

Employment Matters Committee – Supplementary agenda

A meeting of the Employment Matters Committee will be held on:

Date: 30 October 2012

Time: 7.00pm

Venue: Meeting Room 2 - Level 3, Gun Wharf, Dock Road, Chatham ME4 4TR

Items

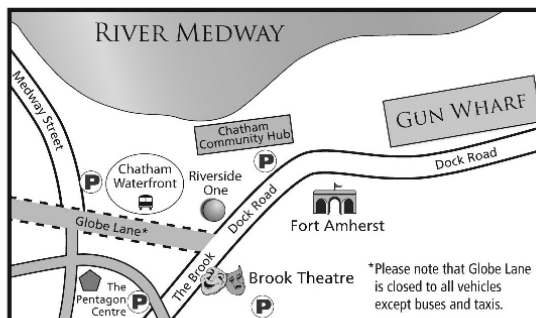
5 Pay Negotiations

(Pages
1 - 8)

Diversity Impact Assessment and Revised Draft Collective Agreement

For further information please contact Wayne Hemingway, Democratic Services Officer on Telephone: 01634 332509 or Email: democratic.services@medway.gov.uk

Date: 30 October 2012



This agenda and reports are available on our website
www.medway.gov.uk

A summary of this information can be made available in other formats from **01634 333333**

If you have any questions about this meeting and you want to speak to someone in your own language please ring **01634 335577**

বাংলা	331780	ગુજરાતી	331782	ਪੰਜਾਬੀ	331784	کوردی	331841	ارو	331785	Русский	332374
中文	331781	हिंदी	331783	Polski	332373	এহুৎশফ	331786	فارسی	331840	Lietuviškai	332372

<p>Directorate</p> <p>Business Support</p>	<p>Name of Function or Policy or Major Service Change</p> <p>Proposal for local pay negotiations</p>		
<p>Officer responsible for assessment</p> <p>Paula Charker</p>	<p>Date of assessment</p> <p>23 October 2012</p>	<p>New or existing?</p> <p>New</p>	
<p>Defining what is being assessed</p>			
<p>1. Briefly describe the purpose and objectives</p>	<p>The Council has an established process for setting its budget for the next financial year; one of the first stages in this involves updating the council's medium term financial plan each year.</p> <p>The financial implications of remaining in the national agreement and the possibility of a 1 per cent pay award could result in an added pressure of £900,000 (not including schools staff) next financial year.</p> <p>The Medium term Financial Plan for the Council is forecasting very significant financial deficits for the coming years excluding any presumption for pay increases and against this background any potential increase in pay would pose a risk to services and/or jobs.</p>		
<p>2. Who is intended to benefit, and in what way?</p>	<p>Savings are intended to be achieved in a way that ensures financial sustainability whilst not disproportionately impacting on or unfairly disadvantaging any sections of the community.</p>		
<p>3. What outcomes are wanted?</p>	<p>That the Council continues to deliver vital services to customers whilst at the same time managing reductions to funding and functioning as a sustainable organisation continuing to focus on priorities and providing effective services.</p> <p>Obviously, this proposal will have detrimental impact on the earning capacity of those workers who may otherwise have received a pay award on 1 April 2013. This proposal is being considered as a way of delivering savings, which goes some way to sharing the impact equally across the organisation.</p>		
<p>4. What factors/forces could contribute/detract from the outcomes?</p>	<p>Contribute</p> <p>Good analysis of the proposals Effective consultation Clear communication of proposals</p>	<p>Detract</p> <p>Decisions made without full analysis and discussion</p>	
<p>5. Who are the main stakeholders?</p>	<p>All Staff and Members</p>		

6. Who implements this and who is responsible?	Senior Management Team	
Assessing impact		
7. Are there concerns that there <u>could</u> be a differential impact due to <i>racial/ethnic groups</i>?	YES	No
	NO	
What evidence exists for this?	<p>The analysis of staff who may have received a pay award next year demonstrates that of the 5690 staff that may be impacted upon 91.6% are from a white ethnic group and 8.4% are from a BME group.</p> <p>The total group (excluding Service Managers and above who are already on local pay, but including teaching staff) is 7442 staff. This shows that 91.9% are from a white ethnic group and 8.1% are from a BME group.</p> <p>There is therefore a 0.3% disproportionate impact but this is a small difference and not significant statistically.</p>	
8. Are there concerns that there <u>could</u> be a differential impact due to <i>disability</i>?	YES	No
	NO	
What evidence exists for this?	<p>The analysis of staff who may have received a pay award next year demonstrates that of the 5690 staff that may be impacted upon 124 staff are disabled, which is 2.2%.</p> <p>The total group (excluding Service Managers and above who are already on local pay, but including teaching staff) is 7442 staff. This shows that 2% are disabled.</p> <p>There is therefore a 0.2% disproportionate impact but this is a small difference and not significant statistically.</p>	
9. Are there concerns that there <u>could</u> be a differential impact due to <i>gender</i>?	YES	No
	NO	
What evidence exists for this?	<p>The analysis of staff who may have received a pay award next year demonstrates that of the 5690 staff that may be impacted upon 4578 staff are female, which is 80.1%.</p>	

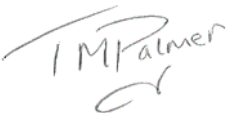
	<p>The total group (excluding Service Managers and above who are already on local pay, but including teaching staff) is 7442 staff of which 5990 are female. This shows that 80.1% are female.</p> <p>There is therefore no disproportionate impact.</p>	
<p>10. Are there concerns there <u>could</u> be a differential impact due to <i>sexual orientation</i>?</p>	YES	Do not know
	NO	
<p>What evidence exists for this?</p>	<p>The analysis of staff who may have received a pay award next year demonstrates that of the 5690 staff that may be impacted upon 15 staff are gay or bisexual. This is 0.26%.</p> <p>The total group (excluding Service Managers and above who are already on local pay, but including teaching staff) is 7442 staff of which 18 are gay or bisexual. This is 0.24%.</p> <p>There is therefore a 0.02% disproportionate impact but this is a small difference and not significant statistically.</p> <p>94% of staff have not completed this data on the equality monitoring form so this data is not reliable in any event.</p>	
<p>11. Are there concerns there <u>could</u> be a have a differential impact due to <i>religion or belief</i>?</p>	YES	Do not know
	NO	
<p>What evidence exists for this?</p>	<p>The analysis of staff who may have received a pay award next year demonstrates that of the 5690 staff that may be impacted upon 257 staff have declared a religion or belief. This is 4.5%.</p> <p>The total group (excluding Service Managers and above who are already on local pay, but including teaching staff) is 7442 staff of which 341 have declared a religion or belief. This is 4.6%.</p> <p>There is therefore a 0.1% disproportionate impact but this is a small difference and not significant statistically.</p> <p>94% of staff have not completed this data on the equality monitoring form so this data is not reliable in any event.</p>	
<p>12. Are there concerns there <u>could</u> be a differential impact due to people's <i>age</i>?</p>	YES	No
	NO	
<p>What evidence exists for this?</p>	<p>The analysis of staff who may have received a pay award next year demonstrates that of the 5690 staff who may be impacted upon by age bands shows the following:</p>	

	<p>Those affected:</p> <p>29 and under = 15%</p> <p>30 – 39 = 18%</p> <p>40 – 49 = 31%</p> <p>50 – 59 = 26%</p> <p>60 and over = 10%</p>	<p>Inc. teaching staff:</p> <p>29 and under = 16%</p> <p>30 – 39 = 19%</p> <p>40 – 49 = 29%</p> <p>50 – 59 = 26%</p> <p>60 and over = 10%</p>
	<p>The data generally follows the same pattern with minor differences. There is therefore no disproportionate impact.</p>	
<p>13. Are there concerns that there <u>could</u> be a differential impact due to <i>being transgendered or transsexual</i>?</p>	YES	Do not know
	NO	
<p>What evidence exists for this?</p>	<p>We do not have information upon which to undertake any analysis</p>	
<p>14. Are there any <i>other</i> groups that would find it difficult to access/make use of the function (e.g. speakers of other languages; people with caring responsibilities or dependants; those with an offending past; or people living in rural areas)?</p>	YES	No
	NO	
<p>What evidence exists for this?</p>	<p>The analysis above</p>	
<p>15. Are there concerns there <u>could</u> be a have a differential impact due to <i>multiple discriminations</i> (e.g. disability <u>and</u> age)?</p>	YES	No
	NO	
<p>What evidence exists for this?</p>	<p>The analysis above</p>	

<p>Conclusions & recommendation</p>		
<p>16. Could the differential impacts identified in questions 7-15 amount to there being the potential for adverse impact?</p>	YES	N/A
	NO	
<p>17. Can the adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or another reason?</p>	YES	N/A
	NO	
<p>Recommendation to proceed to a full impact assessment?</p>		
NO	<p>This function/ policy/ service change complies with the requirements of the legislation and there is evidence to show this is the case.</p>	

	What is required to ensure this complies with the requirements of the legislation? (see DIA Guidance Notes)?	No further action required
	Give details of key person responsible and target date for carrying out full impact assessment (see DIA Guidance Notes)	N/A

Action plan to make modifications		
Outcome	Actions (with date of completion)	Officer responsible
Improve monitoring of all protected categories across the council to assist with future exercises	Continue to encourage staff to complete equality monitoring via Self Serve 4 You	HR Services Senior Managers

Planning ahead: Reminders for the next review		
Date of next review	N/A	
Areas to check at next review (e.g. new census information, new legislation due)	N/A	
Is there <i>another</i> group (e.g. new communities) that is relevant and ought to be considered next time?	N/A	
Signed (Assistant Director) 	Date 23 October 2012	

DRAFT

COLLECTIVE AGREEMENT between MEDWAY COUNCIL (the employer) and RECOGNISED TRADE UNIONS – UNISON, UNITE and GMB (the unions)

Withdrawal from National Agreements

1. Introduction

- 1.1 The collective agreement covers the withdrawal from the national agreements set out in the Green Book, Pink Book and Blue Book for all staff employed outside schools and non teaching staff in Community and Voluntary Controlled schools. Pay awards for staff covered by the LNFA are linked to the Pink Book.
- 1.2 The provisions of this agreement will be incorporated into individual contracts of employment by a letter of variation.

2. Agreement

- 2.1 It is agreed that individual contracts of employment will be varied from 1 April 2013 to state that:

“The amount of annual pay award will be determined locally by Medway Council and payable from 1 April each year if applicable.”

All other references to the national agreement will also be removed from the contract.

Medway Council agrees not to cut pay or terms and conditions for a period of 3 years from 1 April 2013. Terms and conditions include:

- Pay
- Working time
- Annual leave
- Maternity leave and maternity pay
- Sick pay
- Notice periods
- Overtime payments
- Weekend working
- Night work
- Split shifts
- Lettings
- Standby duty
- Public and extra statutory holidays
- Car allowances

- 2.3 Local pay arrangements will be introduced from 1 April 2013.
- 2.4 Changes in pay as a result of the implementation of the pay and grade review will be protected at 100% for 2 years from 1 April 2014 until 31 March 2016, after which time the normal pay protection arrangements will apply unless negotiated otherwise. Any changes in pay resulting from redeployment or change of post will be subject to the normal pay protection arrangements of 100% in year 1, 75% in year 2 and 25% in year 3.
- 2.5 Nothing in this agreement will preclude the Council from undertaking further reorganisations in accordance with the Council's normal procedures.

3. Variations

Variations to this collective agreement can only be made through joint agreement with the employer and the unions.

Signed on behalf of

.....
Employer

.....
Dated

.....
UNISON

.....
Dated

.....
GMB

.....
Dated

.....
UNITE

.....
Dated

This page is intentionally left blank