



PERSONNEL COMMITTEE

2.00 PM - MONDAY, 20 OCTOBER 2014

PORT TALBOT CIVIC CENTRE, COMMITTEE ROOMS 1 & 2

PART 1

1. To receive any declarations of interest from Members.

Report of the Director of Education and Lifelong learning

2. Restructure of ELLL Directorate's Senior Management Team
(*Pages 1 - 14*)
3. Cognition Mountain Bike Trails South Wales (*Pages 15 - 20*)

Report of the Head of Human Resources

4. Flexible Working Policy and Procedure (*Pages 21 - 46*)
5. National Minimum Wage Increase (*Pages 47 - 48*)
6. National Pay Negotiations Update (*Pages 49 - 52*)
7. Agency Usage Update Report (*Pages 53 - 58*)
8. Any urgent items (whether public or exempt) at the discretion of the Chairman pursuant to Section 100B (4) (b) of the Local Government Act 1972.
9. Access to Meetings - to resolve to exclude the public for the following items pursuant to Section 100A (4) and (5) of the Local Government Act 1972 and the relevant Exempt Paragraphs of Part 4 of Schedule 12A to the above Act.

PART 2

Private Report of the Head of Human Resources

10. NPT Council Equal Pay Settlements (*Pages 59 - 76*)
11. Budget Proposals/Voluntary Redundancy Scheme (*Pages 77 - 80*)

S.Phillips
Chief Executive

Civic Centre
Port Talbot

Tuesday, 14 October 2014

Committee Membership:

Chairman: **Councillor A.N.Woolcock**

Vice Chairman: **Councillor S.Jones**

Members: Councillors Mrs.R.Davies, Mrs.J.Dudley,
Mrs.L.H.James, Mrs.D.Jones, E.V.Latham,
Ms.C.Morgans, S.Rahaman, P.A.Rees, A.L.Thomas
and A.H.Thomas

Non Voting Councillors M.L.James, Mrs.S.Miller, P.D.Richards,
Members: J.Rogers and A.J.Taylor
(attendance as appropriate)

c.c. Superintendent of Police, Neath
Chief Fire Officer, Neath

EDUCATION, LEISURE & LIFELONG LEARNING

REPORT OF THE DIRECTOR OF EDUCATION, LEISURE & LIFELONG LEARNING – MR. A. EVANS

20th October 2014

SECTION A - MATTER FOR DECISION

WARDS AFFECTED: All

Restructure of ELLL Directorate's Senior Management Team

1. Purpose of Report

- 1.1 To seek Members approval for a senior management restructure within the Education, Leisure and Lifelong Learning Directorate, effectively reducing the number of heads of service from three to two.

2. Background Information

- 2.1 The postholders of the Head of Partnerships and Community Development and Head of Learning and Development have recently been appointed to posts outside of the local authority.
- 2.2 Owing to the reduction in Welsh Government funding for 2015/16, the Directorate needs to secure a savings target of over £4.107 million. The departure of both postholders mentioned above, provides the opportunity to permanently reduce the senior management team and restructure current Directorate responsibilities. This will place increased demands on the senior management team particularly in view of the fact that only 2 years ago the Education, Leisure and Lifelong Learning Directorate absorbed the majority of responsibilities when the Head of Economic Development and the Head of Democratic Services retired resulting in existing portfolios being adjusted across DELLL

2.3 The previous Head of Learning and Inclusion has been appointed as the Head of Educational Improvement for Neath Port Talbot and the City and County of Swansea regional hub. As a result, some strategic and operational responsibility for the school improvement service has transferred to this new role, eg the deployment of challenge advisers, the delivery of intervention, challenge and support strategies that improve the teaching and learning in classrooms and lead to improved pupil attainment. However, Neath Port Talbot County Borough Council will retain the statutory responsibility for schools and school improvement and fulfil the new role of “intelligent client” to commission the school improvement service delivered by regional hub.

3. **Proposal**

3.1 It is proposed that the posts of Head of Partnerships and Community Development and Head of Learning and Development are deleted from the structure. It is proposed that a new head of service post of Head of Participation is created.

3.2 It is proposed that the current Head of Resources and Commissioning post is re-designated as Head of Transformation.

3.6 The new structure will deliver a per annum cost saving of £ 101,214.

3.7 The current pay grade for all three ELLL Head of Service posts is £68,439 to £75,279 pa. The two proposed revised posts will attract the same pay grade.

3.8 Both of the proposed new posts will involve a greater level of responsibility than is currently applicable to any of the three existing posts. Consideration needs to be given to this issue within a reasonable timescale.

3.9 The proposal will not adversely affect any officer’s current terms and conditions. The appointment of the Head of Participation would be through national advert and recruitment. The current Head of

Resources and Commissioning will assimilate into the Head of Transformation post.

2. Financial Appraisal

The implementation of the proposed structure would generate a per annum saving of £101,214.

4. Recommendation

That Members approve the proposed changes to the organisational structure of ELLL Senior Management Team and that both proposed posts will be paid in accordance with the Council's current pay grade for Heads of Service.

FOR DECISION

5. Background Papers

None

6. Wards Affected

All

7. Officer Contact

For further information on this report item, please contact Aled Evans, Director of Education, Leisure and Lifelong Learning on Ext 3298 or email a.evans@npt.gov.uk.

Job Description - Head of Participation

Responsible to: Director of Education, Leisure and Lifelong Learning

Key Responsibilities:

1. To formulate and lead the Directorate's strategy on reducing the effect of deprivation on pupil and student outcomes and promote greater and more effective participation in the main strands of the strategy, eg better pre-school preparedness for learning, reduction in NEET numbers, maximise the usage and impact of community resources.
2. To ensure that the provision of education within the County Borough is delivered in an efficient and cost effective manner by commissioning the delivery of school improvement services and adult community learning.
3. To lead on the Directorate's safeguarding policies and processes.
4. To ensure the effective development and delivery of services relating to schools and adult learning.
5. To commission and quality assure school improvement services in accordance with budgetary cash limits, relevant statutory frameworks and local, regional and national service developments.
6. To co-ordinate and manage the Directorate's performance management framework, including self-evaluation processes.
7. To ensure the effective delivery of Think Families Partnership provision in partnership with other key stakeholders and partners.
8. To oversee the following service portfolios: Communities First, Community Safety, Community Facilities, Think Families Partnership, including Flying Start, MEAS, Gipsy and Traveller Provision, Music Service, Governor Training, Data Unit, Youth Service.
9. To manage the following budget / policy areas: SEG, WEG, WESP, DEAR, 14-19 Learning Pathways, Foundation Phase, PDG.

10. To establish effective working relationships with fellow officers, the Leader, Cabinet and other Elected Members.
11. To ensure that all services within the postholder's portfolio are effectively positioned to respond to the strategic and service changes necessary as a consequence of Welsh Government's aim of raising educational standards.
12. To provide effective leadership locally, regionally and nationally, including building and maintaining effective working relationships with school governors, Head Teachers and other partners and agencies such as ERW, WLGA, ADEW, Welsh Government, WAO, Estyn and CSSiW.
13. To contribute to the corporate leadership of the Council, ensuring the achievement of the Council's key objectives and strategies, including the delivery of the Council's Forward Financial Plan.
14. To play a key role as a member of the Directorate's Senior Management Team, including leading designated elements of the ELLL improvement strategy - "Being Excellent: Performance Improvement Plan 2013/2015".
15. To ensure that effective risk management arrangements are in place to minimise the Council's exposure to risk and uncertainty.
16. To deputise for the Corporate Director, as appropriate.
17. To support the Director to fulfil the role of Lead Director for Children and Young People's Services.
18. To support the work of the Regional Safeguarding Children Board, leading to effective partnerships being in place to safeguard vulnerable children and young people.
19. To ensure the effective development of adult community learning, including:
 - Working in partnership to secure a broad and relevant learning offer
 - Securing high quality learning outcomes

- Configuring learning provision in line with local, regional and national priorities
 - Contributing to the development of the Regional Learning Partnership
20. To provide personal leadership and act as a role model in developing high levels of motivation amongst staff, a culture of openness and the promotion of equal opportunities in all services, together with maintaining positive and progressive relations with employees, trade unions and teaching associations.
 21. To operate in accordance with the performance objectives, targets and timescales agreed with the Corporate Director of Education, Leisure and Lifelong Learning.
 22. To contribute to the strategic policy development and overall management of the Directorate and to the strategic management of the Council as a whole, including the co-ordination of Senior Management meetings and activities.
 23. To liaise and interact with other services across the Directorate, throughout the Council, and with other agencies to maximise the effective delivery of services.
 24. To develop effective employee communication processes, training programmes, risk assessment and Health and Safety arrangements across services and throughout the Directorate, and to monitor the effectiveness of such arrangements.
 25. To demonstrate the Council's managerial leadership values and behavioural competencies, ie providing positive leadership, acting with openness, honesty and integrity, and instilling a clear sense of direction, priority and pace.
 26. To ensure that effective arrangements are in place to secure the overall well-being and the health & safety of all employees and people delivering services for the Council.

Person Specification – Head of Participation

It is acknowledged that not all applicants will meet all essential person specification requirements. Applications will, therefore, be welcomed from individuals who do not meet all of these criteria but who, nevertheless, can provide robust evidence of the key attributes which will be required to perform to a high standard in this post.

Experience and Background

1. Successful record of achievement at a strategic level in an education environment.
2. Experience of successfully leading major policy and change programmes.
3. Experience of leading high-level partnerships that deliver improved outcomes for service users and citizens more generally.
4. A clear understanding of the key legislative policy and best practice issues in relation to education, leisure and lifelong learning in Wales.
5. Experience of delivering high quality and continuously improving services in at least one of the key areas of service delivery within this portfolio.
6. Excellent understanding of key education issues, the school improvement agenda in Wales.
7. Good understanding of local, regional and national funding issues.

Management Skills

1. Ability to successfully align service improvement and change programmes.
2. Ability to combine high level strategic planning, financial management and people management skills with an in depth understanding of the operational imperatives in delivering effective services.
3. A commitment to the continuous improvement of services, recognising the role of performance management as a key driver in improving outcomes for service users.
4. An appreciation of, and confident approach to, risk management in the context of high profile, public-facing services.

Leadership Skills

1. Proven leadership skills, including an ability to develop effective local, regional and national partnerships with a range of organisations, including Welsh Government
2. Outstanding communication and influencing skills.
3. Commitment and ability to champion the values and aspirations of the Council, with particular regard to education matters.
4. Ability to motivate and empower managers and staff alike.
5. Personal commitment to equal opportunity for service users and staff, creating an environment where people feel valued and are given opportunities to progress.
6. Ability to articulate the vision for education services to Corporate Directors, Heads of Service and other fellow officers, the Leader, Cabinet and other elected Members and partners in order to influence and shape the wider priorities of the Council and partner organisations.

Personal Qualities

1. A strong personal and professional commitment to making a difference to the lives of the children, young people and adults in all of our communities.
2. Excellent inter-personal skills that engender a strong sense of team working in achieving corporate and service objectives.
3. Personally credible, ability to influence and motivate others and with a strong commitment to supporting everyone in the County Borough to fulfil their potential.
4. An inclusive approach with the ability to exercise appropriate authority and sound judgement in leading the complex and challenging services within this portfolio.
5. Credibility to operate effectively in a political environment, instilling confidence in partners and colleagues.
6. Empathy and understanding of service issues and operational challenges.

Qualifications

1. A relevant degree (essential).
2. Evidence of personal continuing professional and personal development (essential).

3. Understanding and knowledge of the national lifelong learning agenda (desirable).
4. Ability to work through the medium of Welsh (desirable).

Job Description - Head of Transformation

Responsible to: Director of Education, Leisure and Lifelong Learning

Key Responsibilities:

1. To formulate and lead the Directorate's strategy on school reorganisation, including advising on school partnership arrangements.
2. To lead on transforming the Directorate's internal operation by securing the most effective and efficient managerial practices.
3. To manage and develop learner inclusion, ensuring that support for inclusion within the County Borough is delivered in an efficient and cost effective manner.
4. To ensure the effective development and delivery of services relating to access managed services.
5. To commission and quality assure leisure and cultural services in accordance with budgetary cash limits, relevant statutory frameworks and local, regional and national service developments.
6. To oversee the Directorate's financial management.
7. To oversee the following service portfolios: School Based Counselling; Learning Difficulties Team, Education Psychology Service, Additional Learning Needs Service, Speech and Language, Specialist Commissioning for Schools, Sensory Impaired and Learning Difficulties Team, Behaviour Support Service, Looked After Children, School Catering and Cleaning, Margam Park and Orangery, Management Information Unit, Education Welfare Service.
8. To establish effective working relationships with fellow officers, the Leader, Cabinet and other Elected Members.
9. To ensure that all services within the postholder's portfolio are effectively positioned to respond to the strategic and service changes

- necessary as a consequence of Welsh Government's aim of raising educational standards.
10. To provide effective leadership locally, regionally and nationally, including building and maintaining effective working relationships with school governors, head teachers and other partners and agencies such as ERW, WLGA, ADEW, Welsh Government, WAO, Estyn and CSSiW.
 11. To contribute to the corporate leadership of the Council, ensuring the achievement of the Council's key objectives and strategies, including the delivery of the Council's Forward Financial Plan.
 12. To play a key role as a member of the Directorate's Senior Management Team, including leading designated elements of the ELLL improvement strategy - "Being Excellent: Performance Improvement Plan 2013/2015".
 13. To ensure that effective risk management arrangements are in place to minimise the Council's exposure to risk and uncertainty.
 14. To deputise for the Corporate Director, as appropriate.
 15. To support the Director to fulfil the role of Lead Director for Children and Young People's Services.
 16. To provide personal leadership and act as a role model in developing high levels of motivation amongst staff, a culture of openness and the promotion of equal opportunities in all services, together with maintaining positive and progressive relations with employees, trade unions and teaching associations.
 17. To operate in accordance with the performance objectives, targets and timescales agreed with the Corporate Director of Education, Leisure and Lifelong Learning.
 18. To contribute to the strategic policy development and overall management of the Directorate and to the strategic management of the Council as a whole, including the co-ordination of Senior Management meetings and activities.

19. To liaise and interact with other services across the Directorate, throughout the Council, and with other agencies to maximise the effective delivery of services.
20. To develop effective employee communication processes, training programmes, risk assessment and Health and Safety arrangements across services and throughout the Directorate, and to monitor the effectiveness of such arrangements.
21. To demonstrate the Council's managerial leadership values and behavioural competencies, ie providing positive leadership, acting with openness, honesty and integrity, and instilling a clear sense of direction, priority and pace.
22. To ensure that effective arrangements are in place to secure the overall well-being and the health & safety of all employees and people delivering services for the Council.

Person Specification – Head of Transformation

It is acknowledged that not all applicants will meet all essential person specification requirements. Applications will, therefore, be welcomed from individuals who do not meet all of these criteria but who, nevertheless, can provide robust evidence of the key attributes which will be required to perform to a high standard in this post.

Experience and Background

1. Successful record of achievement at a strategic level in an education environment.
2. Experience of successfully leading major policy and change programmes.
3. Experience of leading high-level partnerships that deliver improved outcomes for service users and citizens more generally.

4. A clear understanding of the key legislative policy and best practice issues in relation to education, leisure and lifelong learning in Wales.
5. Experience of delivering high quality and continuously improving services in at least one of the key areas of service delivery within this portfolio.
6. Excellent understanding of key education issues, the school improvement agenda in Wales.
7. Good understanding of local, regional and national funding issues.

Management Skills

1. Ability to successfully align service improvement and change programmes.
2. Ability to combine high level strategic planning, financial management and people management skills with an in depth understanding of the operational imperatives in delivering effective services.
3. A commitment to the continuous improvement of services, recognising the role of performance management as a key driver in improving outcomes for service users.
4. An appreciation of, and confident approach to, risk management in the context of high profile, public-facing services.

Leadership Skills

1. Proven leadership skills, including an ability to develop effective local, regional and national partnerships with a range of organisations, including Welsh Government
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4. Ability to motivate and empower managers and staff alike.
5. Personal commitment to equal opportunity for service users and staff, creating an environment where people feel valued and are given opportunities to progress.
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2. Excellent inter-personal skills that engender a strong sense of team working in achieving corporate and service objectives.
3. Personally credible, ability to influence and motivate others and with a strong commitment to supporting everyone in the County Borough to fulfil their potential.
4. An inclusive approach with the ability to exercise appropriate authority and sound judgement in leading the complex and challenging services within this portfolio.
5. Credibility to operate effectively in a political environment, instilling confidence in partners and colleagues.
6. Empathy and understanding of service issues and operational challenges.

Qualifications

1. A relevant degree (essential).
2. Evidence of personal continuing professional and personal development (essential).
3. Understanding and knowledge of the national lifelong learning agenda (desirable).
4. Ability to work through the medium of Welsh (desirable).

EDUCATION, LEISURE & LIFELONG LEARNING

REPORT OF THE DIRECTOR OF EDUCATION, LEISURE & LIFELONG LEARNING – MR. A. EVANS

20th October 2014

SECTION B - MATTER FOR INFORMATION

WARDS AFFECTED: All

COGNATION MOUNTAIN BIKE TRAILS SOUTH WALES

1. Purpose of Report

To update Members on a change to the Cognition Mountain Bike (mtb) Trails South Wales staff structure, through the re-evaluation of the current Finance and Administration Officer Grade 5 scp 20 - 24. The re-evaluated post is called the Cognition Project Officer Grade 7 SCP 27 - 31. The post is a temporary position that will exist only for the fixed term until 31st March 2015.

2. Background

Cognition Mtb Trails South Wales' main objective is to make the area one of most exciting and accessible off-road cycle networks in the UK. Mountain biking is one of the strongest tourism activities within Neath Port Talbot, and an activity the local economy relies strongly on. The project is led by Neath Port Talbot County Borough Council and is supported by Visit Wales, Caerphilly CBC, Merthyr Tydfil CBC and Natural Resources Wales (NRW).

The project is part-funded by the European Union's, Convergence European Regional Development Fund (ERDF) through the Welsh Government, with match funding from the Heads of the Valleys and Western Valleys Strategic Regeneration Area and Local Authority funding.

This funding has led to the development of new and improved trails as a result of capital works across key sites in South Wales including Afan Forest Park and Margam Country Park. As well as this, the funding has supported an integrated marketing campaign to promote South Wales as a unified mountain bike destination.

3. Proposal

To re-evaluate the current post to provide a continuation of activities to ensure the current external funding is fully allocated. The post holder will also identify future funds to develop mountain biking and associated infrastructure across South Wales.

Due to the end of fixed term contract funding and the subsequent restructure of the Cognation team, the Financial and Administration Officer has had to undertake additional activities since 1st April 2014 in order to continue the project and ensure its success..

The post was therefore re-evaluated to take into account the additional duties. The post holder will be based in The Quays but will work across Neath Port Talbot, Caerphilly and Merthyr Tydfil. The proposed Cognation mtb trails South Wales Staff Structure is attached Appendix 3. Also enclosed for information is the previous structure (appendix 1)

4. Financial Appraisal

The post will be funded by current project partners, namely Natural Resources Wales, Neath Port Talbot CBC, Caerphilly CBC, Merthyr Tydfil CBC, Capital Region Tourism and South West Wales Tourism Partnership. Financial appraisal is attached Appendix 2. Therefore re-evaluation of this post is of minor risk financially to the authority.

5. Recommendations

This report is for information only and advises members of the re-evaluation of the Administration and Finance Officer Grade 5 to Cognation Project Officer Grade 7.

FOR INFORMATION ONLY

6. Appendices

Appendix 1 Financial appraisal

Appendix 2 Original Cognation mtb trails South Wales staff structure

Appendix 3 Proposed Cognation mtb trails South Wales staff structure

7. List of Background Papers

None

8. Wards Affected

All

9. Officer Contact

Angeline Spooner-Cleverly, Strategic Officer, Partnership and Community Development

Email: a.spooner-cleverly@npt.gov.uk Tel: 01639 686044

APPENDIX 1

Financial Appraisal

Costs 2014/2015

<u>Costs</u>	<u>This Year</u>
	<u>£'000</u>
Employee Costs	
- Starting Salary – Grade 7	34823
Other Running Costs (Travelling / Subsistence)	1400
Marketing	14027
Total Recurring Costs	50250
<u>Funding of Recurring Costs</u>	
External Sources	

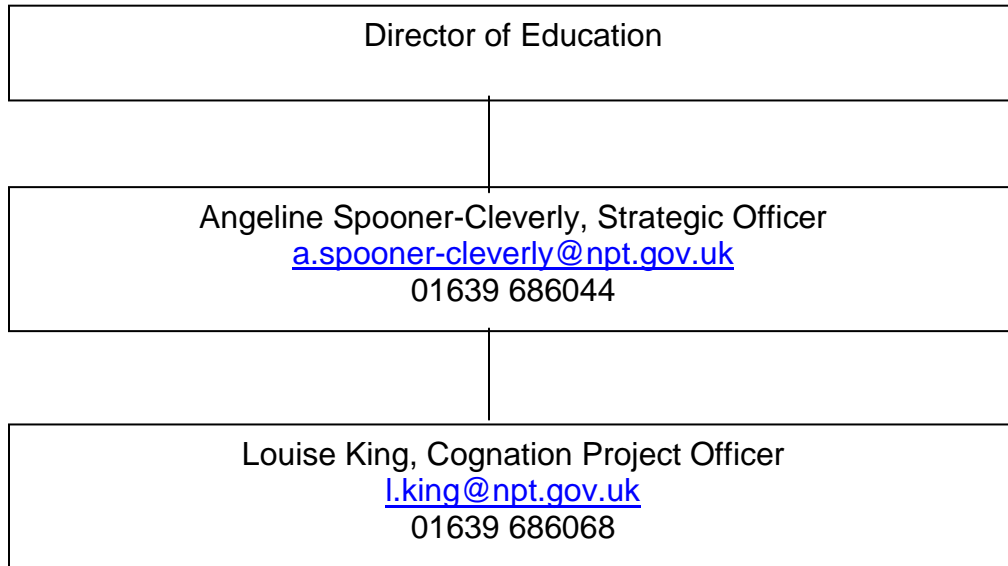
Funding from Partnership	40,250
Other (Specify)	
Internal Sources	
Existing Budget Allocation	10,000
Other	
Total Funds Available	<hr/> 50250 <hr/>

**Cognition mtb trails South Wales Organisation Chart
Neath Port Talbot County Borough Council**

Original Organisation Chart



Proposed Organisation Chart



CHIEF EXECUTIVE'S OFFICE

REPORT OF THE HEAD OF HUMAN RESOURCES – S. REES

20th October 2014

SECTION A - MATTER FOR DECISION

WARDS AFFECTED: All

FLEXIBLE WORKING POLICY AND PROCEDURE

1. Purpose of Report

The purpose of this report is to seek Members approval to adopt an HR policy and procedure in relation Flexible Working.

2. Background Information

2.1 Currently the Council has eight separate policies that relate to flexible working. These eight documents will be replaced by one Flexible Working Policy to make it more accessible and to ensure consistency. The development has also taken into account the ACAS document “The right to request flexible working: an ACAS guide”.

2.2. The ACAS Guidance states that a policy for handling requests to work flexibly should include the points below and these have been incorporated into the Policy:-

- How employees should make the application, including who the application should be made to and what should be covered in the application;
- A statement that the employer will consider the request and will only reject if for one of the eight business reasons (shown in the Manager's Guidance document)

- Who can accompany the employee at any meeting regarding the request;
- Arrangements for appeals
- Time limits on dealing with requests

2.3 The law changed on 30th June 2014 to allow any employee who has worked for their employer for 26 weeks continuously to make an application for flexible working whereas previously, the right only applied to parents of children under 17 or 18 in the case of parents of disabled children or to those caring for an adult. However, the Council has always welcomed applications from all employees with the qualifying service, regardless of whether they had caring responsibilities.

3. Process for Creating the New Policy.

3.1. This Policy was developed by HR in partnership with trade union representatives from UNISON and GMB and has been approved by the Local Government Services Forum.

4. Recommendation

4.1 It is **RECOMMENDED** that Members approve the Flexible Working Policy and Procedure attached as **Appendix 1**.

FOR DECISION

5. Officer Contact

For further information on this report item, please contact:
Diane Hopkins, Principal HR Manager on Ext 3012 or email d.b.hopkins@npt.gov.uk

or

Sheenagh Rees, Head of Human Resources, on Ext 3315 or email s.rees5@npt.gov.uk

6. **Appendix**
Appendix 1 – Flexible Working Policy and Guidance for Managers on Flexible Working Requests
7. **Background Papers**
None

**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL CASTELL NEDD PORT TALBOT**

**FLEXIBLE WORKING
POLICY AND PROCEDURE**

JULY 2014

Contents Page

1.0 Roles and Responsibilities	7
2.0 Introduction	8
3.0 Types of Flexible Working	8
3.1 Time off for dependants	8
3.2 Compressed hours working	9
3.3 Term-time working	9
3.4 Parental leave	10
3.5 Job share	11
3.6 Reduced hours	11
3.7 Career Break	12
4.0 Benefits of flexible working	13
5.0 Right to Request Flexible Working	13
6.0 Applying for Flexible Working	13
7.0 Handling the Request	14
8.0 Rejecting a Request	14
9.0 Appeals 15	
10.0 Pensions	15
Appendix A Flexible Working Application Form (FW1)	16
Appendix B Flexible Working Response (FW2)	18

1.0 Roles and Responsibilities

Employee	Make flexible working request in writing to their line manager. Be aware that reasonable notice is required. Be flexible in their approach to working patterns and the needs of the service.
Line Manager	Make reasonable decisions based on the needs of the service and then to work with the employee to achieve a successful outcome, ensuring regular communication with the employee.
Trade Unions	To provide advice and support to their member/s.
Head of HR	To deal with Appeals arising from refusal to approve Flexible Working requests.
HR Resourcing Team	Administer to successful requests and make necessary contractual and payroll amendments.

2.0 Introduction

Flexible working describes any working arrangements where the number of hours worked or the time or place that work is undertaken vary from the standard practice.

Flexible working can improve the organisation's efficiency, productivity and competitiveness through improving staff motivation and retention, reducing absence, attracting new talent, promoting work-life balance and reducing employee stress.

There are various forms of flexible working including:

- Time off for dependants
- Compressed hours working
- Term-time working
- Parental leave
- Job share
- Reduced hours
- Home working
- Career Break

3.0 Types of Flexible Working

Flexible working covers a range of different areas (as listed above). It will nearly always be determined by the following criteria:

- The hours they work;
- The times when they are required to work;
- The ability to work from another location of the business or from home (whether for all or part of the week).

3.1 *Time off for dependants*

Employees have the right to be granted **un-paid** time off work for an emergency involving a dependant. This time off can be to deal with an unexpected or sudden problem and to make longer term arrangements. The employee should not be dismissed, suffer detriment or be victimised for doing so.

A dependant can be defined as a spouse, child, parent or someone who cohabits with the person claiming the time off but is not his/her employee, tenant, lodger or boarder.

A dependant will also include someone who reasonably relies upon the employee for assistance when ill, injured or for the provision of care. This may be where the employee is the primary carer or is the only person who can help in an emergency.

There is no set limit with regards to the amount of time off that is allowed. One or two days at the most should be sufficient depending on the individual special circumstances.

3.2 *Compressed hours working*

The purpose of this is to give existing employees the opportunity to compress their working week/fortnight to assist with out of work responsibilities and activities, and where possible, to seek improvements to service availability.

Full time hours are worked over fewer days. Examples of this are a four day week and/or a nine day fortnight. A lunch break of not less than 30 minutes will be allowed. Annual leave will be expressed in hours rather than days per annum.

This will usually be piloted on a trial basis for a specified period of time. The terms of each pilot will be set out in writing and signed by the employee and his/her Head of Service. These terms will include the right to terminate the facility on either side with appropriate notice (a minimum of one month).

3.3 *Term-time working*

The purpose of this is to give existing employees the opportunity to take unpaid leave of absence during school holidays and, where possible, to seek improvements to service delivery. This should prove useful in attracting employees with child caring responsibilities and in combating skill shortage.

The basic annual leave specified for the equivalent full time post will be apportioned on a pro rata basis. Any additional entitlements to this, e.g. long service leave, will be applied individually and pro rata to the hours worked. Annual leave may be expressed in terms of hours rather than days per annum, where appropriate.

The Scheme is conditional upon the employee utilising his/her annual leave and statutory unpaid parental leave during the school holiday periods. The employee will be allowed to retain up to 5 days annual leave to cover domestic commitments or emergencies which may occur at other times during the annual leave year.

The employee will normally be paid in 12 equal instalments throughout the year. This is on the basis of the employee completing a 12 month cycle following his/her date of commencement in the Term Time Working Scheme.

Where statutory Bank Holidays fall during the employee’s designated school holiday period, they will be unpaid. However, an appropriate pro rata equivalent for all Bank Holidays that fall within such periods of unpaid leave will be added to the employee’s annual leave entitlement.

Where the employee falls ill during his/her designated school holiday period, he/she should report the sickness in the normal way. Term Time employees should be aware that as the payment of the pro rata salary continues during designated school holiday periods, any failure to report sickness may lead to a deduction in pay.

This will initially be piloted on a trial basis for a specified period of time (e.g. 6-12 months). The terms of each pilot will be set out in writing and signed by the employee and his/her Head of Service. These terms will include the right to terminate the facility on either site with appropriate notice (a minimum of one month).

3.4 Parental leave

Parental leave is the right to take time off unpaid to look after a child or make arrangements for the child’s welfare. Employees are eligible to take **18 weeks** in total for each child. The limit on how much parental leave each parent can take in a year is 4 weeks for each child, (unless otherwise agreed). This is pro rata for part time employees.

Parents can chose to take their parental leave at any time within the following conditions:

Child	Entitlement
For each child	18 weeks up to their 5 th birthday
For each adopted child	18 weeks up to their 18 th birthday or

Child	Entitlement
	5 th anniversary of their adoption, whichever comes first
For each child who qualifies for Disability Living Allowance	18 weeks up to their 18 th birthday.

Employees must give at least 21 days notice of the intended start date of their leave period.

Leave should be taken in blocks or multiples of one week; in exceptional circumstances, leave may be taken as single days, subject to notice provision.

3.5 *Job share*

Under this job sharing scheme, two suitably qualified employees will voluntarily share the duties and responsibilities of one full-time position. The salary and conditions of service will be divided between them. Both employees should be suitably qualified to undertake the range of tasks and responsibilities necessary in carrying out the full-time post.

Job sharing posts can be set up in the following ways:

- An existing post holder can opt to job share and the other half of the post would then be advertised;
- One successful candidate can be appointed to a vacant post on a job share basis, and the remaining hours of the post would then be advertised as a job sharing only vacancy;
- Two separate candidates can be appointed to a vacant post on a job sharing basis (subject to them both being considered on merit as the best persons for each half of the job sharing post);
- Two candidates can apply jointly for a vacant post, either at the same rate of pay or at a higher rate of pay, and both can be successful (subject to them both being considered on merit as the best persons for each half of the job sharing post).

3.6 *Reduced hours*

The purpose of this Scheme is to give employees the opportunity to reduce their working week to assist with out of work responsibilities and activities and, where possible, to seek improvements to service delivery.

The Reduced Hours working scheme will initially be piloted on a trial basis for a specified periods of time. The terms of each pilot will be set out in writing and signed by the employee and his/her Head of Service.

These terms will include the right to terminate the facility on either side with appropriate notice (a minimum of one month).

The employee will have the right to be considered for a return to full time working in the job in which he/she was employed prior to the reduction in his/her hours. In such circumstances, the employee should put his/her request in writing to the relevant Head of Service, including the date on which he/she would like to return to full time work. The Head of Service will make a decision based on objective and job related reasons. This decision will be confirmed in writing to the employee, normally within one month of receipt of the request.

The basic annual leave specified for the equivalent full time post will be apportioned on a pro rata basis. Any additional entitlements to this, e.g. long service leave, will be applied individually and pro rata to the hours worked. Annual leave may be expressed in terms of hours rather than days per annum, where appropriate. Employees eligible for flexi time will be entitled to the time on a pro rata basis. Bank holidays will be calculated in the same way.

3.7 Career Break

It is recognised that employees have different needs at different stages of their working lives and employees may need or wish to break their career in order to dedicate time for responsibilities or interests outside the workplace.

A career break is defined as *“an opportunity to leave the workplace, unpaid, for a specific period of time and then return to the same at the end of that period”*.

It can be used for the following purposes:-

- Childcare
- Care of a dependant
- Voluntary Services Overseas or community related issues
- Study at college/university

- Other personal reasons, i.e. travel, self development.

Please note, a career break cannot be used for undertaking any other paid employment.

A career break can last between a minimum of **3 months** and a maximum of **2 years** and shall not include maternity leave or any other period of paid leave. More than one break may be taken provided there is 5 years employment between breaks, and the overall combined duration of Career Breaks is no more than 2 years.

4.0 Benefits of flexible working

The benefits of increasing the uptake of flexible working schemes for employers and employees are:

- The retention of skilled employees;
- The avoidance of the financial costs of making redundancies;
- The increase in job security;
- The reduction in the overall wage bill;
- The improvement of work life balance.

5.0 Right to Request Flexible Working

The Council has always adopted a policy whereby all employees have the right to request flexible working. The law changed on 30th June 2014 whereby this is now a statutory right providing the employee has worked for the organisation for more than 26 weeks. This right previously only applied to parents with children under the age of 17 (or 18 if the child is disabled) and certain carers.

An employee can only make **one** statutory request in any 12 month period. Employees who have been employed for less than 26 weeks, agency workers and office holders do not have a statutory right to request flexible working. Nevertheless, employers may still wish to consider a request from these groups as flexible working can bring business benefits as well as benefits to the employee.

6.0 Applying for Flexible Working

- Only **one** application to work flexibly is allowed within a 12 month period.
- Requests must be made in writing. If you are interested in applying for flexible working, you will need to complete an FW1 form (Appendix A). Please complete and submit this form to your line manager.

7.0 Handling the Request

Employers should aim to respond to this formal request within 14 days of the application being submitted by arranging a meeting with the employee. This will provide an opportunity to explore the desired work pattern in depth, and to discuss how best it might be accommodated. It will also provide an opportunity to consider other alternative working patterns should there be problems in accommodating the desired work pattern outlined in the employers' application. The employee has the right to be accompanied to this meeting by their union representative or work colleague.

Decisions will be based on whether or not a request can be granted on business grounds rather than the employee's personal circumstances. Flexible working arrangements will not be granted where it is considered that the efficiency of the service will be adversely affected.

Having considered the changes the employee is requesting and weighed up the advantages, possible costs and potential logistical implications of granting the request the employer must let the employee know their decision to either:

- Accept the request and establish a start date and any other action; or
- Confirm the compromise agreed at the discussion, such as a temporary agreement to work flexibly; or
- Reject the request, setting out clear business reasons, how these apply to the application and any appeal process.

The decision should be put in writing as this can prevent any confusion at a later date. Where the request is granted, it is important to set out what changes will be made to the employee's terms and conditions.

8.0 Rejecting a Request

Any application will only be rejected for one of the eight business reasons as set out below:

- The burden of additional costs;
- An inability to reorganise work amongst existing staff;
- An inability to recruit additional staff;
- A detrimental impact on quality;
- A detrimental impact on performance;
- Detrimental effect on ability to meet customer demand.
- Insufficient work for the periods the employee proposes to work;

- A planned structural change to your business.

9.0 Appeals

The grievance appeals procedure provides an employee with the right to appeal the decision within 14 calendar days of it being notified to them. The grounds for the appeal should be put in writing to the Head of Human Resources, The Quays, Brunel Way, Baglan Energy Park, Neath, SA11 2GG.

10.0 Pensions

It is the employees' responsibility to contact the Pensions Section to find out whether this change will have an impact on their pension.

To be completed by the employee.

Name: Employee Number:

Job Title:

Are you making this request for flexible working in relation to the Equality Act 2010? (i.e. as a reasonable adjustment for a disability).

Yes No

What type of flexible working are you applying for:

- Time off for dependants
- Compressed hours working
- Term-time working
- Parental leave
- Job share
- Reduced hours
- Career Break
- Other (*please specify*)

Please specify the reason for your request:

.....
.....

Please specify your current work pattern:

.....
.....

Please specify your proposed working pattern:

.....

.....
When would you like to start this new working pattern if agreed?

Signed: Date:

Note: please allow at least 14 days within which you should receive a response from your manager or Head of Service.

Appendix B

Flexible Working Response (FW2)

To be completed by the manager and submitted to the Head of Service.

Please describe what you consider the impact of this new work pattern would be on service delivery and how any difficulties could be overcome:

.....
.....
.....
.....
.....

Signed (Head of Service): Date:

**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL CASTELL NEDD PORT TALBOT**

**GUIDANCE FOR MANAGERS ON
FLEXIBLE WORKING REQUESTS**

OCTOBER 2014

Contents Page

[1.0 Introduction](#)22

[2.0 Handling the Request](#)23

[2.1 What to do with the request](#)23

[2.2 Discuss with the employee](#)23

[2.3 Consider the request](#)24

[2.4 Deal with requests promptly](#)24

1.0 Introduction

Every employee has the statutory right to ask to work flexibly after 26 weeks employment service. An employee can only make a statutory request once in a 12 month period. This guide is intended to help employers deal with written requests made by employees to change their working hours or place of work under the statutory right in the Employment Rights Act 1996 to request flexible working.

The advice in this guide, as well as helping employers, will also be taken into account by employment tribunals when considering relevant cases.

2.0 Handling the Request

A request from an employee under the Employment Rights Act 1996 and regulations made under it must be in writing and must include the following information:

- The date of their application, the change to working conditions they are seeking and when they would like the change to come into effect.
- What effect, if any, they think the requested change would have on you as the employer and how, in their opinion, any such effect might be dealt with.
- A statement that this is a statutory request and if and when they have made a previous application for flexible working.

All of this information is detailed on the Flexible Working Request form (FW1) which is attached to the policy document. **link*

2.1 *What to do with the request*

Once you have received a written request, you must consider it. You should aim to respond to this formal request within 14 days of the application being submitted. You should arrange to talk with your employee as soon as possible after receiving their written request. If you intend to approve the request then a meeting is not needed.

You should allow an employee to be accompanied by a work colleague or Trade Union Representative for this and any appeal discussion and the employee should be informed about this prior to the discussion.

At the meeting, you should discuss the desired work pattern in depth, and to discuss how best it might be accommodated. It will also provide an opportunity to consider other alternative working patterns should there be problems in accommodating the desired work pattern outlined in the employers' application. The employee has the right to be accompanied to this meeting by their union representative or work colleague

2.2 *Discuss with the employee*

You should discuss the request with your employee. It will help you get a better idea of what changes they are looking for and how they might benefit your business and the employee.

Wherever possible the discussion should take place in a private place where what is said will not be overheard.

2.3 Consider the request

You should consider the request carefully looking at the benefits of the requested changes in working conditions for the employee and your business and weighing these against any adverse business impact of implementing the changes. In considering the request you must not discriminate unlawfully against the employee.

You must complete the Flexi Working Response Form (FW2) which is attached to the policy document and submit this to your Head of Service. **link*

When the form has been signed by your Head of Service you must inform the employee of that decision as soon as possible. You should do this in writing as this can help avoid future confusion on what was decided.

If you accept the employee's request, or accept it with modifications, you should discuss with the employee how and when the changes might best be implemented.

If you reject the request it must be for one of the following business reasons as set out in the legislation:

- The burden of additional costs.
- An inability to reorganise work amongst existing staff.
- An inability to recruit additional staff.
- A detrimental impact on quality.
- A detrimental impact on performance.
- Detrimental effect on ability to meet customer demand.
- Insufficient work for the periods the employee proposes to work.
- A planned structural change to your business.

If you reject the request you should allow your employee to appeal the decision. It can be helpful to allow an employee to speak with you about your decision as this may reveal new information or an omission in following a reasonable procedure when considering the application.

2.4 Deal with requests promptly

The law requires that all requests, including any appeals, must be considered and decided on within a period of three months from first receipt, unless you agree to extend this period with the employee.

If you arrange a meeting to discuss the application including any appeal and the employee fails to attend both this and a rearranged meeting without a good reason, you can consider the request withdrawn. If you do so, you must inform the employee.

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CHIEF EXECUTIVE'S OFFICE

REPORT OF THE HEAD OF HUMAN RESOURCES – S. REES

20th October 2014

SECTION B - MATTER FOR INFORMATION

WARDS AFFECTED: All

National Minimum Wage Increase

1. Purpose of Report

- 1.1. The purpose of this report is to update Members in relation to the National Minimum Wage (NMW).

2. Update

- 2.1 Since 1st April 2013 the hourly rate of pay applicable to SCP 5 of the LGS 'Green Book' pay and grading structure has been £6.45 per hour (£12,435 per annum).
- 2.2 On 1st October, the NMW will increase from £6.31 per hour to £6.50 per hour.
- 2.3 In the absence of the NJC having yet reached a pay agreement for 2014 / 2015, councils have been advised by the NJC that employees currently on SCP 5 salaries of £12,435 should be paid in accordance with the NMW Regulations 2014, with effect from 1st October 2014.
- 2.4 Therefore, from 1st October 2014, the rate of pay for SCP 5 will be £12,540 per annum, which equates to an hourly rate of £6.50.
- 2.5 This has been implemented by the Council's payroll team, and employees paid at SCP 5 will receive the new rate of pay in their October pay.

3. **Recommendation**

It is **RECOMMENDED** that Members NOTE this update in relation to the national minimum wage.

FOR INFORMATION

4. **Officer Contact**

For further information on this report item, please contact Sheenagh Rees, Head of Human Resources on Ext 3315 or email s.rees5@npt.gov.uk

5. **Background Papers**

None.

CHIEF EXECUTIVE'S OFFICE

REPORT OF THE HEAD OF HUMAN RESOURCES – S. REES

20th October 2014

SECTION B - MATTER FOR INFORMATION

WARDS AFFECTED: All

National Pay Negotiations Update

1. Purpose of Report

- 1.1. The purpose of this report is to update Members in relation to the national pay negotiations for LGS 'Green Book' employees.

2. Update

- 2.1 Members have received regular reports through 2014 providing updates on the national discussions between local government employers and trade unions in relation to the 2014 pay offer for LGS 'Green Book' employees. These discussions resulted in a dispute at national level, which led to strike action in July 2014. Further strike action was scheduled for 14th October 2014.
- 2.2 Over the past few weeks, the National Joint Secretaries have met regularly with the support of ACAS, and these discussions resulted in a revised pay proposal that the Employers were prepared to put to a formal consultation of councils, but only if the Trade Unions called off the strike action planned for 14th October 2014 to consult with their memberships in parallel.
- 2.3 In September UNITE and GMB advised the employers that it would be their intention to call off the strike action and consult with their membership, but only if UNISON decided likewise. UNISON's NJC Committee agreed on 9th October 2014 to withdraw the strike action and consult their membership.

3. **The revised pay proposal**

The details of the proposal are as follows:

- A long term deal to run from 1st January 2015 (i.e. not backdated to 1st April 2014) through to 31st March 2016
- 2.2% increase on SCP 11 and above (NPT Grade 3 and above)
- Higher % increases on SCP 5 to 10 (NPT Grades 1 and 2) to provide a new minimum hourly rate at SCP 5 of £7.00 per hour (currently £6.50 per hour).
- The deletion of SCP 5 on 1st October 2015 to make the minimum hourly rate £7.06 per hour.
- Non consolidated lump sum payments of between £100 and £325 on all scale points.
- A commitment to joint working for the future that will ensure that NJC is focused on issues of importance to both employers and employees.

4. **Next steps**

- 4.1 UNISON, GMB and UNITE are making arrangements to ballot their membership in relation to the pay proposal.
- 4.2 The Employers Side is similarly arranging formal consultation on the revised proposal. The Wales Regional consultation meeting is to take place prior to the next Joint Council for Wales on 24th October 2014 at which the Deputy Leader and Head of Human Resources will be in attendance.
- 4.3 A further update will be provided to Members at the next meeting of this committee.

5. **Recommendation**

It is **RECOMMENDED** that Members NOTE this update and receive a further update in due course.

FOR INFORMATION

6. **Officer Contact**

For further information on this report item, please contact Sheenagh Rees, Head of Human Resources on Ext 3315 or email s.rees5@npt.gov.uk

7. **Background Papers**

None.

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CHIEF EXECUTIVE'S OFFICE

REPORT OF THE HEAD OF HUMAN RESOURCES – S. REES

20th October 2014

SECTION B - MATTER FOR INFORMATION

WARDS AFFECTED: All

Agency Workers Update

1. Purpose of Report

To provide Members with an update on agency workers usage, per Head of Service, for the period 1/10/2013 to 31/09/2014.

2. Background

Members will recall that in October 2013 a report was submitted to this Committee providing data in relation to expenditure on agency workers, broken down by service area for the three year periods 2010/2011, 2011/2012 and 2013/2013. Members requested that an annual update be brought to this Committee on agency usage and spend.

3. Agency Spend to September 2014

Attached as **Appendix 1** is a table showing a breakdown of agency worker spend for the four year period, up to 2014. The figures show that in the last 12 month period there has been a further decrease in the usage of agency workers during this period compared to the same period 2012 / 2013.

The highest usage of agency workers is still in the Social Services Health and Housing Directorate, mainly on qualified and unqualified social care staff in Children and Young People Services. However, the spend is continuing the downward trend and currently the number of agency workers has reduced significantly to eight.

The second highest user of agency workers is the Refuse and Recycling Teams in the Waste Services of the Environment Directorate. Although this spend has increased slightly over the 12 month period, this is due to one off projects which have necessitated the use of agency workers, such as the roll-out of the small bins and the equipment for the new recycling vehicles.

There have also been changes to working patterns reported to this Committee previously (from 4 (9.25hr) days per week to five (7.5hr, 7hr on Fridays) days per week), implemented in July 2014, which should see the agency spend reduce further going forward.

3. Recommendation

It is **RECOMMENDED** that this report be **NOTED** and that Members receive a further update at the end of the next 12 month period.

FOR INFORMATION

4. List of Background Papers

None

5. Officer Contact

Sheenagh Rees, Head of Human Resources, The Quays
Email – s.rees5@npt.gov.uk or tel. 01639 763315

6. Wards Affected

All

7. Appendix

Agency worker usage per Head of Service 2010/11, 2011/12, 2012/13 and 2013/14.

AGENCY USAGE PER HEAD OF SERVICE

Head of Service	Job Title/s of Assignments	Total Spend from 27/9/2010 – 2/10/2011	Total Spend from 26/9/2011 – 30/9/2012	Total Spend from 1/10/12 – 01/09/2013	Total Spend from 1/10/2013 – 31/09/2014
Head of Human Resources	N/A	Nil	Nil	Nil	Nil
Head of ICT	Admin Officer	N/A	£5,541.40	Nil	Nil
Head of Engineering and Transport	Principal Engineer – Traffic Engineering	£4,339.39	£1,192.36	Nil	Nil
Head of Economic Development and Valleys Programme (post deleted)	Clerical and Admin	N/A	£6,123.75	Nil	Nil
Head of Revenues and Customer Services (post deleted, please see Head of Financial Services)	Customer Services Assistant Clerical and Admin	N/A	£14,243.21	Nil	Nil
Head of Schools, Inclusion and Lifelong Learning	Caseworker	£9,210.66	£19,301.89	Nil	Nil
Head of Change Management and Innovation (post deleted)	Clerical and Admin	Nil	Nil	£6,672	Nil
Head of Property and Regeneration	Waiter / Waitress	£5,614.28	£3,682.59	£3,713	£3,994

Head of Service	Job Title/s of Assignments	Total Spend from 27/9/2010 – 2/10/2011	Total Spend from 26/9/2011 – 30/9/2012	Total Spend from 1/10/12 – 01/09/2013	Total Spend from 1/10/2013 – 31/09/2014
Head of Business Strategy and Public Protection	Clerical and Admin Environmental Health Officer	£17,336.05	£5,259.81	£15,540 (all Public Protection)	£6,556 (all Public Protection)
Head of Corporate Strategy and Democratic Services	Customer Services Officer Clerical and Admin	£48,495.65	£2,183.44	Nil	£8,553
Head of Support Services and Commissioning Development	Chef Waiter/Waitress	£61,586.75	£48,184.91	£43,613	£31,711
Head of Financial Services	Clerical and Admin Cashier Council Tax Officer	£62,186.76	£110,727.73	£50,559	£35,098
Head of Legal and Democratic Services	Paralegal Legal Technical Officer Clerical and Admin	£76,212.62	£148,799.34	£61,082	£36,046
Head of Partnerships and Community Development	Social Worker Level 1	£700.64	Nil	Nil	£55,087
Head of Community Care	Rehab Support Worker Day Support Worker	£126,589.42 (residential care only) £107,513.54 (Housing only)	£87,647.07 (excluding residential care and including Housing)	£36,498 (including Housing)	£105,592
Head of SWTRA	GIS Technician Principal Engineer	£43,636.57	£209,103.97	£154,748	£105,814

Head of Service	Job Title/s of Assignments	Total Spend from 27/9/2010 – 2/10/2011	Total Spend from 26/9/2011 – 30/9/2012	Total Spend from 1/10/12 – 01/09/2013	Total Spend from 1/10/2013 – 31/09/2014
	Traffic Management Centre Operator Area Technician				
Head of Streetcare Services	Refuse / Recycling Loader LGV Recycling Driver Public Lighting Contract Supervisor	£458,531.47	£618,459.38	£478,726	£574,781
Head of Children and Young People Services	Social Worker Practice Support Worker Supervised Contact Worker	£1,369,060.92	£1,852,022.93	£1,818,356	£950,296
TOTAL SPEND FOR PERIOD		£2,391,014.71	£3,132,473.78	£2,669,507	£1,913,528

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