



Civic Centre,
Arnot Hill Park,
Arnold,
Nottinghamshire,
NG5 6LU

Agenda

Joint Consultative and Safety Committee

Date: **Tuesday 21 February 2017**

Time: **5.30 pm**

Place: **Chappell Room**

For any further information please contact:

Lyndsey Parnell

Senior Elections and Members' Services Officer

0115 901 3910

Joint Consultative and Safety Committee

Membership

Chair	Councillor Alex Scroggie
Vice-Chair	Councillor Emily Bailey Jay
	Councillor Tammy Bisset
	Councillor Paul Feeney
	Councillor John Parr
	Councillor Muriel Weisz
	Councillor Paul Wilkinson

AGENDA

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- 1 Apologies for Absence and Substitutions.**
- 2 To approve, as a correct record, the minutes of the meeting held on 22 November 2016.** 5 - 8
- 3 Declaration of Interests.**
- 4 Sickness Absence** 9 - 16

Report of the Chief Executive and Service Manager, Organisational Development.
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Report of the Service Manager. Organisational Development.
- 9 Any other item which the Chair considers urgent.**

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MINUTES JOINT CONSULTATIVE AND SAFETY COMMITTEE

Tuesday 22 November 2016

Councillor Alex Scroggie (Chair)

Present:	Councillor Emily Bailey	Councillor Muriel Weisz
	Councillor Paul Feeney	Councillor Paul Wilkinson
	Councillor John Parr	
Unison:	Alan Green	Gill Morley
	Alison Hunt	

Absent: Councillor Tammy Bisset

Officers in Attendance: D Archer, L Parnell and M Hill

64 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillor Bisset.

65 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 30 AUGUST 2016.

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record.

66 DECLARATION OF INTERESTS.

None.

67 SICKNESS ABSENCE

The Service Manager, Organisational Development, presented a report, which had been circulated prior to the meeting, informing Members of the current levels of sickness absence within the organisation.

RESOLVED:

To note the report.

68 CURRENT STAFFING ISSUES

The Service Manager, Organisation Development, presented a report, which had been circulated prior to the meeting, highlighting issues of interest in relation to the workforce.

The Service Manager highlighted the staff conference which had recently taken place with the theme “healthy body, healthy team”, the upcoming staff and training awards ceremony in December and informed Members that two apprentices were now in post following the recent establishment of an apprentice training grade.

RESOLVED:

To note the report.

69 MINOR CHANGES TO ESTABLISHMENT AGREED OUTSIDE JCSC

The Service Manager, Organisational Development, presented a report, which had been circulated prior to the meeting, informing Members of four staffing proposals considered and implemented outside of the formal process.

RESOLVED:

To note the report.

70 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.

71 EXCLUSION OF PRESS AND PUBLIC.

RESOLVED:

That, the Members being satisfied that the public interest in maintaining the exemption outweighs the public interest in disclosing the information that under Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during the consideration of the ensuing report on the grounds that the report involves the likely disclosure of exempt information as defined in Paragraphs 1 and 4 of Part 1 of Schedule 12A of the Local Government Act 1972.

72 CONSULTATION CLOSURE- HOUSING MANAGEMENT ARRANGEMENTS

The Deputy Chief Executive and Director of Finance presented a report, which had been circulated prior to the meeting, proposing changes to the management of the housing service.

A number of consultation responses had been received since the agenda was published and these were circulated to Members

electronically prior to the meeting and in hard copy at the meeting. The Chair briefly adjourned the meeting to ensure that Members were given the opportunity to read the additional information provided.

During the course of the debate, Members and Union representatives raised concerns regarding the loss of experience and expertise that the removal of the posts of Service Manager, Housing and the Housing Needs Manager may result in, the ability of the new structure to manage increasing workloads and complexity of the service, particularly in light of legislative reforms, and the appropriateness of the competition process for the post of Development and Regeneration Manager.

Following debate, Members wished Officers present to pass comments on to the Head of Paid Service reflecting the strength of feeling among Members that it would be considered to be a disservice to lose the expertise and experience of the members of staff currently in post. Members took on board the comments of Union representatives present and the at risk post holders regarding the inability of the Housing Needs Manager to apply for the ring fenced Development and Regeneration post due to lack of necessary experience.

RESOLVED:

To recommend to the Chief Executive that consideration be given to placing the Service Manager, Housing, into the role of Development and Regeneration Manager to ensure that the Council does not lose housing needs and strategy specific experience and expertise.

The meeting finished at 6.30 pm

Signed by Chair:

Date:

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Report to Joint Consultative and Safety Committee

Subject: **Sickness Absence: summary of current trends**

Date: **21 February 2017**

Author: **Chief Executive**
 Service Manager; Organisational Development

1. Purpose of the Report

This is an information item to inform the Committee of the current levels of sickness absence in the organisation and to examine trends. Relevant data is shown at Appendix 1; officers will present a verbal report on the context of this data.

As part of the introduction of this item, officers will also highlight to the Committee through verbal report, any matters of particular current interest in respect to absence management.

2. Summary of key data

Of particular interest to the committee may be:

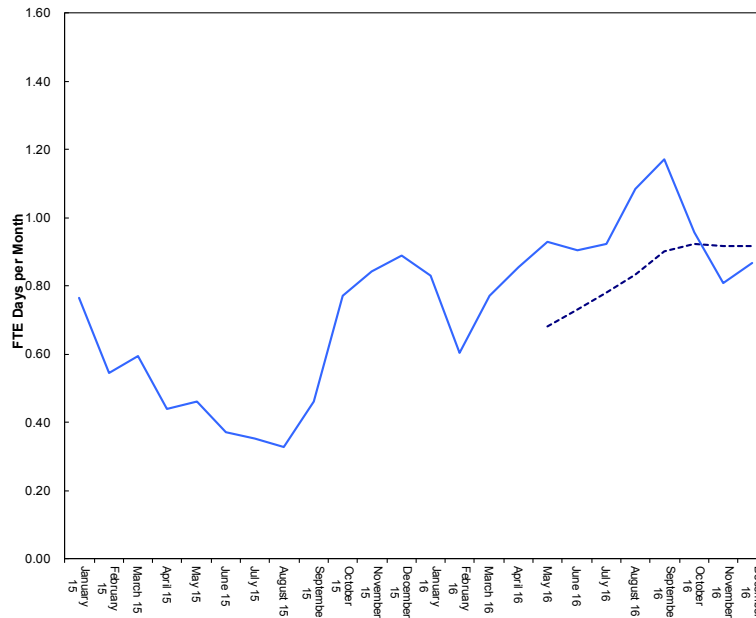
- Absence over the latest three months has remained fairly static at around 11 days lost per employee. The target for the year is eight days and it now seems likely that this target will be missed. Analysis suggests that this substantial rise in absence levels over recent months has been largely due to an increase in the amount of longer-term absences although the general level of absence has also increased. In December, there were fewer cases of long-term absence than three months ago. Between September and December, the number of long-term cases have reduced and the overall absence rate in December 2016 is at an almost identical rate as the same month the year before. Details of general absence rates and the analysis of long/short-term absence are shown in Appendix 1.
- Although a number of services have begun to reduce absence levels, for example Community Relations, Customer Services and Elections and Members' Services, this month most services have either similar or higher rates of absence when compared to last month's data.
- The issue of long-term absence has been previously highlighted to committee and in response to this SLT has begun to pay particular attention to such absences and have started to share ideas for helping to support employees to return from sickness absences at the earliest opportunity. Since September, the number of long-term absences has dropped by 22% (from nine to seven). As reported to the last committee, SLT has asked that proposals for policy change be put forward for consideration. Any proposals made would be the subject of normal consultation.

3. Recommendation

The Committee is asked to note this report.

Summary of trends graph; year to date at December 2016

Summary of Trends



FTE Days per FTE in Current Month

Month	Total Absence %	No of FTE Staff	12 Month Average (%)	FTE Days per FTE in Current Month	FTE Days per FTE 12 Month Average	FTE Days per FTE per Month Average
January 15	3.83	372.61	4.15	0.77	10.42	0.87
February 15	2.73	375.60	3.84	0.55	9.66	0.81
March 15	2.71	378.01	3.52	0.60	8.90	0.74
April 15	2.20	377.05	3.28	0.44	8.33	0.69
May 15	2.43	375.66	3.15	0.46	8.02	0.67
June 15	1.69	371.78	2.97	0.37	7.60	0.63
July 15	1.54	375.92	2.81	0.35	7.07	0.59
August 15	1.64	380.84	2.70	0.33	6.78	0.57
September 15	2.10	383.73	2.62	0.46	6.63	0.55
October 15	3.50	380.64	2.65	0.77	6.73	0.56
November 15	4.01	374.26	2.68	0.84	6.88	0.57
December 15	4.44	371.86	2.74	0.89	6.99	0.58
January 16	4.16	381.49	2.76	0.83	7.01	0.58
February 16	2.88	384.42	2.78	0.61	7.01	0.58
March 16	3.67	384.63	2.86	0.77	7.24	0.60
April 16	4.08	385.75	3.01	0.86	7.66	0.64
May 16	4.65	388.82	3.20	0.93	8.18	0.68
June 16	4.12	389.18	3.40	0.91	8.78	0.73
July 16	4.40	387.34	3.64	0.92	9.36	0.78
August 16	4.93	390.93	3.91	1.09	10.02	0.84
September 16	5.32	390.53	4.18	1.17	10.81	0.90
October 16	4.55	389.26	4.27	0.96	11.07	0.92
November 16	3.67	389.12	4.24	0.81	11.00	0.92
December 16	4.34	387.30	4.23	0.87	11.00	0.92

Year to date absence data, by service area with six month trend

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		Year to December 2016								Year to date trend					
Service	Section	Fte At Start	Fte At End	Average Fte	No Emps Sick FTE	FTE Days Lost	FTE Days Lost per FTE	% Absence		Days lost 1 month ago	Days lost 2 months ago	Days lost 3 months ago	Days lost 4 months ago	Days lost 5 months ago	Days lost 6 months ago
Chief Executive		4.59	4.99	4.79	2.58	25.27	5.28	2.09%		5.28	7.06	7.53	7.19	6.74	6.74
Service Total:		4.59	4.99	4.79	2.58	25.27	5.28	2.09%							
Deputy Chief Exec & Director of Finance	Audit and Asset Management	14.70	13.41	14.05	7.81	130.01	9.25	3.66%		8.42	6.89	6.35	4.70	3.06	2.25
	Financial Services	13.03	14.80	13.91	6.47	22.28	1.60	0.63%		1.39	2.17	1.76	1.89	1.88	1.95
	Parks and Street Care	49.34	49.95	49.64	31.47	914.34	18.42	7.28%		17.04	15.13	13.07	10.94	10.00	8.54
	Revenues Services	30.89	33.29	32.09	22.20	486.74	15.17	6.00%		14.46	14.13	14.20	14.21	13.23	12.86
	Transport Services	7.00	8.00	7.50	3.00	33.00	4.40	1.74%		3.60	3.60	2.27	2.27	2.00	2.00
	Waste Operations	58.92	58.30	58.61	30.24	768.03	13.10	5.18%		12.83	13.37	13.39	12.36	11.08	10.27
		1.00	1.00	1.00	0.00	0.00	0.00	0.00%		0.00	0.00	0.00	0.00	0.00	0.00
Service Total:		174.88	178.73	176.81	101.20	2354.40	13.32	5.26%							
Director of Health & Community Wellbeing	Community Relations	13.00	14.00	13.50	7.16	134.87	9.99	3.95%		11.22	12.81	13.99	13.28	12.66	10.64
	Housing	9.24	10.43	9.84	4.00	191.92	19.51	7.71%		20.04	21.90	22.22	22.01	21.21	21.52
	Leisure Services	66.42	65.58	66.00	37.02	329.46	4.99	1.97%		5.34	5.71	6.06	5.98	5.90	5.53
	Public Protection	25.64	26.07	25.85	9.00	187.50	7.25	2.87%		7.21	7.67	7.00	6.15	5.57	5.51
		1.00	1.00	1.00	0.00	0.00	0.00	0.00%		0.00	1.00	1.00	1.00	1.00	1.00
Service Total:		115.31	117.08	116.19	57.18	843.75	7.26	2.87%							
Director of OD & Democratic Services	Customer Services and Communications	42.19	44.33	43.26	25.05	688.54	15.92	6.29%		16.99	17.37	16.70	14.68	13.65	13.77
	Elections and Members' Services	4.31	3.59	3.95	1.50	15.20	3.85	1.52%		8.46	8.97	8.71	8.29	11.21	13.41
	Legal Services	5.85	5.41	5.63	2.59	48.39	8.60	3.40%		11.13	11.45	11.93	12.95	12.95	13.46
	Organisational Development	6.72	6.72	6.72	1.35	11.49	1.71	0.68%		1.74	2.19	3.57	5.91	7.02	7.02
		1.00	2.00	1.50	0.00	0.00	0.00	0.00%		0.00	0.00	0.00	0.00	0.00	0.00
Service Total:		60.07	62.05	61.06	30.49	763.62	12.51	4.94%							
Planning, Economic Growth & Regeneration	Development Services	13.00	17.22	15.11	7.30	226.34	14.98	5.92%		15.31	1.29	0.38	0.47		
	Economic Growth and Regeneration	2.61	2.61	2.61	1.00	3.00	1.15	0.45%		1.53	15.94	15.64	14.23		
	Planning Policy	7.24	5.43	6.34	1.00	3.00	0.47	0.19%		0.79	0.73	0.79	0.32		
		1.00	0.00	0.50	0.00	0.00	0.00	0.00%		0.00	0.00	0.00	2.00		
Service Total:		23.85	25.26	24.55	9.30	232.34	9.46	3.74%		9.79	9.68	9.89	9.19	8.97	7.84
Grand Total:		378.71	388.11	383.41	200.76	4219.39	11.00	4.35%		11.00	11.07	10.81	10.02	9.36	8.78

Current month's absence data, by service area with six month trend

Days lost per FTE employee: December 2016									Current month trend					
Service	Section	Fte At Start	Fte At End	Average Fte	No Emps Sick FTE	FTE Days Lost	FTE Days Lost per FTE	% Absence	Days lost 1 month ago	Days lost 2 months ago	Days lost 3 months ago	Days lost 4 months ago	Days lost 5 months ago	Days lost 6 months ago
Chief Executive	Executive Office	4.99	4.99	4.99	1.00	1.00	0.20	1.00%	0.00	0.00	0.00	0.50	0.00	0.00
Service Total:		4.99	4.99	4.99	1.00	1.00	0.20	1.00%						
Deputy Chief Exec & Director of Finance	Audit and Asset Management	13.41	13.41	13.41	1.50	11.63	0.87	4.34%	1.57	1.65	1.83	1.70	0.80	0.24
	Financial Services	14.80	14.80	14.80	2.00	3.00	0.20	1.01%	0.17	0.46	0.00	0.04	0.00	0.00
	Parks and Street Care	49.95	49.95	49.95	11.61	117.15	2.35	11.73%	2.25	2.32	2.04	1.46	1.86	2.10
	Revenues Services	33.29	33.29	33.29	6.50	55.01	1.65	8.26%	1.59	0.00	0.00	0.50	0.00	0.00
	Transport Services	8.00	8.00	8.00	2.00	6.00	0.75	3.75%	0.00	1.25	0.00	0.25	0.00	0.00
	Waste Operations	58.30	58.30	58.30	5.00	47.97	0.82	4.11%	0.65	1.34	1.76	1.66	1.39	1.23
		1.00	1.00	1.00	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00	0.00	0.00
Service Total:		178.73	178.73	178.73	28.61	240.76	1.35	6.74%						
Director of Health & Community Wellbeing	Community Relations	14.00	14.00	14.00	2.00	3.99	0.29	1.43%	0.06	0.14	0.96	1.11	1.98	1.44
	Housing	10.43	10.43	10.43	1.00	14.00	1.34	6.71%	0.38	0.10	0.00	1.95	0.00	1.41
	Leisure Services	65.58	65.58	65.58	4.13	29.18	0.44	2.22%	0.41	0.34	0.40	0.33	0.51	0.50
	Public Protection	26.07	26.07	26.07	1.00	6.00	0.23	1.15%	0.00	0.69	1.04	1.02	0.13	0.00
		1.00	1.00	1.00	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00	0.00	0.00
Service Total:		117.08	117.08	117.08	8.13	53.17	0.45	2.27%						
Director of OD & Democratic Services	Customer Services and Communications	42.72	44.33	43.52	5.16	41.34	0.95	4.75%	1.17	1.56	2.18	1.66	1.33	1.22
	Elections and Members' Services	3.59	3.59	3.59	0.00	0.00	0.00	0.00%	0.00	0.28	0.00	0.00	0.00	0.00
	Legal Services	5.41	5.41	5.41	0.00	0.00	0.00	0.00%	0.48	0.00	0.00	0.00	0.00	0.00
	Organisational Development	6.72	6.72	6.72	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00	0.00	0.00
		2.00	2.00	2.00	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00	0.00	0.00
Service Total:		60.44	62.05	61.25	5.16	41.34	0.68	3.38%						
Planning, Economic Growth & Regeneration	Development Services	17.22	17.22	17.22	0.00	0.00	0.00	0.00%	0.12	0.97	0.00	0.00		
	Economic Growth and Regeneration	2.61	2.61	2.61	0.00	0.00	0.00	0.00%	0.00	0.21	1.35	1.26		
	Planning Policy	5.43	5.43	5.43	0.00	0.00	0.00	0.00%	0.00	0.00	0.47	0.00		
		0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00		
Service Total:		25.26	25.26	25.26	0.00	0.00	0.00	0.00%	0.08	0.25	1.00	0.83	0.76	0.20
Grand Total:		386.50	388.11	387.30	42.90	336.27	0.87	4.34%	0.81	0.96	1.17	1.09	0.92	0.91

Long term (20 days+ in month)/ short term sickness analysis for December 2016

Head of Service	Section	No Occurrences Long Term	Total No Occurrences Absent	Long Term FTE Days Lost	Total FTE Days Lost	Long Term as a % of Days Lost	Long Term as a % of Occurrences
Chief Executive		0	1	0.00	0.98	0.00%	0.00%
Head of Service Total:		0	1	0.00	0.98	0.00%	0.00%
Deputy Chief Exec & Director of Finance	Audit and Asset Management	0	11	0.00	13.31	0.00%	0.00%
	Financial Services	0	2	0.00	2.94	0.00%	0.00%
	Parks and Street Care	3	13	64.57	126.32	51.12%	23.08%
	Revenues Services	2	8	43.05	57.73	74.57%	25.00%
	Transport Services	0	2	0.00	5.87	0.00%	0.00%
	Waste Operations	1	5	21.52	51.94	41.44%	20.00%
Head of Service Total:		6	41	129.15	258.10	50.04%	14.63%
Director of Health & Community Wellbeing	Community Relations	0	2	0.00	3.91	0.00%	0.00%
	Housing	0	1	0.00	15.65	0.00%	0.00%
	Leisure Services	0	7	0.00	31.35	0.00%	0.00%
	Public Protection	0	1	0.00	7.83	0.00%	0.00%
Head of Service Total:		0	11	0.00	58.74	0.00%	0.00%
Director of OD & Democratic Services	Customer Services and Communications	1	7	21.52	44.01	48.91%	14.29%
Head of Service Total:		1	7	21.52	44.01	48.91%	14.29%
Grand Total:		7	60	150.67	361.83	41.64%	11.67%

Long term (20 days+ in month)/ short term sickness analysis for September 2016

Head of Service	Section	No Occurrences Long Term	Total No Occurrences Absent	Long Term FTE Days Lost	Total FTE Days Lost	Long Term as a % of Days Lost	Long Term as a % of Occurrences
Deputy Chief Exec & Director of Finance	Audit and Asset Management	1	2	21.52	22.50	95.65%	50.00%
	Parks and Street Care	1	11	21.52	100.87	21.34%	9.09%
	Revenues Services	1	6	21.52	34.46	62.46%	16.67%
	Waste Operations	3	11	64.57	106.72	60.50%	27.27%
Head of Service Total:		6	30	129.15	264.56	48.82%	20.00%
Director of Health & Community Wellbeing	Community Relations	0	1	0.00	13.30	0.00%	0.00%
	Leisure Services	0	15	0.00	30.96	0.00%	0.00%
	Public Protection	1	2	21.52	24.46	88.00%	50.00%
Head of Service Total:		1	18	21.52	68.72	31.32%	5.56%
Director of OD & Democratic Services	Customer Services and Communications	2	9	36.43	93.95	38.77%	22.22%
Head of Service Total:		2	9	36.43	93.95	38.77%	22.22%
Planning & Economic Growth	Planning (Development Mgt/ BC)	0	3	0.00	22.96	0.00%	0.00%
	Planning Policy	0	1	0.00	2.94	0.00%	0.00%
Head of Service Total:		0	4	0.00	25.89	0.00%	0.00%
Grand Total:		9	61	187.10	453.12	41.29%	14.75%

Long term (20 days+ in month)/ short term sickness analysis for February 2016

Head of Service	Section	No Occurrences Long Term	Total No Occurrences Absent	Long Term FTE Days Lost	Total FTE Days Lost	Long Term as a % of Days Lost	Long Term as a % of Occurrences
Chief Executive		0	2	0.00	9.59	0.00%	0.00%
Head of Service Total:		0	2	0.00	9.59	0.00%	0.00%
Deputy Chief Executive	Audit and Asset Management	0	2	0.00	3.97	0.00%	0.00%
	Financial Services	0	2	0.00	5.54	0.00%	0.00%
	Parks and Street Care	0	3	0.00	17.61	0.00%	0.00%
	Revenues Services	2	5	41.09	55.69	73.79%	40.00%
	Waste Operations	0	6	0.00	41.82	0.00%	0.00%
Head of Service Total:		2	18	41.09	124.62	32.97%	11.11%
Director of Health	Housing	0	2	0.00	17.75	0.00%	0.00%
	Leisure Services	0	20	0.00	30.36	0.00%	0.00%
	Public Protection	0	1	0.00	0.98	0.00%	0.00%
Head of Service Total:		0	23	0.00	49.09	0.00%	0.00%
Director of OD & I	Customer Services and Communications	1	7	20.55	30.69	66.94%	14.29%
Head of Service Total:		1	7	20.55	30.69	66.94%	14.29%
Service Mgr- Plan	Planning and Economic Growth	0	2	0.00	20.55	0.00%	0.00%
Head of Service Total:		0	2	0.00	20.55	0.00%	0.00%
Grand Total:		3	52	61.64	234.55	26.28%	5.77%

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Report to Joint Consultative and Safety Committee

Subject: Current staffing issues (Standing Item)

Date: 21 February 2017

Author: Chief Executive
Service Manager; Organisational Development

1. Purpose of the Report

This is an information item highlighting to the Committee, any issues of particular interest that relate to the council's workforce.

2. Summary of current issues

2.1 This year's Training Awards and Employee Awards took place on Friday 9 December. The event was well attended and, as in previous years, proved to be a real celebration of personal achievement and the opportunity for employees to recognise the excellent service delivered by their colleagues.

2.2 The Sports and Social Club has run for many years as a body, separate from the Council and run purely through the work of volunteers. The club operates on a monthly subscription basis with about half the workforce (250 people) being members and a slightly smaller number (around 200) retired members who do not pay fees. At its height the club had a healthy body of volunteers on its committee and ran frequent sporting and social events. In recent years the organisation of the club and events has fallen predominantly to one employee who works part-time, and her retired husband. Although quizzes and trips are still organised, this arrangement is not one that can be sustained.

Senior Leadership Team has looked at the current arrangements and is keen that the employee wellbeing and social benefits of a "Gedling Society" are sustainable and has asked that alternative methods of delivery are investigated in order to reinvigorate our offering. It is also keen that future arrangements allow us to widen membership to all employees without the need for contribution of monthly fees. Implicitly there will be less of an emphasis on providing social events or activities for retired members.

Early meetings with the current club organisers have been broadly supportive of this transition and the STEPs Group have been approached to ask for suggested

models of how a future range of events might be organised for staff utilising the resource of that Group.

Ideas and proposals are in their very early stages and there is still much work to be done before exact details are determined of how a new body might be established and what events might be programmed. More information will be brought to this committee as new arrangements are developed.

3. Recommendation

The Committee is asked to note this report.



Report to Joint Consultative and Safety Committee

Subject: Information item: English Language Requirements for Public Sector Workers

Date: 21 February 2017

Author: Service Manager- Organisational Development

1. Purpose

This is an information item to report the management response to the change in law (from 22 December 2016) under Part 7 of the Immigration Act 2016 that requires all customer-facing roles within public bodies to be undertaken by employees with a sufficient command of the English language.

2. Background

Appendix 1 is an extract of the Foreword and Introduction from the guidance document produced by the Government to assist organisations to put in place appropriate mechanisms to ensure compliance with the Act. The full Code of Practice can be found at;

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/573013/english_language_requirement_public_sector_workers_code_of_practice_2016.pdf .

The purpose of the Act is to ensure that public sector organisations deliver services in an appropriate way to customers. The management response detailed below reflects the guidance given and delivers a mechanism to ensure both that the Council acts within the law and also that the changes to working practices are proportionate and appropriate to our organisation. The Code of Guidance puts an emphasis on the need to adopt measures that are “common sense” in nature. The arrangements to be applied are intended to be just that.

3. Changes to working practices

The changes to be made to our working practices are as follows:

- The HR Team will apply the suggested guidance to include into all appropriate person specifications the statement, “The ability to converse with ease with members of the public and provide advice in accurate spoken English is essential for the post.” This will be tested at interview. No general customer-facing roles have been identified that would necessarily require testing to a higher level of competence or in a more thorough way than this. For a few technical/ professional roles that have the need for developed communication skills and which might be considered to be customer-facing, we would already test in a more structured way to ensure suitability for the post (for example, delivering a presentation).

- In future interview training for managers, the need to test this requirement will be covered but as a general principle the Code of Practice suggests that answering questions competently in English at interview is an acceptable method of testing.
- All current customer-facing jobs are likely to be occupied by people with a sufficient standard of spoken English (otherwise the issue would have been dealt with through existing procedures). In December, when the Act came into force, service managers were asked if there were any known issues with existing employees. At that time no concerns were highlighted.
- The Regulations do contain aspects other than those that are employee-related and in particular Section 4 deals with the complaints procedure and how complaints relating to the poor standard of spoken English might be recorded and reported. The managers responsible for monitoring complaints are alive to this requirement and appropriate monitoring and reporting will be built into our current arrangements.

The above “common sense” measures should provide a practical solution to the requirements made under the Act, however, should issues arise in the future then further review will be undertaken and additional measures can be considered if necessary. Many of the other local employers in our sector are applying a similar, low-key approach. The changes proposed are to “HR procedures” and not policies of the Council and as such implementation is straightforward and does not require consideration by the Appointments and Conditions of Service Committee.

4. Financial Implications

There are no financial implications .

6. Recommendations

It is recommended that the Joint Consultative and Safety Committee note this report.

English language requirements for public sector workers

Foreword

The quality of public services in the UK is amongst the finest in the world and everyone in society wants our public services in the UK to be accessible and delivered to the highest standards possible.

To serve the public it is vital that those working in public-facing roles can communicate in English, or in Wales, English or Welsh, fluently; be it with patients in hospitals, with students in schools, or with members of the public receiving local authority services.

Part 7 of the Immigration Act 2016 delivers on our manifesto commitment to help ensure the safe and high quality delivery of public services by ensuring that they are provided to an appropriate standard of fluency in English, or in Wales, English or Welsh.

This Code supports public authorities to meet their obligations under Part 7 of the Immigration Act 2016. The Code sets out considerations public authorities will need to take into account when deciding how to comply with this new legal duty, without creating more red tape in the recruitment of public sector staff. The intention is clear: a common sense approach to meeting the public's reasonable expectation to be able to communicate in English, or in Wales, English or Welsh, when accessing public services.

This Code should be simple to comply with: nothing is required of anyone already fluent in English. The aim is to bring standards up to the best.

Part 7 of the Immigration Act 2016 is in force from 21st November and so relevant employers need to ensure that they comply with the duty set out in the legislation from that date. This Code is to be issued on 29th November 2016 and then promptly brought into force by Regulations under the Act.

Rt Hon Ben Gummer MP

Minister for the Cabinet Office and Paymaster General

Using the Code of Practice

Status of the Code

The relevant Minister is required to issue a Code under Part 7 of the Immigration Act 2016 for the purposes of section 80 of that Act. It is a statutory Code. This means it has been prepared by the relevant Minister and s/he has laid a draft of it before Parliament. The Code contains practical guidance on the standards and practices expected of public authorities when complying with their legal duty under the Act.

This Code is not intended to prescribe the process for every type of public-facing* role and it is not a definitive statement of the law. However, it provides principles and examples which public authorities can consider when fulfilling their legal duties and obligations.

To whom this Code applies

This Code is aimed at public authorities defined in Part 7 of the Immigration Act 2016. It aims to assist public authorities in meeting their statutory duty under Part 7 of the Immigration Act 2016.

How to use the Code

Public authorities must have regard to this Code when fulfilling their statutory duty under Part 7 of the Immigration Act 2016. Further references to that duty in this Code will be to the “fluency duty”. The Code aims to provide assistance to public authorities to determine the necessary standard of spoken English (or English or Welsh in Wales) to be met by their public-facing staff, the appropriate complaints procedure to follow should a member of the public consider that the required standard has not been met and the appropriate forms of remedial action which may be taken if a member of staff falls below the standard required.

Although all staff in public-facing roles will be required to speak English (or Welsh) to the necessary standard, the fluency duty does not require public authorities to ensure that their public-facing staff speak only in English or Welsh to communicate with members of the public. Public authorities are free to provide guidance to their public-facing staff that they may where appropriate, make use of any language skills they have to communicate with citizens who speak other languages.

* In this Code, a public sector worker is determined to be ‘public-facing’ if as a regular and intrinsic part of their role, they are required to speak to members of the public in English, or in Wales in English or Welsh. This is described in Part 7 of the Act as a ‘customer-facing role’ and defined in section 77(7) of the Act.

This Code is made up of five sections:

- **Section 1** defines the scope of the Code.
- **Section 2** explains the appropriate ways in which public authorities can set a standard of spoken English (or Welsh) for public-facing roles.
- **Section 3** provides options for remedial action where staff do not meet the necessary standard of spoken English (or Welsh).
- **Section 4** outlines the complaints procedure that must be followed in respect of complaints raised by a member of the public under the fluency duty.
- **Section 5** provides guidance on compliance with other legal obligations.

Examples in the Code

Examples included in this Code are intended simply to illustrate the principles and concepts used in the legislation and should be read in that light.

Territorial Extent

The Code applies to all public authorities who are subject to the fluency duty. This is all public authorities in England and in relation to Scotland, Wales and Northern Ireland public authorities exercising functions relating to non-devolved matters.

Non-devolved matters means:

- reserved matters in Scotland, as defined by the Scotland Act 1998;
- matters which are outside the legislative competence of the National Assembly for Wales, as defined by the Government of Wales Act 2006; and
- excepted matters in Northern Ireland, as defined by the Northern Ireland Act 1998.

In Scotland, Wales and Northern Ireland certain public authorities will hold a dual function and deal with both devolved and non-devolved matters. Public authorities must comply with the fluency duty and take the Code of Practice into account in respect of all staff in public-facing roles dealing with relevant non-devolved functions, such as equality and standards officers.

Public authorities exercising functions in Wales must ensure that someone working for them in a public-facing role dealing with non-devolved matters speaks fluent English or Welsh and comply also with the requirements of language schemes under the Welsh Language Act 1993 and/or the standards stipulated by the Welsh Language (Wales) Measure 2011.

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Report to Joint Consultative and Safety Committee

Subject: Flexible hiring and working practices

Date: 21 February 2017

Author: Service Manager – Organisational Development

1. Purpose

To notify the Joint Consultative and Safety Committee (JCSC) of the general principle approved by Senior Leadership Team (SLT) to adopt a more structured approach to the application of flexible employment practices, particularly at the point of job advertisement, and to invite comment prior to the implementation by the Chief Executive.

2. Introduction and background

The paper presented to the Senior Leadership Team in January outlines a number of practical measures that are proposed for implementation that are intended to make job opportunities with the Council more accessible to a wider range of applicants by more overtly supporting flexible working practices whenever possible. The full report to SLT is shown at Appendix A.

The principle of more flexible recruitment and employment is one that has been promoted by the Timewise Foundation which has worked with all district councils in the county together with the City and County Councils through the Chief Executives' Forum with the aim of each council adopting a statement of support. It is about this statement (at Appendix 2 of the attached report) in particular, together with the other general operational changes proposed, that the committee is invited to make comment.

3. Proposal

The report at Appendix A outlines the proposals in detail but in summary they are as follows:

- To put the statement (shown at Appendix 2 in the original report) together with the practical measures proposed to this committee for consultation and comment, and that following this, the Chief Executive is to authorise a final version of the document as a general protocol to be applied.
- The vacancy management pro forma is redesigned to require a service manager to identify suitability for flexible hiring arrangements and to give SLT the opportunity to explore any recommendation and determine what arrangements are to apply.
- For jobs that are deemed suitable for flexible hiring, a copy of the statement and a version of the practical measures appropriately targeted for external job candidates will

be included with recruitment information. This “candidate version” of the internal protocol is proposed at Appendix 4 of the original report.

- When a job is suitable for flexible hiring then this is shown in the advertisement in the “banner information”. An example is shown at Appendix 5 of the original report.

4. Financial Implications

Any additional financial cost should it arise from the provision of bespoke equipment to allow a flexible delivery of work will be met from existing budgets. Additional costs would be taken into account when considering whether or not a request for particular flexible working arrangements could be supported or not.

5. Appendices

Appendix A - Original report to Senior Leadership Team.

6. Background Papers

There are no other background papers to this report.

7. Recommendations

It is recommended that the JCSC considers the statement (shown at Appendix 2 in the original report) together with the other practical measures proposed and offers comment to the Chief Executive who will implement the final arrangements in the form of an internal guidance protocol.

Report to Senior Leadership Team

Subject: Flexible hiring and working (internal processes)

Date: January 2017

Author: Service Manager- Organisational Development

1. Purpose

To ask SLT to support the proposed changes to documentation and process in order to better embed the principles of flexible working and in particular, flexible hiring.

2. Background

The Nottinghamshire Chief Executives' Forum has given collective support to the broad principles of flexible working and flexible hiring introduced through the Timewise Foundation.

This support follows detailed group work with all other districts in the county as well as the City and County Councils. From an HR perspective, this work was led by the Timewise Foundation and resulted in a number of recommendations to the Forum which, in summary, included:

- Preparing our own Council statement on flexible hiring;
- Identifying 2-3 internal case studies which showcase how flexible working works in your Council;
- Developing an implementation plan for how to launch this statement and embed flexible hiring in your current practices and materials.

Case study examples have already been sent to Timewise to help promote what is already being done locally. These are shown at Appendix 1. The implementation plan is, in essence, this report.

Although not the subject of this paper, this county-level work also encouraged each organisation to consider how the principles of flexible hiring might be promoted to local businesses and this is something to be progressed separately through the Nottinghamshire Economic Prosperity Committee in January to try to engage further support and commitment to taking the campaign forward.

Already in our own council we have policy that promotes flexible working for existing employees which reflects the legislative requirement to consider such requests. However, what we have not perhaps done so well is to identify posts at the point of advertisement that might be suitable for "non-standard" working arrangements and to actively advertise them as such.

The Timewise Foundation suggests that the underlying principle about why we should open up our jobs to flexible working is two-fold; firstly, by making jobs more accessible to a wider pool of people helps us to better meet our social duty as potentially people with care responsibilities (often women) or people with certain disabilities who through their circumstances may not be able to undertake a job because of the location, the number of hours or the timing of office opening, are able to apply for work more easily. Secondly, in terms of business advantage, by opening up jobs to competition from a much wider pool of people then we will have more choice about the best candidate for the job. The overriding principle is still that any working arrangement should meet the business needs of the council and its customers.

If these principles are accepted then we will need to develop our local policies and processes in ways that will create practical and meaningful change.

3. Proposals

It is proposed that to achieve the ambitions supported by the Chief Executives' Forum the following local changes are implemented:

- The statement shown at Appendix 2 together with the practical measures proposed is put to the Joint Consultative and Safety Committee for consultation and that following this, the Chief Executive authorises the use of the document as a general protocol to be applied. This protocol would be used as an internal document and used as a reference when SLT consider suitability of a post for flexible hiring arrangements.
- The vacancy management pro forma is redesigned to require a service manager to identify suitability for flexible hiring arrangements and to give SLT the opportunity to explore any recommendation and determine what arrangements are to apply. A proposed draft is shown at Appendix 3.
- For jobs that are deemed suitable for flexible hiring, a copy of the statement and a version of the practical measures appropriately targeted for external job candidates will be included with recruitment information. This "candidate version" of the internal protocol is proposed at Appendix 4.
- When a job is suitable for flexible hiring then this is shown in the advertisement in the "banner information". An example is shown at Appendix 5.

There is no proposal to seek accreditation from the Timewise foundation.

4. Financial Implications

Other than officer time required to set up a "non-standard" working practice (for example management and IT officers' time), there should be limited additional cost. If the proposed method of work does carry cost then this would need to be assessed as part of the decision to allow the proposed method of working put forward by the candidate.

5. Appendices

- | | |
|--------------|---|
| Appendix 1- | Case study examples |
| Appendix 2 - | Protocol including statement |
| Appendix 3 - | Vacancy management pro forma |
| Appendix 4 - | Candidate information sheet- protocol and statement |
| Appendix 5 - | Example of advert wording |

6. Recommendations

It is recommended that Senior Leadership Team:

6.1 Supports the proposals in principle

6.2 Authorises the progression of the proposed protocol to the JCSC for consultation and subsequent implementation by the Chief Executive (as an agreed working protocol to be adopted, not as a policy of the Council).

Case studies- Gedling Borough Council

The following two case studies demonstrated the preparedness to consider non-standard ways of working in some of our most senior posts. Service manager posts in the organisation are the lead officers in specific professional disciplines and are employed under JNC for Chief Officers' terms and conditions.

Case study 1:

A service manager whose personal circumstances changed some years ago. The post holder found it difficult to commit to a full-time role and agreed a reduction of hours on a flexible basis. This meant that most weeks are worked over a four day period. As a senior officer the post holder recognises that on those days there may be a need to work beyond contracted hours. There is also a shared recognition on the parts of employer and employee that the fifth day of each week is normally not worked, however, if there is a specific business need that arises or there is a peak in workload (which does occur with this job around financial year end) then the post holder will attend work and will be paid on a "five day basis" for that week. Budget is set aside to accommodate this period arrangement. The benefit in this arrangement is that at busy times work is covered effectively whereas at other times in the year, financial savings can be made. More importantly, the measures help to retain the services of an experienced officer who is valued by the organisation.

Case study 2:

A new service manager post was recently created in the organisation as part of a management restructuring exercise. The exercise also proposed deletion of a number of existing posts. Two of the post holders who were affected by the proposals applied for this service manager post as a redeployment opportunity on a job-share basis. They were successful in securing the post under this arrangement. Part of the selection process focussed on how each would carry out the role of service manager; each responded positively to this challenge. The interview panel was left in no doubt that the job share arrangement at this very senior level would be effective and that that the arrangement would help us to retain experienced staff in a professional area that is currently difficult to recruit to because of market forces.

Statement of flexible hiring and flexible working

Statement:

Our support of flexible hiring increases the range of talented people able to apply for work with us which in turn helps us build a high-quality, engaged workforce to deliver the best services to our residents and customers.

Practical measures:

- ~ At the point of a vacancy being approved to be filled, our Senior Leadership Team will determine if it is suitable for flexible working arrangements.
- ~ If SLT determines that the vacancy is generally suitable for flexible hiring arrangements then the following statement will be included in the job advert header: "Flexible working options considered".
- ~ Flexible working arrangements might include, but are not limited to:
 - ~ Job share
 - ~ Part time work below the hours advertised
 - ~ Flexible hours of work beyond the flexitime scheme and outside traditional working days or hours.
 - ~ Non-standard work patterns including term-time working, annualised hours etc.
 - ~ Working from locations other than the normal work base for some or all of the week.
- ~ Not all jobs will be suitable for flexible hiring arrangements. Whether or not a job is considered generally suitable for flexible hiring will be made clear in the information provided at the advertisement stage of the recruitment process.
- ~ For jobs that are suitable for flexible hiring arrangements, the flexible arrangement proposed by an applicant will be considered at the point of a job offer. Not all arrangements proposed by a candidate may be suitable. If an applicant's preferred option for work cannot be supported because of a particular business need, other options will be explored and where possible an alternative arrangement agreed. Ultimately a service manager will determine the suitability of any arrangement proposed.
- ~ The Council's general support of flexible working arrangements whenever possible is in addition to the recognised duty to consider reasonable adaptations to working practice or work environment that might arise due to an applicant's or an employee's disability.
- ~ Existing employees wishing to work in flexible ways will receive the same consideration as job applicants. Requests for changed ways of working will be considered under the Flexible Working Regulations 2014 and determined by a service manager with a periodic report on decisions made to Senior Leadership Team.

Establishment Management

Complete this form and submit to your Director who will put the proposal to SLT for decision. If supported, the Director will authorise this form and send to the Personnel Team to action.

Proposal to:

☐ Fill the vacant post of: (Post title/ref)

☐ Create/ extend a temporary post of: (Post title)
For: (Hrs per wk/ how long for)

☐ Make other change (detail):

Why it is necessary to fill this post:

The consequences of not filling the post are:

Apart from filling the vacancy the other options open are to (at least one):

Why have you ruled out these other options/what is the risk or potential outcome if they are implemented?:

Is flexible hiring proposed for this post (see statement overleaf): Yes/ No

If not, why not:

Name of Service Manager recommending proposal:

Service area:

Action agreed by SLT is to:

Flexible hiring to be applied to this post: Yes/ No

Authorised by Director (name):

Date:

Statement of flexible hiring and flexible working

Statement:

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Practical measures:

- ~ At the point of a vacancy being approved to be filled, our Senior Leadership Team will determine if it is suitable for flexible working arrangements.
- ~ If SLT determines that the vacancy is generally suitable for flexible hiring arrangements then the following statement will be included in the job advert header: "Flexible working options considered".
- ~ Flexible working arrangements might include, but are not limited to:
 - ~ Job share
 - ~ Part time work below the hours advertised
 - ~ Flexible hours of work beyond the flexitime scheme and outside traditional working days or hours.
 - ~ Non-standard work patterns including term-time working, annualised hours etc.
 - ~ Working from locations other than the normal work base for some or all of the week.
- ~ Not all jobs will be suitable for flexible hiring arrangements. Whether or not a job is considered generally suitable for flexible hiring will be made clear in the information provided at the advertisement stage of the recruitment process.
- ~ For jobs that are suitable for flexible hiring arrangements, the flexible arrangement proposed by an applicant will be considered at the point of a job offer. Not all arrangements proposed by a candidate may be suitable. If an applicant's preferred option for work cannot be supported because of a particular business need, other options will be explored and where possible an alternative arrangement agreed. Ultimately a service manager will determine the suitability of any arrangement proposed.
- ~ The Council's general support of flexible working arrangements whenever possible is in addition to the recognised duty to consider reasonable adaptations to working practice or work environment that might arise due to an applicant's or an employee's disability.
- ~ Existing employees wishing to work in flexible ways will receive the same consideration as job applicants. Requests for changed ways of working will be considered under the Flexible Working Regulations 2014 and determined by a service manager with a periodic report on decisions made to Senior Leadership Team.

Flexible hiring and flexible working

Statement:

Our support of flexible hiring increases the range of talented people able to apply for work with us which in turn helps us build a high-quality, engaged workforce to deliver the best services to our residents and customers.

Our commitment to you:

This post is considered potentially suitable for flexible working arrangements. What this means practically is described below. If you do wish to propose working arrangements that are “non-standard” you should include details of these in a covering letter. Although the business needs of the Council may mean that it is not possible to agree to the change in working arrangements that you propose, our commitment to you is that the manager responsible for the service will work with you to try to identify a workable arrangement.

Practical measures:

The range of flexible working arrangement might include, but not be limited to:

- ~ Job share
- ~ Part time work below the hours advertised
- ~ Flexible hours of work beyond the normal flexitime scheme (annualised hours, week on/week off etc.)
- ~ Working outside traditional working days or hours.
- ~ Non-standard work patterns including term-time working etc.
- ~ Working from home or remote location for all or some of the week

Not all of these may be suitable for this particular vacancy and this list is given as example only.

Additional flexibility:

The Council’s general support of flexible working arrangements whenever possible is in addition to the recognised duty to consider reasonable adaptations to working practice or work environment that might arise due to an applicant’s or an employee’s disability. If the need to make adjustment arises from a disability you are not expected to detail this at an application stage but only once a job offer is made. If you require particular adaptation to the application or interview process, you should make this known so that appropriate arrangements can be put into place.

Example advert wording

Solicitor (Litigation and Licensing) – Legal Services

22.5 hours per week

£39,660 – 41,551 p.a. (pro rata)

Flexible working options considered

We are looking for a qualified solicitor to join our busy, forward thinking, Legal Services team to deal with all contentious aspects of local government law, with particular emphasis on litigation and licensing. You will be required to provide high quality legal advice to officers and elected members across the Council and represent the Council in courts, tribunals and inquiries. Previous local government experience is not essential, but applicants should have at least two years' PQE and have previous experience in litigation and licensing.

The caseload is varied, from environmental prosecutions and anti-social behaviour injunctions to advising members on licensing panels and committees. With the support of a Legal Executive you will deal with a range of contentious legal matters from beginning to end. Good advocacy and communication skills are essential to the post.

You will be required to attend evening meetings and must be willing to travel within/outside the Borough when necessary to carry out your duties.

The Legal Services team strive for continuous improvement in service delivery and this post is key to the provision of an effective and efficient legal service and to the delivery of the Council's plans and priorities.

For an informal discussion about the post please contact Francesca Whyley, Service Manager – Legal Services on 0115 9013907.

Closing date is noon on 16 November 2016.

Interviews will be held in the week commencing 21 November 2016.

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Report to Joint Consultative and Safety Committee

Subject: Recognition of Long Service

Date: 21 February 2017

Author: Service Manager- Organisational Development

1. Purpose

To ask the Committee to support recommendations made by the Senior Leadership Team in respect to recognition of long service and to refer comments on these proposals to the Appointments and Conditions of Service Committee in order to inform decision on policy change.

2. Background

Currently long service with the Council or its constituent bodies is recognised with an award of a gift up to the value of £125 at 25 years' service. This scheme of recognition has been in place and unaltered for more than 20 years.

Senior Leadership Team considered the matter of recognition for long-serving employees and expressed a view that the current arrangements no longer properly recognise loyal service over long lengths of time. The final proposals put forward by SLT take into consideration the need to balance recognition of contributions made by an employee with the public interest and financial constraints.

3. Proposals

Senior Leadership Team proposed the following measures;

- For employees with ten years' service, a letter of appreciation signed by the Mayor will be presented to the employee by their Director, or if the employee prefers, by the Mayor.
- At 25 years' service the employee will be given the choice of either an award of £250 (or a gift to the same value) or an extra week's annual leave to be taken within 12 months of the anniversary date.
- At 40 years' service the employee will receive an award of £500 or a gift up to that value.
- At 50 years' service the employee will receive an award of £1,000 or a gift up to that value.

At 25, 40 and 50 years' service, a letter of appreciation signed by the Mayor will also be presented to the employee by their Director, or if the employee prefers, by the Mayor.

4. Financial Implications

The proposals do have financial consequences, and if implemented from 1 April 2017 will have the following impact which will need to be built into future budgets;

Year	Cost of current scheme	Cost of proposed scheme	Difference
2017/18	£500	£1000	£500
2018/19	£625	£1250	£625
2019/20	£0	£0	£0
2020/21	£750	£2000	£1,250
2021/22	£375	£750	£375

These costings presume that the long-serving employees will remain in service up to the point of the anniversary award.

6. Recommendations

It is recommended that the Joint Consultative and Safety Committee;

6.1 In principle offers support for the proposals made by Senior Leadership Team for implementation from 1 April 2017 and;

6.2 Refers any comments or recommendation onto the Appointments and Conditions of Service Committee which will determine the final policy of the Council.