

AT A MEETING of the Employment in Hampshire County Council Committee of
HAMPSHIRE COUNTY COUNCIL held at the castle, Winchester on Thursday
23rd March 2023

Chairman:
p Councillor Kirsty North

p Councillor Gary Hughes
p Councillor Steve Forster
a Councillor Zoe Huggins
p Councillor Stephen Philpott

p Councillor Adrian Collett
p Councillor Keith House
p Councillor Stephen Parker

50. APOLOGIES FOR ABSENCE

Apologies were received from Cllr Huggins. Cllr Mummalaneni was present as the Conservative Group deputy.

51. DECLARATIONS OF INTEREST

Members were mindful that where they believed they had a Disclosable Pecuniary Interest in any matter considered at the meeting they must declare that interest at the time of the relevant debate and, having regard to the circumstances described in Part 3, Paragraph 1.5 of the County Council's Members' Code of Conduct, leave the meeting while the matter was discussed, save for exercising any right to speak in accordance with Paragraph 1.6 of the Code. Furthermore Members were mindful that where they believed they had a Personal interest in a matter being considered at the meeting they considered whether such interest should be declared, and having regard to Part 5, Paragraph 5 of the Code, considered whether it was appropriate to leave the meeting whilst the matter was discussed, save for exercising any right to speak in accordance with the Code.

Councillor House made a personal declaration when discussing the national pay award under the Pay and Legislation update item, that he was a member of National Employers.

52. MINUTES OF PREVIOUS MEETING

The minutes of the last meeting were reviewed and agreed.

53. DEPUTATIONS

No deputations were received at this meeting.

54. CHAIRMAN'S ANNOUNCEMENTS

The Chairman expressed their thanks to Gary Hughes for his time as Vice-Chairman of the Committee.

55. PAY AND LEGISLATION UPDATE

The Employment in Hampshire County Council (EHCC) Committee considered a report of the Director of People and Organisation providing an update on a number of pay and legislation issues.

Members noted that the Trade Unions had submitted their pay claim for the April 2023 national pay award. The National Employers met on 23 February and made a full and final offer. There was a further meeting of the Employer's side on 8 March, with the recognised unions (GMB, Unite and Unison) at which the Employer's side reiterated the offer. However, the national committees of all three unions have rejected the offer.

Officers detailed a separate consultative ballot Unison had undertaken on two matters of dispute. Firstly, that the nationally negotiated additional day's annual leave from the 2022 pay award does not apply to Hampshire County Council's terms and conditions. This was because the annual leave entitlement for Hampshire staff is set by a local collective agreement, which Unison, GMB and Unite signed in 2007, not by the National Joint Committee. Secondly, Unison did not agree with minor changes made at the end of 2022 to the Salary and Sickness Absence policies. Unison have stated that 73% of members who responded to the ballot supported action on these matters, but had not shared what percentage of members responded.

Officers detailed a recent Supreme Court decision in the case of Harpur Trust – v- Brazel have had seen an adjustment to how annual leave for part-year workers must be calculated. This decision will result in part-year workers receiving proportionately more annual leave for time worked than their full-year colleagues. Officers have implemented these changes in February 2023 payroll, backdated to 1 October 2020. However, central government had launched a consultation which may change and even reverse this position in the future.

Members noted that the Council planned to implement a salary sacrifice scheme to allow staff to purchase Ultra Low Emission Vehicles. This contributed to Hampshire's target to be net-carbon neutral by 2050. EHCC noted that as these are considered company cars by HRMC, different fuel rates apply to normal business mileage claimed by employees in their own cars.

The committee were informed of central government's published response on the 'Make flexible working the default' consultation, which is expected to see new legislation in the future to enact some changes in this area. Additionally, two recent consultations have also been launched, one in relation to holiday pay for part-year workers and one in relation to a new Statutory Code for dismissals and re-engagements.

Officers concluded by highlighting several Bills that were progressing through the House of Lords which would lead to new legislation in three areas:

- minimum service levels during strikes,
- extension of protection from redundancy during maternity leave, and
- a new entitlement to one week's unpaid leave for unpaid carers.

RESOLVED:

- That EHCC note that the National Employer's side has made a full and final offer to the Trade Unions side for the pay award to apply from 1 April 2023, which Unite, Unison and GMB have rejected. The Employer's offer is;
 - A consolidated increase of £1,925 on salaries up to and including NJC spine point 43 (£49,590). This is pro-rata for part time staff,
 - a 3.88% pay increase on salaries above this.
- That EHCC agree a pay award of 3.88% to apply to staff on Grades H and above, with effect from 1 April 2023. This is subject to the conclusion of the national negotiations and on the assumption that the Employer's offer does not change.
- That EHCC note the consultative ballot undertaken by Unison of its members in Hampshire County Council as well as the national strike of Teachers.
- That EHCC note the impact of the Harpur Trust –v- Brazel Supreme Court ruling in relation to annual leave for part-year workers and irregular hours workers.
- That EHCC agree that the wording in relation to 'Public Holidays' of the existing EHCC agreement be interpreted to mean 'Public and Bank Holidays' and that this includes any additional national public or bank holidays that may be announced from time to time.
- EHCC to note that the Council will be implementing a new salary sacrifice scheme to allow staff to purchase Ultra Low Emission Vehicles. This will contribute to Hampshire's target to be net-carbon neutral by 2050. EHCC also to note that staff claiming business mileage in their salary sacrifice car will be reimbursed using the HMRC Advisory Fuel Rates (AFR) which are dependent on fuel type and engine size.
- That EHCC note the government's response to the consultation on 'Making flexible working the default', two new consultations and the legislation passing through the House of Lords.

56. SENIOR MANAGEMENT ADJUSTMENTS

The Employment in Hampshire County Council (EHCC) Committee considered a report of the Chief Executive providing an update on changes to the Chief Officer Group due to the forthcoming retirement of the Director of Children Services.

The committee heard noted that these changes were being implemented under the authority of the Head of Paid Service pending a formal appointment process in due course in accordance with Standing Orders.

- Steve Crocker retired as Director of Children Services on 31 March 2023, after 7 years as Director. Members noted that the role of Director of Children's Services is one of the County Council's Statutory Chief Officer roles and is a core member of the Corporate Management Team (CMT).
- Stuart Ashley, previously Deputy Director of Children Services, has, on an interim basis, taken over the role of Director of Children Services.
- The role of Deputy Director of Children's Services is required to cover the statutory responsibilities of the Director in their absence as well as sharing

the leadership responsibilities of the directorate. The post holder forms part of the Council's Chief Officers Group. Stephanie How has, on an interim basis, taken over the role of Deputy Director of Children Services.

Members heard how Steve Crocker had shared the Deputy Chief Executive responsibilities with Graham Allen, Director of Adults Health and Care. The Chief Executive has therefore appointed Rob Carr, Director of Corporate Operations and Chief Financial Officer as the new joint Deputy Chief Executive, with effect from 1 April 2023, in accordance with authority delegated by Cabinet in April 2009.

It was noted that these senior management adjustments take full advantage of the exceptional skills and talent already available at a senior level within Hampshire County Council. The new arrangements will ensure that the Council continues to have the necessary capacity and capability at the required level and ensures essential stability and continuity in respect of critical statutory functions at a time of significant challenge.

RESOLVED:

- That EHCC note the changes to the Chief Officer Group due to the forthcoming retirement of the Director of Children's Services, including the appointment of an interim Director and Deputy Director of Children's Services.
- That EHCC note the appointment of a new joint Deputy Chief Executive.

Chairman, Employment in Hampshire
County Council Committee