



## **NEATH PORT TALBOT COUNTY BOROUGH COUNCIL**

### **PERSONNEL COMMITTEE**

**20<sup>TH</sup> SEPTEMBER 2021**

### **REPORT OF THE HEAD OF HUMAN & ORGANISATIONAL DEVELOPMENT – SHEENAGH REES**

**Matter for: Decision**

**Wards Affected: All wards**

### **Voluntary Protocol for Recognising Continuous Service**

#### **1. Purpose of Report**

The purpose of this report is to seek Member approval to participate in a pilot to recognise continuous service across the Welsh public sector for the purposes of calculating annual leave.

#### **2. Background**

The voluntary protocol has been developed by a Task and Finish Group established by the Workforce Partnership Council (WPC). The council has been asked by the Task and Finish Group to consider adopting the protocol on a trial basis of 12 months.

The aim of the voluntary protocol is to aid mobility of the Welsh public service workforce and aid recruitment within public service organisations by retaining employees with valuable public service experience, skills and knowledge within the public service workforce. The WPC have identified that portability of accrued continuous service is key in facilitating the voluntary movement of the public service workforce between public service employers.

The voluntary protocol can be adopted by public service employing organisations, including Welsh Government devolved organisations, Wales NHS, local government organisations, and Welsh Government.

A trial period would enable public service employers who adopt the voluntary protocol the opportunity to monitor its implementation on factors such as:

- tracking the number of staff moving between public service employers
- the number of employees who would be entitled to the enhanced annual leave benefits
- identifying any additional employers costs associated with the voluntary protocol

The monitoring data will be evaluated by the task and finish group to establish the impact of the voluntary protocol and presented to the WPC for review.

### **3. Policy implications**

The protocol requires public service employers to recognise accrued continuous service of the employee for the purposes of the contractual benefit of annual leave.

Public service employers that adopt this protocol will take into account an employee's continuous service gained in another public service organisation. The employee will be granted the annual leave entitlement associated with the employee's length of continuous service gained in public service employment.

In Neath Port Talbot the majority of employees are entitled to additional annual leave when they have completed 5 years' service. The exceptions are Chief Officers and the Chief Executive. The table below sets out the council's annual leave arrangements:

<b>LGS Green Book</b>	
Less than 5 years completed service	24 days (pro-rata part time)
5 years completed service or more	31 days (pro-rata part time)
<b>Chief Officers</b>	33 days per annum
<b>Chief Executive</b>	33 days per annum
<b>Soulbury Officers</b>	
Less than 5 years completed service	24 days (pro-rata part time)
5 years completed service or more	31 days (pro-rata part time)
<b>Youth &amp; Community</b>	
Less than 5 years completed service	29 days (pro-rata part time)
5 years completed service or more	34 ays (pro-rata part time)

Where a new recruit who has accrued continuous service from within the Welsh public sector (and as defined in the voluntary protocol), their entitlement to annual leave will take account of this accrued continuous service, and will be applied according to the terms and conditions that they are to be employed on with the council.

Please note that the council already recognises continuous service accrued within local government for the purposes of calculating annual leave, so the key change will be to extend this to service accrued in Welsh Government devolved organisations, Wales NHS and Welsh Government.

For example, if a new recruit joins the council and can evidence 6 years continuous service with Welsh Government, and is to be employed on Youth & Community terms and conditions of employment, s/he will be entitled to 34 days annual leave.

#### **4. Financial Impacts:**

The application of the voluntary protocol will be monitored to determine if there are additional staffing costs resulting from it.

## **5. 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 whilst there is low impact on a protected group, the Equality Act specifies an exemption for entitlements based on a length of service criterion, as long as the length of service required is a 5 year period or less.

It also has no negative impact on bio-diversity or the Welsh Language”.

## **6. Valleys Communities Impacts:**

No Implications

## **7. Workforce Impacts:**

The aim of this protocol is to aid the mobility of the public service workforce and improve recruitment.

## **8. Legal Impacts:**

There are no legal impacts associated with this report.

## **9. Risk Management Impacts:**

No implications.

## **10. Consultation:**

The council’s recognised trade unions will be consulted on this item.

## **11. Recommendation:**

It is **RECOMMENDED** that Members having taken account of the Integrated Impact Assessment **APPROVE** the adoption of the Voluntary Protocol for Recognising Continuous Service.

## **FOR DECISION**

## **12. Appendices:**

Appendix 1 – Voluntary Protocol for Recognising Continuous Service  
Appendix 2 – First Stage Integrated Impact Assessment

## **13. List of background papers:**

None.

## **14. Officer Contact**

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