

Summary Sheet

Name of Committee and Date of Committee Meeting

Cabinet – 19 November 2018

Report Title

TUC Great Jobs Agenda

Is this a Key Decision and has it been included on the Forward Plan?

No, but it has been included on the Forward Plan

Strategic Director Approving Submission of the Report

Shokat Lal, Assistant Chief Executive

Report Author(s)

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Ward(s) Affected

Borough-wide

Summary

A Motion on the Trade Union Congress (TUC)'s Great Jobs Agenda was passed at the meeting of Council on 31st October 2018 and Council resolved to support the Great Jobs Agenda.

This report provides more information about the Great Jobs Agenda, which sets out the actions that the TUC would like employers and government to take to ensure that every worker has a great job with fair pay, regular hours and the opportunity to progress.

Recommendations

1. That the TUC's Great Jobs Agenda be noted and consideration be given to how the principles set out in the Great Jobs Agenda apply to the Council's workforce.
 2. That approval be given for consultation to take place with Trade Unions to seek agreement on notice for allocating/changing shifts.
 3. That more detailed information on agency workers be published in annual reports.
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List of Appendices Included

Appendix 1 The Great Jobs Agenda

Background Papers

Motion to the Council Meeting held on 31 October 2018

Minutes of the Council Meeting held on 31 October 2018

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

No

Exempt from the Press and Public

No

TUC Great Jobs Agenda

1. Recommendations

- 1.1 That the TUC's Great Jobs Agenda be noted and consideration be given to how the principles set out in the Great Jobs Agenda apply to the Council's workforce.
- 1.2 That approval be given for consultation to take place with Trade Unions to seek agreement on notice for allocating/changing shifts.
- 1.3 That more detailed information on agency workers be published in annual reports.

2. Background

- 2.1 The regional TUC are asking Councils to sign up to their Great Jobs Agenda which sets out the actions that the TUC would like employers and government to take to ensure that every worker has a great job with fair pay, regular hours and the opportunity to progress. A Motion supporting the Great Jobs Agenda was passed at Council on 31st October 2018 and the wording of the Motion is set out at Appendix 2. Council resolved to:

- *Support the TUC's Great Jobs Agenda, which sets out the actions employers and the government must take for every job to be a great job, and tell the TUC of this support.*
- *Ask for a paper to be presented to cabinet setting out the actions the authority is taking to ensure that every job in this authority is a great job, and relating those to the six standards in the Great Jobs Agenda. At a minimum this should include:*
 - *Confirming how many council staff receive the real Living Wage.*
 - *Reporting on how many workers are employed on zero- or shorthours contracts or agency contracts, and what actions the authority is taking to reduce this.*
 - *Setting out how the authority proposes to use its procurement process to raise employment standards among its subcontractors.*
- *Write to all MPs in Rotherham and the Mayor of South Yorkshire, Dan Jarvis, informing them of our position and encouraging them to support the Great Jobs Agenda too.*
- *Invite a trade union representative to present the Great Jobs Agenda to a meeting of the Rotherham Together Partnership's Business Growth Board.*
- *Make increasing job quality a key part of the conversation when pursuing local economic development opportunities in Rotherham.*
- *Continue to value meaningful workforce engagement and representation through our recognised trade unions in RMBC.*

2.2 The six key principles of the agenda (appendix 1) are that every worker should have:

- Voice at work; the chance to be represented by unions and be consulted on what matters at work;
- Fair and decent pay; pay all workers at least the real living wage;
- Regular hours; give staff who want them contracts with guaranteed hours;
- Fair treatment and respect; zero tolerance approach to all forms of discrimination;
- Healthy workplaces; have an active joint safety committee;
- Learning and progression; quality apprenticeships and learning and progression opportunities for all.

2.3 It should be noted that the Council's current practices are in the main in line with the key elements of the principles of the Agenda:

- Voice at work - the Council recognises Trade Unions, has collective consultation arrangements in place which include representation at Joint Consultative Committee;
- Fair and decent pay – pay settlements are negotiated with Trade Unions, 1194 employees currently have their pay made up to the UK Living Wage rate, RMBC's contribution rate to the South Yorkshire Pension Fund is 22.2% and policies seek to reduce pay gaps;
- Regular hours - casual workers receive the same rates of pay as employees, receive holiday pay and where they work on a very frequent or continuous basis are normally offered a contract of employment with guaranteed contractual hours;
- Fair treatment and respect – supports the Council's values and behaviours;
- Healthy Workplaces – a joint health, welfare and safety committee is in place and policies support employee well-being;
- Learning and progression – commitment to providing quality apprenticeships, learning and progression opportunities for all employees.

3. Key Issues

- 3.1 As part of highlighting the Agenda there are two minor points where Council practice does not fully conform. These will need to be considered alongside the Council's current contractual arrangements for supply of agency staff.
- 3.2 Agreed minimum notice periods for allocating and changing shifts – no formal agreement is in place. On occasion employees may be asked to change shifts with little notice, however agreement to change is voluntary;
- 3.3 Report on the use of casual contracts and agency work in annual reports and explain why they are being used – Information on agency usages is reviewed regularly by OSMB as requested but further consideration will be given to ensuring proactive routine publication.
- 3.4 The TUC Agenda also sets out an intention to lobby politicians to make it a requirement for companies and public bodies to report on how many people they employ in agency work, zero hours contracts and short hours, including through supply chains in their annual reports.

4. Options considered and recommended proposal

- 4.1 An agreed arrangement would be needed to address notice periods given to employees over the allocation and changing of shifts. It is recommended consultation is undertaken with Trade Unions to ratify more informal arrangements.
- 4.2 Detailed information on the number of casuals and number of agency workers is not routinely published by the Council.

The Council currently has 549 casuals recorded on its HR & Payroll system, 267 of which received a payment in September 2018. The 267 represents circa 5% of the total workforce.

As of 25 September 2018, 68 agency workers were engaged by the Council plus an additional 64 in the Regeneration & Environment directorate doing seasonal work. Work is currently underway to reduce in year spend and to ensure there is a sustainable workforce plan that is less reliant on agency resources to deliver services in the future.

In 2017/18 agency expenditure fell 18% to £8.33m. Projected expenditure for 2018/19 is currently £6.9m with further reductions expected as we continue to monitor and challenge all existing and new agency resource requests.

4.3 In terms of our approach to procurement, the council has a minimum standards charter which is built into procurement processes. There are a range of criteria within the charter that align to the TUC's Great Jobs Agenda, including:

- Pay and benefits
- Health and safety
- Employment rights
- Social value
- Equality and diversity

A mandatory question is asked in all tenders asking potential suppliers to confirm that if they are successful in the tender they will promote and support the charter and work towards the principles it sets out.

Adoption of the Agenda or changes in government legislation should not have any significant impact on current procurement arrangements.

5. Consultation

5.1 This report does not require any additional consultation at this stage.

6. Timetable and Accountability for Implementing this Decision

6.1 The Council has already adopted most of the key principles. The remaining areas will be discussed directly with the Trade Unions through the Joint Consultative Committee over the next 12 months.

7. Financial and Procurement Implications

7.1 On the basis of the statements within the report that the TUC Great Jobs agenda is in line with current council practice, there are no direct financial implications arising from this report.

7.2 There are no direct procurement implications arising from the recommendations detailed in this report.

8. Legal Implications

8.1 There are no direct legal implications arising from this report.

9. Human Resources Implications

9.1 The Human Resources implications are outlined in the body of the report.

10. Implications for Children and Young People and Vulnerable Adults

10.1 None.

11. Equalities and Human Rights Implications

11.1 Fair pay structures are a requirement of employment and equalities legislation.

12. Implications for Partners and Other Directorates

12.1 There are no implications for Partners

13. Risks and Mitigation

13.1 The proposal to consult with Trade Unions prior to any formalisation of the notice period requirements for shift changes would ensure that the Council was compliant with best practice and that Trade Unions and colleagues are fully engaged.

14. Accountable Officer(s)

Shokat Lal, Assistant Chief Executive

Lee Mann, Assistant Director of Human Resources and Organisational Development

Approvals obtained on behalf of:-

	Named Officer	Date
Strategic Director of Finance and Customer Services	Nikki Kelly	02.10.2018
Assistant Director of Legal Services	Stuart Fletcher	02.10.2018
Head of Procurement	Lorna Byne	02.10.2018
Assistant Director of Human Resources and Organisational Development	Lee Mann	02.11.2018