



<u>Committee and Date</u> Resources Sub-Committee - 7 April 2008 Implementation Executive 9 April 2008
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<u>Item</u> <b>15</b>
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**MANAGING PEOPLE PROTOCOL**

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**Summary**

This report details a Managing People Protocol which seeks to ensure fair and consistent treatment of staff affected by Local Government Reorganisation.

**Recommendation**

The Resources Sub-Committee are asked to recommend that the Implementation Executive agree the Managing People Protocol.

**REPORT**

1.     The Department for Communities and Local Government published *Councils' Proposals for Unitary Local Government-An Approach to Implementation*, on 22nd August 2007. The aim of this Paper was to facilitate reorganisation by enabling the development and timely adoption of the implementation regime once the necessary legislative provisions have been enacted.
2.     Chapter 5 of the paper considers the arrangements that need to be put in place for staffing. CLG indicate that they do not believe a national framework for staffing issues is appropriate or possible. They intend that a national protocol should be agreed between the Unions and the Local Government Employers on behalf of impacted authorities, this is currently under discussion. CLG indicate that a local Managing People Protocol will need to be put in place.
3.     The attached Managing People Protocol (Appendix 1) covers the key staffing issues identified by the LGE Advisory Group on Local Government Reorganisation. The protocol has been considered by the Joint Implementation Team.
4.     Informal consultation took place with the regional officials of the Trades Unions last year. The Protocol was considered by the Member Sounding Board on 7 November. At the time it was envisaged that the Protocol would be brought back for approval once the IE was granted formal decision making powers.

<p><b>List of Background Papers (This MUST be completed for all reports but does not include items containing exempt or confidential information)</b></p> <p><b>1. CLG Proposals for Unitary Government – An Approach to Implementation</b></p>
<p><b>Human Rights Act Appraisal</b></p> <p>The contents of this report are compatible with the Human Rights Act 1998.</p>
<p><b>Environmental Appraisal</b></p> <p>N/A</p>
<p><b>Risk Management Appraisal</b></p> <p>This protocol supports the management of employment risks by ensuring that staffing issues are handled consistently during transition.</p>
<p><b>Community / Consultations Appraisal</b></p> <p>Informal consultation has taken place with regional trades unions representatives.</p>
<p><b>Member Champions</b></p> <p>Cllr Joyce Barrow (county) Cllr Davis Lloyd (district)</p>
<p><b>Local Member</b></p> <p>N/A</p>
<p><b>Appendix 1 Managing People Protocol</b></p>

## **One Council for Shropshire**

### **Local Government Reorganisation – Managing People Protocol**

#### **Context**

The CLG Implementation Document envisages that each area undergoing local government reorganisation will agree a protocol to handle people related issues. The local protocol to be developed in accordance with agreed national principles and protocols.

There are many immediate HR issues which need attention, and this protocol addresses them in the Shropshire context. This Protocol is intended to act as an aid to achieving a smooth transition to a Unitary Council in Shropshire, without imposing too many bureaucratic or prescriptive requirements on the participating Local Authorities. The intention is that all participating Local Authorities will use this agreement.

Good people management practices are core to maintaining quality delivery, and all Authorities in Shropshire are taking steps now to ensure a smooth transition to the new Unitary Authority.

LGR is a massively complex task, and a key principle of this Protocol is that all significant HR developments from now on are aimed at, or are at least not inconsistent with, ensuring a smooth transition to the Unitary Authority and effective service provision beyond. A second key principle is that any HR actions now should be consistent with the requirements of the Shropshire Joint Implementation Team until the Interim Board is constituted.

#### **Key Aims**

Shropshire Local Authorities will:

- focus on transforming and improving services,
- strive to achieve a seamless transfer for citizens, staff and stakeholders,
- do what is best for local communities,
- not cause unnecessary redundancy or recruitment to take place,
- seek to maximise the transfer and retention of employees and;
- ensure a process that is fair and transparent, thereby creating a climate of trust and openness.

#### **The One Council for Shropshire LGR Managing People Protocol**

This Protocol, agreed by all participating Shropshire Councils, provides a framework for considering significant people management issues that arise from now on and until the new Unitary Authority is fully up and running. The Protocol outlines the issues which are covered (see below), and includes suitable escalation rules if agreement cannot be achieved. Much of this Protocol will be influenced by our normal arrangements with the recognised Trades Unions, whether required by statute, local convention or good practice.

## **Managing People Issues to be subject to the Shropshire Protocol**

### **General**

Shropshire Local Authorities will work together closely in the interests of their citizens and employees. Authorities will share information and resources to work together to achieving a smooth transition. Scarce specialist resources will be pooled during this interim period. In particular, the HR functions of the Shropshire Authorities will work together increasingly closely, acting as a virtual Unitary Shropshire HR function. The issues identified below are core topics for the Protocol, and further things may be added as LGR develops. The Shropshire County Council Head of HR & Development will form the interface with the Joint Implementation Team for all employment related issues.

### **Staff Communications**

As a part of the One Council communications strategy, the Shropshire Authorities will develop a joint employee communications strategy covering all Authorities. Joint briefings and bulletins will be issued to all staff. In that way all affected employees will hear the same key messages, at (or very near) the same time. An Employees Joint Consultative Committee will also be developed with the Trade Unions which will undertake the statutory consultation role for the continuing authority.

### **Recruitment and Retention**

The Shropshire Local Authorities will develop a common recruitment strategy during the interim period. In summary, all vacancies in Shropshire Authorities will be initially ring-fenced to staff in all Shropshire Authorities prior to any external advertising and will be cleared by the Head of Human Resources and Development on behalf of the Joint Implementation Team.

Any new posts which impact the business case will only be created and advertised on an agreed basis with the Joint Implementation Team. Any changes in pay should similarly be discussed with the Head of Human Resources and Development under the local protocol and will be subject to benchmarking against the present Shropshire County Council Job Evaluation Scheme to ensure consistency with the prevailing pay and grading scheme. Any special retention arrangements during the interim will be discussed with the Head of Human Resources and Development on behalf of the Joint Implementation Team as part of the Protocol.

### **Organisational Structures**

Any structural change during the interim period will be discussed with the Head of Human Resources and Development as part of this local protocol and agreed with the Joint Implementation Team. Any structural changes should support the general direction of travel. Any significant outsourcing or partnership arrangements should be discussed within these protocol arrangements. These discussions should include existing contracts and their expiry dates, and any proposed developments, so that all plans and commitments can be integrated as far as possible.

### **HR Policies and Conditions of Service**

Any significant HR policy changes will be discussed within the Protocol to ensure that they support what is required in the new Unitary Authority. Similarly any significant changes to terms and conditions of employment should be discussed within the protocol arrangements and agreed with the Joint Implementation Team.

Any plans to implement a solution to single status should be included. There are benefits in establishing at an early stage the differences in conditions of service amongst the affected

Local Authorities. Work will commence as soon as possible on plans for harmonisation, insofar as possible.

### **Training and Development**

The Shropshire Authorities will explore how joint working can be developed during the interim, and this will include looking at the pooling of resources, joint delivery of appropriate training including Management Programmes, early work on induction programmes for the new Unitary Authority and related activities. Shropshire County Council will immediately open up its Corporate Training Programme to all district council staff.

### **Pensions and Severance arrangements**

Ideally severance packages will be harmonised during the interim period, and CLG have indicated that this will be a key task for the Joint Implementation Team to review severance arrangements.

Any early retirement or severance of any member of staff is subject to discussion within the local protocol and agreement with the Head of HR & Development on behalf of the Joint Implementation Team, to protect the interests of Council Tax payers and ensure the continuing authority retains key skills and knowledge.

### **Contracts**

Any new HR contracts (e.g. advertising, Occupational Health etc) will be discussed and agreed with the Joint Implementation Team amongst the affected Local Authorities. The HR implications of non-HR Contracts (e.g. TUPE) also need to be discussed under the Protocol.

### **Escalation rules**

There is a presumption of consensus on the vast majority of issues, and escalation rules are not expected to be frequently invoked. In the unlikely event of disagreement, then the Shropshire County Council, Head of HR & Development will refer the matter to the Chair of the Joint Implementation Team.

### **Consultation**

This protocol was considered at a meeting of the Shropshire LGR HR Officers Group meeting on 30<sup>th</sup> September 2007 and received technical endorsement.

This protocol has been subject to informal consultation with recognised regional Trade Union officials.