

Crawley Borough Council

	PAT/016	E
--	---------	----------

Report to Cabinet

9th October 2013

Amenity Services Local Pay Agreement

1. Key Points

- 1.1 The Amenity Services Division created a local pay agreement in 2004. This set out payments for non-standard working including weekends and bank holidays across the Amenity Services Division. It was initially envisaged that the agreement would be reviewed annually but no reviews have been undertaken.
- 1.2 A review has now been carried out in consultation with staff and unions and a new agreement has been drawn up which addresses inconsistencies and some inequalities in the previous agreement whilst maintaining affordability and the principles of equal pay.

2. Recommendations

- 2.1 **The Cabinet is asked to recommend to Council the approval of the Amenity Services Local Pay Agreement and that delegated authority is granted to the Head of People and Technology and Head of Amenity Services to agree any minor changes to the Agreement after the 12 month review date .**
- 2.2 **The Cabinet is asked to recommend to Council the amendment of the Pay Policy to include reference to the Local Pay Agreement.**

LUCASTA GRAYSON
Head of People & Technology
&
CHRISTIAN HARRIS
Head of Amenity Services

3. Background

- 3.1 The terms and conditions of Council staff are set out in the NJC national agreement for pay and conditions of service, known as 'the Green Book'. Some elements of the national conditions, which were set out in Part 3 of the Green Book are open to local negotiation.
- 3.2 The elements of pay set out in the Amenity Service Local Pay Agreement were in part 3 of the Green Book and included, weekend working, bank holiday working and unsocial hours.
- 3.3 The agreement covered staff working in Street Cleansing, Tilgate Park, Leisure Rangers, Sportsground maintenance staff and seasonal kiosk staff. The agreement did not include any enhancement for staff working weekends as part of their normal working week.
- 3.4 As part of this agreement, the majority of long standing staff did not have to work weekends. This has led to complaints from staff who were recruited after 2004 and work weekends as part of their normal working week with no enhancements.
- 3.5 Some teams such as the Nature Centre team and the Café staff at Tilgate Park have not been receiving any enhancements for non-standard hours of work.
- 3.5. These issues were raised with the Cabinet member for Continuous Improvement & Development in September 2010 and it was agreed at that stage to move towards payment of weekend rates in Amenity Services over a period of time. The plan was for this to coincide with a review of gradings which will create some savings to assist in the funding of the changes. Those savings are available from August 2013.

4. The New Agreement

- 4.1 A working group of officers and union representatives have developed a new agreement which will be applicable to all staff in Amenity Services. This is attached as appendix 1.
- 4.2 The new agreement includes an agreed process for progression through career grades; Green Book rates for Bank Holiday, unsocial and additional hours (overtime) working; and a new local rate for weekend working of plain time plus 14% for all hours worked at weekends, where weekend working is part of the normal working week.
- 4.3 For staff who are contracted to work weekends, the new agreement also allows more flexibility in having weekends off work, as well as the whole of the Christmas/ New Year period, if they so wish.
- 4.4 These improved and more equitable payments are affordable within the existing budget provision, which includes some savings from previous restructures where pay protection has ended.
- 4.5 The draft agreement is subject to a 30 day consultation with all affected staff and the agreement will be signed by union representatives if this is acceptable to staff and is confirmed at Cabinet and Council.

- 4.6 Both management and the union representatives have agreed to review the document after one year and to make any minor amendments that are deemed necessary for the smooth running of the arrangements.

5. Ward Members' Views

- 5.1. The proposals are not ward specific.

6. Staffing, Equalities, Financial and Legal Implications/Powers

- 6.1 The consultation process for this agreement is set out in paragraph 4. The new agreement will address a number of long running concerns about inconsistency of current arrangements.
- 6.2 There are a small number of staff outside of Amenity Services who work weekends on different rates and this anomaly will not be resolved by this agreement.
- 6.3 An Equality Impact Assessment has been completed and this shows that the introduction of the local pay agreement in Amenity Services will address a number of equal pay anomalies and will therefore increase equity in pay across the organisation.
- 6.4 The local pay arrangements within the agreement have been budgeted for within existing Amenity Services budgets, following service efficiency savings that have been reserved for this purpose over the past two years. There will be an extra £32K allocated to weekend pay enhancements, £10K extra for Bank Holiday pay, £5K extra for voluntary working between Christmas and New Year and £1K extra for working unsociable hours.
- 6.5 Employee terms and conditions are governed by the NJC national agreement for pay and conditions and supplemented by local agreements that have been collectively agreed with union representatives. These arrangements are set out in individual contracts of employment for staff. It is proposed that the Local Pay Agreement will be a collective agreement with Unison and will therefore become part of the contract of employment of Amenity Services staff.
- 6.6 The Council's pay policy, which is annually reviewed and agreed at Full Council, will also be amended to include this local pay agreement when it is next reviewed.

7. Risk Implications

- 7.1 Any potential equal pay claims have been mitigated by consulting with UNISON and all Amenity Services staff, both informally and formally, throughout the negotiation process. UNISON are supportive of this agreement.

9. Environmental Impacts

9.1 There are no environmental impacts.

10. Other Implications

10.1 There are no other implications.

11. Reasons for the Recommendation

11.1 It is recommended that the Cabinet and Council agree the new Local Pay Agreement for the Amenity Services Division and that any minor changes identified as part of the one year review should be agreed by the Head of Amenity Services and the Head of People & Technology.

12. Background Papers

NJC Green Book

Contact Officer:- Lucasta Grayson
Direct Line:- 01293 4388231

**Amenity Services
Local Pay Agreement
Crawley Borough Council**

FULL IMPLEMENTATION ON [DATE]

This Amenity Services Local Pay Agreement sets out remuneration for working weekends, Bank Holidays, unsociable and additional (overtime) hours. It also sets out remuneration for working on 'rest-days', as well as working between Christmas and New Year (shut-down period).

Pay issues not covered by this local pay agreement will be covered by the Council's current Employee Handbook. Pay issues not addressed by either of these documents will be covered by the current NJC Green Book.

A claim form will need to be submitted to receive the enhanced rates of pay.

Enhancements do not apply to those participating in the Council's flexi-time system.

This Local Pay Agreement supersedes the Amenity Services Productivity & Flexibility Agreement which was fully implemented on 1st April 2004.

Basic Pay:

Pay grades (basic pay) are assessed through the Council's Job Evaluation scheme.

Each pay grade is divided into four spinal points. For example, grade B is split into spinal points 7, 8, 9 and 10. Moving up through the spinal points attracts a higher rate of pay. Staff will normally be recruited at the lowest spinal point, though they may be recruited higher up the grade if they have considerable and relevant previous experience, skills, abilities and qualifications. Each April, following satisfactory performance, staff will move up one spinal point at a time, until they reach the top of the grade.

Where a job is career graded (for instance B/C) staff will only move to the upper grade (for instance from B to C) once they can undertake all the tasks described within the job description, meet all the essential requirements of its candidate specification, and where their performance and attendance are satisfactory. For some jobs, for example, this may mean having the skills and requirement to drive a road going vehicle, and having a full current driving licence, before moving to the upper grade. For other jobs, it may mean passing a relevant qualification, or ability and requirement to use specialist machines and equipment, as listed essential on the candidate specification for that job. Should staff be unable to fulfil all elements of the job description, and/ or essential criteria on the candidate specification, for instance if they are banned from driving and this is an essential requirement of the job, their grade and/ or position may need to be reassessed.

Please see the Council's Employee Handbook for more information about basic pay.

Weekend working (as part of the normal working week):

Some Amenity Services staff are employed to work each weekend (Saturdays or Sundays or both) as part of their normal working week. Other weekend working is

Consultation draft – 24 July 2013

voluntary. This will be explained at interview and written into the 'special conditions' part of job descriptions.

Remuneration for working weekends (as part of the normal working week) is as follows:

- *14% enhancement on the basic rate of pay (excluding Crawley Allowance) for those weekend hours worked.*

Please see the section 'working on rest days' for remuneration when volunteering to work weekends at the request of management, and when weekend working is not part of the normal working week.

Weekend working flexibility:

Each financial year (1 April to 31 March), staff working as part of street cleansing (a large team), will be able to swap up to 6 weekends (12 weekend days) with their week-days (rest-days). As this is at the request of staff, no enhancements will be paid. A maximum of five street cleansing staff can have a weekend off work at any one time and their hours must be made up within 30 calendar days. Requests for weekend swaps will need to be made well in advance to allow managers the time to plan and arrange sufficient cover.

Staff working within smaller teams may also request weekend swaps, however there are reduced opportunities for this as it is more difficult to find cover within smaller and specialist teams. For these teams (e.g. Leisure Rangers and Nature Centre staff) flexibility for weekend day swaps will be allowed on a case-by-case basis, by agreement with the manager, providing minimum service needs can be met. This is in line with current arrangements.

Bank Holiday working:

Some Amenity Services staff are employed to work on Bank Holidays as part of the normal working week. Other Bank Holiday working is voluntary. This will be explained at interview and written into the 'special conditions' part of job descriptions.

Remuneration for working Bank Holidays is as follows:

- *Voluntary bank holiday working: normal salary + double pay*
- *Compulsory bank holiday working: normal salary + plain time (i.e. double time) + 1 day off in lieu*

Unsociable hours work (8pm to 6am)

Some Amenity Services staff are employed to work unsociable hours as part of the normal working week. Other unsociable hours working is voluntary. This will be explained at interview and written into the 'special conditions' part of job descriptions.

Remuneration for working unsociable hours, whether as part of the normal working week or voluntarily, is as per the NJC terms:

- *Normal salary + third time (i.e. time and a third)*

Consultation draft – 24 July 2013

Working on rest-days:

Rest-days are the days on which staff are not contracted to work. For instance rest-days are Saturday and Sunday for staff working Monday to Friday. Rest-days are Monday and Tuesday for staff working Wednesday to Sunday. Rest-days are Sunday and Monday for staff working Tuesday to Saturday, and so on...

Remuneration for staff working on rest-days, at the request of management, is as follows (day-swap enhancement):

- *Normal salary + time off in lieu (TOIL i.e. day-swap) + half pay*

Where staff request weekend day-swaps no enhancements are payable (see 'weekend working flexibility' above). Equally, where staff decide between themselves to swap working days, as often happens at the kiosk, shop and café, again no enhancements are payable.

Working over Christmas and New Year (shut-down period):

This covers the period from Christmas Day to New Year's Day (inclusive). If New Year's Day falls on a weekend, it also includes the first Bank Holiday of the New Year.

- *Voluntary Bank Holiday working on a rest day: double pay*
- *Voluntary Bank Holiday working on normal working day: normal salary + double pay*
- *Voluntary Christmas week-day working: normal salary + double pay*
- *Voluntary Christmas weekend working i.e. the last weekend of the calendar year (e.g. street cleaning staff): normal salary + double pay*

All Amenity Services work on these days is voluntary.

Additional (overtime) hours:

Staff may be asked to work additional hours over and above their contracted hours. 37 hours per week are contractual for full-time staff, less hours per week for part-time staff (as written into job descriptions).

Remuneration for full-time staff agreeing to work additional hours is as per the NJC terms, for a minimum of two hours:

- *Monday to Saturday: normal salary + half time (i.e. time and a half)*
- *Sundays and Bank Holidays: normal salary + plain time (i.e. double time)*

Part-time employees are entitled to these enhancements only at times and in circumstances in which full-time employees would qualify.

Please note that working on rest-days will normally be treated as per the section above, and not paid as 'overtime'. Additional 'overtime' hours are an additional and unplanned cost to the service and can only be worked and claimed for with the approval of the Head of Amenity Services.

REVIEWS & TERMINATION OF THE LOCAL PAY AGREEMENT:

A light touch review of this agreement will be undertaken by the Head of Amenity Services, the Head of People & Technology and UNISON 12 months after implementation.

Afterwards, this agreement may be reviewed periodically at the request of any of the signatories. However, as it represents a considerable investment in terms of time and effort, it will not normally be reviewed more frequently than annually.

This agreement may be terminated by the Head of Amenity Services giving three months notice to the Head of People & Technology and UNISON.

SIGNATORIES:

Signed Head of Amenity Services

Signed on behalf of UNISON Crawley Borough Council

Signed Head of People & Technology

Date:

APPENDIX

Timetable and consultations:

Week starting **Monday 4 March 2013** – all affected Amenity Services staff invited to face-to-face discussions with the negotiating panel to gather their ideas, suggestions and feedback

March - July 2013 – negotiating panel discuss staff feedback and agree proposal

July 2013 – start of formal 30 day consultation of Amenity Services staff

August 2013 – Local Pay Agreement agreed, subject to Member approval

October 2013 – Members asked to agree new Local Pay Agreement

October/ November 2013 – Local Pay Agreement implemented (backdated to 1 April 2013)

Negotiating Panel:

- Chris Harris, Head of Amenity Services
- Karen Rham, Cemetery & Sportsgrounds Manager
- Helen Frazer (until end March 2013) UNISON Branch Administrator...
- then John Braidley, UNISON Branch Administrator
- Lee Adamson, UNISON representative (Metcalf Depot)
- Glenn Burroughs, UNISON Representative (Metcalf Depot)
- Lynda Murphy, UNISON Representative (Metcalf Depot)
- Eric Chipperfield, UNISON representative (Tilgate Park & Nature Centre)
- Lucasta Grayson, Head of People and Technology
- Helen Spencer, HR Officer