

REVIEW OF LOCAL CONDITIONS OF SERVICE
WDA/29/08

Recommendation

That:

1. Members approve the revised Policy amendments to the Local Conditions of Service;
2. Members agree to the deletion of all unreceipted subsistence allowance claims;
3. Delegated Powers be granted to the Director to agree minor amendments to the Local Conditions of Service, including completion of consultation with the trade unions.

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Report of the Director

1. Purpose of the Report

To request the Authority consider amendments made to the Authority Local Conditions of Service.

2. Background

- 2.1 Local Government Employers (LGE) has been created by the Local Government Association (LGA) to work in partnership with local authorities, regional employers and other bodies to provide national leadership and create solutions on pay, pensions and employment policy issues.
- 2.2 The pay and terms of conditions of Local Government Officers are determined by the National Joint Council for Local Government Services (NJC).
- 2.3 The NJC for Local Government Services agreed a national framework for pay and conditions of service known as the Single Status Agreement (Green Book), with potential for local modification to suit local services requirements
- 2.4 The Authority's Local Conditions of Services address those issues not covered by the Green Book and are determined by local consultation and agreement between the Authority, its employees and the trade unions.
- 2.5 The current Local Conditions of Service have not been amended, modified or assessed in full.

3. Current Position

- 3.1 The current Local Conditions of Service contains 17 Sections which detail the Authority's position in relation to :

- Appointment and Promotion
- Education and Training
- Grading and Salary Provisions
- Hours and Leave
- Subsistence, Travelling and other Allowances
- Disturbance and Removal Allowances
- Assisted Car Purchase Scheme
- Telephones and Internet at homes of Approved Officers
- Sickness Scheme
- Grievance Procedure
- Disciplinary Procedure
- Procedure to deal with Grading, Grievance and Disciplinary Action Appeal
- Early Retirement
- Alcoholism
- Employees Personal Accident Scheme
- Statement of Health and Safety
- General Matters.

- 3.2 A review was undertaken on all 17 sections of the Authority's Local Conditions of Service on the relevance and legislative implications of the current conditions of service. A comparison was also made with the five Merseyside District Councils Local Conditions of Service on specific areas which identify payable allowances.
- 3.3 The revised and amended Local Conditions of Service are attached as Appendix 1. The existing Local Conditions of Service can be viewed upon request.
- 3.4 In order to support the development and implementation of employment packages that meet the needs of a modernised service and flexible workforce, suggested areas for amendment within the current local conditions of service have been identified and are detailed below.

4. Section 1 – Appointment and Promotion.

- 4.1 The Authority currently has a much more diverse workforce which consists of professional, technical and administrative officers. Qualifications are now not only attained academically, but also vocationally. This therefore, should be reflected when undertaking recruitment or promotion.
- 4.2 The deletion of qualifications relating to appointment and/or promotion allows the Authority to recruit and retain from a more diverse and relevant field of potential employees and follows the Chartered Institute of

Personnel's guidance on best practice for recruitment and retention procedures.

- 4.3 The Authority currently has a Recruitment and Retention Policy which is mirrored in Section 1 of the Local Conditions of Service. However, qualifications for entry and promotion have been deleted from the revised conditions of service as, they dealt purely with clerical and administrative posts within the Authority.

5. Section 5 – Subsistence, Travelling and other Allowances

- 5.1 Subsistence, Travelling and other Allowances, have been paid in line with the NJC Scheme of Conditions of Service and these shall remain to be paid in accordance with the scheme, however there have remained local provisions which need to be reviewed or revised. In addition to the NJC allowances the Authority currently allows payment for unreceipted expenditure incurred on any one occasion of £3.09 where an officer, 'visits beyond a 3 mile radius of the normal place of work or, where an officer is unable to return to their normal place of work or it is not in the interests of the service that they should return.'
- 5.2 Historically unreceipted payments were paid due to many establishments being unable to produce a receipt upon purchase; this however is not the case today. In line with other Local District Councils it is proposed that the payment of unreceipted subsistence of £3.09 be deleted from the Local Conditions of Service which will ensure all claims for subsistence, travelling and other allowances will require the appropriate receipt to be eligible for payment.
- 5.3 It is further recommended that the tea allowance, currently paid at £2.58 also be deleted. The allowance was paid to officers undertaking a full day, further education course and who were also required to attend the course between the hours of 6.30 and 8.30pm. Due to the change in course provisions for part-time further education this allowance is no longer appropriate. Claims relating to college or further education courses should be claimed via the provisions provided within Education and Training Section (Section 2) of the Local Conditions of Service.
- 5.4 It is further recommended that new guidance on the payment of subsistence allowance, which details the parameters for approved payment of all additional expenditure incurred by officers of the Authority, which is included on Section 5 of the revised Local Conditions of Service be adopted and circulated to all employees.

- 5.5 The use of rail warrants for train travel and overnight journeys which will require sleeper accommodation by rail are no longer available and have therefore been deleted.
- 5.6 Officers are no longer required by the Authority to have radio transceivers fitted to private vehicles and therefore the annual payment has been deleted.

6. Section 10 – Grievance Procedure

- 6.1 A revised Grievance Procedure reflecting the changes in the Authority's establishment structure due to the appointment of two new Assistant Directors has been included. The new procedure provides the mechanism for a grievance to be addressed quickly and to be settled fairly without undue delay as recommended by ACAS.

7. Section 14 – Alcohol and Drug Misuse Policy

- 7.1 The Alcoholism Policy has been replaced by the Alcohol and Drug Misuse Policy. The Authority recognises that employees with alcohol and drug misuse problems require support and help and that current legislation including Health & Safety at Work Act 1974, Human Rights Act 1998 and the Misuse of Drugs Act 1971, place a duty upon the Authority to provide and maintain a safe and healthy working environment for its employees.
- 7.2 The Policy aims to ensure that the misuse of alcohol or drugs does not compromise the safe and efficient services of the Authority and to assist managers in dealing with alcohol or drug misuse incidents in the workplace. The Policy also offers support and assistance to employees who may have alcohol or drug related problems.
- 7.3 The Alcohol and Drug Misuse Policy gives a more detailed process for both managers and employees of the Authority with the emphasis on promoting a healthy lifestyle amongst employees and to make advice and guidance available to employees of the risk associated with excessive consumption of alcohol and drug misuse.

8. Section 16 – Health and Safety

- 8.1 Health and Safety is the responsibility of all employees at all levels within the Authority. The Health and Safety at Work Act imposes a general duty on employers to ensure, so far as reasonably practicable, the health,

safety and welfare of their employees whilst at work, it also places a statutory duty on employees, to take reasonable care of themselves and others who may be affected by acts or omissions whilst at work. To fulfil these duties the Authority will ensure there are effective organisational arrangements in place at all levels to manage health and safety. Section 16 has been revised in accordance with the Authority's revised Statement of Health and Safety.

- 8.2 The Statement of Health and Safety now provides more clarification for both managers and employees regarding the provision of adequate resources so that proper provision can be made for health and safety.
- 8.3 A copy of the revised Statement of Health and Safety will be issued to every employee.

9. Equality and Diversity

- 9.1 The Authority promotes equal opportunities throughout the organisation and works to achieve a fair and equitable working environment for all employees. The Authority recognises that our ability to maximise our performance is improved by having a diverse workforce who have the correct skills and understanding to achieve our objectives. The Local Conditions of Service have been revised in line with our commitment to equality and diversity and are applied in full, on a fair and consistent basis to all employees of the Authority.

10. Risk Implications

- 10.1 The following risk analysis had been undertaken in relation to this report

Identified Risk	Likelihood Rating	Consequence Rating	Risk Value	Mitigation
Authority may be open to claims of legal breach of employment duty	1	4	4	Incorporate current and emerging employment law into HR policy and procedures
Authority may be open to claims of discrimination	1	4	4	Ensure Local Conditions of Service are applicable and to all employees

11. Financial Implications

Costs implications are not expected to be significant and can be contained within approved budgets.

12. Environmental Implications

There are no environmental implications associated with this report.

13. Consultation

Consultation with Unison is ongoing and will be subject to Members granting delegated powers to the Director to agree any minor amendments to the Local Conditions of Service. To date, there have been no significant concerns raised by Unison.

14. Conclusion

- 14.1 The Local Conditions of Service provide locally agreed provisions of service which are not covered or negotiated through the National Joint Council (NJC).
- 14.2 The locally agreed conditions of service have been revised and amended to ensure that they are current and the mechanism for further annual revision is in place ensuring they remain current for future years.
- 14.3 The key changes to the Local Conditions of Service have been the revision of policy provision relating to Grievance, Health and Safety, Alcohol and Drug Misuse and Appointment and Promotion. The revised Policies within the Local Conditions of Service provide clarity of guidance for both management and employees in relation to the aforementioned policies, which incorporates both employment law changes and best practice advice.
- 14.4 The Authority must ensure that all payable subsistence allowances are receipted to provide a clear and full audit trail of an employee's additional incurred expenditure whilst undertaking Authority business.

The contact officer for this report is: Paula Pocock
6th Floor, North House, 17 North John Street, Liverpool, L2 5QY

Email: paula.pocock@merseysidewda.gov.uk

Tel: 0151 255 1444

Fax: 0151 227 1848

The background documents to this report are open to inspection in accordance with
Section 100D of The Local Government Act 1972:

NIL