S REPRESENTATIVES**

a) **Learning and Development Progress Report**

RESOLVED that:

2. An invitation be issued to the Investors in People (IIP) assessor to review the authority in twelve months to evaluate the impact of the improvements and changes that will be adopted in response to the 2009 audit and to ensure that the organisation is on target to meet and exceed the IIP standard in 2012.

Head of Human Resources

3. The projects outlined in 3.4 of the report be delivered to achieve further improvements to support the IIP pre-assessment audit in June 2011.

Head of Human Resources

4. The e-induction programme to be presented to the next meeting of the Joint Employee Council for the committee to view.

Head of Human Resources

5. The Head of Human Resources contact local secondary schools to promote the Council as an employer and the availability of apprenticeship opportunities.

Head of Human Resources

b) **'Well-being at Work Award Scheme'**

RESOLVED that:

2. The 'Well-being at Work Award Scheme' be supported and further initiatives to improve health and well-being be pursued to strengthen the perception of the Council as a proactive caring employer.

Head of Human Resources

c) **Paternity and Adoption Leave Policy**

RESOLVED that:

2. Consultation to commence on the draft Policy between the Employer's and Employees Representatives and be brought back to the next Joint Employee Council prior to presentation to Cabinet.

9. REPORT(S) OF UNISON, BASSETLAW LOCAL GOVERNMENT BRANCH

a) Regular Financial Updates

RESOLVED that:

2. The Joint Employee Council agrees that the Senior Officers of the Council meet with Trade Union Officials on a bi-monthly basis to discuss the financial situation of the Council and its possible implications.

Head of Human Resources/Branch Secretary of Unison

JOINT EMPLOYEE COUNCIL

Tuesday, 21st September 2010

OUTSTANDING MINUTES LIST

Members please note that the updated positions are shown in bold type following each item.
*(HHR = Head of Human Resources, BSU = Branch Secretary of Unison, HRBM = Human Resources Business Manager,
 ESM = Environmental Services Manager)*

| <u>Min. No.</u> | <u>Date</u> | <u>Subject</u> | <u>Decision</u> | <u>Officer Responsible</u> |
|------------------------|--------------------|--|--|-----------------------------------|
| 8(a) | 22.06.10 | Learning and Development Progress Report See Agenda Item No 6(a) | 4) The e-induction programme be presented to the next meeting of the Joint Employee Council | HHR |
| 8(c) | 22.06.10 | Paternity and Adoption Leave Policy | 2) Consultation to commence on the draft Policy between the Employers and Employees Representatives and be brought back to the next Joint Employee Council prior to presentation to Cabinet. | HHR/ BSU |
| | | See Agenda Item No 6(d) | | |

BASSETLAW DISTRICT COUNCIL

JOINT EMPLOYEE COUNCIL

21 SEPTEMBER 2010

REPORT OF THE HEAD OF HUMAN RESOURCES

REVIEW OF JOINT EMPLOYEE COUNCIL CONSTITUTION

Cabinet: Policy
Contact: Len Hull
Ext. 4136

1. Public Interest Test

- 1.1 Len Hull, Head of Human Resources and author of this report, has determined in preparing this report that the matter is not confidential.

2. Purpose of the Report

- 2.1 To update members of the Joint Employee Council on relevant changes to the Constitution agreed by Council on 12 July 2010, and give an opportunity for discussion and comment.

3. Background and Discussion

- 3.1 A comprehensive review of the Council's Constitution has been undertaken, and amendments were approved by the Council on 12 July 2010.
- 3.2 In particular, the Constitution sets out the parameters within which the formal consultation arrangements operate through the Joint Employee Council, and these parameters have been revised and updated to reflect the significant staffing reductions that have occurred since the Constitution was last revised. The review also provided an opportunity to give greater clarity to certain sections. The major changes are set out in detail in the attached table at Appendix 1, and the revised section is attached in full at Appendix 2.
- 3.3 A subsequent review of the operation of the Joint Employee Council was agreed with the Head of HR and Organisational Development and the Branch Secretary of Unison, and this report is intended to facilitate this.

4. Implications

- a) For service users

The changes provide for a more efficient consultation process which allows greater resources to be allocated to service provision.

- b) Strategic & Policy
As contained within the report.
- c) Financial – Ref: 11/458
No direct financial implications.
- d) Legal – Ref: 251/09/10
Regulatory and constitutional requirements prescribe procedure to be observed and followed.
- e) Human Resources
The amendments will ensure that appropriate consultation with employee representatives is carried out.
- f) Community Safety, Equal Opportunity, Environmental
There are none in this report.
- g) Whether this is a key decision, and if so the reference number.
Not applicable.

5. Options, Risks and Reasons for Recommendations

5.1 Option 1

That members of the Joint Employee Council review the information provided within this report and at Appendices 1 and 2, familiarise themselves with the changes, and provide any comments.

6. Recommendations

- 6.1 That the Joint Employee Council notes the information contained within this report and approves Option 1 above.

Background Papers
Bassetlaw District Council Constitution

Location
Law and Scrutiny Team

MAIN CHANGES TO CONSTITUTION JULY 2010 – JOINT EMPLOYEE COUNCIL

| Section | Previous Version | Current Version | Reason for Change |
|-------------|--|---|--|
| Composition | <ul style="list-style-type: none"> ○ Membership comprised 8 elected members and 8 employee representatives ○ Quorum of 3 representatives comprising membership from both sides | <ul style="list-style-type: none"> ○ Membership comprises 5 elected members and 5 employee representatives (4 Unison and 1 GMB) ○ 1 employee representative, 1 employer representative (member) and 1 officer shall constitute a quorum | <ul style="list-style-type: none"> ○ To reflect the reductions in the workforce ○ Greater clarity on specific requirements to be quorate |
| Purpose | <ul style="list-style-type: none"> ○ Lack of clarity on the purpose of the JEC as a formal consultative body | <ul style="list-style-type: none"> ○ Purpose of the JEC clarified and defined | <ul style="list-style-type: none"> ○ Greater clarity |
| Voting | <ul style="list-style-type: none"> ○ One vote per member of the JEC | <ul style="list-style-type: none"> ○ One vote per side | <ul style="list-style-type: none"> ○ Opportunity for greater clarity on each side's position regarding specific issues |

JOINT EMPLOYEE COUNCIL

CONSTITUTION

Objective

1. The objective of the Bassetlaw District Council Joint Employee Council (hereinafter called the Joint Employee Council) is to provide a regular method of consultation between representatives of the Council and representatives of the Council's employees, with the objective of providing an efficient service to the public and to maintain good relations.

Membership

2. The Joint Employee Council shall consist of representatives of the Council and the Trade Union, who will be appointed annually and shall be eligible for re-appointment.

The membership shall comprise:-

The Employees Side:

4 Unison, 1 GMB (5 Trade Union Representatives in total).

The Employers' Side

Five elected Members (to include "ex-officio" Members) drawn from Bassetlaw District Council, appointed annually subject to such representatives' eligibility in conformity with the requirements of the Local Government Act 1988.

Two Offices (to include those with "ex-officio" status) , on of whom shall be the Head of Human Resources and Organisational Development.

3. In the event that a representative from any side is unable to attend a meeting of the JEC, that representative may nominate a substitute to attend on his or her behalf,

provided that the substitute is drawn from the same area of representation as the member unable to attend.

4. If a member of the Joint Employee Council ceases to be a Member or an employee of Bassetlaw District Council, such person thereupon ceases to be a member of the JEC. Any consequential vacancy shall be filled by the Council or the employees, as appropriate.

Roles

5. A Chair and Vice-Chair shall be appointed at the first meeting of the JEC in any District Council year. If the Chair so appointed is a member of the Employer's Side then the Vice-Chair shall be appointed from the Employees' Side, and vice versa.

In the absence of both the Chair and Vice-Chair from any meeting, the Council shall appoint a Chair for the meeting.

6. Both sides shall appoint a Secretary and the Secretary to the Employers' side shall be the Head of Human Resources and organisational Development, who shall also act as Lead Officer and Secretary to the JEC.

Functions

8. The business of the JEC shall be restricted to consultation on matters that are significant or sensitive authority-wide issues related to the ongoing maintenance and improvement of good employee relations, As such, it is not a decision-making body. The authority to make decisions is set out in the Constitution which sets out specifically to whom decisions are delegated.

Consultation is a process by which the Council and staff, through their representatives, jointly examine and discuss issues involving the genuine exchange of views and information. The object of consultation is for the Council to make the best decision, having had the benefit of hearing the views of the Employees' Side and the Employers' Side.

9. No question of individual discipline, grievance, promotion or relegation shall be within the scope of the JEC.
10. Negotiation of contractual matters shall not be within the scope of the JEC, although consultation may take place on such matters.

The existence of the JEC does not interfere with the trade unions' arrangements for separately representing their members, nor does it prevent the employer consulting separately in relating to either corporate or local matters, where it is deemed to be appropriate.

Meetings

11. The JEC shall meet as and when required but not less than quarterly, providing there is sufficient business to justify the calling of a meeting. The quarterly meeting dates shall be fixed by the JEC at its first meeting in the municipal year. The Chair shall have the power to cancel a meeting in the event that there is insufficient business to justify continuing with the meeting.
12. The Chair and Vice-Chair may, by agreement with each other, call a meeting at any time.
13. Matters initiated by the Employee Representatives for inclusion on the Agenda of the next meeting shall be submitted in writing to the Secretary to the JEC at least ten working days before the anticipated date of the meeting.

If a matter of urgency arises during the ten working days before the agreed date of the meeting, either side of the JERC, through their Secretary, after consultation with the Chair and Vice-Chair of the Committee, may have the matter placed before the Committee.

The notice summoning the meeting shall be forwarded to members of the JEC at least five working days prior to the meeting.

Procedure

14. One Employees' representative, one Employers' representative (Member) and one Employers' representative (Officer) shall constitute a quorum.
15. Agreement to a recommendation shall be determined by the casting of two votes, one from The Employees' side and one from the Employers' side. The result of each side's vote shall be determined by the agreement of a majority of the members on that side.
16. Either side may, through the Chair and Vice-Chair, request the attendance at meetings of the JEC or such other persons as may be required to act in an advisory and/or consultative capacity. Such persons shall not take part in the voting process. Advisors may speak on items by agreement of the Council.
17. A report of the proceedings of any meeting of the JEC (which shall form the Minutes of the meeting) shall be submitted to the Cabinet Committee, but before submission the report shall be agreed by the Chair and Vice-Chair. This report will also be circulated to all Members of the JEC. Any resolutions in such a report shall be subject to the approval of the Council.
18. A Book of Minutes of the Council shall be kept by the Secretary to the JEC and shall be signed at each meeting by the Chair and Vice-Chair.
19. Following Consultation with members of the JEC, the head of Human Resources and Organisational Development shall refer the matter for determination to the Cabinet or other body/person to whom authority has been delegated, in accordance with the Constitution. In doing so, her or she shall set out the views of the JEC, including whether agreement has been reached. In the event of a failure to reach agreement, the Head of Human Resources and Organisational Development shall articulate to the decision-making person/body the differing views of the JEC, in consultation with the Chair and Vice-Chair of the JEC.

Lead Officer

Head of Human Resources

BASSETLAW DISTRICT COUNCIL

JOINT EMPLOYEE COUNCIL

21 SEPTEMBER 2010

REPORT OF THE HEAD OF HUMAN RESOURCES

THE EQUALITY ACT 2010

Cabinet: Policy
Contact: Len Hull
Ext. 4136

1. Public Interest Test

1.1 The author of this report Len Hull has determined that the report is not confidential.

2. Purpose of the Report

2.1 To inform members of the Joint Employee Council of the provisions contained within the Equality Act 2010, and make proposals to ensure that the Council complies with its new duties under this Act as it currently stands.

3. Background and Discussion

3.1 The Equality Act was introduced by the previous government, and is intended to provide a new cross-cutting legislative framework to protect the rights of individuals and advance equality of opportunity for all; to update, simplify and strengthen the previous legislation; and to deliver a simple, modern and accessible framework of discrimination law which protects individuals from unfair treatment and promotes a fair and more equal society.

3.2 The intention of the previous government was that elements of the Act would be introduced from 1 October 2010, with the remainder introduced in April 2011. Until very recently, the current government had not clarified whether this timetable still applied, it had removed the implementation date from its website, and stated only that it is "currently considering how the different provisions will be commenced so that the Act is implemented in an effective and proportionate way". However it has now indicated that the majority of the Act will be implemented from 1 October 2010, as originally planned.

3.3 Specifically, the Act brings together 9 major equality laws and around 100 others, with the intention of simplifying and streamlining them. It harmonises the law that applies to "protected characteristics" for example age, disability, race, etc, and it introduces one definition where previously different definitions existed for the same terms – for example "unwanted conduct".

- 3.4 Other changes to be introduced with effect from 1 October have been clarified by the current Government, and some of the original proposals have been changed or are still being considered. Examples of the changes are:
- Protection against discrimination by association;
 - Extension of protection against indirect discrimination to cover disability;
 - Extension of third-party harassment to all the protected characteristics;
 - Provision preventing employers from asking applicants about their health before offering them work, except in certain circumstances;
 - Changing the definition of gender reassignment;
 - Clearer protection for breastfeeding mothers.

- 3.5 Under the original timetable, from 1 April 2011 the Act brings in a Single Equality Duty for the Public Sector, which places a pro-active legal requirement on public bodies to have regard, in the exercise of their functions, to the need to:
- Eliminate discrimination, harassment, victimisation and any other conduct that is unlawful under the Act;
 - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

These requirements are currently being consulted on by the new government, and are likely to be underpinned by specific duties, although these have not yet been defined and are likely to be determined through secondary legislation.

- 3.6 Further provisions originally due to be introduced are now being “considered” by the new government, including:
- a requirement for public bodies to consider socio-economic disadvantage when taking strategic decisions about how to exercise their functions. The aim of this section is to deal with inequality that arises from social class or family background (rather than individual employees);
 - a requirement to publish employment equality data;
 - a facility to take positive action in relation to recruitment and promotion;
 - the prohibition of age discrimination in services and public functions;
 - a requirement for political parties to public diversity data;
 - the concept of “dual discrimination”.
- 3.7 Upon implementation other laws will be repealed, for example the Sex Discrimination Act 1975, the Race Relations Act 1976 and the Disability Discrimination Act 1995.
- 3.8 Although until very recently there was no specific confirmed timetable, a review has been undertaken of the implications for the Council of the original proposed legislation, in the event that it was introduced unchanged by the new government.
- 3.9 The main findings from that review were that the current practices adopted by the Council are consistent with the requirements of the proposed new legislation, and it should not have any substantial impact on how it operates in practice and on the management of employees. In particular, the Council’s policies on recruitment and selection, equalities and learning and development already contain the principles and spirit of equality outlined in the Equality Act. Furthermore, the Council currently does not request any health data from job applicants until a job offer has been made.

3.10 Clearly, now that the implementation date has been confirmed, a further review of the amended provisions to be implemented from 1 October 2010 needs to be undertaken, however the changes made by the new government appear to be limited to delaying certain elements of the Act, and consequently the findings as set out above should remain valid.

3.11 In any event, there are a number of steps that will now need to be taken to ensure the Council is fully compliant with the new Act, and these are as follows:

1. To review the existing equality policies and procedures to ensure that they:
 - o are consistent with the changes in definitions and apply to the correct protected characteristics,
 - o are consistent with the extension of indirect discrimination and third-party harassment;
 - o refer to the correct legislation rather than that which is repealed,

and to communicate the changes to managers and staff. These are changes of wording rather than policy.

2. To brief key personnel on the implications of the Act, for example the restrictions on asking pre-employment health questions (to ensure that managers do not verbally ask questions during interview except where legally entitled to do so).

3. To review the elements of the Act for introduction in April 2011 to ensure the Council is compliant with any new requirements at that date.

3.11 In view of the very limited timescale between the government confirming its intentions regarding this legislation and its implementation, this work is now urgent and needs to be in place by 1 October. The Joint Employee Council is therefore asked to agree that the Head of HR & OD, in conjunction with the Branch Secretary of Unison, be charged with undertaking the review set out in 3.11.1 above and be authorised to recommend to Cabinet those changes in wording outlined in that section.

4. Implications

a) For service users

The Equality Act makes provisions to ensure all service users have the same chance to access services, and future proposals are to place specific positive action and socio-economic duties on the public sector to promote equality in service provision as well as employment.

b) Strategic & Policy

As contained within the report.

c) Financial – Ref: 11/456.

There are no direct financial implications associated with this report, although clearly the actions required as a result of the legislation, will have an associated resource requirement.

d) Legal – 248/09/10

Upon its introduction, the Equality Act will place specific legal duties on the Council as outlined in this report.

e) Human Resources

The implementation of the Act will place specific duties on certain employees, for example managers and recruiting officers.

f) Community Safety, Equal Opportunity, Environmental

The purpose of the Equality Act is to ensure equality of opportunity for all and that positive consideration is given to ensuring that people are not disadvantaged in employment and service provision.

g) Whether this is a key decision, and if so the reference number.

Not applicable.

5. Options, Risks and Reasons for Recommendations

5.1 Option 1

To note the contents of this report and to authorise the Head of HR and Organisational Development and the Branch Secretary of Unison to agree any changes to policies and procedures where this is confined to wording changes only, as outlined in Section 3.11.1 above. This will ensure that the Council's policies correctly reflect the requirements of the Equality Act in time for its introduction.

5.2 Option 2

To note the contents of this report and to not authorise the Head of HR and OD and the Branch Secretary of Unison to agree any changes to policies and procedures in accordance with Section 3.11.1 above. This will mean the Council's policies and procedures will not be consistent with the new legislation when it is introduced on 1 October 2010, and may lead to confusion regarding employees' rights and a risk that the Council's obligations will not be met.

6. Recommendations

6.1 To approve Option 1 above.

Background Papers

Location

BASSETLAW DISTRICT COUNCIL

JOINT EMPLOYEE COUNCIL

21ST SEPTEMBER 2010

REPORT OF THE HEAD OF HUMAN RESOURCES

PATERNITY AND ADOPTION LEAVE POLICY

Cabinet: Policy
Contact: Len Hull
Ext. 4136

1. Public Interest Test

1.1 The author of this report Len Hull has determined that the report is not confidential.

2. Purpose of the Report

2.1 To present the draft Paternity and Adoption Leave Policy for consideration and agreement to the Joint Employee Council.

3. Background and Discussion

3.1 On the 22nd June 2010 the attached draft Policy was presented to the JEC and it was agreed that consultation would take place between the Employer and Employee Representatives. This consultation has now taken place and the Employee's representatives have issued the following comments:-

“the only amendment we would like to see is that paragraph 11.1 is amended to reflect the actual salary rather than the statutory pay, i.e., an employee should be paid their actual rate of pay when on paternity and adoption leave rather than a lesser rate”.

3.2 The Employee's representatives indicated that they would investigate other authorities within the area to seek the contents of their policies.

3.3 The current legislation indicates that as a minimum an employee is entitled to a maximum of two week's paternity leave, paid at the SPP rate which is currently £124.88 per week.

3.4 The Council's current arrangements with regard to **maternity leave** are to pay the statutory entitlement only. If the Council decided to pay more than the statutory rate for employees on **paternity leave** this may give rise to issues of equality.

4. Implications

a) For service users

None

b) Strategic & Policy

As contained within the report.

c) Financial – Ref: 11/332

The current rate for statutory paternity and adoption leave is £124.88 per week and employees can request one or two consecutive weeks' leave. The Council is able to reclaim 92% of this pay. However, if the Council agreed to the employees' representatives' request to pay actual salary then it would have to bear the cost of the additional pay.

d) Legal – 241/09/10

As contained within the report.

e) Human Resources

As contained within the report.

f) Community Safety, Equal Opportunity, Environmental

Option 1 below ensures that, in the event of maternity/paternity/adoption leave being applicable, the provisions for male employees are consistent with those of female employees, ie they reflect the statutory entitlements for both groups of employees.

An Equality Impact Assessment will be carried out on the draft procedure prior to presentation at Cabinet.

g) Whether this is a key decision, and if so the reference number.

Not applicable.

5. Options, Risks and Reasons for Recommendations

5.1 Option 1

To agree to recommend to Cabinet the draft Paternity and Adoption Leave Policy as appended.

Option 2

To agree to undertake further consultation on the proposed Policy.

6. Recommendations

6.1 To consider the attached draft document and approve Option 1 above.

Background Papers

Location

Paternity and Adoption Leave (Amendment)
Regulations 2006

HR Service



PATERNITY AND ADOPTION LEAVE POLICY

1. Purpose and Scope of the Policy

- 1.1 This policy sets out the statutory rights and responsibilities of employees who wish to take paternity or adoption leave in accordance with the Paternity and Adoption Leave (Amendment) Regulations 2006.

2. Principles

- 2.1 The Council recognises that, from time to time, employees may have questions or concerns relating to their paternity or adoption rights. It is the Council's policy to encourage open discussion with employees to ensure that questions and problems can be resolved as quickly as possible. As the paternity and adoption leave provisions are complex, employees should clarify the relevant procedures with their Line Manager to ensure that they are followed.

3. The right to ordinary paternity leave

- 3.1 An employee who qualifies for ordinary paternity leave may elect to take either one week's leave or two consecutive weeks' leave. As a rule, the chosen period of leave must be taken in full within the period of 56 days beginning with the date of the child's birth or placement with its adoptive parent, or in the case of a child adopted from overseas, within the period of 56 days beginning with the date the child entered Great Britain. There is no provision for employees to take their ordinary paternity leave in instalments. An employee may take just one period of ordinary paternity leave per pregnancy or adoption, regardless of the number of children born as a result of the pregnancy or the number of children placed under the same adoption arrangement.

4. Entitlement to ordinary paternity leave (birth)

- 4.1 In a birth situation, an employee is entitled to one week's ordinary paternity leave or two consecutive weeks' ordinary paternity leave for the purpose of caring for the child or supporting the child's mother if he:
- has been continuously employed for 26 weeks or more by the end of the 15th week before the mother's expected week of childbirth (or would have satisfied that condition but for the fact that the child was born before the

- end of that 15th week, was stillborn after 24 weeks of pregnancy or has died);
- is the child's biological father and has (or expects to have) responsibility for the child's upbringing, or is the mother's husband, civil partner or partner (but not the child's biological father) and has or expects to have the main responsibility (apart from any responsibility of the mother) for the child's upbringing; and
 - has formally notified the Council of the date on which he intends to take his paternity leave and, where applicable, has produced evidence supporting his claim for paternity leave.
- 4.2 For these purposes, "partner" in relation to a child's mother, means a person (whether of the same or the opposite sex) who lives with the mother and the child in an enduring family relationship, but is not the mother's father, mother, grandfather, grandmother, sister, brother, aunt or uncle.
5. Notice of intention to take ordinary paternity leave (birth)
- 5.1 An eligible employee intending to exercise his right to ordinary paternity leave must inform the Council of his intentions by the end of the 15th week before the mother's expected week of childbirth (EWC). In doing so, he must specify:
- the mother's EWC (or, if birth has already occurred, the date of the child's birth);
 - whether he wishes to take one or two weeks' leave; and
 - when he wants the period of leave to start.
- 5.2 Employees giving notice of their intention to take ordinary paternity leave must do so in writing if so requested. **(See Form A)**
- 5.3 An employee who has given notice of his intention to take a period of ordinary paternity leave to care for the child or support the mother must, if asked to do so by the Council, sign a declaration confirming the nature of his relationship with the child and its mother and asserting that he has (or expects to have) responsibility for the child's upbringing or (if he is the mother's husband, civil partner or partner but not the child's biological father) that he has, or expects to have, the main responsibility (apart from any responsibility of the mother) for the child's upbringing.
- 5.4 An employee may change his mind about the date on which he intends to start his ordinary paternity leave, so long as he informs the Council of the revised start date at least 28 days before the date in question (or as soon as is reasonably practicable, if not in a position to do so within the prescribed period, eg if the child is born prematurely). **(See Form B)**
- 5.5 All requests for paternity leave should be directed to the employee's appropriate Line Manager and will be confirmed in writing. **(See Letter 1)**

6. Entitlement to ordinary paternity leave (adoption within the UK)

6.1 In an adoption situation, an employee is entitled to one week's or two consecutive weeks' ordinary paternity leave for the purpose of caring for the adopted child or supporting the child's adopter if he or she:

- has been continuously employed for a period of not less than 26 weeks by the end of the week in which the child's adopter is formally notified by an approved adoption agency that he or she has been matched with a child for adoption;
- is married to, the civil partner of, or the partner of the child's adopter, and has or expects to have the main responsibility (apart from any responsibility of the adopter) for the child's upbringing; and
- has formally notified the Council of the date on which he or she intends to take ordinary paternity leave and, where applicable, has produced evidence supporting the ordinary paternity leave claim.

6.2 For these purposes, "partner" in relation to a child's adopter means a person (whether of the same or the opposite sex) who lives with the adopter and the child in an enduring family relationship, but is not a relative of the adopter. "Relative" for these purposes means the adopter's father, mother, grandfather, grandmother, sister, brother, aunt or uncle.

7. Notice of intention to take ordinary paternity leave (adoption within the UK)

7.1 Eligible employees wishing to exercise their right to ordinary paternity leave must inform the Council of their intention no more than seven days after the date on which the adopter is notified by an approved adoption agency that he or she has been matched with a child for adoption (or if it is not reasonably practicable to give notice within that seven-day period, as soon as is reasonably practicable). In doing so, employees must specify:

- when the child is expected to be placed with the adopter (or, if placement has already occurred, the date of the placement);
- whether they wish to take one or two weeks' leave; and
- when they want that leave to start.

7.2 Employees giving notice of their intention to take ordinary paternity leave must do so in writing if so requested. (**See Form C**)

7.3 An employee who has given notice of his or her intention to take a period of ordinary paternity leave to care for the new child or support the adopter must, if asked to do so by the Council, sign a declaration confirming the nature of his or her relationship with the child and its adopter and asserting

that he or she has (or expects to have) the main responsibility (apart from the responsibility of the adopter) for the child's upbringing.

7.4 Employees may change their mind about the date on which they intend to start their ordinary paternity leave, so long as they inform the Council of the amended start date at least 28 days before the date in question (or as soon as is reasonably practicable, if they are not in a position to give the prescribed 28 days' notice).

8. Entitlement to ordinary paternity leave (adoption from overseas)

8.1 Under the Paternity and Adoption Leave (Adoption from Overseas) Regulations 2003 (SI 2003/921), an employee is entitled to one week's or two consecutive weeks' ordinary paternity leave for the purpose of caring for a child adopted from overseas or supporting the child's adopter if he or she:

- has been continuously employed for a period of not less than 26 weeks ending with the week in which the child's adopter received "official notification" from the relevant domestic authority, or commencing with the week in which his or her employment with the employer began (to accommodate the possibility that the official notification may have been received a year or more before the child enters the UK and the employee may have changed employer in this time);
- is the spouse, civil partner or partner of the child's adopter, and has or expects to have the main responsibility (apart from any responsibility of the adopter) for the child's upbringing; and
- has formally notified his or her employer of the date on which he or she intends to take ordinary paternity leave and, where applicable, has produced evidence supporting the paternity leave claim.

8.2 For these purposes, "partner" in relation to a child's adopter means a person (whether of the same or the opposite sex) who lives with the adopter and the child in an enduring family relationship, but is not a relative of the adopter. "Relative" for these purposes means the adopter's father, mother, grandfather, grandmother, sister, brother, aunt or uncle.

8.3 "Adoption from overseas" means the adoption of a child who enters Great Britain from outside the UK in connection with or for the purposes of adoption that does not involve the placement of the child for adoption under the law of any part of the UK.

8.4 "Official notification" means written notification, issued by or on behalf of the relevant domestic authority, that it is prepared to issue a certificate to the overseas authority concerned with the adoption of the child, or has issued a certificate and sent it to that authority, confirming that the adopter is eligible to adopt and has been assessed and approved as being a suitable adoptive parent. The "relevant domestic authority" in the case of

Version: 1 of 1

Approved by and Date:

EIA date: June 2010

an adopter to whom the Intercountry Adoption (Hague Convention) Regulations 2003 (SI 2003/118) apply and who is habitually resident in Wales is the National Assembly of Wales. In the case of an adopter to whom the Intercountry Adoption (Hague Convention) (Scotland) Regulations 2003 (SSI 2003/19) apply and who is habitually resident in Scotland it is the Scottish Ministers, and in any other case the Secretary of State for Health.

9 Notice of intention to take ordinary paternity leave (adoption from overseas)

9.1 Eligible employees intending to exercise their right to ordinary paternity leave must within 28 days of the adopter receiving the official notification (or within 28 days of the date on which they complete 26 weeks' continuous service with the Council, whichever is later) notify the Council of:

- the date on which the child's adopter received the "official notification"; and
- the date on which the child is expected to enter Great Britain.

9.2 Employees must then (or subsequently) give the Council at least 28 days' advance notice of:

- when they want their ordinary paternity leave to start; and
- whether they wish to take one or two weeks' leave.

9.3 No later than 28 days after the date the child entered Great Britain, the employee must inform the Council of this date.

9.4 Employees giving notice of their intention to take ordinary paternity leave must do so in writing if requested.

9.5 If asked to do so by the Council, an employee must also sign a written declaration confirming that the adopter has received an "official notification", the nature of his or her relationship with the child's adopter, and that he or she has (or expects to have) the main responsibility (apart from the responsibility of the child's adopter) for the child's upbringing.

10. Timing of ordinary paternity leave

10.1 The timing of a period of ordinary paternity leave must be such as to enable an employee to take his or her full entitlement to leave (one week's leave or two consecutive weeks' leave, as the case may be) either:

- within 56 days of the child's date of birth or, if the child was born prematurely, within the period from the actual date of birth up to 56 days after the first day of the mother's expected week of childbirth;

- in the case of a child adopted within the UK, within 56 days of the date on which the child was placed for adoption with the employee and/or his or her partner (whether that date occurs sooner or later than expected);
 - in the case of a child adopted from overseas, within 56 days of the child's entry into Great Britain.
- 10.2 There is no provision in the Regulations for an employee to take less than one week's leave or less than two consecutive weeks' leave at any one time or to interrupt or foreshorten either period of leave, eg by taking one or two days' leave here, and two or three days' leave there.
- 10.3 In a birth situation, the employee may choose to begin his leave from the date of the child's birth (whether this is earlier or later than expected), or from a chosen number of days or weeks after the date of the child's birth (whether this is earlier or later than expected) or from a predetermined date. A period of ordinary paternity leave may start on any day of the week but must be completed within 56 days of the actual date of birth or, if the child is born prematurely, within the period from the actual date of birth up to 56 days after the first day of the expected week of birth.
- 10.4 In the case of a child adopted within the UK, the employee may choose to begin his or her period of leave from the date of the child's placement with the adopter (whether this is earlier or later than expected), or from a chosen number of days or weeks after the date of the child's placement (whether this is earlier or later than expected) or from a predetermined date. A period of ordinary paternity leave may start on any day of the week on or following the child's placement with the adopter, but must be completed within 56 days of the date on which the placement occurred.
- 10.5 In the case of a child adopted from overseas, the employee may choose to begin his or her period of ordinary paternity leave from the date of the child's entry into Great Britain or from a chosen date after the child's date of entry, so long as the leave is taken in full within 56 days of the child's entry into Great Britain.
11. Statutory paternity and adoption pay during ordinary paternity and adoption leave
- 11.1 Employees taking ordinary paternity leave will qualify for statutory paternity pay during their absence if they have average weekly earnings equal to or greater than the current lower earnings limit for national insurance contributions purposes. For paternity pay weeks starting on or after 4 April 2010 the weekly rate of statutory paternity pay is £124.88, or 90% of average weekly earnings where this figure is less than £124.88.

12. Rights during ordinary paternity leave

Employees on ordinary paternity leave have no statutory right to be paid their normal wages or salary during their absence from work, but may qualify for statutory paternity pay. However, they are entitled to the benefit of all of the remaining terms and conditions of employment that would have applied but for their absence, and are bound by any obligations arising under those terms and conditions.

13. Return to work after ordinary paternity leave

- 13.1 An employee who returns to work after a period of ordinary paternity leave that was an isolated period of leave or the last of two or more consecutive periods of statutory leave, not including a period of additional maternity leave or additional adoption leave or a period of parental leave of more than four weeks, is entitled to return to work to the job in which he or she was employed immediately before the absence. Where the period of ordinary paternity leave does not fall into this description, the employee is entitled to return to the job he or she held immediately before the period of leave began or, if this is not reasonably practicable, to another job that is both suitable and appropriate for him or her to do.

BASSETLAW DISTRICT COUNCIL

JOINT EMPLOYEE COUNCIL

21 SEPTEMBER 2010

REPORT OF THE HEAD OF HUMAN RESOURCES

APPRENTICESHIP PROGRAMME INFORMATION

Cabinet: Policy
Contact: Len Hull
Ext. 4136

1. Public Interest Test

- 1.1 The author of this report Len Hull has determined that the report is not confidential.

2. Purpose of the Report

To outline the options available for supporting apprenticeship opportunities within the local community.

3. Background and Discussion

- 3.1 Nationally, there is an expectation that the public sector will take the lead in creating and offering apprenticeship opportunities to aid the development of the skill set within the local community. Additionally, within the People Strategy and Workforce Development Plan, the Council has outlined its aim to identify and introduce apprenticeship opportunities across all Service Areas over the coming years.

Apprenticeships offer individuals, within the local community, the opportunity to study towards a nationally recognised qualification whilst gaining valuable work experience.

The benefits to Bassetlaw District Council include:

- 'Growing our own' future talent
- Ensuring that the practical skills and qualifications required to meet both current and future challenges are captured and retained
- Provide a mixture of both academic and practical learning to deliver individuals who are capable of 'hitting the ground running'

- 3.2 Apprenticeship funding is available from the National Apprenticeship Service. The size of the contribution varies depending on the sector and the age of the candidate:

- 16 - 18 = 100% of the training costs funded
- 19+ = up to 50% of the training costs funding

3.3.1 The Council's obligations would include:

- £100 annual membership fee to Apprenticeship Training Agency
- £114 per apprentice per week to cover salary and administration costs
- Identification and training of departmental mentors
- Creation of Individual learning plans for each department and type of apprenticeship

Therefore the cost for one apprentice per annum, excluding resource requirements, is £6,028 (including the membership fee) and £5,928 for each subsequent apprentice recruited in the financial year.

3.4 Of the models considered, the Apprenticeship Training Agency (ATA) offers the best fits with the Council's requirements. The strength of the ATA model is that the training provider operates in partnership to develop and offer apprenticeship opportunities that are tailored to Bassetlaw District Council's requirements. Key opportunities with this partnership approach include:

- A joint approach to the recruitment process with the ATA providing administrative support and initial selections and with Bassetlaw District Council conducting all final selection processes
- BDC has final choice in selecting successful individuals
- Apprentices are employed by the ATA ensuring consistency and continuity for learners in case of future budgetary or organisational changes
- All work placements are held at Bassetlaw District Council

3.4 The benefits of the ATA include:

- Increased flexibility – the programme is responsive to changes in job availability and financial constraints
- Apprentices who do not meet standards (i.e. time keeping, course progress, attitude/ behavioural expectations) can be replaced within a short time period
- Clearer costings for the programme; all apprentices are paid at £114 per week and all apprentices' training costs will be 100% funded

3.5 A high level of interest has been shown across Service Areas in relation to offering apprenticeship opportunities. To meet this interest, whilst minimising risk, it is proposed that a number of pilot places be created and tested before widening the scope of the apprenticeship programmes, to ensure that the provision is professionally delivered and meets the needs of the organisation and community.

4. Implications

- a) For service users
None arising directly from this report.
- b) Strategic & Policy
None arising directly from this report.
- c) Financial – Financial Ref: 11/22

As stated in the body of the report, an allocation of £11,956, per annum, will need to be made available from the Councils' reserves to enable the creation of two pilot apprenticeship posts.

d) Legal Implications – Ref: 252/09/10

The trainees remain the employees of the ATA, as such all contractual obligations fall to ATA. Notwithstanding the contractual arrangements, the Council's present Employers Liability arrangements provide for workers loan to the Council, the proposal in terms of the Council's obligations at 3.3.1 is sufficiently robust to ensure preservation of the Employers Liability arrangements.

e) Human Resources

None arising directly from this report.

f) Community Safety, Equalities, Environmental

Creating apprenticeship opportunities will support job creation within the local community and promote diversity within Bassetlaw District Council's workforce.

g) Whether this is a key decision, and if so the reference number.

Not applicable

5. **Options, Risks and Reasons for Recommendations**

5.1 To note the contents of this report

6. **Recommendations**

6.1 To approve the option outlined in 5.1 as above

Background Papers

Location

BASSETLAW DISTRICT COUNCIL

JOINT EMPLOYEE COUNCIL

21st September 2010

REPORT OF UNISON, BASSETLAW LOCAL GOVERNMENT BRANCH

CYCLE TO WORK – SAVE EVERYONE MONEY!

Cabinet Member: Policy:
Contact: Keith Circuit
Ext: 3431

1. Public Interest Test

- 1.1 The author of this report, Keith Circuit, has determined that the report is not confidential.

2. Purpose of the Report

- 2.1 To inform the J.E.C. of the Government scheme that can save around 50% off the cost of a bike and also save the Council money.

3. Background and Discussion

- 3.1 Councils and companies are able to loan bikes and cycling equipment to their staff as part of the employment package. The bike scheme then makes it possible for organisations to offer their employees tax and national insurance reductions if they wish to enjoy the benefits of cycling to work.
- 3.2 By taking advantage of these tax exemptions employees will make a 'salary sacrifice' in return for the tax-free benefit of the bike. e. g. If someone earning less than £37,400 'leased' a bicycle costing £700 the salary sacrifice from their salary would be £49.64. The actual monthly cost would be £34.25 and the total cost of the cycle would be £411.02 – a saving of £288.98.
- 3.3 By paying for the cycle and/or equipment through a 'salary sacrifice' the employee effectively reduces their salary. The Council would benefit by reducing the secondary Class 1 NHI contributions that they need to pay. Employers can effectively reduce their own NI contributions by up to 12.8% of the value of all equipment supplied.
- 3.4 All administration, marketing and ongoing support is supplied free of charge.

4. Implications

- a) For service users
None
- b) Strategic & Policy
None
- c) Financial - Ref: *(Insert No.)*
as detailed above
- d) Legal
None
- e) Human Resources
None
- f) Community Safety, Equalities, Environmental
None
- g) Whether this is a key decision, and if so the reference number.
Not applicable

5. Options, Risks and Reasons for Recommendations

5.1 Option 1

To agree to further investigate the prospect of adopting such a scheme

5.2 Option 2

To do nothing.

6. Recommendations

- 6.1 That the Joint Employee Council agrees option 1 above.

Background Papers

Location