



NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

PERSONNEL COMMITTEE

7TH JUNE 2021

REPORT OF THE HEAD OF HUMAN RESOURCES – SHEENAGH REES

Matter for Decision

Wards Affected: All wards

Review of Recruitment Restrictions

1. Purpose of Report

The purpose of this report is to seek Member approval to amend recruitment restrictions first implement in April 2011, under the provisions of the Workforce Strategy Collective Agreement 2010.

2. Background

In 2010, following extensive negotiations with the council's recognised trade unions, a number of measures were agreed via collective agreement. The agreement had two key aims:

- a. To reduce the costs of local authority services to reflect the substantial real terms reduction in the level of Aggregate External Finance allocated to the Council in the medium term.
- b. To continue to maximise employment continuity with compulsory redundancy as a last resort, a particular priority of the trade unions.

Included in the Collective Agreement is a set of measures to avoid compulsory redundancies, “The Joint Commitment To Seek To Avoid Compulsory Redundancies”, a copy of which is attached in Appendix 1 of this report. This included restrictions on external recruitment, along with a number of other measures such as the introduction of ‘prior consideration’, redeployment, and a voluntary redundancy scheme.

Members will be aware through regular workforce reporting that since the introduction of these measures in 2011, this strategy has been successful for the council with a minimal number of compulsory redundancies occurring in each financial year, despite significant reductions in the overall headcount of the council.

The Head of Service Workforce Planning Group (formally known as the Head of Service VR Group) was established in 2011 with the aim of ensuring a consistent and joined up approach across the council. This included overseeing recruitment restrictions and facilitating redeployment. The Group is chaired by the Director of Environment and Regeneration, attended by a Head of Service representative from each directorate, and two trade union representatives. This Group helped develop the recruitment restrictions that are still in place today:

1. All vacancies will be advertised in the first instance to Prior Consideration applicants only (see definition below).
2. If that does not result in a successful appointment, vacancies can then be advertised on an ‘internally only’ basis.
3. If that is not successful, recruiting managers can seek approval from the HOS Workforce Planning Group to advertise externally to the council. Recruiting managers are required to provide a business case to support this request.

There are two tiers of prior consideration:-

Tier One

- Employees under notice of redundancy
- Employees at risk of redundancy
- Medical redeployees

- Employees at Stage 3 of the Capability Procedure
- Employees on a Temporary / Fixed Term Contract, who have been subject to two or more successive fixed terms contracts over a four year period or more

Tier Two

- Employees on a Temporary / Fixed Term Contract with EITHER 12 months continuous service with the Council OR a contract of 12 months or more duration
- Employees in a pay protection situation

Tier One redeployees will be given priority, in respect of appointments over employees within the Tier Two category. This means that they will be short-listed and interviewed prior to those in the Tier Two category. Should the employee/s in the Tier One category be unsuccessful, the recruiting manager should subsequently interview those in the Tier Two category.

3. Review of restrictions

The Workforce Planning Group have considered the following:

- The Council has a statutory duty to continue to seek suitable alternative employment for employees served with notice of redundancy up to the date of termination.
- The number of employees designated 'at risk' and entitled to Prior Consideration has reduced significantly from the early to mid 2010s when hundreds of employees were at risk at any one time. Currently there are 49 employees at risk, and of these, 15 are Tier 1.
- Services, in the current circumstances, require a more flexible and responsive approach to recruitment. This is evidenced by the increasing number of business cases submitted by line managers to the Workforce Planning Group, requesting simultaneous Prior Consideration and Internal Only advertising in order to reduce the number of weeks a recruitment exercise takes from date of advertisement to date of

appointment. By combining the first and second stages of advertising, this reduces the timescale by at least 2 weeks.

- With the numbers of prior consideration candidates now so small, it is more difficult to continue to justify a 2 week time delay in the recruitment process.
- Where a vacancy is advertised to Prior Consideration and Internal Only applicants, recruiting managers are still required to consider the prior consideration candidates before any other candidates, so whilst the timescale for recruitment will be reduced the advantage to prior consideration candidates will not.

4. Proposed arrangements

The Workforce Planning Group is proposing that:

- a) Vacancies will be advertised for a 2 week period, simultaneously to Prior Consider and Internal Only candidates.
- b) If vacancies cannot be appointed to following Prior Consideration / Internal Only advertising, recruiting managers can request external advertising via a business case to the Workforce planning Group.
- c) At any stage in the recruitment process, if a prior consideration application present him/herself s/he should be considered before any other applicant.
- d) Should there be a significant increase in numbers of employees 'at risk' the Head of Human and Organisational Development, in consultation with trade unions and the Workforce Planning Group will have the authority to re-instate the requirement to advertise to those 'at risk' prior to any other candidates.

5. Financial Impacts:

There are no financial impacts associated with this report.

6. Integrated impact assessment:

A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016. The first stage assessment, attached at appendix 1 has indicated that a more in-depth assessment is not required. A summary is included below:

“A full impact is not required as there is no impact on any protected group. It also has no negative impact on bio-diversity or the Welsh Language”.

7. Valleys Communities Impacts:

No Implications

8. Workforce Impacts:

The revision in the recruitment restrictions should not adversely impact on prior consideration candidates. This will be monitored by the Head of Service Workforce Planning Group, to ensure that this remains the case.

9. Legal Impacts:

No implications.

10. Risk Management Impacts:

No implications.

11. Consultation:

There is no requirement under the Constitution for external consultation on this item. The review of restrictions has been agreed with the Trade Unions via the Local Government Services Forum who support this proposal.

12. Recommendations:

It is **RECOMMENDED** that Members **APPROVE:**

- a) the revision to recruitment restrictions, that vacancies will be advertised for a 2 week period, simultaneously to Prior Consider and Internal Only candidates, other restrictions remaining unchanged.
- b) Should there be a significant increase in numbers of employees 'at risk' the Head of Human and Organisational Development, in consultation with trade unions and the Workforce Planning Group will have the authority to re-instate the requirement to advertise to those 'at risk' prior to any other candidates.

FOR DECISION

13. Appendices:

Appendix 1 – Joint commitment to seek to avoid compulsory redundancies

Appendix 2 – First Stage Integrated Impact Assessment

14. List of background papers:

Workforce Strategy Collective Agreement 2010.

15. Officer Contact

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