

the public service union

Somerset County Branch
Branch Secretary: Nigel Behan

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Public Services Not Private Profit

Our ref: UN 144

Your ref:

Ken Maddock, Esq.,
Leader,
Somerset County Council,
County Hall,
TAUNTON,
Somerset,
TA1 4DY

Wednesday 28th October 2009

Dear Ken,

Somerset County Council service conditions proposals

We were provided on 20th October with a copy of the draft Cabinet report, for 4th November, that discusses the service conditions suggestions that were circulated to Heads of Service the following day. We have not received formal correspondence to initiate formal consultation but we have been advised that comments will be welcome prior to the Cabinet meeting. We enclose a copy of our letter, setting out detailed queries, and our observations document for County Councillors that we have sent to David Taylor, Acting Chief Executive and copied to Richard Crouch, Head of HR & Organisational Development. We will attend the Cabinet meeting and would request an opportunity to speak on these matters.

Our initial reaction is that the suggestions should be treated with great caution and we request that the Cabinet does not commit itself to them at its meeting on 4th November but reserves judgement as the wider picture on the 2010/11 and future budgets unfolds. We have not been provided with MFTP options that would enable a proper assessment of whether the suggested service conditions cuts are justified.

Notwithstanding the collective bargaining issues, we believe that the suggestions would render Somerset County Council a less attractive employer compared to other authorities in the short term and in the longer term a permanent backwater. The huge commitment that will be needed from staff to take the Council through change over the next few years may be fatally damaged by these service condition suggestions.

Yours sincerely,

Nigel Behan, Branch Secretary
Lisa Youlton, UNISON Regional Head of Local Government

Copies: David Taylor, Acting Chief Executive
Richard Crouch, Head of HR and Organisational Development



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Your ref:

David Taylor, Esq.,
Acting Chief Executive,
Somerset County Council,
County Hall,
TAUNTON,
Somerset
TA1 4DY

Wednesday 28th October 2009

Dear David,

Somerset County Council service conditions proposals

We were provided with a copy of the draft report to the 4th November Cabinet meeting on 20th October, that discusses the service conditions suggestions that were circulated to Heads of Service the following day, and advised that if we wished to make a written response then this should be provided by the 2nd. This letter, our letter to the Leader, Ken Maddock, and our observations document for County Councillors form our current informal response from the Branch. We have sent a copy of this letter to the Leader Ken Maddock and explained that we will attend the Cabinet meeting and have requested of him an opportunity to speak on these matters. We enclose a copy of our letter to him and our observations document for County Councillors. We have written to you about the detail of these significant suggestions out of courtesy but of course expect to discuss them fully with Richard Crouch and the HR service.

It is important to record at this stage that we have not received formal correspondence to initiate formal consultation on these service conditions suggestions, which, as is noted in the Cabinet report, are largely contractual. It is also important to note that we do not have any detailed financial information about MFTP options or the overall position, which would be essential to assess whether the suggested service conditions cuts were justified. Whilst welcome in their own right, we do not regard the brief meetings, held on 29th September and 14th October, both called at short notice and the short meeting proposed for 1st December, when a paper for the 8th December Scrutiny Committee will need already to have been prepared, as formal or meaningful consultation.

At this stage we need to seek clarification from you as to the precise nature of the suggested service conditions changes.

1) A temporary suspension of incremental progression for those staff on Green Book Conditions of Service.

- 1.1 How many staff would be affected ?
- 1.2 What would be lost by each individual?
- 1.3 How much money would be secured from each staff group, such as by age, grade, gender, disability etc.?
- 1.4 What effect would the suggestion have on lower paid staff who are entitled to unsocial hours payments?
- 1.5 What would be the effect on staff pensions?
- 1.6 What pension provision would be made for staff nearing the end of their service?
- 1.7 How would the Council avoid the risk of equal pay claims?
- 1.8 Please could you provide an equalities impact assessment on this suggestion.
- 1.9 For how long would the suggestion apply?
- 1.10 How would the Council make up the loss in future years?
- 1.11 How would the Council reconcile the suggestion with its contractual obligations?
- 1.12 How would the suggestion affect sick pay and maternity leave provisions?
- 1.12 Would the suggestion apply to senior managers who were also subject to the senior manager pay re-banding suggestion?
- 1.14 How would the suggestion affect the need to pay market supplements?
- 1.15 Please could you confirm whether the County Council identifies the rate for a job with the top or bottom of the scale for that job.

2) A reduction in the level of compensation payment awarded to staff made redundant.

- 2.1 How many people are expected to be made redundant?
- 2.2 What range of saving would be made from the suggestion?
- 2.3 How does the suggestion relate to the effectiveness of policies to encourage voluntary redundancy and flexible working?
- 2.4 How does the suggestion relate to the effect of natural wastage?
- 2.5 How does the suggestion relate to work on workforce planning?

3) A temporary drop in the pay band for those officers in the top three tiers (circa 85).

- 3.1 What does 'temporary' mean?
- 3.2 What does 'pay band' mean?
- 3.3 What fall of salary levels would be involved?
- 3.4 Would the suggestion apply to the Chief Executive's post?
- 3.5 How would Somerset salaries affected by this suggestion compare with salaries for similar roles in other authorities?
- 3.6 Would new market supplements need to be arranged to maintain senior staff retention?

4) A case by case review of honoraria and market supplement payments.

- 4.1 What savings would be made by this suggestion commensurate with the proper application of equal opportunities legislation?
- 4.2 What is the pattern of honoraria, for the staff affected, by categories such as grade, age, gender, disability etc.?
- 4.3 What honorarium would be lost by each individual?
- 4.4 What is the pattern of market supplements, for the staff affected, by categories such as grade, age, gender, disability etc.?
- 4.5 What market supplement would be lost by each individual?

You will appreciate that we need reasonable and frank answers to these questions, and to others that they may lead to, in order to engage in meaningful consultation if necessary. A more substantial programme of meetings to consider the budget would also be needed in our view.

Yours sincerely,

Nigel Behan, Branch Secretary
Lisa Youlton, UNISON Regional Head of Local Government

Copies: Ken Maddock, Leader of the Council
Richard Crouch, Head of HR and Organisational Development



Somerset County Branch

Observations on 4th November 2009 Cabinet report “Outline proposals concerning cross-organisational people management”

Some background points

Contract obligations and the 2009/10 pay award

In the context of the budgeting issues now facing the County Council, it is important to appreciate that final settlement of the 2009/10 national pay award was part of an overall established contract with staff in Somerset. UNISON does not consider that settlement should be portrayed as one side of a bargain on mooted local service conditions changes which were never part of the negotiation.

Assurance of meaningful consultation

Meaningful consultation is at the core of good industrial relations. Meaningful means that timescales for consultation are realistic, contributions to discussion are well informed and any response will be considered before any decision is made. At this stage the emergence of suggestions from the Administration is only five weeks old and no formal correspondence has been received by the Branch to initiate formal consultation. The precise details of the suggestions are not established. A reasonable length of time needs to be provided for UNISON to consult its members, consider the legal and technical aspects of suggestions and respond, with the expectation that its views will be taken into account.

Best use of the County Council’s budget planning process

Whilst preparation for next year’s final budget begins many months before the County Council must finally commit, it benefits the Council to keep options on undesirable measures open for as long as possible. The Cabinet is not scheduled to finalise the 2010/11 budget until 3rd February 2010. UNISON has not been provided with MFTP options that would enable a proper assessment of whether the suggested service conditions cuts are justified. The Cabinet should not commit to the suggestions at this stage.

Disadvantaging the County Council

UNISON considers that the pay and conditions provisions for all staff are critical for retention of a balanced workforce and, where necessary, for recruitment. Pay and conditions should not disadvantage the County Council alongside other authorities and should remain within the national negotiating arrangements.

Existing provisions for flexible working that foster cost reduction

A wide range of flexible working provisions is established in HR policy. The County Council needs to promote these to establish what contribution they can make to the budget model for 2010/11 and beyond.

PTO

Recent suggestions from the Administration on current staff terms and conditions – some concerns

Overall the suggestions save relatively little and risk significant staff resentment. They also open the Council to potential equalities legislation claims and increased differentiation from conditions in Southwest One of staff from other organisations.

1) A temporary suspension of incremental progression for those staff on Green Book Conditions of Service.

It is important to understand that this suggestion does not affect staff equally. Some will have completed their incremental progression. UNISON expects that the effect will be greatest among staff groups who change jobs more frequently, particularly among women and those in less stable employment. Incremental progression is clearly provided for as part of conditions of service and is not a custom that has emerged by default.

2) A reduction in the level of compensation payment awarded to staff made redundant.

UNISON has sought clarification of what level of reduction is mooted or considered necessary. A best practice statement on the management of redundancies is being prepared jointly at national level. Somerset County Council should take this forthcoming advice into account.

3) A temporary drop in the pay band for those officers in the top three tiers (circa 85).

UNISON requires clarification of this proposal. It has already been noted that the County Council depends upon the commitment of officers.

Somerset is not a notably high paying employer in the local government field. This suggestion will reduce the enthusiasm of officers to assist in the redesign of services that may be required by the longer term financial picture and increase exposure of the Council to retention difficulties.

4) A case by case review of honoraria and market supplement payments.

This suggestion reflects controls already in place. Where expected payments are withdrawn, UNISON expects the yield to be either a significant reduction of staff commitment or increased exposure of the Council to retention difficulties.

Somerset County Branch of UNISON
28.10.09

PTO