

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO:	<u>THE CHAIR AND MEMBERS OF THE COUNCIL</u>
SUBJECT:	<u>SPECIAL MEETING OF THE COUNCIL –</u> <u>29TH APRIL, 2021</u>
REPORT OF:	<u>DEMOCRATIC AND COMMITTEE SUPPORT OFFICER</u>

PRESENT: COUNCILLOR J. HOLT (VICE-CHAIR, PRESIDING)

Councillors M. Moore
P. Baldwin
D. Bevan
J. Collins
M. Cook
M. Cross
N. Daniels
D. Davies
G.A. Davies
G.L. Davies
M. Day
P. Edwards
D. Hancock
K. Hayden
S. Healy
J. Hill
W. Hodgins
J. Mason
H. McCarthy
C. Meredith
J. Millard
J.C. Morgan
J.P. Morgan
L. Parsons
K. Pritchard

K. Rowson
T. Sharrem
T. Smith
B. Summers
B. Thomas
G. Thomas
S. Thomas
H. Trollope
J. Wilkins
D. Wilkshire
B. Willis
L. Winnett

AND: Managing Director
Corporate Director of Education
Corporate Director of Regeneration & Community Services
Chief Officer Resources
Interim Chief Officer Commercial
Head of Legal and Corporate Compliance
Head of Children Services
Communications, Marketing & Customer Access Manager

<u>ITEM NO.</u>	<u>SUBJECT</u>	<u>ACTION</u>
1.	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
2.	<p><u>APOLOGIES</u></p> <p>Apologies for absence were received from:-</p> <p>Councillor G. Collier Councillor L. Elias Councillor G. Paulsen</p>	

3.	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>No declarations of interest and dispensations were raised.</p>	
4.	<p><u>PROPOSED AGILE WORKING POLICY</u></p> <p>Consideration was given to the report of the Head of Organisational Development.</p> <p>The Interim Chief Officer Commercial advised that the report sought Council approval of the proposed Agile Working Policy. The Interim Chief Officer reminded Members that the New Council Operating Model & Working Arrangements had been approved by Council on 25th March, 2021 which introduced a new model of working across the Council. The new working arrangements incorporated modern working practices which would seek to enhance employees' working experience, maximise performance and productivity and deliver the greatest value to the organisation, as well as realising financial gains. The Agile Working Policy was a key enabler in delivering the future working model and also linked to the Council's vision for sustainable development which included sustainable economic growth and decarbonisation.</p> <p>The Interim Chief Officer Commercial further outlined the key points contained in the report and noted the consultation which had taken place with the trade unions. The Interim Chief Officer advised that a union representative attended the Corporate Overview Scrutiny Committee on the 16th April, 2021 in order clarify the position of the unions. Following discussions at the Scrutiny Committee it was requested that the policy be amended to reflect the formal consultation feedback from the trade unions as follows:-</p> <ul style="list-style-type: none"> • The allowance for Agile Workers to be £15.60 per month and not £12 as originally proposed; 	

- all current employees that are designated as home or agile workers to be able to utilise an allowance of up to £200 to cover the cost of a chair and desk that would fit in within the home environment. The allowance would be used with an approved council supplier or recycled furniture; and
- any future workforce if they are paid scale 6 or below that are designated as home or agile workers be able to utilise an allowance of up to £200 to cover the cost of a chair and desk that would fit within the home environment. The allowance would be used with an approved council supplier or recycled furniture.

It was added that the Scrutiny Committee also suggested that consideration be given to the introduction of a social clause for future recruitment to ensure that the Council retained jobs locally. It was reported that this request had been considered and the legal advice was that such a request posed the risk of potential indirect discrimination. The Interim Chief Officer stated that in line with the Council's equality and diversity policies the Council's aim was to have a diverse multi-cultural workforce which would in part be achieved through recruitment practices. The inclusion of a social clause within the recruitment policy could potentially be indirectly discriminatory and therefore it was recommended that the social clause not to be included.

In terms of the implementation of the Policy, the Interim Chief Officer advised that at present the guidance from Welsh Government was to continue to work from home. However, if the Policy was approved a 'go live' date would be agreed in line with the current Covid-19 regulations.

At this juncture, the Interim Chief Officer Commercial welcomed questions/comments from Members.

A Member asked if the payments made to staff are in line with other authorities. The Interim Chief Officer Commercial was unaware of payments being made in other authorities and was of the opinion that Blaenau Gwent was at the forefront of councils reviewing their agile working practices. However, the payments being made to staff are in line with the National HMRC framework and are tax free for the employee.

The Leader of the Labour Group noted that he had not been in favour of the New Council Operating Model & Working Arrangements approved at Council and had proposed an amendment. The Leader of the Labour Group asked if a Socio Economic Impact Assessment had been undertaken and, if so, where could this information be viewed.

The Interim Chief Officer Commercial informed that a Socio Economic Impact Assessment had not been undertaken. It was reported that the Assessment had only recently been introduced and therefore the Council gave consideration to the Economic Impact Screening during the process to ensure that reasonable adjustments would be made when individuals fall into specific characteristics.

The Leader of the Labour Group was disappointed that the Socio Economic Impact had not been considered and stressed that the new working arrangements was a massive change to the way in which Blaenau Gwent operated. It was stated that at the last Council meeting an amendment had been put forward which proposed that the decision be postponed for 12 months to allow the Council to be more informed of the effects the new arrangements would have on staff, future staff and the County Borough.

Another Member noted the lack of a Socio Economic Impact Assessment being undertaken and advised that the Impact Assessment had been made statute in April. The Member, thereupon asked if legal representatives could check on this responsibility.

The Leader of the Labour Group further noted his concerns at the lack of input from Senior Members of the Council who no longer presented reports and wondered if there was a reason for the new practices.

A Member advised that he had raised concerns at the Corporate Overview Scrutiny Committee in relation to vacant posts attracting applicants from across the Country due to the agile nature of the post. The Member felt it was important that as the largest employer the Council must protect our communities and young people by retaining these jobs. The Council could still have a multi-cultural workforce and protect our residents. Another Member concurred with the comments raised and referred to issues which had been encountered with staff who did not know Blaenau Gwent.

The Head of Legal and Corporate Compliance advised that the Head of Organisational Development had sought legal advice following the Scrutiny Committee and it was informed that the Council would be at risk of accusations of indirect discrimination. The Officer appreciated the point made in reference to local job prospects for young people, however in Northern Gwent Valleys multi-cultural groups are underrepresented in comparison to Newport and Cardiff. Therefore, if the Council gave preference to local residents by its nature the Council would indirectly discriminate in terms of race and it was important that this was taken into account.

The Member added that similar clauses had been included in the contracts appointed to the development of The Works Site. The Member stated that this was not an objection to race but felt strongly that it was important the Council protect our communities and jobs.

A Member referred to the survey results contained in Appendix 3 and noted that the data showed that staff were not taking the adequate breaks. The Member asked what had been done following the outcome of the staff survey to ensure that staff are taking the appropriate breaks.

The Interim Chief Officer Commercial advised that the requirement to take breaks from the computer had always been in place. There was responsibility on employees that appropriate breaks be undertaken and since the pandemic these breaks should be continued and should fall into the rhythm of home working. The welfare 1-2-1 meetings between line managers and staff continued to be scheduled and these were designed to address such issues and monitor wellbeing. Therefore, the Interim Chief Officer Commercial advised that there was no need for additional mechanisms to be introduced as they were covered as part of the normal approach.

The Managing Director advised that the new working arrangements were a major change for the Council and the way in which staff had worked over the last 12 months had been considered as part of this process. If the Policy was approved the consultation with staff would commence, however the Managing Director pointed out that approximately 900 employees would have no changes to their working arrangements. If there was a need for reasonable adjustments to be made to employees working arrangements these would be discussed with managers.

In relation to 1-2-1 consultation meetings with staff, it was confirmed that these would be undertaken as soon as possible if the Policy was approved.

Following the survey which was undertaken last autumn, the results were considered by CLT and cascaded to Departmental Management Teams to ensure that line managers reinforced the need for regular breaks and to 'check in' on staff. This way of working would not change, the Managing Director felt that with the new working arrangements the 'check in' calls would be more important.

The Managing Director continued that there would be a need for leadership development alongside staff engagement as managers and leaders across the organisation would need to work in a different way and these processes would be carried out as part of implementation of the Policy.

The Managing Director added that discussions had been undertaken in conjunction with all trade unions and it was felt that both the Authority and trade unions had worked well together during this process. A union representative attended the Scrutiny Committee to clarify any comments/questions raised. The Managing Director felt that this was a progressive step for the Council and it was important that staff are supported during the next stage of implementation, if the Policy was approved.

The Leader of the Labour Group reiterated comments made at the Corporate Overview Scrutiny Committee and referred to the external legal advice received. The Member felt that the Local Authority could still achieve multi-cultural aspect and as Elected Members for Blaenau Gwent it was important to protect our communities and jobs. The Member raised concerns in decisions being taken in haste and reminded Members and Officers of the issues caused by the quick rollout of the new recycling collections in the Borough. Therefore, the Leader of the Labour Group was of the opinion that such hurried approaches were not always beneficial to our communities.

The Leader of the Labour Group asked that assurances be given that an individual would not be forced to work from home if this request was made.

The Interim Chief Officer Commercial reiterated that no one would be forced into their respective work style. There would be an opportunity for staff to raise any concerns around the new working arrangements at the 1-2-1 consultation meetings and reasonable adjustments would be made.

Therefore, no employees would be forced, however if a particular post became vacant it would be designated to the appropriate work style but the current post holders would not be forced to work in a way they did not feel comfortable.

The Leader of the Labour Group welcomed the confirmation that staff would not be forced to work from home for whatever reason they stated.

A Member noted his disappointment the loss of the Civic Centre would bring for the local economy and felt that the introduction of the Policy was a step towards the end of Blaenau Gwent. Another Member concurred with the comments raised and advised that the loss of the Steelworks saw the footfall in Ebbw Vale Town reduce significantly and was concerned that the demolition of the Civic Centre would result in greater losses.

The Interim Chief Officer Commercial reiterated that the new working arrangements only applied to a certain number of the workforce and agile working meant that staff would be permitted to attend offices. The Managing Director added that civic operations were being relocated to the General Offices in Ebbw Vale. The Vitec, Anvil Court and Central Depot all remained as offices to be utilised by staff. The demolition of the Civic Centre would free an area of land for regeneration and housing which would increase the footfall greatly in the Town Centre.

In response to a question raised in relation to the numbers of home workers and agile workers, the Managing Director referred to the report which outlined this information. It was added that these numbers were subject to change following consultation with staff.

A Member felt that the new working arrangements was progressing quickly and asked how many employees had left the Authority since these discussions had commenced. The Managing Director advised that information in relation to the number of staff leaving and the respective reasons was not available, however it could be made available, although the Managing Director stated that like most larger organisations there was staff turnover as employees progressed their careers outside of the Authority.

Another Member referred to discussions at a recent Audit Committee where Members had raised concerns around the loss of experienced middle and upper management. The Audit Committee requested for this information to be presented to a future Audit Committee as the information was not available as an audit had not been undertaken in this area.

It was stated that working practices change and these changes were welcomed by staff. Another Member felt that in terms of consultation the unions had been fully involved and had been diligent in taking this through their respective unions. In terms of staff turnover, it was not unusual for staff to seek progression in their career. The Member welcomed the way forward and was confident that the safeguarding of our staff had been taken on board and therefore supported Option 1.

Further discussions ensued around the Policy in terms of consultation and it was confirmed that the Authority had worked with Unison, Unite and GMB during the process. In terms of social clauses for recruitment, Members were reminded that the recruitment procedure was robust and procedures were in place to ensure that applicants were appointed who had the necessary skills to do the respective role. It was stated that these robust procedures would remain in place.

A Member referred to discussions at the Scrutiny Committee and advised that the unions had requested a social clause during consultation as unions also felt it was important to retain the local jobs.

A query was raised in relation to the cost pressures outlined in the report and the Chief Officer Resources confirmed that the financial information detailed in the report was modelled on the numbers outlined in the report. However, it was anticipated that as these figures would change once 1-2-1s were undertaken with staff, the financial information would be updated to ensure the correct financial information was available.

The Member hoped that the new working arrangements continued to provide Elected Members with the same level of communication and continuity of services from all officers of the Authority. The Interim Chief Officer Commercial added that the Policy would ensure the Council continued to operate effective and efficient services for the residents and members of Blaenau Gwent.

A Member felt that the concerns raised had been answered in terms of staff not being forced to work from home and employees well-being would remain paramount. Another Member noted that there would be occasions where home workers would be permitted to attend the office for meetings, therefore if there were applicants outside of the Borough they would still need to come to Blaenau Gwent.

The Leader of the Labour Group asked would the outstanding costs of the refurbishment of the Civic Centre be met by the sale of the land or left to the council tax payer. The Chief Officer Resources confirmed that the outstanding debt on the loan formed part of the Council's ongoing budget and would continue to form part of the budget until repaid. It would be funded in part by grants received from Welsh Government, the Council's other income and confirmed that Blaenau Gwent's Council Tax payer would pay a proportion of the costs. The Leader of the Labour Group expressed his disappointment that these costs could fall to our council tax payers.

The Leader of the Council noted the comments made in respect of the proposed Agile Working Policy and the New Council Operating Model & Working Arrangements which was approved by Council on 25th March, 2021. The implementation of these policies would see the creation of community hubs in town centres and the Democratic Hub at the General Offices, Ebbw Vale. The Leader advised that Welsh Government was clear that 30% of the Council's workforce should work from home or remotely and the new working arrangements demonstrated that the Council recognised the need to develop modern working practices.

In terms of working within a radius of Blaenau Gwent, the Leader of the Council concurred with the views of the Head of Legal and Corporate Compliance and felt that the organisation would offer greater appeal to applicants with an agile working arrangement. The Leader felt that staff leaving the Authority could be due to retirement or progression in their careers and was not aware of employees who had left due to the introduction of the Policy.

In relation to the comments raised around the end of Blaenau Gwent, the Leader of the Council disagreed and felt the new working arrangements would make Blaenau Gwent stronger in years ahead. In terms of delaying the new working arrangements, the Leader of the Council felt that the situation would remain unchanged. A great deal of work had been undertaken with officers in conjunction with trade unions and the workforce welcomed the new way in working.

The Leader of the Council welcomed the report and the concerns around health and safety of staff had been fully addressed. It also linked to the Council's vision for sustainable development including sustainable economic growth, decarbonisation and the health and well-being of both staff and the community, whereupon the Leader of the Council proposed Option 1 be approved.

At this juncture, the Leader of the Labour Group, thereupon, proposed the following **alternative recommendation:-**

- That this report be deferred pending another paper which properly addressed the socio economic impact of this policy;
- That the new paper also explored the potential for ensuring that Blaenau Gwent residents are prioritised for employment; and
- That the outstanding cost of the refurbishments to the Civic Centre would be met by the sale of the land and not by the Council Tax payer

This alternative proposal was seconded.

A recorded vote was, therefore, requested.

In Favour of the alternative proposal – Councillors P. Baldwin, D. Bevan, M. Cross, P. Edwards, K. Hayden, H. McCarthy, J. Millard, J.C. Morgan, T. Sharrem, T. Smith, S. Thomas, H. Trollope, D. Wilkshire, B. Willis and L. Winnett.

Against the alternative proposal – Councillors J. Collins, M. Cook, N. Daniels, D. Davies, G. A. Davies, G. L. Davies, M. Day, D. Hancock, S. Healy, J. Hill, W. Hodgins, J. Holt, J. Mason, C. Meredith, M. Moore, J. P. Morgan, L. Parsons, K. Rowson, B. Summers, B. Thomas, G. Thomas, J. Wilkins.

Councillor K. Pritchard **abstained from voting against the alternative proposal.**

The vote on the alternative proposal was not carried.

The Leader of the Independent Group thereupon proposed **Option 1 (preferred option)**.

This proposal was seconded.

A recorded vote was, therefore, requested.

Against Option 1 (preferred option) – Councillors P. Baldwin, D. Bevan, M. Cross, P. Edwards, K. Hayden, H. McCarthy, J. Millard, J.C. Morgan, T. Sharrem, T. Smith, S. Thomas, H. Trollope, D. Wilkshire, B. Willis and L. Winnett.

In favour Option 1 (preferred option) – Councillors J. Collins, M. Cook, N. Daniels, D. Davies, G. A. Davies, G.L. Davies, M. Day, D. Hancock, S. Healy, J. Hill, W. Hodgins, J. Holt, K. Pritchard, J. Mason, C. Meredith, M. Moore, J.P. Morgan, L. Parsons, K. Rowson, B. Summers, B. Thomas, G. Thomas, J. Wilkins.

The vote on **Option 1 (preferred option) was carried.**

RESOLVED that the report be accepted and Option 1; namely that the Council approved the proposed Agile Working Policy as attached to the report.