



PERSONNEL COMMITTEE

This meeting will be recorded and the sound recording subsequently made available via the Council's website: charnwood.gov.uk/pages/committees

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To: Councillors Morgan (Chair), Boldrin (Vice-Chair), Barkley, Brennan, Lowe, Poland and Shepherd (For attention)

All other members of the Council
(For information)

You are requested to attend the meeting of the Personnel Committee to be held in Virtual Meeting - Zoom on Tuesday, 12th January 2021 at 6.00 pm for the following business.

Chief Executive

Southfields
Loughborough

4th January 2021

AGENDA

1. APOLOGIES
2. MINUTES OF THE PREVIOUS MEETING 3 - 8

To confirm as a correct record the minutes of the meeting held on 13th October 2020.

3. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

4. QUESTIONS UNDER COMMITTEE PROCEDURES 12.8
No questions were submitted.
5. APPRENTICESHIP SCHEME PRESENTATION 9 - 15
A presentation by the Learning and Organisational Development Coordinator.
6. APPRENTICESHIP REPORTING UPDATE 16 - 20
A report of the Strategic Director, Environment and Corporate Services.
7. AGILE WORKING POLICY 21 - 93
A report of the Strategic Director, Environment and Corporate Services.
8. PAY POLICY STATEMENT 2021-22 94 - 115
A report of the Strategic Director, Environment and Corporate Services.
9. ATTENDANCE MANAGEMENT POLICY AND PROCEDURE 116 - 126
A report of the Strategic Director, Environment and Corporate Services.

FUTURE MEETING DATES

Please note further meetings of the Committee for 2020- 21 are scheduled as follows:

30th March 2021

PERSONNEL COMMITTEE 13TH OCTOBER 2020

PRESENT: The Chair (Councillor Morgan)
The Vice Chair (Councillor Boldrin)
Councillors Barkley, Brennan, Poland, Ranson
and Shepherd

Strategic Director; Environmental and Corporate
Services
Head of Strategic Support
Charnwood HR Manager
LCC Senior HR Advisor
Democratic Services Officer (NC)

APOLOGIES: Councillor Lowe

The Chair stated that the meeting would be live streamed as a public meeting and the recording subsequently made available via the Council's website. He also advised that, under the Openness of Local Government Bodies Regulations 2014, other people may film, record, tweet or blog from this meeting, and the use of any such images or sound recordings was not under the Council's control.

1. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 17th December 2019 was confirmed as a correct record and signed.

2. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

No disclosures were made.

3. QUESTIONS UNDER COMMITTEE PROCEDURES 12.8

No questions had been submitted.

4. JNCC APPOINTMENT OF COUNCILLORS 2020-21

A report of the Head of Strategic Support was submitted to appoint representatives to the Joint Negotiating and Consultative Committee (JNCC) for 2020/21 (item 5 on the agenda filed with these minutes).

RESOLVED that Councillors Barkley, Boldrin, Morgan and Poland be appointed as representatives to the Joint Negotiating and Consultative Committee (JNCC) for 2020/21.

Reason

To enable the operation of the Joint Negotiating and Consultative Committee in accordance with its constitution and, therefore, negotiation and consultation to take place between the Councils as an employer and its employees.

5. APPOINTMENT TO PANELS 2020-21

A report of the Head of Strategic Support was submitted to consider appointments to Panels for 2020-21, (item 6 on the agenda, filed with these minutes).

RESOLVED that Councillors Barkley, Brennan, Morgan, Poland and Shepherd be appointed for the Council year 2020-21 in respect of the following:

- a) To determine appeals by a JNC Officer against dismissal.
- b) To determine all other employment related appeals for JNC staff which are provided for in the Council's procedures.
- c) To make recommendations to Council on the appointment of dismissal of the Head of Paid Service.
- d) To make appointments to Chief Officer and Statutory posts excluding the Head of Paid Service.
- e) To undertake the Chief Executive's Performance and Development Review.

Reason

Section 5.5 (e) of the Council's Constitution (Roles of decision taking Committees) states that the Personnel Committee will appoint Panels comprising 5 councillors (with a quorum of 3) for these functions. Appointing Panels to undertake these functions at the beginning of the Council year will prevent the need for a meeting of the Committee for the sole purpose of appointing a Panel and enable the functions to be dealt with in a timely manner.

6. GENDER PAY GAP INFORMATION

A report of the Head of Strategic Support was submitted to consider the Council's Gender Pay Gap report based on a snapshot date of 31st March 2019 and agree the recommendations (item 67 on the agenda, filed with these minutes).

The Senior Human Resources Advisor advised that in addition to the report submitted to the Committee, the Equalities Group had produced an Action Plan with objectives to progress closing the gender pay gap further; this included developing agile working practices, mixed gender selection panels and appointing diversity managers.

It was noted that although the enforcement of publishing the data on the GOV.UK site before 31st March each year had been suspended this year due to the Coronavirus pandemic, the Council had published its information on the website in accordance with the usual deadline. The data for 2020 was being collated for analysis and would be published within the usual timescales.

RESOLVED that the Personnel Committee note the details of the Gender Pay Gap report.

Reason

The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 requires public sector employers with 250 or more employees on the snapshot date of 31st March each given year to carry out gender pay analysis and reporting.

7. TRANS EQUALITY POLICY

A report of the Head of Strategic Support was submitted to consider and agree the proposed Trans Equality Policy (item 8 on the agenda, filed with these minutes).

It was noted that reasonable time off to attend transition related medical appointments would be granted in accordance with ACAS guidance and Council policies. Each request would be considered in accordance with the policy.

RESOLVED that the proposed Trans Equality Policy be agreed by the Personnel Committee.

Reason

The purpose of the policy is to provide managers and trans employees with practical information on support in the workplace.

8. MANAGERS GUIDANCE AND TOOLKIT ON MENTAL HEALTH AND SUPPORTING EMPLOYEES

A report of the Head of Strategic Support was submitted to consider the proposed new Managers Guidance and Toolkit on Mental Health and Supporting Employees, the Mindful Employer Charter and amendments that had been made to the Attendance Management Guidance document (item 9 on the agenda, filed with these minutes).

RESOLVED that the Personnel Committee agree the changes as outlined in the attached report including the proposal to sign up as a Mindful Employer.

Reason

The purpose of the Managers Guidance and Toolkit on Mental Health and Supporting Employees, and associated documents, is to provide a range of documents and information that enable managers to support employees with mental health issues and signpost to areas of support.

9. PARENTAL BEREAVEMENT LEAVE

A report of the Head of Strategic Support was submitted seeking agreement of proposed changes to the Council's Family Leave and Pay Policy and Leave Arrangements Policy in relation to parental bereavement leave (item 10 on the agenda, filed with these minutes).

It was noted that the proposed changes to the policy was formalising an arrangement the Council already had in place as part of its compassionate and bereavement leave procedure.

RESOLVED that the Personnel Committee agree the changes to Leave and Pay Policy and Leave Arrangements Policy.

Reason

It was necessary to update the documents to reflect a legislative change regarding parental bereavement leave.

10. TRAVEL SUBSISTENCE AND OTHER ALLOWANCES POLICY (BICYCLE USER)

A report of the Head of Strategic Support was submitted to agree proposed amendments to the Travel, Subsistence and Other Allowances Policy and the introduction of a Bicycle User Declaration, (item 11 on the agenda filed with these minutes).

RESOLVED that the Personnel Committee agreed the changes to the Travel, Subsistence and Other Allowances Policy and the introduction of a Bicycle User Declaration.

Reason

The purpose of the amendment to the Travel, Subsistence and Other Allowances Policy is to make clear the procedure for making claims in relation to bicycle usage for work related journeys. The introduction of a Bicycle User Declaration is to ensure that managers and employees agree and adhere to the requirement of using a bike for work related journeys.

11. JOB EVALUATION PROCEDURE

A report of the Head of Strategic Support was submitted to consider and agree the revisions to the Job Evaluation Procedure, (item 12 on the agenda filed with these minutes).

With regard to all parties required to attend a job evaluation panel being given a minimum of 5 working days' notice, which was previously set at 10 working days, it was stated that the time period could be extended. This extension could also be applied to the time period for receipt of an appeal which had been reduced from 20 working days to 7 working days (page 210 of the report). It was noted that this was not currently addressed in the policy.

RESOLVED that the proposed Job Evaluation Procedure as detailed in part B of the report be agreed by Personnel Committee with the addition of wording explaining that time periods for attending a job evaluation panel or receipt of an appeal could be extended on submission of a request to HR.

Reason

The purpose of the policy is to provide managers and employees with information on all aspects of the job evaluation process. Members considered the time periods noted in the report for attendance at a job evaluation panel and receipt of an appeal could be limiting if the employee wished to seek advice before attending or receiving the appeal.

12. GUIDANCE ON JOB SHARE ARRANGEMENTS

A report of the Head of Strategic Support was submitted to consider the revisions to the Guidance on Job Share Arrangements (item 13 on the agenda filed with these minutes).

It was noted there were approximately 7 job share arrangements within the Council at present and that employees could both job share and work part time in the same organisation. With respect to the gender pay gap analysis it was noted that the salary for job shares was not necessarily limited to lower quartile paid roles. In some cases employees were taking flexible retirement when at a higher paid quartile.

RESOLVED that the proposed Guidance on Job Share Arrangements be agreed by the Personnel Committee.

Reason

The purpose of the policy is to provide managers and employees with information and a process relating to job share.

13. SECONDMENT POLICY AND PROCEDURE

A report of the Head of Strategic Support was submitted to consider and agree the revisions to the Secondment Policy and Procedure (item 14 on the agenda, filed with these minutes).

RESOLVED that the proposed Secondment Policy and Procedure be agreed by the Personnel Committee.

Reason

The purpose of the policy is to provide managers with practical information on secondments and measures to be implemented within the workplace.

14. FIXED TERM CONTRACTS GUIDANCE

A report of the Head of Strategic Support was submitted to consider and agree the revisions to the Fixed Term Contracts Guidance and the introduction of the Fixed Term Contracts Guidance for Human Resources (item 15 on the agenda filed with these minutes).

RESOLVED that the proposed Fixed Term Guidance be agreed by the Personnel Committee.

Reason

The purpose of the policy is to provide managers with practical information on fixed term contracts and measures to be implemented within the workplace.

NOTES:

1. No reference may be made to these minutes at the Council meeting on 9th November 2020 unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on the fifth working day following publication of these minutes.
2. These minutes are subject to confirmation as a correct record at the next meeting of the Personnel Committee.

Personnel Committee
12th January 2021

Apprenticeship and Work Experience Overview

Kevin Brewin

Learning & Organisational
Development Coordinator

New apprenticeship programme

- Introduced nationwide in May 2017
- The digital levy account is approx. £57k pa for CBC
- New standards introduced from level 2 to level 7
- All training providers are now reviewed by Ofsted
- Heads of Service - make business case / delegated decision on potential posts and recruitment
- Salaries are met by local budgets and are not funded through the digital levy account
- The L&OD Coordinator offers advice & support to Heads of Service in addition to specific HR policies and guidance

Apprentices at Charnwood

| | New Recruits | Developing existing staff | Future Leaders | Total |
|--------------|--------------|---------------------------|----------------|-------|
| March 2020 | 6 | 5 | 3 | 14 |
| January 2021 | 2 | 9 | 4 | 15 |

Page 11

- 6 of 8 new recruits subsequently gained FT work at CBC
- 3 of 9 new apprentice recruits are female
- 5 of 9 staff currently under personal development are female
- 3 of 4 of current Future Leaders are female

Apprenticeship potential future trends

- Covid -19 has severely restricted recruitment opportunities
- Construction apprenticeship posts have been postponed until further notice
- Business Admin will likely remain the most popular standard
Scope for development in; Improvement Practitioner (lvl 4), Building Control (lvl 6) & Town Planning (lvl 7)
- Further scope to develop existing staff, particularly to address under representation and/or skills gaps

Kickstart Scheme

- New Government Scheme supporting under 25s
- Potential recruits identified by DWP
- Funding for 6 months, up to 25 hours pw at appropriate national minimum wage
- 4 posts applied for by the council to work in Planning
- CBC working in partnership with Loughborough College to provide support and mentoring

Work experience

- The council offers a variety of work-placement opportunities including volunteer projects
- The L&OD Coordinator acts as a point of contact for schools / community organisation
- Local Managers and Heads of Service make decisions on whether we can meet specific requests for work-placements. Policies, procedures & guidance are provided on our HR site. We also offer placements for people with additional needs through key partners with appropriate safeguarding and support.
- Limited opportunities under current Covid restrictions

Promoting CBC as an employer to young people

- Limited time and resources available
- Not part of our current HR contract
- L&OD Coordinator does work with local schools on careers events but it is limited in scope.
- We work with local colleges and training providers to help recruit new apprenticeships
- Thank you - Any questions?

PERSONNEL COMMITTEE – 12TH JANUARY 2021

Report of the Strategic Director, Environmental and Corporate Services

Part A

ITEM 6 APPRENTICESHIP REPORTING UPDATE – 1ST APRIL 2019 TO 31ST MARCH 2020

Purpose

The purpose of this report is to provide Personnel Committee with information relating to the apprenticeship scheme within the Council and the apprenticeship target reporting for the period 1st April 2019 to 31st March 2020.

Recommendation

That the findings of the apprenticeship reporting be noted by Personnel Committee.

Reason

The Public Sector Apprenticeship Targets Regulations 2017 came into force on 31 March 2017. All public bodies with 250 or more staff in England as of 31 March have a target to employ an average of at least 2.3% of their staff as new apprentice starts over the period of 1 April 2017 to 31 March 2021.

Policy Justification and Previous Decisions

SLT were provided with details of this periods apprenticeship reporting on 23rd July 2020. The report was also discussed at the Joint Management Trade Union Meeting (JMTUM) on 22nd October 2020.

This is the third report on the apprenticeship scheme covering the period 1st April 2019 to 31st March 2020.

Implementation Timetable including Future Decisions

The findings of the apprenticeship scheme reporting will be noted following agreement at Personnel Committee. The data has been published on the Council's intranet prior to the Personnel Committee meeting, to ensure the publishing deadline of 30th September each year is met.

Report Implications

The following implications have been identified for this report.

Financial Implications

There are no financial implications arising from this decision.

Risk Management

The risks outlined within this report are highlighted in Part B below.

Background Papers: None

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Strategic Director Environment and Corporate Services
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Part B

Background

1. The Government introduced the Apprenticeship Scheme with effect from 6th April 2017.
2. As required under that scheme, reports are due within six months of the end of each reporting period. This means that the information should be published by 30th September each year in an easily accessible location to the public. It is therefore considered that the appropriate place to publish the Return Section 1 - Data Publication is on the Council's intranet. The Return Section 2 – Apprenticeship Activity return does not have to be published.
3. The target for public sector bodies is 2.3% apprenticeship starts each year based on the organisations headcount as of 31st March each year. The apprenticeship target for the Council remains at 12.
4. Apprenticeship starts can include both existing employees, who can take advantage of apprenticeship funding, as well as new starters appointed to apprenticeship posts.
5. Work has continued each year to increase the amount of apprenticeship starts, to enable the Council to demonstrate its commitment to meeting the target, where possible.

Findings

6. Return Section 1 – Data Publication

The Data Publication includes several figures which will enable the Government and the public to understand each body's headcount and the number of apprentices they employ, and then use that information to assess the progress a body has made towards meeting the target. The figures outlined in Section 1 will be published as outlined at paragraph 3.

Figure A: The number of employees whose employment in England by the body began in the reporting period in question.

59

Figure B: The number of apprentices who began to work for the body in that period and whose apprenticeship agreements also began in that period.

- This includes employees who were already working for the body before beginning the apprenticeship, as well as new apprentices hires.

7 (8 in the last reporting period)

Figure C: The number of employees employed in England that the body has at the end of that period.

520

| |
|---|
| |
| Figure D: The number of apprentices who work for the body at the end of that period. |
| 12 increased from 11 in the last reporting period. |
| Public bodies are also required to provide two percentages in order to give context to the other figures. These percentages do not reflect the progress a public body has made towards the target: |
| Figure E: Figure B expressed as a percentage of figure A. |
| 11.86% |
| Figure F: Figure D expressed as a percentage of figure C. |
| 2.31% |
| In addition, the Apprenticeship Activity Return (Return Section 2) requires public bodies to send the following figures, which will help identify their progress towards meeting the target, to the Department for Education. Public bodies could also consider providing these figures in the Data Protection. |
| Figure H: Headcount on the day before the first day of each reporting period in the target period |
| 518 |
| Figure I: Figure B expressed as a percentage of figure H. |
| 1.35% |

7. Return Section 2 – Apprenticeship Activity Return

The Apprenticeship Activity Return includes both information on a body's progress against the target and information to assess actions taken towards, and challenges faced in, meeting the targets.

The return includes quantitative and qualitative elements:

| |
|--|
| QUANTITATIVE |
| Headcount on the day before the first day of each reporting period in the target period; and |
| 518 |
| Figure B in Return Section 1 (the number of apprentices who began to work for the body in the reporting period in question and whose apprenticeship agreements also began in that period), expressed as a percentage of headcount on the day before the first day of the reporting period in question. (This will enable the Government to assess the progress a body has made towards meeting the target). |
| 1.35% |
| QUALITATIVE |
| Action that the body has taken to meet their apprenticeship target (i.e. how it has “had regard”) |
| <ul style="list-style-type: none"> • Promoted information on apprenticeship opportunities to managers. • Visited local schools to promote Charnwood as an apprentice employer for the first time. |
| If the target has not been met then specific further evidence may be required. This may include an explanation of why the target was not met, actions the body has taken to overcome the challenges it has faced and/or mitigating factors which demonstrate the body's commitment to apprenticeships. |
| <ul style="list-style-type: none"> • Delays in new standards being launched. • Lack of training providers for certain standards e.g. pest control. • Limitation of 20% off the job learning difficult to manage for existing staff. • Impact of Covid-19 limiting opportunities. |
| Information about action the body proposes to take to meet their future apprenticeship targets: and |
| <ul style="list-style-type: none"> • We have 7 new starters scheduled from October 2020. However, we have had to cancel a number of potential starters due to Covid-19. We will continue to promote apprentice opportunities with managers, but think it unlikely we will meet the target this year. |
| If the body considers that a future target is not likely to be met, an explanation of why that is so. |
| <ul style="list-style-type: none"> • It is anticipated that the future target will be impacted by the Covid-19 pandemic. |

PERSONNEL COMMITTEE – 12TH JANUARY 2021

Report of the Strategic Director, Environmental and Corporate Services

Part A

ITEM 7 AGILE WORKING POLICY

Purpose of Report

To provide Personnel Committee with information relating to the progress of the proposed introduction of the Agile Working Policy and Worker Style Profile Model Pilot.

Recommendation

That Personnel Committee note the information relating to the Agile Working Policy and Worker Style Profile Model Pilot, prior to these documents being formally brought to Personnel Committee. It is anticipated that Personnel Committee will consider this proposal in full at its meeting on 30th March 2021.

Reason

The Council has, for some time, been considering the principles of agile working and this, combined with the impact of Covid-19, has made it necessary to review working arrangements across the Council. It is therefore proposed to broaden the scope of the Council's current arrangements by introducing the Agile Working Policy and Guidance.

Alongside this, a pilot scheme related to the Worker Style Model has been in place in two key service areas of the Council and a summary of the findings of that scheme is attached for information.

Policy Justification and Previous Decisions

The proposed Agile Working Policy and Procedure will broaden the scope of the Council's existing flexible working arrangements which include; recruitment and retention of key skills, enhanced productivity and employee motivation.

Implementation Timetable including Future Decisions

It is recommended that the Agile Working Policy and Procedure and information on the Worker Style Model be published on the intranet, following the meeting of the Personnel Committee at which the documents are approved.

Financial Implications

There are no immediate financial implications arising from this decision.

Risk Management

There are no specific risks associated with this decision.

Background Papers: none

Appendices: Appendix A – All Staff Consultation Response
 Appendix B – Unison Consultation Response
 Appendix C – GMB Consultation Response
 Appendix D – Draft Agile Working Policy with tracked changes
 following consultation
 Appendix E – Agile Working Pilot Update

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 Strategic Director Environment and Corporate Services
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Part B

1. The Council has, for some time, been considering the principles of agile working and this, combined with the impact of Covid-19, has made it necessary to review working arrangements across the Council. There are also significant business benefits in further developing the Council's existing flexible working arrangements. These include; recruitment and retention of key skills, enhanced productivity and employee motivation. It is therefore proposed to broaden the scope of the Council's current arrangements by introducing the Agile Working Policy and Guidance.
2. It is recognised that in order to embed new ways of working, it will be necessary to clearly communicate the benefits of agile working in order to develop the culture of the Council. The tone and focus of the policy therefore reflects this change, as does the communication plan to engage employees with this vision.
3. The increase in agile working will require managers to manage by performance and outcomes rather than by presenteeism and time recording. This will require a greater focus on trust and communication within the employment relationship, which again is highlighted in the policy.
4. The aim of the policy is to provide managers with a framework for implementing new ways of agile working. It provides advice on managing a workforce in the context of having reduced office accommodation.
5. This policy sets the scene in term of the reasons, benefits and the vision of Agile Working but also provides guidance around the types of working arrangements which may be considered/ adopted.
6. Managers may have to, at times, make different decisions for different people to accommodate alternative ways of working. Whilst great emphasis is placed on the need for consistency to ensure fairness, embracing agile working will mean managers having the confidence to consider individual personal circumstances and worker styles, when making decisions. It is recognised that this is a shift and some managers will require additional support in dealing with this change.
7. Home and remote working will be encouraged for a much broader range of employees and the emphasis will be on what tasks could be performed away from the office. The policy incorporates relevant information which relates to this.
8. The policy demonstrates a positive commitment to Agile Working, however, reinforces that any decisions in relation to 'where, when and how' employees work must be subject to service delivery needs.

Consultation Responses – Key Themes

9. It was decided that all staff and trade union consultation would be carried out in relation to this proposal. The consultation period ran from the 3rd November 2020 to 30th November 2020. Over 200 comments and queries were considered from those employees who responded, and the responses received from Unison and GMB. The responses have been categorised into themes with a brief

summary of the key areas outlined below at point 11. Key themes have been identified and each of these were provided with a broad response, where this wasn't possible, individual responses have been outlined. The full consultation document for all employees can be found at Appendix A. Unison and GMB also responded and that information is provided at Appendix B and C. The response of the Council is outlined within each of these documents.

10. Having considered those responses, updates have been proposed to the Agile Working Policy. These changes are summarised below at point 12 and tracked within Appendix D.

Key Themes – Consultation Responses

11. Flexi/Accrual of Additional Hours

Overall employees were concerned about losing the flexi time scheme which enables the accrual of up to 12 hours flexitime (pro-rata) and a debit of 8 hours (pro-rata). There was also concern with the proposed approach regarding accrual of additional hours. The policy proposes that a more agile approach to work can make work life balance easier to manage and as a result additional hours should not be accrued on a regular basis. If employees are having to work additional hours on a regular basis because of their workload, managers are advised to undertake a review of working arrangements. Furthermore, employees were concerned that the policy stated that additional hours should only be authorised, in advance, by the employees manager.

12. TOIL

Some employees responded to query the removal of the TOIL scheme, and the proposal to give time back at plain time for any hours that would previously have fallen under the toil scheme where enhanced rates would have been applicable for some, mainly employees on grades A – E.

13. Timesheets

It is proposed that the traditional system of recording hours on timesheets is removed as an essential requirement, and this has raised queries from employees in relation to time recording and management's ability to monitor time.

14. Working Arrangements and Service Delivery

Responses were varied with some employees preferring parameters set around working hours whilst others felt the policy was overly prescriptive about the time when people work. Other comments questioned how managers will respond to employees who request to work hours to suit them, which may not fit with the team/service delivery expectations. Several responses felt that the proposal for getting managers to agree working hours for employees created an additional burden on managers time.

15. Managing by Performance and Output

In general, comments were around concerns about people working at different levels/abilities and some employees having a preference to be managed by hours rather than outputs/targets. Also, a concern was raised that this might lead to unrealistic management expectations, and actually increase the hours an employee needs to work to achieve the necessary output.

16. Managers Charter/Responsibilities/Concerns

The managers charter generated mixed feedback, with some welcoming the principles set out within that document. Other responses indicated that in the main, weekly 1 to 1s would place an unrealistic and unreasonable pressure on managers, especially in larger service areas. Additionally, some comments indicated a feeling that the agile working policy and charter would place a further burden on managers to oversee the operation, implementation, review of the principles of the policy.

17. Team Engagement

It was felt that face to face meetings are important for teams, and in particular within some service areas due to work requirements. Many comments also looked at team integration, particularly for new starters with the view that this needs to be considered to ensure success in this area.

18. Mileage

The comments in relation to this related to wanted clarity over mileage claims. The Council is currently working with a specialist in this area and the policy will be updated in due course.

19. Insurance

Specific queries were raised relating to insurance and whether home insurance was required. It has now been clarified that it is not anticipated that there will be any additional costs associated with home working relating to insurance.

20. Homeworking Allowances

In general comments related to additional costs for homeworking, such as electricity, heating and equipment.

21. IT Service and Equipment

Employees raised issues with IT equipment and support and that these need to be appropriate to meet the demands of agile working.

22. Health and Safety

Comments from Unison focused on a comprehensive DSE home assessment, commitment to timescales for responding to health and safety concerns,

arrangements for PAT testing and clarity over procedures for recording health and safety/accident incidents whilst homeworking.

23. General Concerns

The comments focused on low productivity and morale, work life balance, accommodation and privacy issues and mental health concerns associated with working from home.

Updates to the policy following consultation

24. The Council's responses to the consultation have sought to explain the principles of the Agile Working Policy.

25. Specifically, some amendments have been made, which are outlined within Appendix D. In summary the main changes are:

- i. inclusion of additional wording under types of agile working as requested by Unison (page 4)
- ii. Clarification that employees need only be contactable during their working hours (page 5)
- iii. Re-word sentence for accrual of additional hours and remove wording "in advance" for authorisation to accrue additional hours.
- iv. Inclusion of some enhancements for TOIL related to work undertaken between 8pm and 6pm where working those additional hours is a requirement of the role. (page 7).
- v. Clarification that the principles of the Performance Review Policy should be adhered to (page 9).
- vi. Insurance clarity that the Council will not contribute towards home insurance as it is not anticipated that there will be any additional costs associated with homeworking.

Worker Style Pilot Update

26. The worker style profile model has been designed to be as simple as possible in addressing the two possible parameters for agile working; a) when someone works and b) where someone works. The focus has therefore been put on two options for both categories:

Time: Set of Flexible

Location: Fixed or Agile

27. A pilot was run in two service areas, Customer Experience and Strategic and Private Sector Housing, to test how the process could work and identify and issues that arise.

28. Initial feedback on the pilot suggests that the process and template were simple and easy to follow. There was some concern around how conversations would

be managed where there were diverse views. Heads of Service in those areas have indicated that the pilots went well, however, one Head of Service raised the question whether the worker profiles added any value to the process. A full evaluation will be completed with all participants being asked to complete an online survey. After this, any changes or adjustments to the process will be considered.

Implementation

29. The proposed policy has been discussed at various internal working groups, including the Organisational Recovery Cell and the Agile Working Group. Some of the principles have previously been discussed at SLT and CLT and raised informally for information with JMTUM at its meeting on 27th August 2020 and formally at its meeting on 22nd October 2020. A special JMTUM meeting was arranged for 17th December 2020 to discuss the proposals following the consultation process. In addition, the Agile Working vision has been raised with the staff forum and some communications have been issued in One Charnwood outlining that Agile Working is being considered and developed. Additionally, as highlighted above, a full consultation has taken place with employees and Trade Unions.
30. It is anticipated that the final version of the Agile Working Policy and Worker Style Scheme will be presented to Personnel Committee at its meeting on 30th March 2021.
31. If agreement is reached and the policy and guidance is endorsed by Personnel Committee, it is anticipated that this will formally become effective by 1st April 2021. However, it is recognised that in practice, agile working arrangements are currently in place as part of the Council's response to the Covid-19 pandemic. Arrangements will be formalised through re-issuing of contracts of employment to all employees after implementation on 1st April 2021.

Agile Working Consultation Response

The Council has, for some time, been considering the principles of agile working and this, combined with the impact of Covid-19, has made it necessary to review working arrangements across the Council. There are significant benefits in further developing the Council's existing flexible working arrangements, including recruitment and retention of key skills, enhanced productivity and employee motivation. The principles of the policy demonstrate a positive commitment to agile working, however, it is clear that any decisions in relation to "where, when and how" employees work must be subject to service delivery needs. It is also understood that some employees will not want to change their existing working arrangements, which is also an approach supported by the Council.

The introduction of agile working has been a cultural change for the Council since the start of the pandemic and this challenge has been embraced well by employees in difficult circumstances. The Agile Working Policy builds on this cultural change and gives greater flexibility for these circumstances. Senior officers have been consulted on the policy, including SLT, as have all employees and trade unions. The final agreement to the principles of agile working will be the responsibility of the Councillor representatives of Personnel Committee who will be able to fully discuss the framework and principles of agile working as part of that process.

The consultation process has been carried out from 2 November to 30 November 2020 and has involved all employees and the trade unions, in addition to the Council's normal consultation and agreement processes. We appreciate the time taken to consider the agile working policy and as a result a range of responses have been received. These have been summarised, categorised and anonymised as far as is possible below, in the main each point does not have a specific response, but the overall response should respond to principle of the points which have been raised.

| Query | Overall Response |
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| <p><u>Flexi/Accrual of additional hours</u></p> <p>1) Is there a weekly/monthly limit to the number of overtime hours which can be accrued? Is there a time limit within which accrued overtime hours must be taken as leave? Can accrued overtime hours be taken as leave at any time of day or must these still be taken outside of core hours? Will core hours no longer exist under the agile working policy?</p> <p>2) Staff will come and go and be more or less productive over a measured period of time (a week is too short). It is simply not practical to have to gain permission from a manager to service a committee meeting or to negotiate changes in work hours to deal with this. More pressing though is 'the elephant</p> | <p>The proposed agile working policy removes the previous system of core and flexi hours and allows greater scope and flexibility in terms of working hours where a post allows, including weekdays, evenings and weekends. There is also the ability to meet ad hoc commitments, such as attending appointments, through agile working outlined within the policy.</p> <p>The agile working policy is wide reaching with the intention of being adaptable to a range of different service needs. However, not all posts are suitable for agile working, in the same way that not all posts are currently subject to the flexi time policy. It is also recognised that an employee may prefer to retain a standard working pattern.</p> |

in the room' that many staff work far in excess of 37 hours a week with some in the planning service regularly working 50-60 hours a week. If there is an overly controlling approach to the accrual of hours these staff will 'work to rule' and this will create a significant resource pressure for the council. It is suggested that time is managed on a monthly basis and that accrued hours are taken at the discretion of staff members as time off, for example through shortened days, when workload/service needs permit within that same calendar month. There shouldn't be a need to seek management approval for this and staff should be expected to manage their output and time to meet day to day service needs.

- 3) Will there be any stipulation that such time worked should be remunerated by Enhanced Pay only? As there will be no TOIL or Flexitime any longer? Or will this now come under 'Additional hours' and be accrued at flat rate (rather than time-and-a-half or double-time)?
- 4) Starting later in the day is not always possible when there is an important evening meeting to prep for and as such business needs mean that a team member will need to be available from late morning (possibility early afternoon) which will mean they accrue hours over the usual. I'm unclear how this can be managed with this draft policy. It feels quite rigid.
- 5) Occasional accrual of additional hours: with the abolition of flexi-time and the formal need to record hours worked criticism will likely to be levelled at the employer that its agile working policy is a shortcut to getting more out of the employee with no quid pro quo if there is an insistence on additional hours being agreed in advance. Most people do not work like that: they do additional hours because remote working makes it so much more easy to put in additional hours simply through [majority] conscientiousness; this is not necessarily because a particular job needs to be done. Without an ability to benefit from doing additional hours in this way by taking them back in the future you are in danger of demotivating people; and the outcome of that is a decrease in productivity. You should leave it to individual managers to decide how those reporting to them can work additional hours and take that time back later on.

From feedback we will reword the paragraph around 'permission'. The key principle is that the Manager understands and agrees that additional work to (e.g.) service a committee meeting is required, but it is accepted that this understanding can be derived from custom and practice, rather than by requiring permission in advance. The policy will therefore remove "in advance" and be reworded to reflect this and will state: if an employee needs to work hours in addition to their normal weekly hours, they can accrue additional hours if the reason for this is understood by the manager. This definition is broader and will cover posts where there is a reactive need to respond to work requirements as well as where the workload makes it necessary to undertake additional hours.

It is also accepted that a week may be too short a period to reflect the natural cycle of workload. It is envisaged that the detail of such arrangements will be worked out within Teams with the Policy acting as a framework and guide to developing these.

Should the post and service area enable agile working the policy outlines ways in which this can be achieved. Service areas can determine the most appropriate working arrangements for their needs and as such managers and employees are encouraged to work collaboratively to achieve an arrangement that works for the service needs, the individual and the team where this is possible. There are no core hours proposed within the agile working policy, allowing for greater flexibility, subject to the needs of the service.

The aim of the policy is to provide managers with a framework for implementing new ways of agile working. The pattern of work and worker style will be for each service area to determine, subject to their own service requirements and needs. Where hours are accrued because of the need to work a long day, these can be taken back by working a different pattern at a later point, for example, working more hours in one week and less hours in another. The policy is intended to allow sufficient flexibility for those decisions to be taken and to balance working arrangements to achieve a work life balance.

The policy does not outline any set limits regarding additional hours that can be accrued. However, due to the flexibility afforded within the policy, it is

- 6) My service area is very reactive and staff may not be able to ask, prior to working the time, if they need to stop late.
- 7) Application of the policy is likely result in significant reduction of the flexibility required in delivering a reactive service that is able to respond quickly and efficiently to changing situations. Situations regularly arise that require an immediate response but that cannot be planned in advance.
- 8) It also seems rather awkward to pre- arrange working additional hours in advance as sometimes it's not always clear how long a piece of work might take to do. The view in our team generally has always been it doesn't matter how long it takes, it will be done and then hours recorded accordingly through the flexi scheme.
- 9) As usual, it seems to me that all the benefits of the scheme are on the employer's side and the dis-benefits on the employees. A good home/life balance was already available under the current flexi-time scheme and it is my view that the proposed agile working is, in the round and taking the above points in account, no better than that.
- 10) One of the reasons people choose to work for local authorities is the flexible working practices and the ability to take time off as a flexi day if they accrue additional hours as a consequence of work demands. A less flexible scheme would be a backward step and one which might affect staff retention and recruitment.
- 11) Why does flexi time scheme have to end? Other organisations have agile working and still have a flexi time scheme they have just removed core hours. Also some years ago the extra day after a bank holiday (with the exception of August) was removed and the ability to take flexi time within a 4 week period was increased to a day and a half to compensate for losing these days.
- 12) One area of difference between the flexitime and agile working policy as proposed is that the flexitime policy enables you to run 8 hours in arrears and 12 hours in credit month to month. This facility is very much valued by staff and its loss is likely to be challenged if the replacement policy is not seen to offer as flexible terms. If we are managing staff output, there is no reason why

expected that additional hours should not be accrued on a regular basis as in most instances the scope of the policy allows for hours to be worked in a different way which can support a work life balance. However, the Council recognises that where there is a need to work additional hours due to workload and the requirements of the role that this should not be at the detriment of employees.

There is no time limit within which accrued hours must be taken, the accrual of hours will be subject to workload requirements and time taken for these hours should be agreed with the manager. It is for service areas to manage the period over which any time accrued is taken back. If for example, and as suggested in some of the feedback, a manager wants to manage this over a one-month period, then that is possible within the parameters of this policy. It is also not proposed that accrued additional hours be requested and recorded through iTrent, but should be taken back with the agreement of the manager.

The focus of the agile working policy is on performance and output and the expectation is that the workload should be suitable to the working hours and therefore achievable. If an employee is regularly required to work extra hours, managers are advised to undertake a review of working arrangements in order to manage the health, safety and welfare of its employees and service expectations.

Accrual of additional hours will replace flexi and will be accrued at plain time only, subject to service provisions. Should a manager agree that additional hours meet the provisions of overtime they can agree payment in accordance with green book provisions.

Toil will be responded to in the toil section below.

management should be concerned about the hours staff are working providing there remains a means to record the hours worked somewhere and that output meets the set level.

13) I have to be available during the working day, with part of my time homeworking. Will I still be eligible for flexitime? It's far easier to book flexitime than to go through the process of booking any extra hours and getting them approved every week.

14) I am disappointed that the introduction of the agile policy means that the current flexi scheme is to be abolished. The agile policy allows for extra hours to be accrued with prior agreement of my manager. Just a couple of days ago I didn't finish my day until 17:30 (I intended to finish at 17:00), meaning that I worked over and beyond my regular 7:30 working days hours. Due to the nature of my role and dealing with emergencies I am unable to predict in advance how many extra hours I will accrue for it to be agreed with my line manager. For this reason, I feel that the agile policy is taking away the flexibility of officers being able to meet the business service needs.

15) I like having the option to work up hours to take up the odd day's flexi leave. It is a real benefit and motivator to do work at times. I never abuse the flexi system. My previous employer had an agile working policy and flexi time – it worked well, and I was able to request homeworking and record my hours with minimal management input.

16) As a manager of a small but busy section this causes me concern as to the additional work that the Agile Policy creates. I have concerns as to how each member of staff's time would be monitored and how additional hours requested and provided would be monitored. Currently my staff continue to fill in the Flexi sheet, as this helps staff coordinate their hours and for me to check that core hours are covered.

17) I have concerns about the hours lost with loss of flexi time. Most of my staff have had a day's flexi to a day and half's flexi per month, which equates to each member of staff working at least 2 hours extra per week. Since flexi has been removed my team have taken on work that another service area previously did, the work load has increased and most of the staff have worked extra time at some point since lockdown without reward.

- 18) Some services have significant peaks in demand at certain times and additional hours will be accrued by staff. Under the previous flexitime policy, this allowed employees to work the additional hours when needed and take them back when service demand allows, ensuring that they did not lose out on any additional hours worked. I fully appreciate that managers may need to review working arrangements if workload is continually too high, but in this case I feel the policy does not fully take into account how a unique service able to manage predictable fluctuations in demand.
- 19) The previous flexitime policy allowed employees to take the additional hours they had worked back by booking up to a day and a half off. This enabled managers to have an overview of the minimum level of service cover and formalised the time off. Under the draft agile working policy, I feel that some team members may feel too guilty to take time off during their usual working hours if there isn't a formalised way of logging hours, booking time off and having it approved.
- 20) I am concerned to see that the flexi scheme may cease to exist. Previously, the scheme has allowed employees access to up to an additional 18 days leave a year. In my case these days have been used to cover school holidays and child care without which I may have had to take unpaid leave or consider expensive holiday clubs. The nature of the work in my team means that the whole team generally works considerably more than their contracted hours but this has always been acceptable in the knowledge that extra hours worked could be taken through the flexi scheme. It seems unfair and unjust to take away an employee benefit which has enabled us to manage our time and workload efficiently and effectively with little fuss. I know this is a view shared by the whole team.
- 21) I think that flexible working is beneficial and suits my role. It would be good if we can continue to start as early as 7:30am and finish as late at 6:30pm. I also think that it is important that employees within my team are all required to work the core hours of 9:30am – 4pm. It is important that we are all in at a similar time to communicate about our customers. If we are able to work during

evenings/weekends, this will affect the service as it will reduce essential customer time

- 22) Extra hours in this role are never anticipated and cannot be agreed beforehand. The need for extra hours is always unexpected and sudden in this service. We therefore have some working days which are busier than others and this cannot be anticipated or agreed with a manager beforehand.
- 23) Concerned about the loss of Flexi time and the ability to accrue hours: "it is expected that in most instances' employees will be able to undertake their work within their normal contractual weekly hours they can only accrue extra hours in addition to their contractual hours if authorised, in advance, by their manager"
- 24) Most of my team regularly work more hours than their contracted hours as could be seen from the monthly flexi time accrued before lockdown, with most officers working up an additional 12 hrs every month. This is mainly due to the reactive nature of the work making set working hours impracticable as working hours can change on a week by week if not day by day basis. Officers also provide their direct phone numbers to customers who can therefore ring at any time and are not limited by the operating times of the call centre. Given the nature of the work "Flexi time" also enables networking with other professionals who may work shifts and provided a reactive service often out of hours at antisocial times i.e. after 23.00hrs and/or weekends. All of this was possible due to the conscientious and professional attitude of staff who were prepared to undertake additional hours as they could claim the time back through flexi time/TOIL at their convenience.
- 25) Whilst some of this may be covered by some aspects of the proposed agile working policy (agreed on a one to one basis) the draft policy suggests working patterns/hours will need to be agreed and approved in advance with the line manager, which for the reasons stated above may not always be possible. I therefore feel that the loss of flexitime and accrued hours will ultimately penalise staff and have a negative impact on the service provided for the customers.

- 26) Given the unpredictable and reactive nature of my teams work, it will be difficult for officers to be available at core times whilst still embracing the new agile working policy. It is not always possible to agree in advance what times they will be available and how they can be contacted, as commitments can change on a day by day, hour by hour basis especially through the summer when service requests increase substantially.
- 27) Overall, I am satisfied with the proposed policy and in my area of work which involves late evening meetings it will bring benefits to the wellbeing of the team. The team have been expected to do work long hours on evening committee days due to separation of Flex and TOIL hours. This policy will address that imbalance. Homeworking generally brings greater flexibility to roles such as those within my service area.
- 28) The proposed approach on the accrual of additional hours is flawed. Given the nature of some jobs it is likely that some weeks they will accrue significant time in excess of contract and it is simply not practical to have to gain permission from a manager to attend and evening committee / other meeting or to negotiate changes in work hours to deal with this. In addition, as a Manager with no requirement for staff to record any accrual of additional hours, it will be difficult to keep track. Many staff work in excess of their hours and claim back time at a suitable time for them – in a block – such as half / full day – how will this work under the proposed new policy? Is there a weekly/monthly limit to the number of overtime hours which can be accrued? Is there a time limit within which accrued overtime hours must be taken as leave?
- 29) One of the key changes (at least from many employee's point of view) appears to be that flexi time will cease to exist. It would be interesting to know what the rationale is for this. Is there evidence that flexi time encourages poor performance? Is it being abused? Is it a barrier to managing by outputs / results? The answers to FAQs state that agile working provides greater flexibility for a broad range of employees. I'm not sure that there is a clear rationale for this statement. Flexi time does offer a real benefit to employees including managing work life balance. The proposed arrangements for managing accrual of hours appear to me to be more bureaucratic to administer and it appears to be a disbenefit to employees and to go against the stated aims of introducing agile working.

- 30) Lack of flexibility - The proposed changes will make the system less flexible than the current "flexitime" arrangements and will encourage people to stick rigidly to their "37 hours a week". At present, if workloads require additional hours to be worked in one week or month this can be managed by "banking" the additional hours worked and then taking a flexi day as a means of claiming the hours back. This is not possible in the new system without prior agreement from management and will limit the flexibility needed to perform my role. It is often difficult to predict when and how much additional work will be required to achieve a particular goal. The proposed policy is unduly complex and does not recognise the need for the flexibility which we currently employ to ensure the needs of our service are met.
- 31) 2Loss of benefit - The loss of flexitime means that I will be losing up to 18 days flexi leave a year and represents a fundamental change in the terms and conditions which were in place when I joined the Council. This is a loss of a significant benefit which I strongly oppose and will seek to defend. Many staff use flexitime to better manage their work/life balance and its loss will be detrimental to those who take advantage of the scheme to manage matters such as childcare.
- 32) General wellbeing – The opportunity for additional full or half days flexi leave is of significant benefit to the general well being of staff. The benefits of a whole (or half) day's leave when undertaking appointments, return from holiday, weekend breaks etc. should not be underestimated in maintaining a happy, dedicated workforce.
- 33) No benefits - There seems to be no benefit in removing flexitime arrangements, these could be kept in place and the need to work during core hours simply removed. A scheme which I believe operates elsewhere.
- 34) The draft Policy states that accrual of addition hours must be agreed in advance by a manager and it is expected that employees will be able to undertake their work during contracted hours. The draft Policy also states that extra hours should not be accrued on a "regular basis". I believe that this will negatively impact on some services and could lead to a loss of "good will" amongst the Officers. My Team already deliver a flexible service to help ensure the council fulfils its statutory duties and customers can access the service at any time. It is common for Officers to work in excess of their contracted hours

(in line with the flexible working policy) as it is not possible to predict a customer's specific needs within our service area. The council still has a statutory duty to offer advice and assistance in this service so the Officers may work additional hours (accruing flexi hours) to fulfil this duty. The draft Policy states that Officers would be required to contact a manager and request permission to work the additional hours they would ordinarily have completed by default under the current flexi time arrangements. If a manager is not contactable to agree to the additional hours immediately this could impact on the service being offered to a customer. I believe that Officers need the flexibility to complete additional hours themselves without needing to request this up to a certain limited. I also believe this change will lead to managers spending more time approving additional hours and agreeing when they will be taken, with no mechanism for recording working hours, instead of delivering service improvement. It would be important to define the term "Occasional" for this purpose so that the part of the policy can be applied consistently and fairly across the council?

35) The proposed approach on the accrual of additional hours is also counter to the principles of the policy and more importantly fails to acknowledge the reality of working in the public sector where resources are short and commitment is high and the accrual of extra hours is not an irregular occurrence. Officers across the Council work far in excess of their hours on a regular basis to deliver a good service to our community and customers. The idea that we could ask officers in the service to avoid accruing hours on a regular basis and still delivery the service we do is to misunderstand the resources available.

36) Given it is unrealistic to expect officers to avoid accruing hours, the policy needs to allow for this over a month or longer. There are weeks which require longer hours) and weeks where a day or half day off is possible without a significant impact. As with varying hours, working additional hours shouldn't need to be agreed ahead of time. There has to be trust in employees that additional hours are only done when it is necessary and if that trust is broken then that is the time to add in the bureaucracy. Taking that time back can be agreed with the line manager to ensure cover is maintained and even booked on itrent.

- 37) Related to this is the feeling from officers that the proposal is a removal of a benefit. There is a need for the agile policy to be as attractive to staff as the flexitime policy it will replace. One of the reasons people choose to work for local authorities is the flexible working practices and the ability to take time off as a flexi day if they accrue additional hours as a consequence of work demands. There has to be give and take, if officers are committed enough to put work ahead of their personal lives to get the work done, they should be able to take that personal time back with the certainty of a booked leave day. If the agile policy is less flexible than the flexi policy it will be a step backwards and this could affect staff retention and recruitment which the policy looks to improve. As drafted the policy appears to benefit the organisation and make work less flexible for officers. I think the same ends could be achieved by keeping the flexi system without core hours, I have managed staff in a fairly agile way successfully within the old flexi system and feel I could achieve this fully without the core hours element
- 38) What happens when someone has done their 37 hours for example in 4 days but a manager can't accommodate a request to not work for example on a Friday? What happens to the additional hours they work on Friday which would take them over the 37 hours for that week, can they be rolled over and if so for how long?
- 39) Team members working part-time hours have a concern over how the policy will affect them. In particular a concern that the policy may impact their ability to balance out extra hours worked outside of their normal working hours, for example on evenings and weekends, within their normal working hours.
- 40) I would prefer to monitor my working hours through a flexi arrangement so I can prioritise my workload based on my mood. Some weeks I will put in 40+ hours because I am intensely focusing on a project. Other weeks I will work less than 34 hours.
- 41) In relation to this, if an employee's working hours could be completely flexible (if the service demands allow), where is the distinction between the normal working day and out of hours work?

TOIL

- 42) Under the new policy, the ability to accrue lieu hours looks to have been withdrawn if the TOIL policy is removed. This, at first thoughts will make the working pattern more restrictive, if not impossible, during busy periods. This seems to go against the policy's aim of achieving greater flexibility. Under the current toil system for example, my colleagues Toil at time and half, or double time, meaning they are set to lose up to 50h of hours per year, with the removal of the Toil policy. My concern is that a broad policy, that is trying to achieve flexibility among staff who predominately work normal office hours, could end up making my department and buildings ability to function more restrictive.
- 43) My service requires some out of hours work that often requires a 2-4am start. Employees would previously have accrued TOIL at double time (grade dependent) and then been able to take the time back when service demands allowed, typically 2-3 weeks after. I feel that my service area in particular, will be disadvantaged by the removal of the accrual of TOIL at double time. It is a significant ask on employees to work such antisocial hours, particularly when the hours required are so different to their usual working hours.
- 44) Loss of appropriate remuneration for working antisocial hours : "Additional hours will be accrued at plain time i.e. if an employee has agreement to undertake 2 hours in addition to their normal working week, they will accrue 2 extra hours to be taken at a later date, with the agreement of their manager".
- 45) The draft policy suggests that TOIL can be claimed at plain time. Whilst this may be appropriate for staff working later start /later finish times it does not seem appropriate when working TOIL at antisocial hours i.e. after 23:00hr or before 07:00hrs, at weekends and Bank Holidays. I feel that appropriate recompense needs to be given to officers/staff working outside of socially accepted/expected hours otherwise this will lose the goodwill of officer and if deemed necessary to continue this provision/ service a dedicated out of hours team will have to be separately sourced, which will have cost implications.
- 46) I was wondering if I can have some clarity about the toil system for officers who are part time and often work evenings and weekends. For example, my working hours are until 4.30pm on Tuesdays and during the months of January –

It is proposed that the TOIL policy be deleted, and this principle will be outlined within the agile working policy.

Having reviewed the feedback regarding toil it is proposed that the new policy be amended to confirm the following:

Employees, on grade A to E, who are specifically required to work additional hours beyond their working week as a requirement of their role, (e.g. to attend evening meetings or respond to an urgent work requirement that must be completed within the designated hours) are entitled to accrue additional hours for work undertaken between 8pm and 6am on the following basis:

Monday to Saturday - time and a half
Sundays, public and extra statutory days - double time

SO1 and above, where additional hours are required as part of the role and authorised by the line manager, time off in lieu will be at plain time.

Accrual of additional hours under toil will need to be authorised by the manager.

Some of the feedback relating to toil (points 42 and 45) refers to an understanding of a local agreement in place for that service area. It would appear that this relates to a formally agreed collective agreement. This agreement provides a rate of enhancement for compensation for employees required to work those hours as part of their normal working week. The toil policy is a separate document and as such the collective agreement doesn't relate to toil provisions. Based on this understanding, the provisions outlined above will apply.

March we run a program in the evenings, therefore I go home and back out to work at 6pm-8pm. We are also required to work an awards event in December, we are required to work until 11.30pm, will there be any additional benefits for working these unsocial hours (double time).

47) In addition – the accrual of additional hours at plain time is problematic for some services and will be in breach of current agreements e.g. there is a collective agreement in place for some staff that regularly work evenings / weekends / bank holidays to claim Enhanced TOIL at the respective rate e.g. time and a quarter, time and a half, double time etc – how will this work under the Agile Working Policy – as the TOIL policy will no longer exist – staff will be at a disadvantage – where is the incentive for staff to work regular evenings / weekends – will this have to be substituted for Enhanced Pay? The Policy seems to be aimed at those that predominantly work Mon – Fri 9-5 and does not consider those roles who regularly work outside these times.

48) I sometimes work quite late at night e.g. until about midnight or even later, ringing people in the evenings has never been easy if I need assistance from a Manager or somebody else. Many aspects of my work occur in the evenings and at weekends for which I have to be in attendance. Some work I have to undertake can mean I clock up at least two weeks' worth of hours over the days that I am away working. I am the only officer in this role, with no back up, there would be no-one to do the day to day duties if I am not allowed to accrue TOIL hours or have overtime paid. If I have to work to the regulated 37 hours per week without being able to accrue this is making it impossible for me to be able to do my job to the high standards that it is currently done. If TOIL and or Overtime are taken away from us there is no way I could cope or be able to do my job properly, at the moment the Council gets a lot of stuff done by me on goodwill and I don't mind putting in extra long hours and put myself out and sacrifice a home life as I love my job but with recent decisions that have been made I can see this is not going to be lasting much longer. This will not be good for my physical or mental wellbeing, I can see that it will be more stressful and my work/home life will be none existent, I have very little now but with this new way of working it will be even more stressful and detrimental to my health and wellbeing.

49) My team have a local agreement in place that entitles staff (scale 6 and below) to claim time and a quarter for hours worked after 8pm Monday – Friday and all

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| <p>day Saturday and time and a half for Sundays. These are for scheduled annual calendar events outside the normal standard working week and also take place due to the type of work undertaken in the evening. The team would like to understand how this local agreement will operate under the new Agile Working Policy.</p> | |
| <p><u>Timesheets</u></p> <p>50) How does an individual staff member know that they have agilely completed their flexible hours over the course of a week or a month, if there is no record kept of this? I would certainly appreciate having a generic flexible timesheet. Could we have one simple generic one that could be consistently adopted by all who want to / are required to use it?</p> <p>51) I think it is essential that time sheets are kept. I have worked with many in the past who think they work longer hours than they actually do so some time recording system must remain in place.</p> <p>52) Working Excessive Hours - The draft policy indicates that Officers will not be required to record working hours but also states that Working Time Regulations must be complied with and Officers are not working excessive hours. The policy also states that managers must ensure employees are working in accordance with these regulations. How will this be monitored and/or challenged if Officers are not required to record their hours? I currently line manage 14 Officers and with no mechanism to record working hours I would not feel confident ensuring that Officers are working within these regulations. I also believe there will be issues if there is a need to formally challenge an Officer where it is not believed that they are working their contracted hours or possibly more than their contracted hours.</p> | <p>The focus of the agile working policy is around trust and communication and having a workload set that is appropriate to the contractual hours. Agile working moves the focus away from traditional recording and authorisation through a timesheet.</p> <p>However, if a service area or an individual would like to record their hours then they are able to do so. There will be no generic timesheet for this purpose.</p> |
| <p><u>Working hours/arrangements and service delivery</u></p> <p>53) A lack of start and finish times will create a dialogue for managers to justify “why not”. I will have members of staff that will want to work over 7 days and start in the early hours. Whilst there will be service delivery reasons for this not</p> | <p>The diverse nature and differing business requirements mean that specifying “one-size fits all” start and finish times is not really practical.</p> |

to happen, if the start and end times were in the policy, this discussion would not be necessary. The working hours can be broad, I would suggest 5am – 10pm. Any hours outside of this is likely to have a negative impact of their health.

- 54) Similarly, the policy is overly prescriptive about the time when people work. There should be a recognition of the principle of 'normal' office hours (9-5) for agile workers and that staff should be flexible to be available within these hours as service needs require (It is recognised that there are some staff that will need to work fixed working patterns due to the nature of their work). The discussion about setting working patterns for agile workers undermines the value of an agile policy. Clarity around working practice on the top of page 5 is helpful.
- 55) The Agile working patterns section on page 6 requires more explanation. I don't see why we would want to set an agile policy that is so restrictive that staff need to seek permission to alter their working pattern – that seems to go against the very principles of the policy, is overly controlling and adds bureaucracy. Fundamentally disagree with a proposal that Agile working patterns need to be agreed if this is to be taken forward on a person by person basis and interpreted in a narrow way. If the policy enables the HoS to set a working pattern for the entire Service in a way that promotes openness and trust, then that might be workable. There should perhaps be further discussion on this point at CLT and ExCLT to get a better understanding of the proposed policy and how it would work.
- 56) What if someone can't complete all of the tasks of their job in 37 hours, particularly when it is due to constant customer demand? Is CBC prepared to accept that some things will take longer and therefore customer satisfaction may be affected?
- 57) On the same subject, making the statement that an employee wishing to vary their standard working hours by agreement with their line manager on each occasion you are contradicting the principle of agile working. You also need to define 'agile working patterns'. Again, you should leave that down to managers' discretion as long as the overriding principle of needing to maintain adequate service levels at all times is met. Written as it is will put the employer at risk of charges of wanting its cake and eat it.

Managers may have to at times make different decisions for different people to accommodate alternative ways of working. Whilst great emphasis is placed on the need for consistency to ensure fairness, embracing agile working will mean managers having the confidence to consider individual personal circumstances and worker styles when making decisions. This may relate to agreeing working patterns or work location etc....

One of the principles of the policy is that any agile working patterns should be agreed in accordance with the needs of the service, with consideration being given to issues such as the need to be flexible, contactable and available. This principle demonstrates a positive commitment to agile working, however, it is clear that any decisions in relation to "where, when and how" employees work must be subject to service delivery needs. Managers are expected to manage their service areas, and this includes working with employees to ensure the needs of the service are addressed with working patterns reflecting this requirement. As a result, it may not always be possible for employees to work a different pattern. It is recognised that this is a shift and some managers will require additional support in dealing with this change.

The agile working policy does not change the expectations of the service and where services are required to be covered at specific periods, provisions should be in place to ensure this is done.

The working hours have been discussed as part of the development of the agile working policy, and in order to accommodate all areas of the Council it was determined that the correct approach was to not set any hours to suit all roles and service requirements. This also gives managers greater freedom to operate their service in accordance with its distinct service needs.

The policy is intended to build on the flexibility of the current arrangements, however if the service requires normal office hours as part of its service delivery then employees are expected to cover these. However, managers may consider agile ways in which this can be done under the principles of agile working. It may also be agreed within a service area that working patterns can be variable, subject to service provisions and needs.

- 58) Is agile working week restricted to Monday to Friday or could it be extended to include Saturdays?
- 59) I have a concern on the proposed agile working as a member of the repairs team. How does agile working affect me? The way I understand it – it is for the office workers how it was worded concerning flexi-time. Could someone please explain to me how it will affect my normal contracted hours of 8am till 4pm Monday to Thursday and 8am to 3.30p Friday. Or will a staggered start be implemented with different working hours making up my contracted 37 hours a week?
- 60) Additional workload - The system will create an additional workload for managers as extra hours worked will need to be agreed with a manager. It will also make it more difficult to manage staff and know who is working on a specific day. The proposed policy means a day off could be taken with no record or discussion with the manager as long as the required “37 hours a week” are achieved and appears a good solution to the current working arrangements made necessary by the pandemic.
- 61) What are the agile working hours i.e. earliest starting time and latest finishing time? What timeframe to I have to have completed my working hours?
- 62) I am contracted to work Mondays to Thursdays, will I have the choice to work the occasional Friday but not have to work every Friday?
- 63) There is currently no need for a rota for my service as the staffing levels are determined by employee’s working patterns and annual leave booked. However, to ensure a minimum level of service delivery at all times, employees would need to discuss any plans to work flexibly around personal commitments to ensure the minimum staffing requirements are always maintained. I feel that as soon as there is a need to introduce a rota that has previously been unnecessary, and employees need to plan in any times they may not be available during the usual working hours, then the application of the policy is going to reduce flexibility, thereby resulting in employees working more fixed hours than previously.

The policy states that if an employee accrues additional hours, these can be taken at a later date, with the agreement of their manager. It is for each service area to determine a timescale within which to take these hours or a working arrangement to accommodate, for example, reducing the hours worked within the following weeks.

The agile working policy encourages communication between manager and employees and how the agreement is reached is at the discretion of each service area. It may be the case that a full-time employee works 40 hours one week and agrees with their manager that, as a result, they will work 34 hours the following week. The policy does state that subject to the needs of the service, employees can choose how to work their hours across a day. This does not require a formal process to agree, but it is important that managers are able to manage their service and aware of the availability of officers within that service area.

The policy also outlines the provision for ad hoc commitments and allows flexibility of hours, where possible, to enable an employee to attend an appointment or event, for example.

The policy is not restrictive on hours set as part of a normal working day (subject to working time regulations) and enables employees to work weekdays, evenings and weekends in accordance with the needs to the service and the worker style. There are employees who will continue to work their set working pattern, either due to service needs or their own choice.

Where an employee elects to work a pattern that would involve unsocial hours (evenings, weekends, public holidays etc...) no enhancement will apply. If the employee is required to undertake this working pattern by the authority normal terms and conditions will apply.

To re-iterates working hour’s need to be worked around the business and customer needs, so this will depend on the needs of the service. Ultimately, this would be a manager’s decision.

If an employee is regularly required to work extra hours, managers are advised to undertake a review of the working arrangements to ensure the

- 64) The draft policy states that ad hoc commitments can be undertaken during the day with clearance from managers, so would this mean in reality that I could have an appointment during the day (e.g. doctor) then work a bit later/start earlier another time to make up the time taken for the appointment.
- 65) The policy sets out that 'if the worker profile allows, and an employee would like to vary their standard working hours this should be by agreement with their line manager on each occasion'. This appears to be counter to the principles of agile working. Reference to standard working hours undermines the value of an agile policy. Outside of ensuring cover and being available to attend meetings, officers should be free to get their work done when it suits them without needing to agree it with their manager. A regular situation which will occur in my group is an officer working on a report and having got into a good flow with it or getting close to a deadline they want to get it finished, they shouldn't need to seek permission to do this that evening or over the weekend in an agile working environment.
- 66) I have a team consisting of 4 members who work various part time hours. If one or all four elected to work all their hours over 2/3 days, this would leave the service unmanageable and strained to say the least. How can I prevent or avoid this from happening if this is how they proposed to work?
- 67) Service expectations should be realistic and a paragraph in the policy should address this. Demanding services to respond immediately is not always possible and if the member of staff is working as an agile member of staff, they may not be immediately available.
- 68) I do not think there is sufficient emphasis on the manager's need to maintain service at all times within the context of agile working and without some more rigour shown in the policy there is the danger of employees taking advantage of the flexibility and creating problems of cover in their service area.
- 69) We are taking on average between 800 > 1,000 calls a day now and whilst we try to speak to other team members within the council, this is still proving very difficult. An idea has been suggested we do have this for a couple of departments at present) that key departments have a duty officer each day. Therefore, that individual is always available for customer queries and can schedule their own work accordingly. Currently we spend several minutes

health, safety and welfare of employees and that the expectations of customers are met.

The Repairs Team will still be required to work the hours as you have specified. There may be occasions moving forward when a change to these working arrangements are needed, but at present these will remain unchanged.

It is noted from the responses that the sentence "employees should be contactable when working remotely or at home, especially during agreed working hours" has given the impression that officers should be on call at all times. This is not the expectation and the sentence will be amended accordingly.

Several responses relate to management of service areas and specific concerns relating to this should be addressed directly with the relevant manager or Head of Service. Additionally, existing dispute procedures within the Council will remain in place.

dialling multiple mobile numbers which the majority all go to voicemail which in turn is keeping the customer waiting and as an advisor sat alone at home, feels frustrated that many back-office team members are always unavailable. Another positive to having a duty officer is that we can also email queries as again, many of our calls are repeat callers chasing why their call-backs haven't been acknowledged.

70) An additional point to raise, is that key departments which the Contact Centre take calls for, provide us with a weekly schedule of who may be on leave / sick etc.... as again, we waste time calling multiple mobile numbers and even line managers to be told they are not at work, a clear lack of communication this is making the Contact Centre advisor job very difficult. I feel disappointed that we seem to be highlighting the council for its customer service yet the customers we are talking to ... it is the opposite! Whilst I appreciate some depts. may feel that this is not necessary, the CC have struggled for many months now in the 'firing line' dealing with customers abuse, anger, frustration, tears and in many cases we are having to be counsellors in some delicate situations, isolated at home and back office not contactable.

71) There seems to be little detail on how any disputes between managers / employees will be managed if there is a difference in opinion on the application of the policy which I feel has the potential to cause issues.

72) I think clarification is needed on where "remote working" may take place from so managers can be clear whether staff members could work from other parts of the country or even other countries on annual leave. I feel that remote working and annual leave could become blurred and there are concerns about employees not being within a reasonable distance from the office, or not having a consistent settled workspace.

73) The draft policy states that "Employees should be contactable when working remotely or at home, especially during agreed working hours." "Especially during agreed working hours" suggests that staff need to be available outside of working hours as well. Will all staff be on call under the agile working policy? Could this be clarified in the wording of the policy when finalised?

74) There should be a recognition of the principle of ‘normal’ office hours (9-5) for agile workers and that staff should be flexible to be available within these hours as service needs require (It is recognised that there are some staff that will need to work fixed working patterns due to the nature of their work). What we can’t lose sight of is that there are customers / partners etc that need access to individuals – by phone as well as email – so need to be available to respond to those needs. How will a member of the public / elected member etc know what hours the individual is working? It is already problematic getting hold of some staff within the Council – or knowing when they are available.

75) A lack of start and finish times will create an ongoing dialogue for managers. Different staff will want to work in different ways to suit their needs. Whilst there will be service delivery reasons for this not to happen, if the start and end times were in the policy, this discussion would not be necessary. It comes back to the point of being available for the customer, whoever that might be. The Policy also needs to be applicable to those who work lots of unsocial hours.

76) The Types of Agile Working bullet points to be noted on page 5 are important, however bullet 3 states ‘Employees should be contactable when working remotely or at home, especially during agreed working hours’. This needs to be clarified, the second part of the sentence implies employees should be contactable outside their agreed working hours. Whilst many officers do make themselves available outside their working hours by sharing personal numbers, this should not be an expectation unless it is required by the role i.e. those on call.

77) Managing Work Patterns and Work Plans – I have a fundamental concerns about this section of the policy. There is no justification for such a restrictive approach which goes against the very principles of the policy and fails to acknowledge the reality of how hard officers work for the Council.

Managing by performance and output

78) I also have concerns that “*managing by outcomes*”, but with no checks and balances on the total hours being worked to achieve these outcomes, could be mis-used by some managers as a means of getting 40 / 45 / 50+ hours a week out of staff who are contracted for 37 (or less), due to unrealistic management expectations of what should be achievable in the contractual hours given.

Agile working will require managers to manage by performance and outcomes rather than by presenteeism. This will require a greater focus on trust and communication within the employment relationship, in particular as many employees will not be in the office on a daily basis.

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| <p>79) In order to consider how the Agile working policy can work it would be helpful to consider alongside it the proposals for managing output and expectations around staff competencies. This is mentioned in the agile policy on page 8 but no further detail is given on how staff can be held to account. It is noted it says: “Managers cannot expect to gain from the flexibility of employees and then to manage in a strict and rigid way.”</p> <p>80) Employees with children at home should be able to undertake childcare and be at work – as the new working culture is about output, not presenteeism?</p> <p>81) It seems that the emphasis under agile working is on the work completed rather than the hours actually worked. My understanding is that staff would be able to finish early if their workload that day allows it as the time lost by finishing early one day would be made up elsewhere when the staff member has to work later and the hours worked would balance out. Is this a fair understanding?</p> <p>82) Managing by performance and output – my concern with this is that people all have different abilities. It might take one person an hour to do a task and another three hours, not because the latter has been unproductive, but just that the difference in skills and abilities takes them longer to achieve the task. I think there needs to be much caution to ensure that employees are not inappropriately penalised just because it takes them longer to produce the same output i.e. that individual skills and abilities are considered appropriately.</p> <p>83) I would prefer to be measured by the hours that I put in rather than my outputs/targets. This is because, our targets and outputs are largely determined by our customer’s ability to engage and provide the necessary information/documents</p> | <p>The aim of the policy is to provide managers with a framework for implementing new ways of agile working and each service area should agree principles in relation to the needs of that service and the parameters that need to be in place to achieve that aim.</p> <p>Whilst the focus is on performance and output, the expectation is that the workload should be suitable to the working hours and therefore achievable. Employees should raise any concerns, if they feel management have unrealistic expectations in relation to workload and outcomes.</p> <p>We would encourage open discussions around working arrangements in order to get the best from an employee and deliver a service in accordance with its needs. This is not about managing in a strict and rigid way, unless there are specific reasons to do so, but rather about ensuring effective working arrangements and communication methods are in place.</p> <p>The approach is to manage by performance and outcomes, rather than presenteeism. There may be particular peaks in demand, on a regular or occasional basis, that mean it is most effective to vary working hours. For example, working more hours as required and then reducing the working pattern at a later date to take account of those hours.</p> <p>It is expected that appropriate and existing care arrangements will remain in place, to enable the employee to fulfil their role within the agreed working hours to ensure output is not affected.</p> |
| <p><u>Manager’s Charter/Responsibilities/Concerns</u></p> <p>84) The Charter should be aimed at all staff not just managers – I feel it implies managers are reluctant to work within the confines of the policy and for some reason need a charter to govern them. There will be a large shift to trust rather than presenteeism and a charter for staff behaviour should also be introduced.</p> | <p>The principles of the managers charter are intended to be a guide for managers to follow, to help promote a motivated, effective and productive team/individual employee. Where an employee is working in an agile way, in particular outside of the normal work environment, it is important that regular communication is maintained.</p> |

- 85) The managers charter is excellent, it must be embedded, all managers need to be on board and have the skills required. It is a shame that it has not been introduced during Covid as I expect not everyone is having the support that they need and by introducing it now you would see what is lacking.
- 86) The manager charter is really good and sets out expectations very clearly. My only concern relates to running weekly 1-1s. I run monthly 1-1s but I have regular contact with team members throughout the working week either through Teams, the phone and my team know I am always available if need be and they often take up the offer. Will I as a manager need to put this into practice? Again, this does not feel like it reflects local circumstances.
- 87) Managers charter – weekly 1 to 1’s, if you have 11 staff a weekly 1 to 1 and a weekly team meeting will take half a day a week to complete. This seems really rigid and isn’t necessarily what officers want and people tend to raise issues with their manager when they arise and similar managers raise issues with officers at the time they don’t tend to wait. Think it should be changed to managers being available for officers to discuss any personal issues outside of the weekly team meeting. I asked the staff I manage recently about a weekly one to one and only one officer took up the offer as the other officers said they speak to me when they need me and we have a weekly team catch up. It needs to be something that isn’t rigid and takes into account the view of staff in terms of the frequency but accept as a manager you do need to speak to officers about performance etc.
- 88) I don’t agree that a ‘manager’s charter’ should be part of the policy. Managers should be free to manage their teams with a degree of freedom that will be threatened by including this ‘charter’ being shackled to a corporate policy.
- 89) The Managers charter in my opinion needs to reconsider the 1:1’s weekly. My team currently have a regular daily meeting via Teams, to consider work load’s and who is doing what. This works well. 1:1’s weekly for 5/6 staff is a huge commitment for a busy team and could be seen as micro management.
- 90) Broadly I am in favour of Agile Working and the policy seems well thought out. I particularly like the Manager’s Charter.

Favourable comments have been received from employees in relation to the managers charter. It is intended to be beneficial to all employees of the council, and as such recommends weekly 1-2-1’s. Managers should keep in touch and communicate regularly with their employees, which may involve catch up sessions that can just be a brief chat. This does not have to be a formal meeting.

Each service area can reasonably adapt the requirements to suit their purpose, however, the principles of a manager keeping in touch with their team is important not just during the response to the coronavirus pandemic, but also in the way in which the policy will apply moving forward in response to agile working and reduced accommodation.

Furthermore, the principles of agile working are set out within the document and are broad to cover the range of working styles, roles and services that a Council has in place. Each service area is expected to review their own working arrangements in accordance with the principles of the policy, taking into account their individual, team and service needs.

- 91) The Draft policy appears to give managers a lot more responsibilities for support, guidance, staff welfare, measuring team performance, individual output, workload, expectations and deadlines as well as ensuring compliance with working time regulations and attendance policy etc. It is expected that this will require regular (daily??) team meetings, 1-2-1 catch-ups, as well as auditing of work undertaken, output and performance. This is likely to be very time consuming and involved especially for managers like me who also have to manage an active and challenging caseload of their own. It is difficult to see how all of these additional duties can be achieved with the contractual hours.
- 92) The vision and philosophy set out in the opening paragraphs of the proposed policy in general terms are to be welcomed but appears to place further burdens on Managers to oversee the operation / implementation / review of the policy.
- 93) In general terms the vision is welcomed if it can be implemented in the spirit of openness and trust that is needed to make such a vision work and that has been inferred in briefings on the subject in recent months. However, there are doubts over the efficacy of the policy, which appears to be overly controlling, less flexible than current flexitime policies and appears to be placing further bureaucratic burdens on managers to oversee the operation of the policy.
- 94) In the Policy and in the Charter - 1-2-1's and weekly team meetings appear to place a heavy burden of managers and staff time. I think this should be worded to reflect meetings should take place as regularly as required but no less than 4 weekly? This allows for the manager and staff member to meet as and when required.
- 95) My concern is not with the policy itself but with its application. The previous flexi and home working policies were implemented in an inconsistent manner by different managers. This is evident from discussions which took place during Staff Forum meetings and during the Smart Working workshops in 2019. For Agile Working to succeed, it needs to be implemented consistently and fairly across different services and not how the Head of Service interprets it. In my view Agile Working requires a significant change of culture across the organisation and in some services more than others. This can be a really positive change for staff if it is implemented in the right way.

Team engagement

96) Face to face meetings are a crucial part of my role and assist in effective communication with customers (who in most cases have very complex needs). My concern is that that element of the role will be lost forever if there is no space for our team to conduct such contacts. The support each officer in the team provides to me and my colleagues helps build resilience for staff managing very challenging clients working environments and that resource can never be accessed in a meaningful way through teams.

97) New starters and training - How will they be made to feel part of the team?

98) I started at Charnwood recently and I only know my colleagues through a computer screen. My team have been great in helping me establish myself, but there is no replacement for office interaction, measuring team dynamic, understanding how the Council functions. This is a sustainability issue – the policy of full time homeworking will eventually lead to a workforce that doesn't talk to each other.

99) Managers should ensure that new starters are fully inducted and communication methods are appropriate to integrate an employee into their team. Managers should continually review methods of communication within their own area.

100) As above, we understand it can be difficult to integrate into a team outside of the office environment. The agile working is not a policy about full time homeworking, it focuses on different types of working arrangement including office based, home working, remote working and other work locations and it also focuses on worker styles. Working arrangements should be discussed within each service area.

As we are all aware, the pandemic has impacted face to face meetings and normal methods of communication and contact. In order to address this, managers should consider the needs of their employees and team and ensure appropriate measures are in place to support an employee's health and welfare. Alongside this, managers should consider options for the most appropriate way in which to carry out roles. The Agile Working Policy should not constrain Face to Face meetings with customers – indeed this would be a 'business need' that should be taken account of when developing working patterns.

There have been cases during the coronavirus pandemic where officers have attended work within the office. This may have been necessary to undertake their role, but the Council is also very mindful that some employees wish to work in this way for a variety of reasons. This has been accommodated where possible. Whilst the office accommodation will be reduced in the future, any requirement to work in a particular way should be discussed with the manager who will consider ways in which this might be accommodated.

The needs of the team and individuals within that team should be discussed and agreed within each service area.

There are difficulties settling into a new team as a new starter within that service area. Regular communication and emphasis on developing effective relationships will help to address this, and managers should be supportive in achieving this aim. Where an employee in this situation feels that they need further support, this should be discussed with the manager in the first instance. As outlined above, it is possible to look at changes to working arrangements now and in the longer term.

Worker Styles/Profiles

101) The proposal to set worker profiles needs to be as simple as possible to reduce the amount of work involved in setting them up and administering them. Perhaps the assumption is all post are agile unless service needs dictate otherwise?

The Worker Profile model has been designed to be as simple as possible in addressing the two possible parameters for agile working; a) when someone works and b) where someone works. We have therefore focussed on just two options for both of these categories;

102) I'd like to know more about the work profile styles.

103) Taking into account worker profiles and the needs of the team and service the office isn't particularly agile. My team is already as flexible as it can be around the core hours whilst still providing office cover and resilience. The role of each staff member and the service provided are paramount, and my team needs to provide specialised knowledge alongside that of the Contact Centre on the phone 8.30 to 5.00pm.

104) I really appreciate that the policy allows for individual services to work out what could be possible in their own service and understand that a blanket policy is difficult to apply across the Council. However I wonder whether there would be a benefit to a generic template being produced which all services can produce with the limitations (for example, if an employee's working pattern is flexible and agile but within certain boundaries, it would be helpful to have a simple consistent document used across all services in the Council so everyone can understand how the policy is applied in their own service.

105) The Policy makes reference to worker profile styles will be established for each job role – the issue with this is that even if some staff have the same job title / role – this may well be different on an individual basis – creating multiple worker profile styles. The setting of worker profile styles needs to be made as simple as possible.

Time: Set or Flexible Location: Fixed or Agile

We did consider additional hybrid options when developing the model that fitted somewhere between the two options for each category. However, we decided to keep things simple and the variety of possible hybrid scenarios instead count as Flexible and/or Agile in the Charnwood Worker Profile.

We are currently piloting a simple template in two services to help team managers and team members consider various factors when determining what overall approach is appropriate for the team and what Worker Profile is most appropriate for each post.

The Worker Profile model will be reviewed in light of pilot feedback.

Mileage

106) We have been claiming mileage from the Charnwood Offices (although in reality we are travelling from our home). Will we claim our fuel expenses from our home to the destination and back home – or will it still remain that we can only claim from the office address.

107) The travel expenses policy should pay travel allowance for journeys from home to any site where the employee visits in the course of their duty, including the office. Home being the new place of work.

108) What will count as the employee's "office" base for any mileage claims they need to submit? At present, home-to-work mileage is not claimable and

The council is currently awaiting specialist advice in this area. The draft Policy will be amended to reflect this advice.

must be deducted from any claim, but if an employee is home-based for 50%+ of their working week then their 'office' is predominantly at 'home' and so surely the whole claim should now be allowable?

109) In terms of mileage claims officers currently claim from the office to the destination of the visit(s), with officers working from home will they have to work out the mileage by using a route planner or claim the mileage from their home address which has effectively become their place of work?

110) I am slightly confused by the wording "should however" in the first line of the travel costs section. This implies this paragraph follows on from a previous statement. Please could the wording be clarified.

111) Clarification is needed on where an employee's main working base for the purpose of claiming mileage will be.

112) What will be the position with regard to mileage claims – will these be claimed from the office / home? Some people live a considerable distance away and if this was from home – we would technically be paying for them commuting to work? In addition, how will this work if they are part home workers / part office based?

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Insurance and Council Owned Equipment

113) Do additional monitors come under the 'portable computer equipment' definition as being covered by the Council's insurance whilst in employees' homes and in transit?

114) Are desks, chairs, lamps, screen risers etc not covered by the Council's insurance then? Despite being owned by the Council? And if damaged, would employees be expected to claim off their personal home insurance or replace these at their own cost if not covered?

115) Insurance – it states the council will not contribute towards home insurance costs associated with home working for equipment which isn't portable as home working is undertaken on a non-permanent basis, however working from home is currently a permanent thing for most people and is likely

The insurance section has advised that monitors are classed as computer equipment, rather than portable. However, they are also insured whilst in employee's homes and in transit.

There is contents cover for desks, chairs etc, whilst they are in our offices. This does not extend to cover them when they are in employee's homes or in transit.

Employees home insurance would probably not cover the equipment so it would be for the Council to replace any damaged/lost items.

The policy will also be amended to remove reference to non-permanent basis in the insurance paragraph. Therefore, the final sentence of the relevant paragraph will say: *The Council will not contribute towards home insurance*

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| <p>to continue if Southfields is sold therefore employees don't have a choice so why should they be expected to pay any additional costs if their insurance provider increases the premium</p> <p>116) In respect of the insurance for Council items not portable, I am assuming that since the Council considers there won't be a change in home insurance associated with home working that is undertaken on a non-permanent basis, that the Agile policy is not considered to permanent home working for most people. That section, page 11 is quite confusing.</p> | <p><i>as it is not anticipated that there will be any additional costs associated with home working.</i> The insurance section of the policy explains what is covered under the Council's insurance.</p> |
| <p><u>Homeworking Allowances</u></p> <p>117) Employees should get a £6/week allowance to cover working expenses like heating/lighting, printing at home and broadband costs.</p> <p>118) I hope proper regard is to be given to adequately compensating staff or providing an allowance for working from home which can be found from the savings made from the disposal of Council assets deemed no longer needed. The tax code savings it refers staff to, do not really cover additional lighting, electricity, heating, wear and tear, enhanced wifi-connection, additional insurance, loss of domestic space or increased responsibility for IT equipment and to offer nothing in return in the biggest insult yet.</p> <p>119) Now that we are working for home staff's bills are increasing as a result of home working i.e. electricity to power laptops, work phones, increased broadband costs etc – the agile policy fails to mention how these costs are going to be met?</p> <p>120) Whilst I appreciate that with agile working the commute will no longer be an issue and cost will be reduced for fuel. I feel that this does not help those members of staff that do not have a long commute to work. I feel that it is unfair that the council does not pay towards the internet cost, as this would not be a service that would be heavily used on a daily basis for all members of staff. Some people are having to pay extra to get their broadband up to speed to allow them to work at home, without any subsidy from the employer. It's all fair that there are less overheads for the council, but these have now</p> | <p>Eligible employees may be able to claim tax relief through the gov.uk site for additional household costs if working at home on a regular basis.</p> <p>Where additional furniture is required, this should be discussed with managers to establish if it is possible to use any furniture from within the office.</p> <p>IT equipment should be sourced through the ICS service directly.</p> <p>Where an employee purchased a desk between 23 March 2020 and 3 December 2020, this can be reclaimed subject to proof of purchase and the provisions in place relating to this claim.</p> <p>In all other respects the Council will not fund any additional costs.</p> <p>If an employee would prefer to work in the normal work environment, such as the office base, in order to reduce additional costs this should be discussed with the manager who will make every effort to accommodate this request.</p> <p>In relation to queries on data protection and taking confidential sensitive papers home, the Data Protection policy states that documents should not be taken home; if you feel that they are unable to comply with this policy, you will need to speak to your Head of Service to get their approval, and each</p> |

increased in costs for the employee and no financial assistance towards that increase in cost.

121) I have no lockable drawer in the room at home I now call my 'office'. I have access to extremely sensitive data about people's names, addresses, etc. any suggestions on securing books, notes, papers when not working.

122) Page 11 – states in many cases the additional costs for energy, broadband etc are offset by the reduction in travelling time, cost of mileage normally incurred as a result of commuting to the work place. This policy doesn't reflect the fact that some people live locally and some in Loughborough, it makes an assumption everyone travels in from a distant location

123) I have one main concern – the extra cost the householder for wifi and utilities – i.e. heating/electricity. I will not be making any savings from agile working. I don't run a car or need one as part of my post. It does seem that the cost of the building has been passed onto the workforce.

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124) The Policy states that the Council does not intend to compensate staff for heating / lighting etc and that these will be offset by those normally incurred as a result of commuting to the workplace – this is not true for all staff – with the planned review of essential car user allowance and homeworking – some staff will be financially worse off

125) Confidentiality - The environment for Officers working from home will vary greatly depending on the household and property type. It may not be possible to find a location in the property where neighbours and/or other household members are not able to overhear conversations and therefore ensure complete confidentiality. Whilst record keeping systems will eventually all be moved online will a provision be provided by the council now to allow documents to be stored securely without Officers having to incur this expense? i.e. an allowance for a filing cabinet or secure storage facility.

126) Additional Costs - I believe additional costs should be provided if Officers are expected to work from home. There will be a regular and ingoing increase in costs to the Officer i.e. electricity for powering equipment but also during cold periods additional heating will be required to maintain a safe and

service should complete a DPIA to ensure that all risks associated with going against the approved policy are thought through and mitigated by putting in place adequate recording and security measures.

healthy working environment which will vary depending on the type of property occupied and therefore increase costs during this period. Will the council fund this in cases where these costs are not offset by commuting to the workplace?

IT Equipment and Service

127) Will IT look at the needs of its customers regarding suitable equipment?

The IT department will always try to recommend equipment that will support the types of software and applications that are going to be used. IT have worked with all Heads of Service to identify and offer the right equipment for each job role and systems. However sometimes it isn't possible to provide what each member of staff would ideally like due to the constraints of the software for example QL will not work properly on a tablet device as the system is not mobile responsive, so in this case IT would advise against trying to use this technology for this system. Where this does occur, IT will try to find an alternative solution.

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128) Hours and hours of productivity lost through disconnection from WiFi signals, software crashes, hardware malfunctions, service call wait times, inadequate i.t. infrastructure and support. If people are being expected to work from home, the equipment they use needs to be reliable, robust and responsive. The current system of I.T. support where you wait on the phone to be 'transferred' to an endless circle of referrals is just unacceptable. This service needs investment in a big way to be able to meet the increased demands of a remote workforce.

Since the start of the pandemic and the move to the majority of staff working from home the IT Helpdesk has seen a sustained increase in calls of over 30% with no increase in staffing resources with many issues particularly around personal broadband issues for which IT have very little control. IT appreciate at times this means that people are waiting to get through and that this can be frustrating. To address this, IT are currently working on several improvements including:

- Improve call handling system, the current system is being reviewed to offer a better experience
- utilising some other IT staff to help cover help desk where possible to reduce any wait times
- additional training resources for all officers to enable greater use of self-help to resolve issues

129) Screen resolutions need to be able to both fit the programmes being run and be of a font size which can be easily seen. The reality is that the new laptops often have a font size of 6 or 8 which would never be used in Council communications.

At present IT offer a choice of 2 types of device, the font size and screen resolution can generally all be modified, and IT Helpdesk can help with this if users are experiencing difficulties. In some instances, there are restrictions due to the nature of the back-office system and this may limit

130) Will we be provided with work mobile phones? Currently I have transferred my work calls on to my own private mobile.

131) IT equipment needs to meet the needs of the service - if more staff are to continue to work at home – there needs to be a joint responsibility to ensure this can happen – some people have poor internet connectivity, which makes having Teams mtg with them quite difficult – in addition access to systems needs to be made simpler – swapping between office 365 and VDI to access sharepoint / Unit 4 / intranet etc is problematic and time consuming

And

IT systems - To ensure that agile working is possible it is vital that IT systems function properly. At present the systems I require to perform my role do not operate as well from home as they do from the office.

And

Several members raised concerns with the current IT situation – grappling with the two systems (365 and VDI) resulting in time consuming losses of productivity. This is an example of how homeworking can exacerbate minor issues that are often resolved through office conversation. The Council should look at resolving this matter as part of the agile working process, or sooner

how far IT can resolve this issue but in the first instance please contact IT Helpdesk with any issues such as these.

Where an officer is required to have a mobile phone, and this is requested through a line manager then this will be provided. Alternatively, IT are looking at making softphones available where required that act in the same way as the desk phones and will work both when in the office or when working at home

The IT department is currently developing the IT Strategy which includes the future requirements of the organisation and links with other strategies and policies such as the Agile Working Policy. There are also several current projects that will improve the user experience e.g upgrading the VDI system, upgrades to back offices systems etc all to improve the user experience and efficiency. These projects will take some time but are a priority to the IT department and are expected to resolve the issues described by users.

IT has regular SLA meeting with all departments, these meetings are attended by each service Head and relevant managers. The meetings cover to all aspects of IT provision including current issues, future needs and requirements, update of IT project etc. Please ensure that you feedback to your manager so that any significant issues can be discussed and logged at these meetings.

There is a currently a review of both printing and postage that is considering how the needs of the organisation has changed and what we require in the future to make sure that all needs are met. However, in the interim there is the delegated print function available that lets officers who are attending the offices to print documents on behalf of colleagues if this is required. Further information on this can be access via the IT Helpdesk

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| <p>132) Access to stationary / other equipment needs to be considered – e.g printers – if staff are to work from home regularly – will the Council provide them with a printer / ink cartridges – whilst the emphasis is to reduce the amount that is printed – this can't always be avoided.</p> | <p>MS Teams has been chosen as the corporate solution for communications and virtual meetings however the Council also has access to and is regularly using both Zoom and Skype where required. If MS teams is not meeting your needs, please contact IT to discuss what the issues are and whether they can be resolved within Teams or whether you need access to one of the other communication tolls we have available.</p> |
| <p><u>IT Training</u></p> <p>133) Will IT training be reviewed to ensure it is effective?</p> <p>134) Training is required as people migrate to work on Office 365.</p> | <p>IT Service are currently developing a combination of different training methods including online training videos and tutorials along with staff training pages. In addition, when any service is moved on to new technology e.g. MS teams, IT will provide some training sessions at the time of transition to support users.</p> |
| <p><u>Personal Development Reviews</u></p> <p>135) Is the personal review process being reviewed? I heard it was but I think the pandemic has delayed this?</p> <p>136) Will this be reviewed and updated corporately as has been proposed for a number of years now to include the frequency and template used?</p> | <p>There is a commitment to review the current Personal Review process in the People Strategy 2021 – 2024, which is due to be considered by Cabinet in January. All the actions identified in the People Strategy will form a new People Development Plan that will be overseen by the new People Group.</p> <p>The aim of the review will be to develop a Personal Review process that is more appropriate for an agile working organisation. We are also considering options for developing existing software (iTrent HR system or Learning Pool LMS) to provide a more stable platform to record reviews.</p> |
| <p><u>General Concerns about Homeworking</u></p> <p>137) Whilst there are some benefits for some people to work from home, it is my view that it is simply unacceptable to demand that people work from home on the basis of a simple assessment by the employer that they can. Whilst staff have responded heroically by sacrificing home space to ensure Council services are not interrupted, there is only one reason they are being forced to continue this, and that is money. i.e. the Council saving money. Why should I reduce the value of my 3-bedroom home to a 2-bedroom home so the Council can operate rent-free? If a bedroom becomes a permanent office, then this option is negated at personal and financial cost to me and the Council do not</p> | <p>The Council had to put measures in place for employee's health and safety as part of its response to the coronavirus pandemic. Part of this response involved employees working from home where the role allowed. In addition, where appropriate, employees have also been able to undertake their duties from within the office. There have been some employees who is was very difficult for them to work from home and they have been able to work in the office.</p> |

intend to compensate for this loss. The role of the person is being looked at but not the capacity or the desire of the person to work from home. This is tantamount to a significant change in an employee's terms and conditions at a time when alternative employment options are bleak.

- 138) Policy should read that employees should be contactable when working from home – ONLY during agreed working hours.
- 139) Working while sick, whether at home or elsewhere should be not be encouraged.
- 140) Duty of care – managers must (not should) make themselves available to employees and respond to any queries in a timely manner. Staff working from home must not feel that they are being a nuisance, taking up managers time etc.....
- 141) Work / life balance - there must be a demarcation, or else it will be very easy to 'take your work home with you'.
- 142) The Policy talks about enhancing the quality of work / life balance – many staff have reported that through the pandemic as a result of working from home it has been very difficult to segregate work / home life – as the two role into one and they feel they are constantly at work
- 143) My mental health has deteriorated during this period of homeworking.
- 144) Whilst I acknowledge that there are some benefits to working from home in terms of fitting work around family life, the division between these two separate aspects of life becomes somewhat blurred. An employee will find themselves having to work additional hours, to face the increased demands being made on them for the loss of the daily commute. More productive units of employment are all that matters it seems, rather than the emotional or mental health needs of staff who are humans. An online resource or link to mental health advice in no way replaces the need for human contact. The sense of working in isolation is not a work environment I subscribed to when I was first engaged by the Council.
- 145) I have adapted to home working however I do not think that this is suitable for everyone. The agile policy states that "suitable time should be set aside for

Generally, whilst there is an overall requirement that we reduce our accommodation requirements we hope that there should be scope to allow all those who wish to remain office based to do so, and it is not envisaged that we *demand* staff work from home

The Agile Working policy has evolved as part of a review of working arrangements that were already being considered which have been combined with the impact of the pandemic. It is important that everyone understands that when employees are unable to work from home, options to work from the office can be considered by managers.

We need to clarify that the Council has not demanded that employees work from home on a permanent basis, equally the Council very much values the flexibility shown by employees during this time.

There is no expectation that employees are available during hours that they are not working, and the Agile Working policy does not alter this approach.

This is an option that may be appropriate in certain and limited cases, with the agreement of an employee and manager, and considered on a case by case basis.

It is important that employees feel valued and supported and as such the Agile Working policy looks to embed these principles into the culture of the organisation.

This is supported within the spirit of the agile working policy.

Concerns have been raised around employees Mental Health with both the pandemic and working from home. All employees are encouraged to discuss any issues concerning mental health with their managers or another suitable means of support. The Council also has a range of positive interventions around mental health including AMICA, health checks and well being events days, occupational health along with the new Manager's Guidance and Toolkit on Mental Health. No employee should feel unsupported or that they are suffering alone.

- home working without any disturbances” this can be a problem for example for those who are part of larger families surrounded by noise and disturbances having to care for the needs of other household members.
- 146) I have been suffering with patches of lower productivity and morale. I care about my work, but it is really difficult living in a state of perpetual indefinite home working. I sometimes feel insular and completely demotivated as a result. This has been an inevitable consequence of lockdown, but there needs to be a balance going forward. I would like to have the choice to work within an office environment, at least 1 or 2 days a week to give me some routine and a change of scenery. I think the policy should be more flexible for employees to respond to their individual circumstances. Can we not book into an office space or have set department-in-office days?
- 147) Reduced office space – what about people who can't work from home (could be not suitable for personal reasons or need to come into the office for physical or mental health reasons), it says speak to your manager but will there be provision within an office space (be that Southfields or elsewhere) for these people?
- 148) Workspace – homes are not built for home working and setting up a desk space in a small home for example is difficult – I know some colleagues are using the dining room table as a desk.
- 149) I love the concept of homeworking and flexible hours and I am lucky to benefit from having a designated space in my house to accommodate this. I do however note that not all colleagues share the luxury of space and are really suffering with the work/home distinction as a result.
- 150) My concern is not with the policy itself but with its application. The previous flexi and home working policies were implemented in an inconsistent manner by different managers. This is evident from discussions which took place during Staff Forum meetings and during the Smart Working workshops in 2019. For Agile Working to succeed, it needs to be implemented consistently and fairly across different services and not how the Head of Service interprets it. In my view Agile Working requires a significant change of culture across the organisation and in some services more than others. This can be a really positive change for staff if it is implemented in the right way.

There is no expectation that increased demands will be placed on employees due to any daily loss of commute that they may have as a result of home working. The Council is very focused on mental health needs and measures have been put in place to support employees, where possible and appropriate. This has included some staff working from the offices rather than at home. The online guidance and toolkit are important documents to support managers and employees in relation to mental health, and this, alongside all of the other positive initiatives mentioned above, demonstrate the Council's commitment to talking about mental health in an open and transparent way to enable us to consider appropriate means of support.

It is recognised that not everyone home environment is suitable for home working, and should this be an issue, employees should discuss appropriate alternative working arrangements with their managers. This is not seen as one options fits all.

As reflected throughout the policy and the above comments there has always been the option to discuss alternative arrangements, including working in the offices with managers, subject to Covid-19 restrictions. Moving forward, the Agile Working policy does not prevent an employee from requesting to work part of the week from home and part of the week from the office. We encourage all employees to discuss any concerns and any issues with working arrangements with their managers.

Any requirements for desks should be discussed with your manager. The Council has surplus desks that may be suitable for an employee to use within their home. Alternatively, if working within the office is more suitable, as advised this should be discussed with your manager.

It is appreciated that not all employees are set up for, or indeed want to work from home on a full or part time basis. Where there are concerns, employees should address these with their managers so that alternative working arrangements can be considered.

It is understood that the flexi and previous home working policies were implemented in different ways by different managers. The Agile Working policy is designed to be adapted to suit all services areas along with the needs of the customer and business. By addressing this, some staff may

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|--|---|
| <p>151) Will it be taken on good faith that team members are adhering to the safety and security of IT equipment and likewise the safeguarding of confidential papers?</p> | <p>feel this is again inconsistent – however, the needs of the customer and business must come first.</p> |
| <p><u>Other Feedback/queries</u></p> <p>1) I am pleased to see this is now moving forward and that Charnwood Borough Council are placing trust in employees to manage their time at work in a sensible way agreed with managers. This will help with my current arrangements and improve my work / life balance.</p> <p>2) The policy is overly concerned about the place of work. It shouldn't matter where staff are working provided, they have a DSE compliant location and they are not required to be in a specific location to meet service needs.</p> <p>3) Maybe in addition to the consultation, a working group of staff, managers and HOS and SLT is formed to review how this is being implemented across the organisation and also address any areas of the policy that do not work or need tweaking.</p> | <p>The spirit of the agile working policy and the principles outlined within that document reflect this comment.</p> <p>As an employer, we do need to know where our employees are working. Flexibility is being offered around this and managers and employees should be able to work together to understand the agreed working arrangements.</p> <p>An agile working party was brought together to consider all aspects of this policy. Additionally, this has been discussed at CLT, SLT, JMTUM, the staff forum and the consultation with employees and unions has ran throughout November.</p> |

4) Do you have examples of other local authorities who have implemented this level of agile working successfully? If yes could you share with staff.

We have reviewed other authorities who have, or are, implementing agile working to assist with the development of our own proposal. The information from other council's will not form part of our consultation process.

5) Timescales for implementation - How long do you expect agile working to take to be implemented? What mechanisms will be in place to deal with any hiccups along the way?

The aim is for agile working to be implemented by 1 April 2021. As many employees of the Council have been working in this way since March 2020, many of the issues have been considered already. Should there be any issues that arise as a result of agile working, this should be discussed with the manager, as is currently the case.

6) Perhaps the Council is intending to fund routine eye tests or spectacles from now on?

The Council already has a policy on eye tests for DSE users. Further information can be located within the Travel, Subsistence and Other Allowances policy.

7) Have the repairs team leaders been consulted with to see if this policy is logistically possible, and would the draft policy be of benefit to the service.

All employees have been consulted as part of this process. Managers should discuss any agile working arrangements directly with their employees to discuss if and how they can be accommodated.

8) How does agile working affect members of the repairs team? The way I understand it it's for the office workers how it was worded concerning flexi time. Could someone please explain to me whether it will affect my normal contracted hours of 8am till 4pm Mon to Thurs an 8am till 3.30pm on Fri. Or will at staggered start be implemented with different working hours making up my contracted 37hrs a week.

Specific issues relating to working arrangements and service provision should be discussed with the manager/Head of Service.

9) I work with clients or clients with specific needs – some of my clients need somewhere like a hub where they can access computers / phones in order that they can contact services i.e. phone their council officer, use a computer etc....

Specific issues relating to service provision should be discussed with the manager/Head of Service.

10) I have been able to work from home during COVID-19 lockdown and do not believe that it has significantly affected my service. I can perform most of my tasks at home without needing to work in the office. However, in the long run, I believe that it will be beneficial to complete face-to-face appointments with

Specific issues relating to service provision should be discussed with the manager/Head of Service.

customers rather than telephone ones. Seeing customers face to face is beneficial so that we are able to offer advice in a more compassionate manner. The face-to-face appointments also allow customers to hand in their required documents to us directly. Some of them often struggle to send their documents to us via post or email.

11) I have been working from home since 18th March, allowing for the immediate changes that all depts. had to make for the council to try to continue our service, as we are now more established I feel that if this is to be the new 'norm' for many people, then some changes may be necessary to make back office staff more accessible to our customers.

12) Page 5 – what are Working Time Regulations? What would constitute excessive hours? Think it would be good to spell this out clearly in the document rather than officers having to look it up

13) Will the relevant sections of the Working Time Regulations be made easily available for managers?

14) The additional duties/responsibilities for managers e.g. to ensure that “The Working Time Regulations are complied with.....The manager to provide support and/or guidance when required”

15) Page 6 – worker time directive, is this the same as Working Time Regulations or is this something different? If it is something different can this be explained, and a link provided to take you to a page to explain it

16) Page 9 – talks about the capability or disciplinary policy but this has been changed to the performance management policy so should the wording be changed in the document? Include a link to the documents

17) Health & Safety: there should be a definition of 'work-related accident'. What does this actually mean? Does it mean 'any accident that occurs while the

Specific issues relating to service provision should be discussed with the manager/Head of Service.

A link will be provided on page 5 to the current policy on working time regulations. Unfortunately, adding this information to the agile working policy would make the policy very large, and as such, it's felt better to outline it directly within that policy document.

Please see response above.

Compliance with the Working Time Regulations has always been a requirement of the role and responsibilities that managers should fulfil.

The wording will be amended to reflect one title and ensure consistency to avoid confusion. Thank you for highlighting this.

The wording will be amended to reflect one title and ensure consistency to avoid confusion. Thank you for highlighting this.

There are very many scenarios regarding what could be defined as a work-related accident, and each case must be reviewed on its own merit. It is not the case that “any accident that occurs while the employee is working” is

employee is working' or 'any accident that occurs through the employee's interaction with council-owned equipment installed in the employee's home?

18) I fail to see why annual leave has to be calculated in hours rather than days for full-time employees. It is incredibly difficult to keep track of your leave balance when it's shown in hours. People understand the concept of a day off and a half-day off: it is clear and simple. The argument that says that you have to calculate leave in hours rather than days because you should be able to take leave in small, hour-sized chunks contradicts, again, the principle of agile working. Provided service can be maintained and one's manager knows in advance, it should be perfectly possible for someone to take an hour or two off; and I think the policy does allow for this.

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There are definite benefits to Agile working as it has helped me combat a 2.5 to 3 hour commute each day and reduced 16,000 miles travelled per year to 3,500 miles so far this year. I feel more productive working earlier rather than sat in traffic. I have struggled as I live on my own and have found it quite isolating, whilst other staff members have struggled to separate work from home depending on where they sit within their home. The Policy itself needs to be fluid and flexible to cover a wide range of people.

20) If management need to monitor staff attendance is there a hierarchy for this if I am on leave, does this go the Head of Service? Is an alternative means to the flexi sheet to be introduced for monitoring time. Who does someone ask for time prior to working it if the manager is absent and will the person asked understand the work and the why?

21) Does agile working include being able to work during company holidays e.g. the Tuesday after the August bank holiday.

defined as a work-related accident. "Any accident that occurs through the employee's interaction with council-owned equipment installed in the employee's home" may be classed as a work related accident but the degree of control the officer has with the location and operation of the equipment and by default the lack of control the Council has would have to be considered. Advice should always be taken from health and safety in relation to a work-related accident.

Whilst there are benefits to calculating leave in hours when it comes to agile working/iTrent, there is no proposal currently to change the current annual leave process for full time employees. This can be reviewed should it be appropriate in the future.

The aim of the policy is to be flexible enough to cover the wide range of services and employees that the council has. Managers and employees can consider appropriate working arrangements to meet their individual circumstances, subject to the needs of the service.

Managers are not being asked to put any additional resources into managing employees or monitoring them, it is considered part of a normal management role. It is for each service area to determine who will deputise for a manager in their absence, and as a result be able to provide support to employees or agree to leave requests, for example.

Employees are not encouraged to work during bank holidays unless there is a specific business need. When an employee chooses to work a bank holiday, where it is not a contractual requirement, no enhancements will apply.

22) The draft agile working policy makes no reference to agency staff who are paid hourly. If my understanding in (1) regarding working hours is correct, how could this approach be managed for an agency worker paid by the hour?

23) I think the timing of the consultation on the agile working policy is while perhaps unavoidable, is maybe a bit inappropriate. We are all working in an unprecedented situation (Covid), adjusting to a new way of working which is alien to us all and has been extremely difficult to adapt to. To be asked to respond to a draft agile working policy at a time when people are not working 'in normal circumstances' seems unfair and a person's response now may be wholly different if asked 6 months from now (when hopefully the pandemic might be over).

24) Timing - Introducing a new system of working during the current pandemic is counter-intuitive, surely it would be better to wait until new working arrangements are more settled following the pandemic to formulate new policy.

25) Concerns about the loss of additional hours already accrued:- "If this agreement is not in place any additional hours worked by the employee will not qualify for the accrual of extra hours and will be lost"

26) Most of the my team already had hours accrued under the flexitime scheme at the start of lockdown (at the end of March) given the instruction to work at home most have not had the opportunity to use them, given the suspension of flexitime during the Lockdown/home working scheme. The policy does not indicate whether these hours will be honoured and officers allowed to take the hours accrued.

27) Communicating individual officer working hours to customers, colleagues and partner agencies: "employee may need to be available for customers and colleagues during certain times of their normal working day or during the entire day"

28) Face to face and team meetings and a team being collectively together is important – one of the things that has been lost during the pandemic is for teams to bounce off each other as a consequence of being in the same space – for people not to work in silo / isolation – and the ability to naturally pick up on things or for partners to be able to drop into the building to discuss things / build up partnership working. In my team, the Police would regularly drop into the office

Agency staff are not employees of the Council and therefore not covered under the agile working policy.

Agile working was already being considered prior to the pandemic. Overall employees have adapted well to the alterations to working arrangements and evidenced that agile working is successful.

As above.

Hours already accrued should be considered in line with current arrangements and should be discussed and agreed with managers.

As above.

Working arrangements should be in line with service needs and services should determine how this is communicated most effectively within that service area.

Arrangements for external visitors should be agreed with relevant officers in line with Council process. Partnership working will fit within this remit. It is for the service to determine appropriate communication methods, and as such, face to face meetings can be arranged as appropriate.

Page 3

and spend time working in the space alongside the team, which enabled natural dialogue to take place and for relationships to be developed – where do partners fit alongside the reduced accommodation etc Partnership / team working from my experience is much more effective in a face to face situation.

- 29) I fully recognise that the Council faces financial challenges which may mean that we might have to take a different approach to our office accommodation. This may mean that the Council as whole will need to support more working from home or remote working.
- 30) I support the stated aims of Agile Working which include: “supporting employees to achieve a positive work-life balance to increase employee motivation, reduce sickness absence, promote employee wellbeing and attract/ retain a skilled and motivated workforce”. I’m not clear how the proposed agile working will see an improvement on policies before the pandemic took hold, and therefore how these stated aims will be achieved.
- 31) Staff recruitment – The lack of a flexitime scheme may create further difficulties in recruiting staff when such schemes are available at other local authorities.
- 32) I feel the proposed agile working policy is extremely disappointing and represents a significant reduction in the terms and conditions which I currently enjoy in my employment. The proposal does not represent or display a smarter or agile way of working.
- 33) I do not have the internet at home and so I would only be able to do the admin side of my job when the Council Offices are open. Are the offices going to be open longer or have 24/7 access possibilities?
- 34) I am a lone worker, I do have an Alertcom devise, luckily I have never had to use this so far, but this does not always work as sometimes we can be in a no signal area for long periods of time.

The is within the spirit of the agile working policy.

The aims of the policy will be achieved by employees having a positive attitude towards the flexibility afforded within the policy.

The agile working policy enables employees to work flexibility in accordance with service needs. Other employers who operate a similar scheme have not reported recruitment difficulties overall. It is not envisaged that this be a reason to deter candidates from applying within the Council.

This is not the intention of the agile working policy. The policy removes the restrictions of core hours and gives the employee more flexibility, in accordance with service needs.

At this point in time nothing has been raised regarding extending office opening hours, therefore the office is available to undertake the required duties during opening hours.

Specific issues relating to service provision should be discussed with the manager/Head of Service.

Agile Working Consultation Response

The Council has, for some time, been considering the principles of agile working and this, combined with the impact of Covid-19, has made it necessary to review working arrangements across the Council. There are significant benefits in further developing the Council's existing flexible working arrangements, including recruitment and retention of key skills, enhanced productivity and employee motivation. The principles of the policy demonstrate a positive commitment to agile working, however, it is clear that any decisions in relation to "where, when and how" employees work must be subject to service delivery needs. It is also understood that some employees will not want to change their existing working arrangements, which is also an approach supported by the Council.

The introduction of agile working has been a cultural change for the Council since the start of the pandemic and this challenge has been embraced well by employees in difficult circumstances. The Agile Working Policy builds on this cultural change and gives greater flexibility for these circumstances. Senior officers have been consulted on the policy, including SLT, as have all employees and trade unions. The final agreement to the principles of agile working will be the responsibility of the Councillor representatives of Personnel Committee who will be able to fully discuss the framework and principles of agile working as part of that process.

The consultation process has been carried out from 2 November to 30 November 2020 and has involved all employees and the trade unions, in addition to the Council's normal consultation and agreement processes. We appreciate the time taken to consider the agile working policy and as a result a range of responses have been received. Please find outlined below responses to comments/queries from Unison members.

Queries and Responses

Loss of Flexi Time

Flexi-time is a valued and widely used employment benefit within local government. UNISON members are particularly concerned about its proposed removal, which would have the impact of removing the ability to reasonably accrue time and take that back as a day of leave, and reducing the ability to work flexibly in practice. The stated purpose of the policy includes supporting employees to achieve greater flexibility on where, when and how they work and to shift away from a culture of presenteeism.

(Page 6-7, Occasional Accrual of Additional Hours/ Ad Hoc Commitments). This section effectively replaces the existing standardised flexi system with an unrecorded version that relies on manager discretion. Discretion is not a more effective tool for implementing an accrual policy when management styles vary significantly across the organisation. The policy requires employees to seek prior approval for any additional hours worked and that unagreed additional hours worked will be lost. In practice, this approach removes the ability for staff to determine how to respond to fluctuations in their individual workloads without permission – it is less flexible than the existing arrangement. The proposed week-to-week approach in monitoring hours worked is more rigid than the existing monthly approach, and therefore would have no additional flexibility benefit for the employer or employee in practice. No specific reference is made to ability to reasonably accrue time and take that back as a day of leave – it is not clear whether this is an intentional omission. The ad hoc commitments section is overly prescriptive for a policy that is seeking to enable agile working practices – in particular, the requirement to work hours in advance of an ad hoc event, some of which may be unforeseen but not 'exceptional'.

UNISON considers that the proposed process of monitoring working hours reduces employee flexibility to choose when they work. An agile working policy needs to be based on trust and not overly stipulate on an employee's ability to work around their own commitments. The operation of the policy is at odds with references made within the policy to facilitating outcome-driven and flexibility-enhancing working practices.

Considering the above, UNISON suggests that the existing flexi-time system is retained as part of the agile working policy. UNISON can share several examples of local government employment policies that combine agile working with a flexi-time system, if requested. This is an important and emotive subject for employees, and removal of the flexi-time system would be a significant withdrawal on the terms and conditions of existing employees, and their work-life balance, who were employed on those terms. Retention of the flexi system as part of the agile working policy would:

- **Ensure that the approach to the accrual of hours is standardised for all employees – building in fairness instead of discretion.**
- **Enable employees to retain their flexibility to choose and record their working hours and retain the valued ability to reasonably accrue a day of flexi leave.**
- **Be a more efficient use of manager time and retain manager ability to efficiently monitor unhealthy working patterns.**
- **Resolve a significant concern and prevent staff resentment on this matter.**

In addition, the Council should note that when the existing flexi time system was introduced, it involved the loss of the extra Tuesday bank holiday leave entitlement. Flexi time was an entitlement to 'soften the blow' of losing this entitlement. The Council should be mindful of its previous decisions.

Response

The proposed agile working policy removes the previous system of core and flexi hours and allows greater scope and flexibility in terms of working hours where a post allows, including weekdays, evenings and weekends. There is also the ability to meet ad hoc commitments, such as attending appointments, through agile working outlined within the policy. The guidance around ad hoc commitments is intended to give examples, and is not an exhaustive list.

The agile working policy is wide reaching with the intention of being adaptable to a range of different service needs. However, not all posts are suitable for agile working, in the same way that not all posts are currently subject to the flexi time policy. It is also recognised that an employee may prefer to retain a standard working pattern.

Should the post and service area enable agile working the policy outlines ways in which this can be achieved. Service areas can determine the most appropriate working arrangements for their needs and as such managers and employees are encouraged to work collaboratively to achieve an arrangement that works for the service needs, the individual and the team where this is possible. There are no core hours proposed within the agile working policy, allowing for greater flexibility, subject to the needs of the service.

The aim of the policy is to provide managers with a framework for implementing new ways of agile working. The pattern of work and worker style will be for each service area to determine, subject to their own service requirements and needs. Where hours are accrued because of the need to work a long day, these can be taken back by working a different pattern at a later point, for example, working more hours in one week and less hours in

another. The policy is intended to allow sufficient flexibility for those decisions to be taken and to balance working arrangements to achieve a work life balance.

The policy does not outline any set limits regarding additional hours that can be accrued. However, due to the flexibility afforded within the policy, it is expected that additional hours should not be accrued on a regular basis as in most instances the scope of the policy allows for hours to be worked in a different way which can support a work life balance. However, the Council recognises that where there is a need to work additional hours due to workload and the requirements of the role that this should not be at the detriment of employees.

It is recognised from the feedback that not all employees can easily obtain authorisation from their manager prior to undertaking additional hours and therefore the words “in advance” will be removed. The policy will therefore be reworded to reflect this and will state: if an employee needs to work hours in addition to their normal weekly hours, they can accrue additional hours if the reason for this is understood by the manager. This definition is broader and will cover posts where there is a reactive need to respond to work requirements as well as where the workload makes it necessary to undertake additional hours.

There is no time limit within which accrued hours must be taken, the accrual of hours and time taken for these hours should be agreed with the manager. It is for service areas to manage the period over which any time accrued is taken back. If for example, and as suggested in some of the feedback, a manager wants to manage this over a one-month period, then that is possible within the parameters of this policy.

The focus of the agile working policy is on performance and output and the expectation is that the workload should be suitable to the working hours and therefore achievable. If an employee is regularly required to work extra hours, managers are advised to undertake a review of working arrangements in order to manage the health, safety and welfare of its employees and service expectations.

Accrual of additional hours will replace flexi and will be accrued at plain time only, subject to service provisions. Should a manager agree that additional hours meet the provisions of overtime they can agree payment in accordance with green book provisions.

Unison will be aware that working arrangements evolve and change over time and as such are consulted on through the JMTUM process.

Worker Profile Designation – Consideration of Employee Circumstances/ Silo Working

There is a wide range of opinion in relation to homeworking – some oppose, some support, most would compromise to a blended home/office approach. UNISON is concerned that the policy as drafted sets out a blunt designation with no opt-out to reflect individual circumstances. The policy cites attending the office only for meetings/ specific duties when designated as a home worker, which overlooks the benefits that social interaction and physical routine have on employee morale. As stated in the introduction to this response, the COVID-19 homeworking arrangements are taking their toll on people in different ways and it is anecdotally accepted that this is not a way to live. The exacerbation of silo working should not be underestimated on health and business/morale grounds. **UNISON suggests that the overall approach to profile designation is amended to enable blended or flexible home/office working which would provide staff an opportunity to attend the office alongside their colleagues on certain days or at their discretion.** For example, a blended 2:3 office to homeworking ratio would free up office capacity whilst retaining a level of employee interaction. Another example would be to give employees the opportunity to book into office working. It may be that this was the intended consequence of the policy – if so it should be more clearly expressed to ease concerns.

On the matter of silo working, UNISON considers that the employer should provide managers with appropriate training to ensure that consideration of employee mental health is given appropriate attention on equalities and health and safety grounds (see below). There should be an open-door culture for employees to raise these matters.

(Work Profile Styles, paragraph 2). The determination of work profiles is a fundamental aspect of this draft policy. The basis for which decisions are proposed to be made are to be set out in the referenced 'work profile decision sheet', which has not been included as part of the consultation, therefore UNISON has been unable to make detailed comments. The consultation on this policy is premature when the worker styles pilot is still being tested.

UNISON would like to be consulted on these important operational details.

The policy should clarify that the 'work profile styles' section relates to the designation of work types set out in the 'types of agile working section'. Perhaps these sections should be combined to achieve clarification.

(Work Profile Styles, paragraph 3). It is supported that heads of service will determine disagreements on work style designation in the first instance. However, the policy needs to ensure that any disputes are resolved in a timely manner and in a way that enables employees to raise grievances that will be resolved by an independent person. This aspect of the policy needs to be sufficiently detailed in order to provide the Council and employees certainty and build fairness into the policy. Members have reported to UNISON that inconsistency in the management of COVID-19 agile working currently occurs (i.e. different staff in the same team having requests treated differently; some staff having fixed lunch breaks that they do not want to take) which emphasises the importance of building in fairness to the determination of work styles. **UNISON suggests that the following provisions are adapted/inserted into this paragraph:**

- **Heads of Service will make their determination (resolving disagreements) within ten working day.**
- **Where the employee disagrees with the Head of Service's determination, an officer of higher authority and independent of the department will review this decision.** (In an attempt to resolve the matter outside of the grievance process)
- **As a last resort, employees can raise grievances in accordance with the relevant policy.**
- **An employee's worker profile will be kept under regular review/ can be reviewed upon request.**

Response

The Worker Profile model has been designed to be as simple as possible in addressing the two possible parameters for agile working; a) when someone works and b) where someone works. We have therefore focussed on just two options for both of these categories;

Time: Set or Flexible Location: Fixed or Agile

We did consider additional hybrid options when developing the model that fitted somewhere between the two options for each category. However, we decided to keep things simple and the variety of possible hybrid scenarios instead count as Flexible and/or Agile in the Charnwood Worker Profile.

A pilot has been undertaken in two services to help team managers and team members consider various factors when determining what overall approach is appropriate for the team

and what Worker Profile is most appropriate for each post. The worker profile pilot concluded on the 30 November and this will be discussed at the next JMTUM on the 17 December 2020.

We have recently updated the managers guide to mental health guidance and toolkit which was supported by Unison and is available on the intranet. Part of this resource is a wellness support plan which is a tool to consider ways to support your general wellbeing and mental health in the workplace. The wellness support plan ordinarily forms part of a discussion with your manager.

It's important for employees to raise concerns with their manager and we very much encourage an open door culture to discuss issues of mental health. The wellness support plan can form part of those discussions.

Alongside this, the Council provides a number of positive interventions to support employee wellbeing and these include the following:

- Health checks and wellbeing “event days”
- Occupational health support
- Access to counselling services.

Page 4 includes a list of bulleted management considerations when addressing agile working arrangements. As drafted, this is entirely written from a business perspective and does not include consideration of employee circumstance. **UNISON suggests the inclusion of employee-focused considerations including:**

- **the employees desired working patterns**
- **the wellbeing of the employee including whether their personal homelife circumstances are compatible with homeworking**

Response

Thank you for the proposed comments, these will be added to the relevant section on page 4.

Note that the 7th paragraph of the ‘purpose’ section of the policy emphasises ‘consideration of agile working requests’. The policy needs to be consistent – is agile working designation an opt-in matter? If so (as implied in the purpose) the operational section of the policy (suggestions above) should be clarified.

The proposed agile working policy is available to all employees, subject to service needs. However, employees who wish to retain their existing working pattern are able to do so.

The Cost of Homeworking

Mass homeworking will provide a significant financial saving for the Council, but this would be at the expense of individuals who will be paying the additional costs of utility bills. There has to be recognition that whilst some employees will make savings on commuting costs or consider this to be a price that is worth paying, other employees will not have significant commuting savings or will simply will not be able to afford covering additional utility costs. Tax code savings do not cover the additional costs of homeworking. Some members have even reported holding out from turning the heating on to save costs.

UNISON suggests that the council considers ways that it can remunerate designated homeworkers for their homeworking additional utility costs. It is not reasonable to propose a policy justified by financial and operational efficiencies and expect consequential costs to be met by employees. An example of workable solutions to this could be one or more of the following (1) the ability for current staff to claim a set per-day contribution towards utilities costs, (2) a process for claiming specific expenses is established or (3) ensuring that the policy provides scope for those who cannot afford to home work to attend the office to work. These comments are made reflecting genuine worry presented by several members.

Response

As you are aware, eligible employees may be able to claim tax relief through the gov.uk site for additional household costs if working at home on a regular basis.

In all other respects the Council will not fund any additional costs related to homeworking, with the exception of a desk, purchased between 23 March 2020 and 3 December 2020. In relation to furniture, if any additional furniture is required this should be discussed with managers to establish if it is possible to use any furniture from within the office.

If an employee has concerns and would prefer to work in the normal work environment, such as the office base, in order to reduce additional costs this should be discussed with the manager who will make every effort to accommodate this request.

In relation to other costs cited in the policy:

- It is noted that portable computer equipment is covered by the Council's insurance and that staff are covered by the Employer Liability Scheme. Supported.
- It is not reasonable to expect staff to undertake additional home insurance and not remunerate additional costs. **Either the requirement to undertake insurance should be removed as this is a private home matter, or the Council should remunerate expenses as it would do with travel costs, CPD, stationary, etc.**
- Where will the home base be for the purpose of calculating travel cost entitlement for designated home workers? If home is the expected workplace, will the Council reimburse travel to the office/ borough when required for work purposes? **These details should be covered in the policy.**

Response

Insurance – The policy will also be amended to remove reference to non-permanent basis in the insurance paragraph. Therefore, the final sentence of the relevant paragraph will say: *The Council will not contribute towards home insurance as it is not anticipated that there will be any additional costs associated with home working.* The insurance section of the policy explains what is covered under the Council's insurance.

Mileage – the Council is seeking advice through a specialist in this area.

Consideration of Home Privacy

It should be noted that not all employees will benefit from home circumstances that will enable homeworking without some infringement on their home life and privacy. Inevitably a practical balance must be struck. UNISON has set out elsewhere in this response that management considerations should include an employee's home circumstance. The following matters are also raised:

(What is agile working, 2nd para). the text 'where possible' should be removed. A solid commitment to working with employees is more appropriate.

(Page 5 points) – it should be noted that the requirement to have minimal home related disturbances is ideal but not always possible. Home is a private space for private matters that can often be unavoidable (i.e. family members at home, childcare distractions even where arrangements are made). The policy should reflect that this requirement should be 'as practicable as is possible'.

(Page 5 points and page 10 confidentiality) – security and confidentiality. It should be noted that in some home environments, the ability to remove visibility of screen and prevent others from hearing conversations will not always be possible. Not all employees will benefit from a designated or soundproofed working space. The policy should reflect that this requirement should be 'as practicable as is possible'.

Response

Thank you for this comment – the wording “where possible” will be removed under [What is Agile Working](#) – page 3.

Page 5 points – if employees are not able to set aside suitable and sufficient time for work responsibilities and make arrangements for minimal home related disturbance, then alternative arrangements should be discussed with the manager, such as working from the office location.

(page 5 and 10 – confidentiality) The same expectations regarding confidentiality in the normal work environment are expected within the home environment. Measures should be put in place to ensure, for example, that the screen is not visible to others and conversations are not overheard when they are of a confidential nature. If this is not possible, it may be more appropriate to work from the office location.

Equalities

UNISON welcomes the stated commitment to equalities in the draft policy and notes the provisions of the Equalities Act 2010. Employers should avoid discrimination (all four types) of those with protected characteristics and have due regard to equalities as part of decision-making processes. UNISON's comments have highlighted a multitude of concerns in relation to the practical impact of the draft policy.

As an employer committed to equality of opportunity and fair treatment, has the Council undertaken an Equalities Impact Assessment of the impact of this policy to assess whether discrimination (all four types) on the grounds of protected characteristics are minimised? If not, will it do so and implement recommendations?

Response

An equality impact assessment has been undertaken with the outcomes considered as part of that process.

It is good practice to have a transparent approach towards assessing equalities. UNISON would welcome sight of any assessment undertaken and raises the following equalities matters for the Council's consideration and is not exhaustive. **UNISON accepts that the broad commitment to equalities is a useful approach, however we would support the policy signposting specific equalities issues which would act as a lifeline for employees who may otherwise not have the courage to raise their personal equalities concerns.**

- The existing flexi system provides staff the opportunity to work flexibly in response to caring duties such as for those with disabilities, the elderly or childcare (disproportionately gendered role). It provides flexibility to attend personal healthcare appointments potentially for those with disabilities. The removal of the flexi system could have direct or indirect impact on people with these characteristics.
- The exacerbation of silo working when designating worker profiles may have disproportionate impacts upon those with disabilities such as mental health, visual/hearing impairment, etc, and the policy reference to reasonable adjustments is welcomed. It is not common knowledge that mental health is a disability for the purposes of the equalities considerations and this matter should be signposted within the policy.
- The safeguarding element of work should not be overlooked, for example the role of social interaction and having a break from home for those who may be silent victims of domestic violence (disproportionately gendered issue).
- The policy requires employees to make arrangements 'for minimal home related disturbances'. It should be recognised that this type of requirement, whilst ideal, is not uniformly achievable and can be impacted by certain equalities factors – for example age (young people living in multi occupant houses); sex (childcare is disproportionately gendered role and can be disruptive even with care arrangements in place).
- (Culture and Behaviour, 3rd para) – states 'different decisions made for different people'. The equalities and general fairness implications of this approach need to be absolutely ensured by appropriate management training.

Response

The Council has many existing processes and policies in place which cover the aspects of these points and the approach taken by the Council will not be affected by the impact of agile working. Cases will continue to be reviewed on a case by case basis to understand the specific circumstances relating to an employee.

Health and Safety

Responses below have been provided in consultation with Charnwood's Health and Safety Officer.

The policy notes that work sites should be 'both adequate and practical for working in terms of health and safety' but has little detail on how this will be measured in practice. In the case of home working, the duty remains with the employer to ensure health and safety as far as reasonable practical. **The policy should be strengthened in this regard and UNISON suggests the inclusion of the following health and safety provisions:**

- **Commit to requiring a comprehensive DSE home assessment (including photographic evidence) whereby the employer will proactively suggest any workstation enhancements. It should be noted that staff can often feel embarrassed to raise concerns and do not always have the knowledge to identify DSE concerns. The comprehensive Homeworking risk assessment has been rolled out. This includes a training module which must be completed before the assessment can be undertaken. Completion of the assessments is being monitored and reported, with the crucial element of monitoring the successful completion of all items raised in the individual assessments. The CHSO is involved in the resolution of items which re-**

quire additional support and the Council continues to use specialist ergonomic assessors where necessary. The CHSO is conducting a sample of follow-ups with officers, once their assessment and all associated actions is identified as closed. Reliance on photographic evidence on its own is by its nature limited and may be deemed intrusive by a number of officers. If, following consultation with all parties, photographic evidence is determined as necessary then that can be a straightforward exercise.

- **Commit to specific timescales whereby the Council will respond to health and safety concerns when raised, for example within 3 working days. An appropriate contact should be provided to enable health and safety matters to be escalated where disagreements/ non-action occur with line managers. Time limiting will give these concerns the immediate importance and certainty in response that they should have.** A commitment to any timescale would require the resource for it to be monitored continually; this is not practicable. The reporting that's been done monitors completion of both assessment and actions as stated above. As stated the process allows for the involvement of CHSO and specialists to resolve any "disagreements".
- **Consideration of whether homeworking is appropriate for staff who cannot accommodate Council provided DSE equipment – an office chair, a desk with appropriate equipment spacing, lack of segregation from household, etc.** Already factored in and a number of officers remain working in the office for precisely this reason.
- **Arrangements for PAT testing.** This is clearly identified as an action on the H&S Work Plan which is provided to the TUs. This is not a priority at this point in time, but we remain sighted on it and it will be addressed in due course. Double insulated 240v-12v adaptors require visual inspection only, to be carried out between every 2 – 4 years.
- **Clarify procedures for recording health and safety/ accident incidents whilst homeworking.** The reporting process for home and mobile workers remains as is; use the accident/incident notification form on the intranet.

In addition, the points made in this response about silo working and the wider health impacts of isolation are echoed as a health and safety concern. It would be positive if the policy sign-posted isolation as a health as safety matter which would act as a lifeline for employees who may otherwise not have the courage to raise this issue (this could also help to avoid an individual's future mental health and equalities considerations).

In relation to hotdesking and hygiene procedures, including the post COVID-19 working environment, will the Council (1) require cleaning staff sanitise shared workstations daily or (2) provide sanitising products and ensure they are always available and accessible? It is important that facilities are available for staff to have control over their individual hygiene standards. Either of these options would be a reasonably practical step that the employer could take to ensure employee health and wellbeing is maintained. **UNISON suggests that the approach taken in relation to hygiene and hotdesking is stated in the policy (hygiene currently referred to on page 5).** The spatial planning we've conducted allows for individual allocation of desks for officers needing to work from Charnwood premises. Local cleaning stations are available for use by officers throughout the premises and an enhanced cleaning regime is in place which covers all common touch points. All these controls are clearly identified within the Covid risk assessments and form part of the content of the building re-induction training module.

Other Matters

The following matters have been raised by members:

- Several members have raised that PDRs have not been undertaken in years. The policy commits to ensuring that agile workers are included in personal development opportunities. A strengthening of this commitment would be to ensure that PDRs are undertaken as a corporate responsibility.

Personal Reviews should be completed in accordance with the Personal Review policy and the policy will be updated to clarify this.

There is a commitment to review the current Personal Review process in the People Strategy 2021 – 2024, which is due to be considered by Cabinet in January. All the actions identified in the People Strategy will form a new People Development Plan that will be overseen by the new People Group.

The aim of the review will be to develop a Personal Review process that is more appropriate for an agile working organisation. We are also considering options for developing existing software (iTrent HR system or Learning Pool LMS) to provide a more stable platform to record reviews.

- Several members raised concerns with the current IT situation – grappling with the two systems (365 and VDI) resulting in time consuming losses of productivity. This is an example of how homeworking can exacerbate minor issues that are often resolved through office conversation. The Council should look at resolving this matter as part of the agile working process, or sooner.

The IT department is currently developing the IT Strategy which includes the future requirements of the organisation and links with other strategies and policies such as the Agile Working Policy. There are also several current projects that will improve the user experience e.g upgrading the VDI system, upgrades to back offices systems etc all to improve the user experience and efficiency. These projects will take some time but are a priority to the IT department.

- Will staff be able to take flexi-time currently accrued if the Council does proceed to withdraw the flexi system? In what timescale?

Hours already accrued should be considered in line with current arrangements and should be discussed and agreed with managers.

- Is the Council proposing amending annual leave entitlement from a day / half-day approach to taking hours as leave?

Whilst there are benefits to doing this in relation to agile working, there are currently no proposals to amend hours to leave for full time employees. However, this may be reviewed in the future, as necessary.

Agile Working Consultation Response

The Council has, for some time, been considering the principles of agile working and this, combined with the impact of Covid-19, has made it necessary to review working arrangements across the Council. There are significant benefits in further developing the Council's existing flexible working arrangements, including recruitment and retention of key skills, enhanced productivity and employee motivation. The principles of the policy demonstrate a positive commitment to agile working, however, it is clear that any decisions in relation to "where, when and how" employees work must be subject to service delivery needs. It is also understood that some employees will not want to change their existing working arrangements, which is also an approach supported by the Council.

The introduction of agile working has been a cultural change for the Council since the start of the pandemic and this challenge has been embraced well by employees in difficult circumstances. The Agile Working Policy builds on this cultural change and gives greater flexibility for these circumstances. Senior officers have been consulted on the policy, including SLT, as have all employees and trade unions. The final agreement to the principles of agile working will be the responsibility of the Councillor representatives of Personnel Committee who will be able to fully discuss the framework and principles of agile working as part of that process.

The consultation process has been carried out from 2 November to 30 November 2020 and has involved all employees and the trade unions, in addition to the Council's normal consultation and agreement processes. We appreciate the time taken to consider the agile working policy and as a result a range of responses have been received. Please find outlined below responses to comments/queries from GMB members.

Queries and Responses

- 1) The emphasis is on the benefits of agile working. No mention of disadvantages nor great details of advantages explained.

The proposed policy focuses on the benefits of agile working for those who feel that it may be suitable for them. It is a wide reaching policy with the intention of being adaptable to a range of different service areas and customer needs. It is for each employee and service area to determine which of the agile working principles may work for their individual requirements and service needs.

- 2) Working from home is that it is very inefficient and communication is more difficult, and teams are disconnected from each other and delivering to the public is much harder.

Working from home can be a very efficient way in which to work for employees. The policy recommends appropriate levels of communication which is supported by the managers charter. This is intended to be a guide for managers to follow to promote a motivated, productive and effective team/employee. Where an employee is working in an agile way, in particular outside of the normal working environment, it is important that regular communication with the manager is maintained. The managers charter also recommends weekly 1 to 1s alongside team meetings.

Where an individual would prefer to work in the offices they can discuss this with their manager who can consider this option. It is recognised that working from home is not the most appropriate option for all employees. This may involve holding team meetings moving forward, and currently in line with Covid restrictions.

- 3) Many of my colleagues feel isolated and mental wellbeing has been adversely affected.

We have recently updated the managers guide to mental health guidance and toolkit, which is available on the intranet. Part of this resource is a wellness support plan which is a tool to consider ways to support your general wellbeing and mental health in the workplace. The wellness support plan ordinarily forms part of a discussion with your manager.

It's important for employees to raise concerns with their manager, and the wellness support plan can form part of those discussions. Also, there may be further options for managers to explore, such as attending the office subject to Covid secure measures in place and management agreement.

- 4) My manager has not kept in touch regularly and does not demonstrate the empathy and sensitivity as referred to in the document!

Employees who have concerns should raise this with their manager or the next appropriate manager for them to have a conversation regarding appropriate keeping in touch arrangements.

- 5) Many of my colleagues' lack in space and appropriate workstation, to enable them to do their jobs safely from home (physical safety of the staff but also GDPR and Anonymity of customers)

Where additional furniture is required this should be discussed with the manager to establish if it is possible for any furniture from within the office to be utilised.

If the employee would prefer to work in the normal working environment, this should be discussed with the manager who will make every effort to accommodate the request.

In relation to queries on data protection and taking confidential sensitive papers home, the Data Protection policy states that documents should not be taken home; if you feel that they are unable to comply with this policy, you will need to speak to your Head of Service to get their approval, and each service should complete a DPIA to ensure that all risks associated with going against the approved policy are thought through and mitigated by putting in place adequate recording and security measures.

- 6) The Policy makes no mention of how employees in a customer facing role will see members of the public face to face

Specific issues relating to working arrangements and service provision should be discussed with the manager/Head of Service.

- 7) Office facility will be essential for some type of jobs, but it is not mentioned. Council wishes to move to providing services remotely and at a distance from the public it serves without much regard for the impact on this to the community especially the vulnerable.

Specific issues relating to working arrangements and service provision should be discussed with the manager/Head of Service.

- 8) Policy provides no understanding that many people and the elderly, those on very low incomes and those who are chaotic or mentally unwell need face to face contact

and have no access to or understanding of technology. Sometimes even talking on the phone can be difficult for some.

The policy refers to service provision and customer needs which needs to be the initial consideration of agile working. Specific issues relating to working arrangements and service provision should be discussed with the manager/Head of Service.

- 9) Is the Council going to pay for my heating in the winter and Broadband?

Eligible employees may be able to claim tax relief through the gov.uk site for additional household costs if working at home on a regular basis.

In all other respects the Council will not fund any additional costs.

If an employee would prefer to work in the normal work environment, such as the office base, in order to reduce additional costs this should be discussed with the manager who will make every effort to accommodate this request.

- 10) No suitable covering cost is mentioned for setting up workplace at home, which may leave staff out of pocket.

Where additional furniture is required, this should be discussed with your manager to establish if it is possible to utilise any furniture from within the office.

IT equipment should be sourced through the ICS service directly.

Where an employee purchased a desk between 23 March 2020 and 3 December 2020, this can be reclaimed subject to proof of purchase and the provisions in place relating to this claim.

- 11) Proposed loss of flexi time - the ability to take up to a day and a half leave a month off work if enough flexi credit has been accrued was given to staff some years ago to compensate for the loss of 3 or 4 days given by Charnwood after bank holidays.

Working practices do change over time, and the proposed agile working policy gives the flexibility to compensate for any loss of flexi time that would have been accrued due to work load, subject to service needs.

- 12) Inevitably staff will work more than their contracted hours in order to get work done and it will be difficult under the terms of the policy to get this time back. If staff do only work their contracted hours, then services will suffer as work will not get done in a timely way.

The proposed agile working policy removes the previous system of core and flexi hours and allows greater scope and flexibility in terms of working hours where a post allows, including weekdays, evenings and weekends. There is also the ability to meet ad hoc commitments, such as attending appointments, through agile working outlined within the policy.

The agile working policy is wide reaching with the intention of being able to adapt to a range of service needs, subject to the requirements of the service.

Where there is a need to work additional hours due to workload and the requirements of the role, additional hours worked can be agreed with the manager. There is no set timescale within the policy by which this should be taken. This is for service areas to determine.

- 13) It's a problem with my children and childcare currently, how does Charnwood see this policy helping me?

Employees are expected to have appropriate arrangements in place regarding childcare, regardless of whether they are working a set or agile working pattern.

- 14) The document does not make it clear how job roles and individual employees will be assessed. It refers to work profile styles being established for each job role (but this does not mean for each individual employee). Document does not say how this will be addressed if the job role is assessed as suitable for agile working. It is a poorly worded document that fails to justify what it is seeking to do

The Worker Profile model has been designed to be as simple as possible in addressing the two possible parameters for agile working; a) when someone works and b) where someone works. We have therefore focussed on just two options for both of these categories;

Time: Set or Flexible Location: Fixed or Agile

Additional hybrid options were considered when developing the model that fitted somewhere between the two options for each category. However, we decided to keep things simple and the variety of possible hybrid scenarios instead count as Flexible and/or Agile in the Charnwood Worker Profile.

We are currently piloting a simple template in two services to help team managers and team members consider various factors when determining what overall approach is appropriate for the team and what Worker Profile is most appropriate for each post.

The Worker Profile model will be reviewed following the pilot.

- 15) The Policy needs to give more balanced picture of the advantages and disadvantages and give a commitment to helping staff with some of the disadvantages and not to making staff bear the costs as individuals then it would make it more acceptable.

Queries addressed in response above to questions 1 and 10.

- 16) My Flat is too small to work from home forever.

If an employee would prefer to work in the normal work environment, such as the office base, in order to reduce additional costs this should be discussed with the manager who will make every effort to accommodate this request.

Agile Working Policy and Guidance

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Purpose

The Council recognises that agile working is essential to the successful transformation of the organisation and contributes to the Council’s performance as well as supporting employees to achieve a positive work-life balance.

The Council’s aim is therefore to support agile and innovative working arrangements which still meet the delivery of effective customer-focussed services and the needs of the people of the Borough of Charnwood.

Supporting employees to achieve greater flexibility requires consideration on where, when and how work is carried out; this underpins the concept of agile working. There are many business benefits associated with agile working; it can help to increase employee motivation, reduce sickness absence, promote employee wellbeing and attract/ retain a skilled and motivated workforce.

This policy is designed to provide managers with a framework for implementing new ways of working in line with agile working but also managing a workforce in the context of having reduced office accommodation.

This policy replaces the ‘Flexible Working’ policies for NJC and JNC employees, however as legislative requirements in relation to statutory requests remain; a separate [Statutory Right to Request Flexible Working Guidance](#) still exists. This applies to those who wish to make a formal request to contractually change their working arrangements, under the statutory scheme.

For the majority of employees, who either wish to alter their working pattern which does not constitute a contractual change or where revised working arrangements are informally agreed with their line manager, this will not necessary require submission of a formal statutory request.

Managers are responsible for driving the aims of this policy and promoting the required cultural change, which includes having a positive approach to the consideration of agile working requests, (subject to the needs of the service and worker profile) and supporting the implementation of the new ways of working.

In addition to other relevant policies such as the [Statutory Right to Request Flexible Working Guidance](#), Travel, Subsistence and Other Workers Policy, [Lone Working Policy and Guidance](#) etc. further guidance documents, factsheets and useful information can be found within the [Smarter Working Managers Pack](#).

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Culture and Behaviour

The way we work is changing; with the need for greater flexibility, increasing demands, the need to meet efficiency targets and a further need to attract and retain the best talent in order to deliver even better services as an organisation. Therefore, there is a need to consider the way we work and move away from traditional methods of working.

In order to embed the new ways of working, it is necessary to challenge and change the culture and behaviours which prove to be a barrier. The concept of how we work will be further challenged, with reduced office space and will emphasise the need for more effective working practices, management styles, communication and the importance of relationships at work.

Heads of Service and Managers will need to work with employees regarding the appropriate business need and associated hours of work with regards to what is relevant to all parties and workable for the service delivery. This may mean a need to make different decisions for different people, at times taking into account factors such as worker profiles and needs of the team and service. Whilst it is important to be mindful of consistency to ensure fairness, embracing agile working will mean managers considering workplace requirements as well as individual personal circumstances and work styles, when making decisions. Further advice may be obtained from HR Services.

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Scope

This policy applies to all Charnwood Borough Council employees, employed under the conditions of service of the following bodies:

- National Joint Council for Local Government Service Employees.
- Joint Negotiating Committee for Chief Officers.
- Joint Negotiating Committee (JNC) for Local Authority Craft and Associated Employees'.

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Equalities

The Council's commitment to equality of opportunity will be observed at all times during the operation of this policy and guidance. This will ensure that employees are treated fairly and without discrimination on the grounds of race, nationality, ethnic or national origins, sex, marital

status or civil partnership, disability, age, sexual orientation, trade union membership or activity, political or religious belief, maternity or pregnancy, gender re-assignment and unrelated criminal conviction.

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What is Agile Working

Agile working means being more flexible about where, when we work and how we use space and technology to find new and more effective ways of doing things, e.g. varying working patterns, working remotely, use of virtual team calls as opposed to physical meetings etc. This type of working can help reduce costs, improve productivity and customer focus, as well as supporting the wellbeing of employees and a better work life balance.

It is recognised that for a variety of reasons agile working is not suitable for all employees for example, the home set up isn't conducive to working from home or attending the workplace fulfils a social need for an individual. ~~Where possible, we~~We will work with employees to consider any concerns relating to agile working.

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Benefits of Agile Working

Research shows that working more flexibly results in a culture whereby staff are motivated, high performing and engaged; increasing productivity which enhances the reputation of the organisation as an 'attractive employer'.

Other benefits of agile working for employees as well as the organisation may also include:

- Improved efficiency and effectiveness.
- Reduced travel time and costs as a result of commuting.
- Contributing to less traffic and pollution.
- Greater job satisfaction.
- Enhanced quality of life by maintaining a work life balance.
- Greater flexibility for combining work and outside commitments.
- More effective use of office and car parking space.
- Reduction in sickness absence.
- Recruitment and retention of key skills.
- Improved opportunity for partnership working.

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Types of Agile Working Arrangement

The following are examples of agile working arrangements which employees and/or managers may wish to consider. This is not an exhaustive list and it is accepted that the requirements of the role and service delivery needs are paramount, managers are however encouraged to be open to ideas and creative when determining what working arrangements could be accommodated within their team/ service.

The following factors should be considered by the manager when addressing specific agile working arrangements:

- The times at which the service cover must be provided;
- Any periods of high or lower demand;
- Minimum service/team cover requirements;
- The availability of support services and facilities such as ICT etc. (as applicable) and access to a manager/ supervisor; and
- The requirements of employees to start work earlier or later and flexible finishing times.
- the employees desired working patterns
- the wellbeing of the employee including whether their personal homelife circumstance are compatible with homeworking.

'Where' work may be carried out:

- Main office base
- Home
- Remotely
- Work Location

Main office base – this is where employees work at the office, which is their main base according to their contract. **Currently there are restrictions in place due to the Covid-19 pandemic which should be discussed with the line manager.**

Home Working - this refers to an arrangement whereby employees work from home on an agreed basis; with the expectation that the employee will attend the office as agreed in line with their working pattern or as necessary to attend meetings, undertake specific pieces of work etc....

Remote Working – this is defined as an informal facility whereby employees carry out work that would have normally have been completed at a traditional office, for example, at an alternative site.

The terms and conditions and policies that apply to employees working remotely or from home will be unchanged from those they would receive when working in the work place, unless a variation to contract is issued which states otherwise.

Work Location

The proposed work site should be both adequate and practical for working in terms of health and safety. It should also be appropriate for the work being undertaken, including the need for confidentiality to be maintained.

Working from home may allow employees with caring responsibilities to have more flexible care arrangements. However, this is not a means for combining work with care responsibilities and employees are expected to have proper care arrangements in place during their working day.

Shared Desks and Clear Desk Protocol

Where there is management agreement to share desks a clear desk policy should be adhered to, so that all desks are depersonalised and all standardised. Hygiene procedures in place must be followed at all times.

Regardless of the frequency of agile working, the following points should be noted:

- The [Working Time Regulations](#) are complied with and employees are not working excessive hours.
- Suitable and sufficient time is set aside for work responsibilities and arrangements made for minimal home related disturbance.
- Employees should be contactable when working remotely or at home during their working hours, especially during agreed working hours.
- Appropriate care is taken to ensure the safety and security of equipment.
- The working environment is maintained to the agreed health and safety standards.
- To undertake the [health and safety e-learning module](#).
- Sufficient support is arranged for any dependent care.
- Any equipment supplied by the Council should be used primarily for work related purposes and in accordance with the Council's existing policies on private use.
- There are suitable security arrangements in place for storing confidential Council information.
- Security of information is considered in relation to environment (visibility of screen, ability for others to hear conversations etc...) and before logging on to public-access wi-fi networks when working remotely on Council business.
- All data and information produced, accessed or used in the course of performing the duties of the job is the property of the Council and is subject to data protection legislation.
- The Council's [Code of Conduct](#) is adhered to, regardless of where the employee works or is working.
- The manager provides support and/or guidance when required.
- Employees who travel regularly between sites must adhere to the [Vehicle User Policy](#) and the [Travel, Subsistence and Other Allowances Policy](#).
- Employees should familiarise themselves with the best practice advice outlined within the [Lone Working Policy and Guidance](#) on the intranet e.g. in relation to the location of meetings, travelling alone, notification of whereabouts and/or any changes to scheduled meetings.
- The Attendance Management Policy should be adhered to where an employee is not able to undertake the duties of their role due to illness.

If employees are finding it difficult to work from home for any reason, this should be discussed with their manager and further consideration will be given to their working arrangements.

Work Profile Styles

Work profile styles will be established for each job role to determine if the worker style falls under a set or flexible working pattern, and if the location for the role is fixed or can be agile.

The work profile style will be agreed between the line manager and the employee(s) by using the [work profile decision sheet](#). The outcome of the work profile style will be recorded on iTrent.

If a post is reviewed and re-designed, and the changes mean that the work profile style needs to be reviewed, this will follow the same process.

Heads of Service will authorise the final status of each work profile style against each job role within their service area. In addition, should the line manager and employee be unable to reach agreement on the work profile style, the Head of Service will review the reasons why, following which they will be the decision-making manager in this circumstance

For new posts, the line manager will determine the work profile style which will be agreed by the Head of Service. This will be discussed with the new post holder as part of the recruitment/induction process.

Managing Work Patterns and Work Plans

Hours of Work

Agile working patterns should be agreed in accordance with the needs of the service, with consideration being given to issues such as the need to be flexible, contactable and available to attend the office for meetings or to undertake specific work as and when required.

If the worker profile allows, and an employee would like to vary their standard working hours this should be by agreement with their line manager on each occasion. Work patterns can involve weekday, evening and/or weekend working but the arrangement must be considered and agreed in accordance with service delivery and the needs of the service. Where the employee agrees with the line manager that they can complete their regular hours at other times, no enhancements will be paid in this circumstance.

Managers must also ensure employees are working in accordance with the Working Time ~~Directive~~Regulations.

Occasional Accrual of Additional Hours

Due to the flexibility around agile working, it is expected that in most instances' employees will be able to undertake their work within their normal contractual weekly hours. However, should an employee need to work hours in addition to their normal weekly hours, they can only accrue ~~extra hours in addition to their contractual hours if authorised, in advance, by their manager~~additional hours if the reason for this is understood by the manager. If this agreement is not in place, any additional hours worked by the employee will not qualify for the accrual of extra hours and will be lost.

Additional hours will be accrued at plain time i.e. if an employee has agreement to undertake 2 hours in addition to their normal working week, they will accrue 2 extra hours to be taken at a later date, with the agreement of their manager.

When agreeing the accrual of extra hours, managers must ensure that the employee's workload requires them to undertake the extra hours and that the hours the employee is working adhere to the requirements of the Working Time Regulations.

Extra hours should not be accrued on a regular basis. If the employee is regularly required to work extra hours, managers are advised to undertake a review of working arrangements.

TOIL

Employees on grade A to E who are specifically required to work additional hours beyond their working week as a requirement of their role (e.g. to attend evening meetings or respond to an urgent work requirement that must be completed within the designated hours) are entitled to receive toil for work undertaken between 8pm and 6am on the following basis:

Monday to Saturday – time and a half
Sundays, public and extra statutory days – double time

S01 and above, where additional hours are required as part of the role and authorised by the line manager, time off in lieu will be at plain time.

Accrual of additional hours under toil will need to be authorised by the manager.

Ad Hoc Commitments - If it is agreed that an employee is working flexible hours, then it is expected that employees will manage any personal commitments around their work commitments. This could include attending a school play, sports day, boiler breakdown etc. In most cases the commitment will mean that an employee is only away from work for a short period. It will ordinarily be expected that any time due to be lost will be made up prior to the event taking place. In exceptional circumstances (emergencies or to meet service need etc...) the time can be made up by a date agreed with the manager after the event. In circumstances where the employee is unable to make up the time, they should book annual leave, use any additional hours accrued or take unpaid leave to cover the time lost. For further information, refer to the Planned and Unplanned Leave Sections of the [Leave Arrangements Policy](#).

Agree in advance the work that needs to be completed

Managers should ensure they are in regular contact with the employee. It is recognised that some employees are able to manage their own workload, however it is important that overall, the manager and employee are clear on the workload. The manager may wish to discuss and agree the scope of work that will be undertaken, outlining the expectations and setting any deadlines where required.

Agree accessibility and contact

Depending on the role, the employee may need to be available for customers and colleagues during certain times of their normal working day or during the entire day, where this is the case; it is important to agree in advance what these times will be and how the employee can be contacted. This may include forwarding office extension numbers to the employee's mobile telephone.

Employees should be informed that there may be occasions where they are asked to work from the office to provide cover at short notice due to staff absence etc.

Be realistic about the type of work which can be done

For some, agile working is an excellent opportunity to complete work away from the office with minimal interruptions. Those who normally conduct their work with computers and telephones will find it most easy to adapt. However, for other roles further thought will need to be given; bearing

in mind the type of work the employee normally does and also what resources they require, in order to carry out their full range of duties. Agile working may not be appropriate in all circumstances.

Contingency Plans

In an event where technical issues are experienced which prevents the employee from working in an agile way, it is important that the manager is informed. The manager will need to establish the extent of the system failure, the impact on the service and to decide on the appropriate course of action.

Adjustment to working arrangements due to illness

There may be occasions where employees who are unwell can agree with their manager to either work at an alternative location or at an alternative time in order to support their recovery, prevent the spread of infection and/or prevent them having to take sickness absence. Such arrangements would normally only be a temporary measure and subject to the needs of the service. Managers would be advised to regularly monitor the arrangements put into place, especially where these are expected to last over a period of 2 days. It should not be seen that working from home is a substitute for recording sickness. If an employee is unable to work, it should be recorded as sickness in accordance with the [Attendance Management Policy](#). Managers may also wish to seek HR advice in these circumstances.

Managing by Performance and Output

The new ways of working will require a need to manage by performance/ output as opposed to presenteeism.

Managers should focus on the 'outputs' and not how and when the employee works to achieve what they need to do. For example, an advantage of agile working can be that the employee chooses the hours worked across the day, if this fits in with the needs of the service. Without the need to travel into the usual place of work, an earlier start can be made, or the employee might choose to work later into the evening. With a focus on outputs, the person should be able to plan their work in the most effective way.

The Council recognises that this is a change for many who will be more used to staff being in the office regularly or on a daily basis. The basic principles of management still apply but managers will need to ensure that there are additional protocols in place, some of which are covered below:

Managing agile working will not only require creative thinking, but also a good level of communication, organisation, trust and working together in order to ensure that the arrangements put in place do not have an impact upon the quality of work or the targets that the service is required to meet.

Having an adaptable style of management will ensure managers can take advantage of opportunities to improve the services offered and support employees with different work styles and methods. Managers cannot expect to gain from the flexibility of employees and then to manage in a strict and rigid way.

Managing employees who work in this way should not be radically different from managing them in their specified place of work. However, it is important not to have an 'out of sight, out of mind' approach, whereby just because employees are not physically present, they get overlooked.

It is therefore important for managers to establish some ground rules with teams and employees when they move towards agile working.

Maintaining Communications

Regular one to ones/Personal Reviews

It is important to continue regular one to ones with employees to discuss their progress on the agreed objectives and keeping them informed on developments within the department and organisation. The principles of the Performance Review policy should be adhered to and in accordance with the Council's Personal Review process, clear objectives/ targets/ deadlines and performance standards should be agreed with all employees including those who are agile workers. Ensuring that agile workers are included in personal development opportunities such as career progression and promotion is vital.

Agree 'check-in' procedures

Managers may wish to agree in advance the frequency and method for checking in which can be by telephone, by email, arranging a face to face meeting or a catch up via Microsoft Teams. Managers should also make themselves available to employees and respond to any questions they may have in a timely manner.

Employee's Welfare

Just because employees are not physically present, it does not mean that they are no longer part of the team. It is essential to include them in any messages and to invite them to meetings or events. Keeping in touch with employees who are agile workers is important so that they feel informed and included.

The employer has a duty of care to the employee. It is therefore important to watch out for signs that they may be switching off, becoming de-motivated or feeling isolated.

Monitoring and Review

All working informal and formal arrangements should be subject to and be monitored on a regular basis, through management one to one meetings and Personal Reviews.

Regularly reviewing of working arrangements are important, to ensure that they still meet the needs of the business as these may vary from time to time and also those of the individual. Where working arrangements are found to no longer meet service requirements, it may become necessary for the manager to consult and negotiate changes with the employee(s) concerned.

Performance Management:

If problems with performance arise, it is important to provide specific feedback on the areas of concerns and provide the employee with an opportunity to discuss any issues they have and to agree a way forward. Ideally, feedback should be given during a face-to-face meeting but if this is

not possible, this may be done by Teams or over the telephone at a suitable time, with the agreement of the employee.

Depending on what the concerns are, the situation may need to be dealt with in line another policy such as the [Capability-Performance Management](#) or [Disciplinary](#) policy. Managers may wish to seek further advice from Human Resources in this situation.

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New Starter and Employees on Long Term Absence

New Starters

Managers should ensure that the Council's stance on agile working and worker profiles is shared with applicants and new starters; this should be embedded within the interview process and at the point of induction.

Employees on Long Term Absence, i.e. Maternity Leave and Sick Leave

Managers should ensure that any employees on long term absence are informed and kept updated of any particular arrangements/ changes that the department or team have put into place as a result of implementing agile working.

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Other Considerations of Agile Working

Confidentiality

The agile worker must carry out work for the council in a suitable location during working hours and must not allow members of their family or third parties who are not employed by the council to access or use the council's equipment or data. Additionally, confidentiality should be maintained where work related conversations are taking place.

Employees who work from home in an agile way are responsible for keeping all documents and information associated with the council's business secure at all times. Specifically, agile workers are under a duty to:

- Keep all confidential documentation and data belonging to the council securely.
- Set up and use unique passwords for the computer and any other digital device in accordance with the council's ICT policies.

Reasonable Adjustments

The legal definition of a disabled person under the Equalities Act, 2010 is "someone who has a substantial and long term physical or mental impairment that has a substantial and long-term effect on his or her ability to carry out normal day to day activities"

Managers should be mindful about employees having a registered disability under the Equalities Act, 2010 for which reasonable adjustments have been put into place/ or need to put into place in order for the employee to be able to carry out their duties without them being disadvantaged. This is particularly important when allocating fixed desks.

In most circumstances, managers will already be aware of employee's disability and any adjustments that have been put into place where relevant.

Where managers are not already aware of an existing disability that has been declared by an employee then depending on the circumstances, in some cases it may be necessary to refer the employee to Occupational Health and/ or carry out an appropriate Health & Safety risk assessment.

Managers may also wish to discuss the situation with Human Resources for further advice.

Health and Safety

The employee and the Council are subject to the provisions of the Health and Safety at Work Act (1974), regardless of where the work is carried out. The Council must, as far as is reasonably practical, ensure the employee's health, safety and welfare at work.

If a work-related accident occurs whilst the employee is working remotely or from home, this must be reported in accordance with the usual procedures.

Personal Security

All meetings with work colleagues, managers or customers should take place via Microsoft Teams or where necessary at an office/ external work location; such meetings should not take place at an employee's home.

Employees working remotely and from home should adhere to the [Lone Working Arrangement](#) on the intranet and should ensure that colleagues know where and when to expect them at a particular location.

Insurance

Council Owned Equipment

Items of equipment belonging to the Council are not covered by the Council's insurance whilst they are in the employee's home and when in transit, with the exception of portable computer equipment. Portable computer equipment (laptops, palmtops, notebooks and tablet computers, removable satellite-navigation systems, digital cameras and smartphones and associated software and programs) is covered whilst in employees' homes and whilst in transit.

Employees must take all reasonable care of Council owned equipment taken away from Council premises. Employees should also notify their home insurers of the nature and extent of the use of their home for work purposes. The Council will not contribute towards home insurance as it is not anticipated that there will be any additional costs associated with home working ~~that is undertaken on a non-permanent basis.~~

Employees working from home are covered by the Council's Employer Liability Scheme. However, employees do have a duty to take reasonable care within their own working environment.

Personal Equipment

Any personal equipment used by the employee for work purposes shall not be covered by the Council's insurance.

Travel Costs

Employees should consider the most efficient means of travel in terms of time and the cost amount of mileage incurred, therefore planning journeys accordingly in advance is essential. For information on mileage claims please contact payroll@charnwood.gov.uk.

[Mileage is being considered by a specialist in this area and the policy will be updated accordingly.](#)

Equipment and Technology

The Council is responsible for the equipment and technology that it provides to employees to enable them to work in an agile way.

Discussions relating to equipment and IT requirements should be had between the employee and line manager. If the result of a DSE assessment is that some different furniture is required, it will be possible to arrange for furniture from the office to be used at home. All IT equipment should be sourced from the ICS service.

Additional Costs

Additional costs such as energy costs, broadband, furniture, additional parking will be met by the employee and not paid by the Council. In many cases costs are offset by the reduction in travelling time, cost and mileage normally incurred as a result of commuting to the workplace.

If the result of a DSE assessment is that some different furniture is required, it will be possible to arrange for furniture from the office to be used at home.

Managers' Charter

**Keeping in touch with your team
has never been more important**

To promote motivated, effective and productive teams, we want our managers to:

- Have regular (weekly) all-team meetings
- Hold 1:1s weekly - even if they are just a 15-minute chat
- Use Microsoft Teams to create a space where the team can share and communicate openly
- Encourage your team to support each other by keeping in touch
- Keep in regular contact with other teams and managers
- Ask staff what's working well and not so well - in and out of work
- Make sure your team communication works for everyone
- Be empathetic, human, visible and available
- Provide stability and direction
- Lead by and demonstrate the council's values of Pride in Charnwood, Customer Focused and Working Together

Charnwood Borough Council Agile Working Policy Pilot

Update Report from the L&OD Co-ordinator

Introduction

Whilst developing the draft Agile Working Policy it has become clear that effective engagement with staff on how the policy could apply to individual teams and services was critical to the successful implementation of the new policy. SLT therefore agreed to run a pilot in two services to test how that process could work and identify any issues that came up. The pilot has also given the opportunity to test the proposed worker profiles. The pilot has been running over November and December 2020 and this report provides an update on how things have progressed so far.

Who was involved?

The pilot focussed on two services; Customer Experience and Strategic & Private Sector Housing. This meant that a range of teams and functions were covered included key customer facing teams like the contact centre and the customer service desk, key frontline services like Housing Needs and important support services like ICS.

Plan for the Pilot

After an initial discussion with the respective Heads of Service (HoS), a plan was drawn up outlining the steps and overall approach to the pilot. HoS then met with their respective Team Leaders to confirm which teams would be involved.

Two service wide briefing meetings were then organised for the Team Leaders to explain the aims of the pilot. We were also able to discuss how the details of how Team Leaders would engage with the teams to discuss the potential for agile working within their respective areas.

Key to the approach was a simple template/prompt list that Team Leaders would need to complete in conjunction with their team members. The template focussed discussion on crucial aspects and issues that needed to be covered including; customers and service delivery, internal and external communications, individual availability and team working staff health and wellbeing and also possible IT and equipment requirements

Teams were also asked to discuss the worker profiles so that we could identify possible flexibility around when and where individual post holders could work.

Progress

All the team meetings have now taken place and the respective templates have been completed. We also have an initial proposal for how each individual post would be rated under the worker profile.

HoS have reviewed the various plans and have asked Team Leaders to go back to their teams to re-visit certain aspects of the template where appropriate.

The various templates have been compiled into service wide plans.

Feedback and Evaluation

The feedback so far has been limited to informal discussions with the two HoS and some of the participating Team Leaders.

The initial feedback from Team Leaders suggests that the process and template were simple and easy to follow. There was some initial concern around how they would manage the discussion with team members bringing potentially diverse views to the table. We were able to discuss how this could be managed during the Team Leader Briefings and in the end this didn't seem to be too much of an issue as the vast majority of team members were happy that they had an opportunity to be involved in discussing how their role and team could develop under the new policy.

The initial feedback from HoS also suggests that the pilots went well. Both HoS were able to produce an overall service plan with all the posts allocated a worker profile. The reviews carried out by the HoS were an important part of the process. It seemed that some Team Leaders were good at focussing on service delivery whilst others were better at considering team wellbeing issues for example. The HoS were able to ask Team Leaders to revisit aspects that needed further work.

One HoS has also raised the question whether the worker profiles added any value to the process. The idea of the worker profiles was to set a framework for key decisions about flexible options for individual posts. There is an argument that using profiles can set artificial limitations and restrictions on flexibility. On the other hand, the worker profile does help illustrate the possibilities of flexibility in terms of when and where an individual postholder can work.

The next step is to complete a full evaluation process (from w/c Monday 14th December) where all participants will be asked to complete an online survey on the various aspects of the process and their personal views of how much they were able to engage with the process.

Once all the evaluation feedback has been analysed, we will be able consider any changes or adjustments to the process and consider whether it would be helpful to pilot an amended approach in other service areas.

Kevin Brewin

Learning & Organisational Development Co-ordinator

11/12/20

PERSONNEL COMMITTEE – 12TH JANUARY 2021

Report of the Strategic Director, Environmental and Corporate Services

Part A

ITEM 8 PAY POLICY STATEMENT 2021/22

Purpose of Report

To gain Personnel Committee approval on the Council's Pay Policy Statement covering the period 1st April 2021 to 31st March 2022.

Recommendation

That the Pay Policy Statement for 2021/22, attached at Annex 1, proceed to Full Council for formal approval and adoption.

Reason

To ensure that the Council meets its obligations under Section 38 of the Localism Act 2011.

Policy Justification and Previous Decisions

Under Section 38 of the Localism Act 2011, local authorities in England and Wales are required to produce an annual Pay Policy Statement, which must be approved by Full Council and published on the Council's website before the commencement of each financial year.

Implementation Timetable including Future Decisions

The Pay Policy Statement will be submitted for consideration by Full Council at their next meeting following this Personnel Committee. If approved, the statement will be published on the Council's website either on or before 1 April 2021.

Report Implications

The following implications have been identified for this report

Financial Implications

There are no immediate financial implications arising from this decision.

Risk Management

There are no specific risks associated with this decision.

Background Papers: none

Appendices: Annex 1 – Pay Policy Statement 2021 - 22

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Part B

Background

1. On 15th November 2011 the Localism Act received Royal Assent. Under Section 38 of the Act, local authorities in England and Wales are required to produce a Pay Policy Statement for each financial year, which must be approved by Full Council.
2. The statement must set out the Council's policies in relation to:
 - i. The remuneration of its chief officers;
 - ii. The remuneration of its lowest-paid employees; and
 - iii. The relationship between the remuneration of its chief officers and the remuneration of its employees who are not chief officers.
3. For the purposes of this statement, remuneration includes basic salary, bonuses and other allowances or entitlements related to employment.
4. This is the tenth Pay Policy Statement published by Charnwood Borough Council since the Localism Act was implemented. The Pay Policy Statement for 2021/22 has been consulted on and presented to JMTUM and SLT. Following this meeting of the Personnel Committee the Pay Policy Statement will proceed to Full Council for final approval.
5. The Pay Policy Statement for 2021/22 has been updated to provide a comprehensive and up to date account of the Council's approach to the remuneration of its workforce.
6. The Council is required to publish the Pay Policy Statement for 2021/22 on or before 1st April 2021.

Key Points

7. The proposed Pay Policy Statement attached sets out:
 - The Council's approach to job evaluation and grading of posts;
 - Additional payments that employees are eligible to receive, such as overtime, enhancements etc.
 - The Council's pay multiple (the ratio between the highest paid employee and the median average salary of the Council's workforce), is 5.45.
 - The Council's approach to pay progression, honorariums, market supplements, salary protection and the re-engagement of employees;
 - That there is no distinction between chief officers and other employees in relation to pension benefits and severance payments.
 - Pension Scheme Discretionary Arrangements – Regulation 60 of the LGPS Regulations 2013 (as amended) require each scheme employer to publish and keep under review five policies explaining how it will

apply certain discretions. The pension discretions have been published in accordance with pension requirements.

8. The sections which have been deleted in the Pay Policy Statement for 2021/22 are:

- Broadband scheme following the Council's decision to cease payment of broadband allowances.

9. The sections which have been amended in the Pay Policy Statement for 2021/22 are:

- Amendments to job titles following a service pressure review of SLT and CLT.

Pay Policy Statement 2021/22

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Purpose

As a responsible employer Charnwood Borough Council is committed to delivering a fair, equitable and transparent policy covering pay and other employee benefits which improves flexibility in delivering services and provides value for money.

Within the framework of its terms and conditions of employment, the Council aims to develop and maintain appropriate pay systems and benefit packages to attract and retain motivated, flexible people who take responsibility, work as a team, improve performance and acquire new skills.

This Pay Policy Statement sets out the Council’s policies relating to the pay of its workforce for the period from 1st April 2021 to 31st March 2022, in particular the:

- Remuneration of Chief Officers;
- Remuneration of the lowest paid employees;
- Relationship between the remuneration of chief officers and employees who are not chief officers.

The statement meets the Council's obligations under the Localism Act 2011 and will enable the elected members of the Council to make decisions on pay.

The Council's Pay Policy Statement will be agreed by Full Council before the beginning of each financial year and will then be published on Charnwood Borough Council's website. The statement may also be amended by Full Council during the course of the year if necessary.

Scope

This statement applies to all employees of Charnwood Borough Council employed under the conditions of service of the following bodies:

- National Joint Council for Local Government Services (Green Book);
- Joint Negotiating Committee for Chief Officers of Local Authorities;
- Joint Negotiating Committee for Local Authority Chief Executives;
- Joint Negotiating Committee for Local Authority Craft and Associated Employees (Red Book).

Employees who have TUPE transferred across from other organisations will remain on their existing terms and conditions unless agreed otherwise.

Definitions

For the purposes of this Pay Policy Statement the following definitions will apply:

Remuneration

This includes three elements:

- Basic salary;
- Pension;
- Any other allowances arising from employment.

Chief Officers

Under the Localism Act 2011 a Chief Officer is defined as:

- The head of the Council's paid service designated under section 4(1) of the Local Government and Housing Act 1989;
- Its monitoring officer designated under section 5(1) of that Act;
- A statutory chief officer mentioned in section 2(6) of that Act;
- A non-statutory chief officer mentioned in section 2(7) of that Act;
- A deputy chief officer mentioned in section 2(8) of that Act.

In Charnwood Borough Council this definition would apply to the posts set out in [Appendix A](#).

Lowest Paid Employees

The Council currently employ apprentices who are paid at the applicable apprenticeship rate. Additionally, Joint Negotiating Committee for Craft and Associated Employees (Red Book) apprentices are paid in accordance with the requirements of that agreement.

For all other posts, this refers to employees on Grade A, Pay Point 1. This definition has been adopted as it is the lowest level of remuneration attached to a post within the Council, other than apprenticeship posts.

On 1 April 2013 the Council adopted the Living Wage rate applicable at that time. It was agreed that all pay awards after this date for all spinal column points within the Council, would be in line with the applicable percentage increase of the national pay agreement for local government.

Pay and Grading Structure

The Chief Executive's salary scale has been updated with effect from 1st August 2019 in line with recommendations from the Personnel Committee following a benchmarking exercise conducted by the East Midlands Council. This post sits at the highest level within the officer salary grade and does not have a comparator. As such it is for the Council to determine the salary arrangements for the post without needing to go through a specific job evaluation process.

The grading of all other posts within Charnwood Borough Council is determined using the nationally recognised Hay Job Evaluation Scheme. This is in order to ensure that all posts are graded and therefore rewarded financially through a fair and non-discriminatory process, that there is consistency in treatment between posts and that the Council complies with equal pay legislation. The scheme is an analytical one that takes into consideration three key elements of a post:

- Know How - the levels of knowledge, skill and experience (gained through work experience, education and training) which are required to perform the job successfully;
- Problem Solving - the complexity of thinking required to perform the job when applying Know How;
- Accountability - the impact the job has on the organisation and the constraints the job holder has on acting independently.

The Council follows the NJC national agreement on pay and conditions of service (the Green Book) which includes the use of national pay scales. Advice was taken from Hay during the implementation of the job evaluation scheme in order to determine the relationship between the scoring of posts under the scheme and the relevant pay grade.

However a small number of staff employed under the Joint Negotiating Committee for Local Authority Craft and Associated Employees (Red Book) are paid on a different pay scale, a copy of which is attached at [Appendix B](#).

Basic pay is paid in accordance with the evaluated grade of the post. Each grade comprises a range of scale points. A copy of the Council's pay and grading structure is attached at [Appendix B](#).

Agreement has been reached for the national pay awards for 2020-21 for Chief Executives, Chief Officers and Local Government Services Employees (those on Green Book conditions) and Craftworkers.

The pay award for each group is an increase of 2.75% with effect from 1st April 2020.

A copy of the Council's organisation chart, showing grades of posts, can be found on the [Council's website](#).

Details of senior management remuneration are published annually in the [Council's Statement of Accounts](#) which are available on the website.

The 'pay multiple' - the ratio between the highest paid salary (Chief Exec scale - points CEX 1 to CEX 4) and the median average salary of the Council's workforce is 5.45.

Remuneration on Appointment

All employees are usually appointed to the minimum scale point applicable to the grade of the post. Managers have discretion in some circumstances to appoint to a higher scale point, subject to the maximum of the grade.

Full Council will be given the opportunity to consider remuneration packages over £100,000 per annum (including salary, any bonuses, fees or allowances routinely payable to the appointee and any benefits in kind to which the officer is entitled as a result of their employment) before new posts are established and advertised.

Market Premia

There is provision for the award of a market premium (i.e. a temporary additional payment) where it can be shown that the salary level of a job is having an adverse impact on the Council's ability to recruit and retain the appropriate calibre of employee into a post. The award of a market premium is subject to the agreement of the relevant Strategic Director. If approved, market premia are awarded for a maximum period of three years. It is anticipated that market premia will be awarded on very limited occasions. Details of the scheme can be found in the Council's Market Premia Policy and Procedure.

Incremental Progression

Chief Officers

Progression through the pay grade for Chief Officers is dependent on them achieving set criteria and objectives which are agreed at the officer's annual Performance Development Review. Progression through the Chief Executive's grades will be dependent on an annual performance review if not appointed at the top grade, as with other chief officers.

Other Employees

Subject to satisfactory service, employees covered by the conditions of service of the National Joint Council for Local Government Services and the Joint Negotiating Committee for Local Authority Craft and Associated Employees are eligible to receive annual increments on 1st April each year until they reach the maximum scale point for the grade of their job. If the employee's start date is between 1st October and 31st March then their first increment will be paid after completing 6 months in post. Any subsequent increments, until the maximum of the grade is reached, will be paid on 1st April thereafter.

The Joint Negotiating Committee for Local Authority Craft and Associated Employees operates a system of progression through the grade, which is subject to performance related criteria.

Enhancements

From 1 January 2014 the Council agreed a change in rate of enhancement for evening, weekend and bank holiday working for employees at Grade E and below. Employees required to work on Saturdays, Sundays and Bank Holidays as part of their normal working week will be recompensed at time and a quarter for evenings and Saturdays, and time and a half for Sundays and Bank Holidays.

Overtime Payments

'Overtime' is defined as hours worked in excess of 37 per week. However, part-time employees are entitled to the additional hours enhancements in circumstances in which full-time employees in the establishment would qualify. Employees in posts graded up to Grade E who work additional hours are eligible to receive payment at double time rate for hours worked on Sundays, bank holidays or extra statutory days and time and a half for hours worked at any other time.

Employees in posts graded SO1 and above, who work additional hours are not eligible for payment, but may receive time off in lieu.

Heads of Service are also authorised to make payments, within existing budgets, for overtime to employees graded SO1 to PO4 for time limited projects of a non-repetitive nature as follows:

- (a) Plain time up to an agreed maximum number of hours for a particular project and over a certain number of weeks/months; or
- (b) A lump sum to cover completion of a particular project by an agreed deadline.

Where the payment of a lump sum is agreed in accordance with (b) above, it should not be made in full unless the project is completed by the due date and that provision for claw back considered for inclusion in the scheme. Payments for overtime cannot be authorised retrospectively.

Overtime and Additional Hours Holiday Pay

Claims for overtime or additional hours (for part time employees) will receive an appropriate uplift rate for the hours worked. This increase is calculated on the relevant hourly flat rate.

Example – if you work for 2 hours overtime @ time plus ½ you will receive 3 hours pay. The appropriate uplift rate will be added to 2 hours of that pay only as the flat rate element of pay.

Additional hours which have been agreed on a temporary basis as a variation to contract will not attract this uplift. The annual leave entitlement will be increased for the period that an employee works these additional hours.

Other Allowances

All Chief Officers receive allowances as detailed in the Conditions of Service of the Joint Negotiating Committee for Chief Officers of Local Authorities and the Joint Negotiating Committee for Local Authority Chief Executives. However, where these conditions are silent or do not cover an allowance or process, the Chief Officer / Chief Executive will receive the same as those employees covered by the National Joint Council for Local Government Services.

Copies of the conditions of service for all employees covered by this statement can be requested from the [Local Government Employers website](#).

Essential Car User

Posts that are designated as essential car user, including those of Chief Officers, receive a monthly allowance and are eligible to claim mileage allowances as per the NJC Conditions of Service.

Professional Fees

The Council will pay the annual fee for membership of a professional body if it is considered an essential requirement of the employee's post.

First Aid Allowances

Employees who are classified as a 'designated first-aider' are eligible to receive an allowance.

Standby and Call-Out Payments

Employees who are required to provide out of hours responsibilities or work for essential services that they undertake are eligible to receive a standby and call out, standby and advisory or emergency contact scheme payment. Employees graded at PO1 or above will not normally receive payment, unless there is a requirement for them to participate in a formal regular Standby and Call Out or Standby and Advisory Scheme arrangement. Those graded at JNC A or above are expected to respond as part of their role and will not receive any additional payments. Details of the scheme can be found in the Council's Policy for Standby and Call-Out, Standby and Advisory, and Emergency Contact Scheme Policy and Procedure.

Emergency Planning

Employees who volunteer to respond in emergency situations are eligible to receive a payment.

Subsistence

Employees who are eligible to claim subsistence do so in accordance with the rate agreed locally for subsistence.

Bonus Payments

The Council does not pay any group of employees a bonus.

Pension Benefits

All employees under the age of 75 are eligible to join the Local Government Pension Scheme. The scheme is a statutory scheme with contributions from employees and employers. Details of the scheme can be found on www.leics.gov.uk/pensions.

The scheme allows for the exercise of discretion by employers. A copy of the Council's approach to these discretionary regulations can be found at [Appendix C](#). The Council will consider each case on its merits, but has determined that its usual policy is not to enhance benefits for any of its employees.

The scheme provides for flexible retirement. To be eligible to request flexible retirement, the Council normally requires that an employee either reduce their working hours by a minimum of 40% and/or be appointed to a post on a lower grade. In applying this provision no distinction is made between employees.

Under the Local Government Pension Scheme there is no abatement (i.e. reduction or suspension) of pensions for employees who return to work after drawing their pensions except in the circumstance where they have previously been awarded "added years".

Honoraria

Subject to certain conditions, employees who are temporarily required to undertake some or all of the duties of a higher graded post are eligible to be paid an honorarium. Details of the scheme can be found in the Council's Honoraria and Acting-Up Policy and Procedure.

Salary Protection

Employees are eligible to receive salary protection for a period of up to three years if they are redeployed into a lower-graded post. Details of the provisions can be found in the Council's Organisational Change Policy and Procedure.

Severance Payments

Early Retirement (Efficiency of Service)

The Council has discretionary provisions for employees to seek early retirement on the grounds of efficiency of service. Details of the scheme can be found in the Council's Retirement Policy and Procedure.

Redundancy

The Council has a single redundancy scheme which applies to all employees. Redundancy payments are calculated in accordance with the Employment Rights Act 1996 and the 2006 Discretionary Compensation Regulations and are based on the employee's age, length of continuous local government service and salary. The payment mirrors the statutory table but provides a multiplier of 2. Details of the redundancy scheme can be found in the Council's Organisational Change Policy and Procedure.

Employees have the option of using their redundancy payment, in excess of the statutory redundancy payment, to purchase a period of membership in the Local Government Pension Scheme. The amount of membership purchased by the cash sum will vary depending on the age of the employee and the number of years' service.

The Council does not provide any further payment to employees leaving the Council's employment other than in respect of accrued annual leave.

Employees who have TUPE transferred into the Council on redundancy terms which are more favourable than those details above will retain these provisions as per TUPE legislation.

The Restriction of Public Sector Exit Payments Regulations 2020 came into force on 4 November 2020 and they impose a £95,000 cap on exit payments to employees in local government.

Re-Engagement of Employees

Employees who have been made redundant are eligible to apply for vacancies which may arise after they have left the Council's employment. Any such applications will be considered together with those from other candidates and the best person appointed to the post. Any necessary adjustments to pension would be made in accordance with the scheme regulations.

Employees who are offered another post with the Council, or another employer covered by the Redundancy Modifications Order, prior to their redundancy leaving date and commence this post within 4 weeks of that date are not eligible to receive their redundancy payment.

Election Duties

The Chief Executive receives additional payments as the Returning Officer (or equivalent) for elections taking place within the Borough, to which role he has been appointed by the Council. These payments are funded by the organisation responsible for each election, which can include the Borough Council, County Council, Parish and Town Councils, and the Government.

Election fees and expenses for Borough, Town and Parish Council elections are agreed annually by Full Council. For other elections, the scale of fees and expenses is specified by the relevant organisation.

The Chief Executive may also, on appropriate occasions, require officers, which may include Chief Officers, to undertake Deputy Returning Officer roles and other election duties. They will be remunerated for undertaking these roles.

Publication and Access to Information

This Pay Policy Statement will be published on the Council's website, together with the Council's pay and grading structure and information relating to senior management remuneration.

Appendix A - Charnwood Borough Council's Chief Officers

| <u>POST TITLE</u> |
|--|
| Chief Executive |
| Community, Planning and Housing |
| Strategic Director – Community, Planning and Housing |
| Head of Strategic and Private Sector Housing |
| Head of Landlord Services |
| Head of Planning and Regeneration |
| Head of Regulatory Services |
| Head of Neighbourhood Services |
| Environment and Corporate Services |
| Strategic Director – Environment and Corporate Services |
| Head of Finance and Property Services |
| Head of Customer Experience |
| Head of Strategic Support |
| Head of Cleansing and Open Spaces |
| Commercial Development, Asset and Leisure |
| Strategic Director – Commercial Development, Asset and Leisure |
| Head of Leisure and Culture |

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Appendix B - Pay and Grading Structure

Annual Salaries and Hourly Rates from 1 April 2020

| Grade | SCP | Annual Salary | Hourly Rate | Monthly | Wkly |
|-------|-----|---------------|-------------|---------|--------|
| A | 1 | 17842 | 9.2480 | 1486.83 | 342.18 |
| | 2 | 18198 | 9.4325 | 1516.50 | 349.00 |
| | 3 | 18562 | 9.6212 | 1546.83 | 355.98 |
| B | 4 | 18933 | 9.8135 | 1577.75 | 363.10 |
| | 5 | 19312 | 10.0099 | 1609.33 | 370.37 |
| | 6 | 19698 | 10.2100 | 1641.50 | 377.77 |
| | 7 | 20092 | 10.4142 | 1674.33 | 385.33 |
| C | 8 | 20493 | 10.6221 | 1707.75 | 393.02 |
| | 9 | 20903 | 10.8346 | 1741.92 | 400.88 |
| | 10 | 21322 | 11.0518 | 1776.83 | 408.92 |
| | 11 | 21748 | 11.2726 | 1812.33 | 417.08 |
| D | 12 | 22184 | 11.4980 | 1848.58 | 425.43 |
| | 13 | 22627 | 11.7282 | 1885.58 | 433.94 |
| | 14 | 23080 | 11.9630 | 1923.33 | 442.63 |
| | 15 | 23541 | 12.2019 | 1961.75 | 451.47 |
| | 16 | 24012 | 12.4461 | 2001.00 | 460.50 |
| E | 17 | 24491 | 12.6843 | 2040.92 | 469.69 |
| | 18 | 24982 | 12.9488 | 2081.83 | 479.11 |
| | 19 | 25481 | 13.2075 | 2123.42 | 488.68 |
| | 20 | 25991 | 13.4718 | 2165.92 | 498.46 |
| SO1 | 21 | 26511 | 13.7414 | 2209.25 | 508.43 |
| | 22 | 27041 | 14.0161 | 2253.42 | 518.59 |
| | 23 | 27741 | 14.3789 | 2311.75 | 532.02 |
| SO2 | 24 | 28672 | 14.8615 | 2389.33 | 549.87 |
| | 25 | 29577 | 15.3305 | 2464.75 | 567.23 |
| | 26 | 30451 | 15.7836 | 2537.58 | 583.99 |
| PO1 | 27 | 31346 | 16.2475 | 2612.17 | 601.16 |
| | 28 | 32234 | 16.7077 | 2686.17 | 618.19 |
| | 29 | 32910 | 17.0581 | 2742.50 | 631.15 |
| | 30 | 33782 | 17.5101 | 2815.17 | 647.87 |
| PO2 | 31 | 34728 | 18.0004 | 2894.00 | 666.02 |
| | 32 | 35745 | 18.5276 | 2978.75 | 685.52 |
| PO2 | 33 | 36922 | 19.1377 | 3076.83 | 708.09 |
| | 34 | 37890 | 19.6394 | 3157.50 | 726.66 |
| | 35 | 38890 | 20.1577 | 3240.83 | 745.84 |

| Grade | SCP | Annual Salary | Hourly Rate | Monthly | Wkly |
|-----------------|------|---------------|-------------|----------|---------|
| JNC A | 50 | 48919 | 25.3560 | 4076.58 | 938.17 |
| | 51 | 50178 | 26.0086 | 4181.50 | 962.32 |
| | 52 | 51424 | 26.6544 | 4285.33 | 986.21 |
| | 53 | 52684 | 27.3075 | 4390.33 | 1010.38 |
| JNC B | 54 | 53941 | 27.9591 | 4495.08 | 1034.48 |
| | 55 | 55189 | 28.6059 | 4599.08 | 1058.42 |
| | 56 | 56571 | 29.3223 | 4714.25 | 1084.92 |
| | 57 | 57943 | 30.0334 | 4828.58 | 1111.24 |
| JNC C | 58 | 60233 | 31.2204 | 5019.42 | 1155.15 |
| | 59 | 61593 | 31.9253 | 5132.75 | 1181.24 |
| | 60 | 62969 | 32.6385 | 5247.42 | 1207.62 |
| | 61 | 64331 | 33.3445 | 5360.92 | 1233.75 |
| JNC D | 62 | 69178 | 35.8568 | 5764.83 | 1326.70 |
| | 63 | 70903 | 36.7509 | 5908.59 | 1359.78 |
| | 64 | 72634 | 37.6481 | 6052.83 | 1392.98 |
| | 65 | 74364 | 38.5448 | 6197.00 | 1426.16 |
| JNC E | 66 | 76088 | 39.4384 | 6340.67 | 1459.22 |
| | 67 | 77840 | 40.3465 | 6486.67 | 1492.82 |
| | 68 | 79119 | 41.0095 | 6593.25 | 1517.35 |
| | 69 | 81345 | 42.1633 | 6778.75 | 1560.04 |
| Chief Executive | CEX1 | 128438 | 66.5728 | 10703.17 | 2463.19 |
| | CEX2 | 133575 | 69.2355 | 11131.25 | 2561.71 |
| | CEX3 | 138713 | 71.8986 | 11559.42 | 2660.25 |
| | CEX4 | 143850 | 74.5613 | 11987.50 | 2758.77 |
| Skills Group 1 | 17 | 24491 | 12.6943 | 2040.92 | 469.69 |
| | 20 | 25591 | 13.4718 | 2165.92 | 498.46 |
| | 25 | 29577 | 15.3305 | 2464.75 | 567.23 |
| Skills Group 2 | 17 | 24491 | 12.6943 | 2040.92 | 469.69 |
| | 19 | 25481 | 13.2075 | 2123.42 | 488.68 |
| | 22 | 27041 | 14.0161 | 2253.42 | 518.59 |
| Skills Group 3 | 14 | 23080 | 11.9630 | 1923.33 | 442.63 |
| | 15 | 23541 | 12.2019 | 1961.75 | 451.47 |
| | 20 | 25991 | 13.4718 | 2165.92 | 498.46 |

| | | | | | |
|--|----|-------|---------|---------|--------|
| | 36 | 39880 | 20.6709 | 3323.33 | 764.82 |
|--|----|-------|---------|---------|--------|

| | | | | | |
|------------|----|-------|---------|---------|--------|
| PO3 | 37 | 40876 | 21.1871 | 3406.33 | 783.92 |
| | 38 | 41881 | 21.7080 | 3490.08 | 803.20 |
| | 39 | 42821 | 22.1953 | 3568.42 | 821.22 |
| | 40 | 43857 | 22.7322 | 3654.75 | 841.09 |

| | | | | | |
|------------|----|-------|---------|---------|--------|
| PO4 | 41 | 44863 | 23.2537 | 3738.58 | 860.39 |
| | 42 | 45859 | 23.7699 | 3821.58 | 879.49 |
| | 43 | 46845 | 24.2810 | 3903.75 | 898.40 |

| | | | | | |
|-----------------------|---|-------|---------|---------|--------|
| Skills Group 4 | 7 | 20092 | 10.4142 | 1674.33 | 385.33 |
| | 8 | 20493 | 10.6221 | 1707.75 | 393.02 |
| | 9 | 20903 | 10.8346 | 1741.92 | 400.88 |

| Levels of Apprenticeship | NJC Salary | |
|--------------------------|--------------------------------|--|
| Intermediate | Year 1 Year 2 to completion | NMW Rate for 18 – 20 year olds Appropriate NMW age rate for those aged 21 and above |
| Advanced | Year 1 Year 2 to completion | NMW Rate for 18 – 20 year olds Appropriate NMW age rate for those aged 21 and above |
| Higher | Year 1 Year 2 to completion | NMW Rate for 18 – 20 year olds Spinal column points 1 – 4 (Grade A scp 1 – 3 and Grade B scp 4) with annual incremental progression |
| Degree | Year 1 Year 2 to completion | NMW Rate for 18 – 20 year olds Spinal Column points 4 – 7 (Grade B) with annual incremental progression |

The rates for Apprentices appointed under the Joint Negotiating Committee for Local Authority Craft and Associated Employees (Red Book) are in accordance with that agreement.

Local Government Pension Scheme (LGPS) Regulations Policy Statement on all Eligible Employees

Under Regulation 60 of the LGPS Regulations 2013, (as amended), each scheme employer must publish and keep under review a Statement of Policy to explain how it will apply certain discretions allowed under the Pension Regulations.

This statement is applicable to all employees of Charnwood Borough Council who are eligible to be members of the LGPS.

The Council is required to publish the following five policies.

LGPS Regulations – Regulation 31: Power of employer to award additional pension

Explanation and Employer's Policy

An employer may resolve to award a member additional pension of not more than £6,500 (figure as at 1 April 2014) a year within 6 months of leaving to a member whose employment was terminated on the grounds of redundancy or business efficiency.

The Council will not normally agree to award an additional pension under this regulation

LGPS Regulations 2013 – Regulation 16(2)(e) and 16(4)(d) : Funding of additional pension contributions (shared cost)

Explanation and Employer's Policy

An active member in the main section of the scheme who is paying contributions may enter into arrangements to pay additional pension contributions (APCs) by regular contributions of a lump sum.

Such costs may be funded in whole or in part by the member's Scheme employer.

The employer will need to determine a policy on whether it will make a contribution towards the purchase of extra pension.

This does not relate to cases where a member has a period of authorised unpaid leave of absence and elects within 30 days of return to work to pay a shared cost APC to cover the amount of pension "lost" during that period of absence. In these cases the employer MUST contribute 2/3rds of the cost (Regulation 15(5) of the LGPS Regulations 2013.

The Council has not adopted this discretion.

LGPS Regulations 2013 – Regulation 30 (6):Flexible Retirement

Explanation and Employer's Policy

An active member who has attained the age of 55 or over who reduces working hours or grade of an employment may, with the Scheme employer's consent, elect to receive

immediate payment of all or part of the retirement pension to which that member would be entitled in respect of that employment if that member were not an employee in local government service on the date of the reduction in hours or grade, adjusted by the amount shown as appropriate in actuarial guidance issued by the Secretary of State.

The Council has agreed to release pension where there is no costs and not to waive any reduction.

Members must reduce their hours by a minimum of 40% and/or reduce their grade.

The Council may however allow the release of pension where there is a cost or waive reduction in a potential redundancy situation, where a reduction may occur through redeployment, or in other exceptional circumstances supported by a business case.

LGPS Regulations 2013 – Regulation (paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014): Switching on rule of 85

Explanation and Employer’s Policy

A member who has not attained normal pension age but who has attained the age of 55 or over, may elect to receive immediate payment of a retirement pension in relation to an employment if that member is not an employee in local government service in that employment, reduced by the amount shown as appropriate in actuarial guidance issued by the Secretary of State.

In these circumstances (other than flexible retirement) the 85 year rule does not automatically apply to members who would otherwise be subject to it who choose to voluntarily draw their benefits on or after age 55 and before NPA.

The employer has the discretion to “switch on” the 85 year rule for such member (paragraph 1 (1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014.

If the employer does agree to switch back on the rule of 85, the cost of any strain on the fund resulting from the payment of benefits before age NPA would have to be met by the employer.

The Council will not apply either discretion.

LGPS Regulations 2013 – Regulation (paragraph 2(1) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014): Waiving of actuarial reduction

An employer has the discretion, under a number of retirement scenarios, to waive actuarial reductions on compassionate grounds. The cost of which would fall upon the employer. “Compassionate grounds” is not defined in the regulations.

The Council will not apply this discretion, unless there are exceptional circumstances.

The Personnel Committee and the Director involved will consider any cases and will decide whether the actuarial reductions should be waived. In all cases the financial

position of the Charnwood Borough Council must be considered.

Under Regulation 66 of the LGPS Administration Regulations 2008, (as amended), each scheme employer must publish and keep under review a statement of Policy to explain how it will apply certain discretions allowed under the Pension Regulations.

LGPS Benefits Regulations - Regulation 30: Early payment of retirement benefits at the member, or former members request

Explanation & Employer's Policy

A scheme member or former member can request that the Employer grant early retirement between 55 & 60 years old.

It is possible that, where a member's pension is introduced early, these benefits will be reduced. The reduction is calculated in accordance with guidance issued by the Government Actuary. As an employer you may determine not to apply any reduction.

The Council will not consider the premature retirement of an employee except on compassionate grounds. To qualify for consideration, an employee must be entitled to a pension under the LGPS. The Council will not consent to a request for early retirement where capital costs are applicable unless there are exceptional circumstances. The Council will, in principle, consider a request for early retirement as an application of early retirement arising from redundancy where the request would result in the same cost, a lower cost, or nil cost to the Council. In all cases, early retirement will only be considered when supported by a justifiable business case.

LGPS Benefits Regulations - Regulation 18: Requirements as to time of payment (Flexible Retirement)

Explanation & Employer's Policy

A member who is 55 or over, and with their employer's consent, reduces their hours and/or grade can, but only with the agreement of the employer, make an election to the administering authority for payment of their accrued benefits without having retired from employment. It is possible that, where a member's pension is introduced early, these benefits may be reduced. The reduction is calculated in accordance with guidance issued by the Government Actuary. As an employer you may determine not to apply any reduction.

Whilst a request which result in a cost to the Council will generally not be approved there may be instances where granting flexible retirement will enable departments to review their requirements, e.g. succession planning, managerial or specialist skills development, or ultimately achieve other efficiency savings through staff movement/structure changes etc. That is to say, there must be a significant organisational benefit to the Council.

In considering any request for flexible retirement the following business reasons are to be taken into account:

- Cost to the Council in releasing the scheme member's pension
- Requirement/ability to recruit to the vacated hours or grade
- Additional costs as a result of recruitment/training to the vacated hours or grade

- Capacity to re-allocate work amongst co-workers
- Impact on service delivery and work performance
- Suitability of individual's proposed working arrangements, i.e. days, hours etc.

This scheme will not apply where there are formal conduct or performance issues and the appropriate procedures should be invoked in those circumstances.

LGPS Administration Regulations – Regulation 25 (3) and LGPS Benefits Regulations – Regulation 15 (3): Shared Cost Additional Contribution Facility

Explanation & Employer's Policy

This discretion allows the Employer to maintain and contribute to an employee's Additional Voluntary Contribution Scheme.

The Council has not adopted this discretion. This will not have any effect on the existing AVC facility available where the employee only is able to make such contributions.

LGPS Benefits Regulations - Regulation 12: Augmentation (increase of scheme membership)

Explanation & Employer's Policy

An employer may resolve to increase the total membership of an active member.

The Council has not adopted this discretion. This decision does not affect the discretion available to the employer to allow a scheme member to convert a lump sum discretionary payment using the augmentation factors. (See Early Termination of Employment Discretionary Compensation).

LGPS Benefits Regulations - Regulation 13: Power of employer to award additional pension

Explanation & Employer's Policy

An employer may resolve to award a member additional pension of not more than £5000 a year payable from the same date as his pension payable under any other provisions of these Regulations. Additional pension may be paid in addition to any increase of total membership resolved to be made under regulation 12.

The Council has not adopted this discretion.

The Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006

New provisions provide local government employers with the powers to consider making a one off lump sum payment to an employee which must not exceed 104 week's pay. The regulations no longer provide for the award of compensatory added years.

This statement is applicable to all employees of Charnwood Borough Council who are eligible to be members of the LGPS.

Regulation 5: Power to increase statutory redundancy payments

Explanation & Employer's Policy

The Employer may decide to calculate a redundancy payment entitlement as if there had been no limit on the amount of a week's pay used in the calculation.

The Council has decided to adopt this discretion and base redundancy payment calculations on an unrestricted week's pay.

Regulation 6: Discretionary Compensation

Explanation & Employer's Policy

A "one off" lump sum compensation payment may be awarded to an employee up to a maximum value of 104 weeks' pay, inclusive of any redundancy payment made. If the above Regulation is adopted, employees who are members of the LGPS can be given the option of converting compensation payments, (less the statutory redundancy payment), into additional pensionable service, in accordance with the augmentation factors provided by the authority. An employer should specify whether they intend to provide this option.

Employees who have been continually employed for two years or more by members of the modification order will receive a redundancy payment. The payment is based on the statutory formula with a multiplier X 2 applied. The maximum number of weeks an individual can receive is 60 weeks. Employees have the option of using their redundancy payment, in excess of the statutory redundancy payment, to purchase a period of membership in the LGPS.

PERSONNEL COMMITTEE – 12TH JANUARY 2021

Report of the Strategic Director, Environmental and Corporate Services

Part A

ITEM 9 ATTENDANCE MANAGEMENT POLICY AND PROCEDURE

Purpose of Report

Personnel Committee to agree the proposed amendments to the Attendance Management Policy and Procedure following recommendations from the audit on attendance management.

Recommendation

That Personnel Committee agree the changes as outlined below and as attached at Appendix A.

Reason

An audit was carried out in February 2020 by BDO into Charnwood Borough Council's attendance management process. The audit recommended changes to the Attendance Management Policy and Procedure to reflect new ways of working to manage sickness absence. The Attendance Management Policy and Procedure has been amended to reflect those recommendations.

Policy Justification and Previous Decisions

The current Attendance Management Policy and Procedure was approved by the Personnel Committee at its meeting on 4th August 2015. The proposed changes were recommended in the audit review to further improve the attendance management process.

Implementation Timetable including Future Decisions

It is recommended that the Attendance Management Policy and Procedure be published on the intranet, following agreement by the Personnel Committee at this meeting.

Financial Implications

There are no immediate financial implications arising from this decision.

Risk Management

There are no specific risks associated with this decision.

Background Papers: none

Appendices: Appendix A – Attendance Management Policy

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Part B

1. An audit was carried out in February 2020 by BDO into Charnwood Borough Council's attendance management process. Following the audit, recommendations were made as to how the process could be further improved.
2. Outlined below are proposed key changes / new ways of working to manage sickness absence following the audit recommendations:
 - 2.1 Currently the Systems Analyst produces a monthly sickness trigger report which enables HR Services to contact managers to try and provide assistance and support with managing sickness. It is proposed that i-Trent will be set up to notify Management and HR Services about triggers in real time thus removing the delay in supporting a member of staff who is off sick.
 - 2.2 It is further recommended that the Management record attendance management status against a period of sickness for an employee on i-Trent.
 - 2.3 The System Analyst will also be requested to highlight patterns of absence such as absences which occur on Mondays, Fridays and following annual leave within the trigger report they provide to HR Services.
 - 2.4 It is recommended within the audit report to provide further clarity for Management as to what should constitute a single period of sickness, and what should be considered as two separate period of sickness when managing attendance. The Attendance Management Policy has been updated as follows to provide further clarity.
 - 2.5 In section 6 - Monitoring of Employee Attendance of the Attendance Management Policy, the following wording has been added:

If an employee returns to work following a period of sickness but upon their return they are unable to maintain their attendance and go off sick with related symptoms within 3 working days, then for attendance management purposes only, this should be treated as one period of sickness. For payroll purposes managers should still record the sicknesses as they occur on i-Trent.
3. If managers need to discuss triggers or the application of discretion (exceptional circumstances), then they should contact HR Services.
4. It is proposed that the changes to the policy, once agreed, will be communicated through the use of One Charnwood. Staff briefing sessions on attendance management will be used to communicate the way sickness should be recorded on i-Trent and how and when discretion should / could be applied to triggers.

Attendance Management Policy and Procedure

1 Scope

This document applies to all employees of Charnwood Borough Council employed under the Joint Negotiating Committee for Local Government Services (JNC), National Joint Council for Local Government Services (NJC) and Joint Negotiating Committee for Local Authority Craft and Associated Employees (Craft).

Further information on the application of the policy is available in the supporting [Guidance](#) and this policy should be read in conjunction with that document.

It is not applicable to employees within their probationary period or casual workers.

2 Purpose

The purpose of the Council's Attendance Management Policy and Procedure is to provide a supportive framework for employees where a shortfall in attendance has been identified in order to assist employees to improve, reach and maintain the standard of attendance expected within their area of work.

It is acknowledged that, at times, employees need to take time off work due to personal illness or injury. The Council provides appropriate paid (or in some instances unpaid) leave in such circumstances and expects its employees to respond by ensuring they take reasonable care of their health and attend work unless they are unable to do so.

3 Roles and Responsibilities

| | |
|--|--|
| HR Services | HR Services will provide advice, coaching and support to managers on the application of the Policy and Procedure. HR will also act as panel members at hearings and will express a view on whether the case is founded and make recommendations about the appropriate outcome. |
| Line Manager or Management Representative | Will support and manage the employee through the process and will normally act as the management representative if a hearing is convened. |
| Chair of the Panel | The Chair of the panel will manage the hearing and notify the employee of the decision. They will also normally present the case if the employee exercises their right to appeal against that decision. |
| Panel Members | Will support the Chair of the panel and express a view on whether the case is founded and make recommendations |

| | |
|---|---|
| | about the appropriate outcome. |
| Trade Union Representative or Work Colleague | To support and advise, if appropriate, the employee. At a hearing this may include presenting the employee's case, summarising and conferring with the employee and responding to points on behalf of the employee. The Trade Union or work colleague cannot answer questions put directly to the employee. |

4 Short Term / Frequent Absences

This is described as an employee having regular periods of sickness absence from work on health grounds. This is normally 3 or more absences in a 6 month period, but will depend on the circumstances.

5 Long Term Absence

This is normally defined as being a continuous absence of 4 weeks or more, which is medically certified and attributable to an underlying medical condition or specific reason.

6 Monitoring of Employee Attendance

All absences should be reported, recorded, monitored and analysed on an ongoing basis in order to identify problems, review individual cases and decide upon any appropriate action.

Absences which ~~may~~ require further attention / investigation, may include, but will not be limited to the following:

- Three periods of absence in 6 months;
- A pattern of absence e.g. regular Friday / Monday absences or linked to annual leave;
- Two long periods of absence (which is over 1 week but less than 4 weeks) in a 6 month period;
- A long term absence of 4 weeks or more;
- A stress related absence or reoccurrence of a stress related absence;
- Regular repetition of the same / similar type of illness.

Authorised absence (e.g. unpaid leave) should not be counted towards the 'triggers' shown above.

If an employee returns to work following a period of sickness but upon their return they are unable to maintain their attendance and go off sick with related symptoms within 3 working days, then for attendance management purposes only this should be treated as one period of sickness. For payroll purposes managers should still record the sicknesses as they occur on i-Trent.

If managers need to discuss triggers or the application of discretion (exceptional circumstances), then they should contact HR Services.

7 Return to Work Meetings

Managers should complete a return to work interview with employees following every period of absence. In many cases the meeting may be as brief as a quick chat to ensure the employee is fit to return, welcome them back to work and provide any support that could help them.

8 Support Mechanisms

Managers may wish to explore the following options:

- a) [Referral to Occupational Health](#) to seek medical advice and opinion.
- b) [Rehabilitation / Phased Return to Work Plan](#) to assist the employee to return back to work on a planned and phased basis, usually following a medical recommendation.
- c) [Reduction in Hours](#) to assist the employee to return back to work on a temporary or permanent basis, which must be mutually accommodated and agreed. The employee's contract of employment will then be changed accordingly.
- d) [Flexible Working](#) this would enable employees to adjust their working arrangements on a temporary basis where this can be accommodated by the service. Adjustments may include an element of home working or a different pattern of work.
- e) [Temporary Redeployment](#) to a different role to enable the employee to return to work.
- f) [Preferential Treatment Status](#) where applicable, to obtain alternative work on the Council's redeployment register to enable the employee to return back to work. If the employee is appointed to another post, there will be no entitlement to pay protection or additional travel expenses.
- g) [Reasonable Adjustments](#) to support the employee in their role and to improve their attendance levels.
- h) [Amica Counselling Service](#) to access counselling and support on a range of issues (e.g. financial worries, family concerns, work-related problems, etc).

9 Employee's with a Disability

Consideration should be given as to whether an employee's level of attendance is due to a disability, and if so, what [reasonable adjustments](#) may be needed to assist the employee in being able to reach the acceptable level of attendance. If an underlying disability is suspected an Occupational Health referral is usually required for advice on reasonable adjustments. Further advice should be sought from HR Services.

10 Employees with a Serious Medical Condition

The Council recognise that employees can develop serious medical conditions which can affect their attendance at work. This may be evident through long-term or ~~short-term~~[short-term](#) frequent absences. Managers should be particularly sensitive and supportive to employees in these circumstances, working with HR to provide appropriate supportive measures as outlined above. Managers should also give due consideration, taking into account advice received from Occupational Health, to when it is appropriate to adopt different stages within the policy. Where possible, solutions should be sought, which are beneficial to both the employee and the service.

11 Sickness Absence during Pregnancy

If the employee is off work ill, or becomes ill, with a pregnancy related illness during the last four weeks before the expected week of child birth (EWC), maternity leave will normally commence on the day after the first day of absence. Pregnancy related absences during this period may be disregarded at the manager's discretion.

Sickness absence prior to the last four weeks before the EWC, supported by either a fit note or a self-certificate, shall be treated as sickness absence in accordance with normal sickness absence provisions. However, pregnancy related absences may be disregarded for the purpose of invoking the formal stages of the policy and for any future employment related decisions.

12 Annual Leave and Bank Holidays

Annual leave will continue to accrue during sickness absence. Employees on long term sickness absence (i.e. over 4 weeks) will also accrue their public holiday entitlements.

13 Links to Disciplinary Policy and Procedure

Where sickness absence patterns emerge and where it is believed that absences are not attributed to genuine sickness, this will be investigated through the [Disciplinary Policy and Procedure](#).

14 Escalation to Stage 4

In most cases there will be four stages to the attendance management process. However, there may be occasions in cases of long term sickness absence where the medical reports indicate that a return to work is not possible within a reasonable time period. In these circumstances the manager must ensure that all avenues of [support](#) such as [ill health retirement](#) and [redeployment](#) have been exhausted as applicable, but may proceed to Stage 4 of the attendance management process without completing all and/or any of the other three stages. Where the manager wishes to progress to Stage 4 before the preliminary action stage has been completed, this must be agreed by the employee. The employee should ensure that they are in receipt of all appropriate information before making the decision. Advice must be sought from Strategic HR before escalating to Stage 4.

15 Stage 1 Preliminary Action

If there are concerns regarding an employee's level of attendance, the manager will arrange a meeting with the employee to review their absence record and if relevant, draw up a [support plan](#). A review period should be agreed (which will vary in individual cases, but generally this will be between 4 and 8 weeks) and [support mechanisms](#) considered.

It is not usual practice for an employee to be accompanied at this stage. However, if the manager or employee feels that it would be appropriate, the employee may be accompanied by a work colleague or Trade Union representative.

A meeting should be held with the employee at the end of the review period to determine whether the support plan has been achieved. If the employee has not achieved the level of

attendance required by the end of the review period, the line manager may consider progressing to Stage 2 of this procedure.

However, if the employee has made sufficient improvement, the attendance management procedure will cease. If the improvement is not sustained for 4 months from the end of the review period then the manager may progress to Stage 2 of this procedure.

Brief notes of all meetings should be taken to record what has been discussed and a copy provided to the employee for their agreement.

16 Stage 2 – Formal Action

Where there are continuing concerns over an employee's attendance, the manager will invite the employee to attend a Formal Attendance Management Meeting. Ten working days' notice will be given for this meeting, the purpose of which is to establish the facts, to allow the employee to respond to concerns about their attendance and if applicable, put further support mechanisms in place. The employee has the right to be accompanied by a work colleague or Trade Union representative. Notes should be taken at this meeting and a copy will be sent to the employee for their agreement, together with any relevant documents e.g. the agreed [support plan](#).

The person conducting the meeting will:

- Identify the level of attendance not being met, and give clear [guidance](#) on the standard of attendance required (support plan);
- Explore any [support mechanisms](#) available to help the employee improve their attendance;
- Specify the monitoring and review period for improvement (which will vary in individual cases, but generally this will be between 4 and 8 weeks);
- Advise the employee of the potential outcomes of the meeting noting that failure to improve to the required attendance level within the timescale could lead to the manager arranging an attendance management hearing whereby the employee could be issued with a final written warning.

The employee will:

- Provide an explanation as to any reasons why their attendance is not meeting expectations and explore any factors that may be having an impact (e.g. domestic circumstances, underlying health problems, work concerns, etc.);
- Identify any support mechanisms that they feel may help them to improve their attendance.

17 Review Meeting

A review meeting will be held at the end of the support plan period. Employees have the right to be accompanied by a work colleague or Trade Union representative. Notes should be taken at this meeting and a copy will be sent to the employee along with a letter confirming the outcome of the meeting.

Both the person conducting the meeting and the employee will have an opportunity to present evidence to support their position.

The potential outcomes of the meeting are:

- If the employee has made sufficient improvement, the attendance management procedure will cease. However, if the improvement is not sustained for 9 months from the end of the review period then the manager may recommence at [Stage 3](#) of this procedure.
- If some improvement has been made and further progress is likely, it may be appropriate to extend the review period by 4-6 weeks. In the majority of cases it will be appropriate to extend the review period just once during the attendance management process.
- If no, or insufficient improvement has been made, the employee will be advised that a Stage 3 Attendance Management Hearing will be arranged at which they could be issued with a Final Written Warning.
- If applicable, [escalation](#) to a Stage 4 Attendance Management Hearing (see No. 13 above).

18 Stage 3 – Final Action

Attendance Management Hearing

The manager will be responsible for arranging a panel which will be chaired by a Senior Manager (PO Grade or above), supported by a further Senior Manager and a representative from HR Services, who will act as panel members. All of the panel should have had no prior involvement in the employee's case. The manager should also arrange a note-taker.

Ten working days written notice will be given to attend the formal hearing in which the employee will be informed of the reasons for the hearing and their right to be accompanied by a work colleague or Trade Union representative. The letter should state that a potential outcome of the hearing is a final written warning. Employees should also receive copies of relevant documentation e.g. support plan(s), notes of meetings, etc. within an evidence folder. Employees will also be given an opportunity to provide evidence and this must be submitted to the Chair of the panel at least 5 working days before the date of the hearing. Details of the format the hearing should take can be found in the supporting [Guidance](#).

The panel may find:

- The level of attendance is acceptable;
- It is appropriate to issue the employee with an extension (4-6 weeks) to the review period of the support plan agreed during [Stage 2](#). This should only be considered if an extension has not previously been given during the attendance management procedure or in exceptional circumstances. The panel will reconvene at the end of the extension period;

- The level of attendance is not acceptable. If the panel are satisfied that the employee has been unable to improve their attendance to the required standard, they will issue the employee with a final written warning. Within 7 days of the hearing, the manager should meet with the employee to agree a further [support plan](#) and review period. A date and time should also be agreed for the final (and any mid-point) review meeting. The panel may wish to make recommendations at the hearing regarding the contents or duration of the support plan;

The employee should receive written confirmation of the outcome of the hearing including information on their right to appeal the decision.

19 Final Written Warning

Where an employee has received a Final Written Warning, this will remain on their file for 12 months.

20 Right of Appeal

An employee has the right to appeal against their final written warning and it must be submitted in writing by the employee within 7 working days of receiving notification of the hearing. For further information, please refer to the [Appeal Policy](#).

21 Review Meeting

A review meeting will be held at the end of the support plan review period. The employee has the right to be accompanied by a work colleague or Trade Union representative. Notes should be taken at this meeting and a copy will be sent to the employee together with a letter confirming the outcome of the meeting.

The potential outcomes of the meeting are:

- If the employee has made sufficient improvement, the attendance procedure will cease. However, if the improvement is not sustained within 12 months from the end of the review period then the manager may recommence at Stage 4 of this procedure;
- If some improvement has been made and further progress is likely, it may be appropriate to extend the review period by 4-6 weeks. This should only be considered if an extension has not previously been given during the attendance management procedure;
- If no, or insufficient, improvement has been made, the employee will be advised that a Stage 4 Attendance Management Hearing will be convened to consider the case and that a potential outcome is dismissal.

22 Stage 4 – Attendance Management Hearing

The manager will be responsible for arranging a panel, chaired by a Senior Manager (PO Grade or above), supported by a further Senior Manager and a representative from HR Services, who will act as panel members. All of the panel should have had no prior involvement in the employee's case.

If a hearing has already been held under Stage 3 of the procedure then, where possible, the same panel should be used for this hearing. The manager should also arrange a note-taker.

Ten working days written notice will be given to attend the hearing in which the employee will be informed of the reasons for the hearing and their right to be accompanied by a work colleague or Trade Union representative. The letter should state that a potential outcome of the hearing is dismissal. Employees should also receive copies of relevant documentation e.g. support plan(s), notes of meetings, etc. within an evidence folder. Employees will also be given an opportunity to provide evidence and this must be submitted to the Chair of the panel at least 5 working days before the date of the hearing. Details of the format the hearing should take can be found in the supporting [Guidance](#).

The panel may find:

- The level of attendance is acceptable;
- It is appropriate to issue the employee with an extension (4-6 weeks) to the review period of the support plan agreed during [Stage 3](#). This should only be considered if an extension has not previously been given during the attendance management procedure. The panel will reconvene at the end of the extension period;
- The level of attendance is not acceptable. If the panel are satisfied that the employee has been unable to improve their attendance to the required standard, having considered the grounds of the appeal including any reasons for the failure to reach the required standard, it is likely that they will dismiss the employee from the Council's employment with notice.

The employee will be notified in writing of the outcome of the hearing including their right of appeal. If the employee has been dismissed, the letter should include the reason for the dismissal and the employee's termination date. A copy of the notes from the hearing should also be provided.

23 Right of Appeal

An employee has the right to appeal against their dismissal from the Council and it must be submitted in writing by the employee within 7 working days of receiving notification of the hearing. For further information, please refer to the [Appeal Policy](#).