

Committee: **Special Council**

Date of Meeting: **21st December, 2022**

Report Subject: **Workforce Christmas Working and Pay**

Portfolio Holder: **Councillor Stephen Thomas, Leader of the Council / Cabinet Member Corporate Overview and Performance**

Report Submitted by: **Andrea J Prosser, Head of Organisational Development**

Reporting Pathway								
Directorate Management Team DMT	Corporate Leadership Team	Portfolio Holder / Chair	Governance & Audit Committee	Democratic Services Committee	Scrutiny Committee	Cabinet	Council	Other (please state)
							21.12.22	

1. Purpose of the Report

- 1.1 The purpose of this report is to seek approval to 'step outside' National Joint Council Guidance and revise pay for those staff on rota to work over the Christmas period ensuring the Council has appropriate capacity to deliver critical frontline services to the Community.

2. Scope and Background

- 2.1 The National Joint Council for Local Government Services (NJC) published guidance in September 2022 for working arrangements and pay over the Christmas period and states:

'Christmas Day and Boxing Day 2022 fall on Sunday and Monday respectively and New Year's Day 2023 falls on a Sunday. The Government has designated Tuesday 27 December and Monday 2 January as public holidays with pay in substitution for Christmas Day and New Year's Day respectively.'

In accordance with joint advice issued in previous years to deal with these circumstances, authorities are advised that payments, unless a local agreement is in place, should be made in accordance with Green Book Part 3 Para 2.6 as follows:

- *Employees required to work **only one day** out of Sunday 25 December **or** Monday 26 December **or** Tuesday 27 December should receive public holiday pay, plus time off with pay at a later date, for the one day on which they work.*
- *Employees required to work **all three consecutive days** of Sunday 25 December **and** Monday 26 December **and** Tuesday 27 December should receive Sunday rates of pay for Sunday 25 December, and public holiday pay, plus time off with pay at a later date, for both Monday 26 December and Tuesday 27 December.*
- *Employees required to work on **both** Sunday 25 December and Monday 26 December (but **not** Tuesday 27 December) should receive public holiday pay plus time off with pay at a later date for both days.*
- *Employees required to work on **both** Sunday 25 December **and** Tuesday 27 December should receive Sunday rates of pay for Sunday 25 December and public holiday pay plus time off with pay at a later date for Tuesday 27 December '*

2.2 The Council is closed for normal business for the whole of the Christmas period from the 25th December 2022 to the 2nd of January 2023 apart from the deployment of frontline services to the community. The 30th of December is a normal working day and there is an agreement with trade unions that staff use an annual leave day to support the closure of the Council unless they are in the front line and on rota to work. As this is a normal working day those on rota to work would not normally receive any enhancement to pay.

2.3 To ensure capacity to deliver critical frontline services the following proposal has been discussed with the trade unions and they have agreed to the proposal to be progressed to Council for a decision – for those staff on rota to work over the Christmas period the following payment is proposed:

- 25th December 2022 – 2nd January 2023 pay to be at treble time with no lieu time allowance
- The 30th December (classed as a normal working day) to be an exception and paid at double time with no lieu time allowance

2.4 The roles and number of staff required to work are attached as appendix 1.

3. Options for Recommendation

3.1 Option 1

That the Council agrees to adjusting the pay outside of the NJC guidance for those who are on rota to work between the 25th December 2022 and the 2nd of January 2023 and pay as follows:

- 25th December 2022 – 2nd January 2023 pay to be at treble time with no lieu time allowance
- The 30th December (classed as a normal working day) to be an exception and paid at double time with no lieu time allowance

3.2 Option 2

That Council does not approve the proposal and that the NJC guidance and application of the Green Book is applied in terms of pay for the Christmas period.

4. Evidence of how this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan

4.1 Ensuring capacity to deliver frontline services to the community will enable the Council to meet statutory obligations and priorities in terms of service delivery over the Christmas period.

5 Implications Against Each Option

5.1 Impact on Budget (short- and long-term impact)

The Council's established budgets and winter pressures funding is in place to accommodate the cost of the essential workforce. The move to treble time payments (double time on the 29th December) will move costs for replacement staff from later in the year.

Diversion from NJC Christmas Working Guidance for Pay will result in additional costs of £27k, the Winter Pressures funding will be utilised to fund £16k with the remaining £11k to be funded by the Council.

5.2 Risk including Mitigating Actions

The Council has experienced difficulties in recruitment and is experiencing high levels of sickness absence and it is critical to ensure there is capacity in the workforce to deliver essential services over the Christmas period.

5.3 Legal

There are no legal implications arising from this report.

5.4 Human Resources

This report, with agreement from the trade unions is proposing a local arrangement outside of the NJC guidance on pay for the workforce over the Christmas period.

6. Supporting Evidence

6.1 Performance Information and Data N/A

6.2 Expected outcome for the public

The enhancement of pay over the Christmas period will ensure that the Council has capacity in the workforce to deliver essential front-line services.

6.3 Involvement (consultation, engagement, participation)

There is agreement with the Joint Trade Unions; Unison, GMB and Unite to 'step outside' the NJC guidance for pay and enhance in line with option 1 of this report.

6.4 Thinking for the Long term (forward planning)

Meetings have been arranged for early in the new year with the trade unions to discuss arrangements for Christmas 2023/24.

6.5 Preventative focus

Option 1 takes a preventative approach to ensure the Council has capacity to deliver essential services during the Christmas period.

6.6 Collaboration / partnership working N/A

6.7 Integration (across service areas) N/A

6.8 **Decarbonisation and Reducing Carbon Emissions**

N/A

6.9 **Integrated Impact Assessment**

Option 1 will be applied to all staff who are required to work from the 25th December 2022 to the 2nd January 2023.

7. **Monitoring Arrangements**

N/A

8. **Background Documents /Electronic Links**

Appendix 1 - Workforce deployed over the Christmas period



CHRISTMAS
WORKING 2022 report

