



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Personnel Committee

July 2020

Private Report of the Head of Streetcare Mike Roberts

Appendices A and B are not for publication pursuant to Regulation 5(2) & (5) of Statutory Instrument 2001 No. 2290 and Paragraphs 13, 14 and 15 of Part 4 of Schedule 12A to the Local Government Act 1972. Pursuant also to Paragraph 21 of the Schedule, and in all the circumstances of the case, the public interest in maintaining the exemption is considered to outweigh the public interest in disclosing the information.

Matter for Decision

Wards Affected: All

Materials Recovery and Energy Centre, Crymlyn Burrows

1.0 Purpose of the Report:

To determine personnel issues further to a decision by Cabinet on 25th June 2020 to change the operation at the MREC to that of a transfer station.

2.0 Executive Summary:

Further to staff consultation in conjunction with the Trade Unions, a decision was taken by Cabinet on 25th June 2020 to change operations at the MREC in line with that of a transfer station, with enhanced capacity for dealing with recycling. In doing so, as included in the consultations, role changes are proposed alongside changing MREC employees to the Council's Terms and Conditions. The Personnel Committee is now asked to consider these staffing matters.

3.0 Background:

Following a Member decision in July 2018 to insource the MREC facility, TUPE transfer of the staff and operations at the MREC was completed on 1st October 2019. Formal consultations on service change at the facility, as further identified in principle alongside the insourcing decision, subsequently started on 6th January 2020. Cabinet considered the outcome of those consultations on 25th June 2020 and determined that service change should proceed as proposed. Furthermore it was resolved to recommend to the Personnel Committee that a revised structure as identified in the consultations be implemented, and that appropriate notices of change and/or redundancy be issued as deemed appropriate, with any new roles being subject to Local Government Terms and Conditions.

Initial consideration of the proposed service changes indicated that around 20 less staff would be required to run the site as a Transfer Station/Recycling Centre. However, very good progress has been made as part of the consultations with staff to reduce the potential for any compulsory redundancies. Furthermore, with the Council being a significant employer there are existing and likely to be further redeployment opportunities during the intended notice period for those who wish to continue in employment, and who have not already otherwise been accommodated.

4.0 Consultation:

Prior to starting consultations a new proposed staffing structure was devised with job-evaluated roles, for which Job Descriptions and Person Specifications were made available. All proposed jobs were in line with the Council's Local Government Terms and Conditions as opposed to the former operating company's 'blue book'. It is noted that as part of TUPE transfer, staff have already transferred to the Local Government Pension Scheme, where they have not opted out, as the council could not legally offer the provision provided by the former site operator.

Consultations included a series of team meetings with staff and Trade Unions, including 1-2-1 meetings for every member of staff, and home visits where employees could not attend at work. Refinements were made to the proposals as part of the consultations, with updates being posted on notice boards.

The final proposed structure detailing posts and salaries is given in Appendix A. Job evaluated job descriptions and person specifications are available but not included for reasons of brevity.

As part of the consultations, provisional appointments have been identified to the proposed posts as shown in Appendix B.

No alternative proposals were submitted by managers or staff at the MREC, but staff feedback during the consultations was considered in finalising the structure and staff proposals. It is noted that since becoming Council employees, staff have enjoyed Trade Union representation and trade union involvement has been key in this consultation process. The Trade Unions are supportive of the proposals and their members moving to Council Terms and Conditions.

5.0 Financial Impacts:

Revenue Expenditure

A revenue summary for the MREC in 2020/21, assuming a change to Transfer Station operations on 1st October 2020, is shown in Appendix C. Costs for the current financial year are expected to be in line with the Council approved budget for this year of £4.956M, and similarly for next year. There are therefore no cost implications associated with the proposals.

It is noted provision has been made in the detailed budget for a virement from the MREC budget to the corporate Health and Safety team budget, reflecting the transfer of the previous plant health and safety officer role from one to the other. Approval to move the monies will be sought as normal via the next corporate budget monitoring report.

Capital Expenditure

Cabinet has resolved to allocate £5.55M including contingency in the council's capital programme over the next four years to make the necessary physical changes alongside the staff changes.

6.0 Integrated Impact Assessment:

A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-Being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016.

An initial first stage impact assessment has been undertaken, as attached at Appendix D, which has indicated a full in-depth assessment is not required.

7.0 Valleys Communities Impacts:

The proposed service changes will help secure recycling services going forward in the valley communities as well as other areas in the County Borough.

8.0 Workforce Impacts:

The outcome of consultations is that 29 roles are included in the proposed new structure plus a Health and Safety Officer post in the HR Division.

In terms of voluntary or other unavoidable redundancy, redundancy payments have and would be in accordance with the former operating company's 'blue book' Handbook dated 2016, section 14.7

In terms of any pay detriment as the former operating company's Handbook does not contain a policy, the Council's policy of 12 months' pay protection is proposed to apply.

From Appendix B it can be seen that two staff currently remain unplaced. If Members approve the changes then during the formal notice period there will be a further '12 week' opportunity to find suitable placements.

The revised transfer station arrangements will provide efficient offloading, bulking and transfer arrangements for both refuse and recycling commensurate with the changing circumstances of waste management. As such, downtime of expensive collection vehicles and crews due to off-loading delays would be significantly reduced.

9.0 Legal Impacts:

None

10.0 Risk Management Impact

An efficient and effective local drop-off point is essential for the operation of the Council's core waste collection services, and will be secured by this proposition. Failure to make changes in line with changing service provision would put recycling services in particular at risk.

11.0 Recommendations:

It is recommended that:

- Members approve the proposed structure given in Appendix A;
- Members approve the issuing of appropriate notices of change and/or redundancy as set out in Appendix B;
- Members approve the new roles being subject to Local Government Terms and Conditions;
- Officers continue to work with Trade Union representatives during the notice period for change to endeavour to secure suitable alternative employment for the two members of staff who are not currently placed.

Appendices:

- Appendix A: Proposed personnel structure for Transfer Station(See Note 1)
- Appendix B: Proposed appointments/ summary of workforce implications (See Note 1)
- Appendix C: Draft revenue budget
- Appendix D: Integrated Impact Assessment Screening

Note 1: not for publication pursuant to Regulation 5(2) & (5) of Statutory Instrument 2001 No. 2290 and Paragraphs 13, 14 and 15 of Part 4 of Schedule 12A to the Local Government Act 1972. Pursuant also to Paragraph 21 of the Schedule, and in all the circumstances of the case, the public interest in maintaining the exemption is considered to outweigh the public interest in disclosing the information

List of Background Papers:

Report to Cabinet – Procurement of Waste Management Services, 25th July 2018 and associated minutes of the meeting.

Report to Cabinet – Material Recovery and Energy Centre, Crymlyn Burrows, 25th June 2020 (outcome of Management of Change consultations).

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