

Greater London Employment Forum Annual General Meeting

Tuesday 19 July 2022 at 11.30am approx (or on the rising of the sides from the previous meeting)

London Councils 59½ Southwark Street London SE1 0AL

Employers' Side: Conference Suite, First Floor 10.45am

Union Side: Room 1, First Floor 10.45am

Contact Officer: Debbie Williams

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Agenda item

1.	APOLOGIES FOR ABSENCE	
2.	ELECTION OF CHAIR AND VICE-CHAIR 2022-23 The constitution provides that the positions of Chair and Vice-Chair should alternate between the two sides on an annual basis. This year it is the turn of the Trade Union Side.	
3.	CONFIRMATION OF GLEF MEMBERSHIP 2022-23	Attached
4.	NOTES OF THE LAST MEETING INCLUDING ANY MATTERS ARISING To agree the notes of the meeting held on 21 February 2019.	Attached
5.	LONDON PENSIONS COLLECTIVE INVESTMENT VEHICLE (CIV) UPDATE – Cameron McMullen, Client Relations Director	Verbal update – attending via MS Teams
6.	LOCAL GOVERNMENT AND NHS EMPLOYMENT SERVICE PASSPORT - UPDATE - Steve Davies, Regional Employers Side Secretary	Attached
7.	LOCAL GOVERNMENT PAY CLAIMS 2022 – Steve Davies, Regional Employers Side Secretary	Attached
8.	MENOPAUSE POLICIES – UPDATE – Steve Davies, Regional Employers Side Secretary	Attached
9.	LONDON COUNCILS' CONSTITUTIONAL MATTERS: To receive a cover report and attachments for noting 1: Amendments to London Councils Standing Orders 2: Protocol for London Councils Virtual Meetings	Attached

		3: Scheme of Delegations	
10.		ANY OTHER BUSINESS	
11.		DATE OF NEXT MEETING: Thursday 23 February 2022 Group meetings: 10am Joint Meeting: 11.30am	

Helen Reynolds
Union Side Co-Secretary
1st Floor, Congress House, Great Russell Street,
LONDON WC1B 3LS

Steve Davies
Employers' Secretary
59½ Southwark Street
LONDON SE 1 OAL

GREATER LONDON EMPLOYMENT FORUM MEMBERS 2022-23

Borough	Rep	Party	Deputy
Barking & Dagenham	Sade Bright	Lab	Irma Freeborn
Barnet	Barry Rawlings	Lab	Ross Houston
Bexley	Andy Dourmough	Con	Steven Hall
Brent	Muhammed Butt	Lab	Eleanor Southwood
Bromley	Pauline Tunncliffe	Con	Mike Botting
Camden	Richard Olszewsk	Lab	
Croydon	Jeet Bains	Cons	
Ealing	Bassam Mahfouz	Lab	
Enfield	Nesil Caliskan	Lab	Ayten Guzel
Greenwich	Ivis Williams	Lab	
Hackney	Carole Williams	Lab	Philip Glanville
Hammersmith & Fulham	Zarar Qayyum	Lab	
Haringey	Sarah Williams	Lab	Julie Davies
Harrow	David Ashton	Con	Stephen Greek
Havering	Ray Morgan	Residents Assoc	
Hillingdon	Douglas Mills	Con	Eddie Lavery
Hounslow	Shantanu Rajawat	Lab	
Islington	Diarmaid Ward	Lab	Santiago Bell-Bradford
Kensington & Chelsea	Josh Rendall	Con	Catherine Faulks
Kingston upon Thames	Alison Holt	LD	Andreas Kirsh
Lambeth	David Amos	Lab	Nanda Manley-Browne
Lewisham	Amanda de Ryk	Lab	Kim Powell
Merton	Sally Kenny	Lab	Billie Christie
Newham	Zulfikar Ali	Lab	
Redbridge	Helen Coomb	Lab	Vaniska Solanki
Richmond upon Thames	Kuldev Sehra	LD	Phil Giesler
Southwark	Stephanie Cryan	Lab	
Sutton	Richard Clifton	LD	
Tower Hamlets	TBC		TBC
Waltham Forest	Paul Douglas	Lab	Vicky Ashworth
Wandsworth	Kemi Kinola	Lab	
Westminster	Adam Hug	Lab	Aicha Less
City of London	Alastair Moss	Ind	

UNISON

Helen Reynolds
Sean Fox
Mary Lancaster
Simon Steptoe
Clara Mason
Gabby Lawler
Gloria Hanson
Andrea Holden

Maggie Griffin
Jackie Lewis
Simon Hannah
Sonya Howard
Glenn Marshall
Valerie Bossman Quarshie
April Ashley
Janet Walker
Kerie Anne
Christine Lander
Adejare Oyewole
Julie Woods (in attendance)

UNITE

Gary Cummins
Danny Hoggan
Susan Matthews
Kath Smith
Jane Gosnell
Pam McGuffie
Mick Callanan
Clare Keogh

GMB

Penny Robinson
Keith Williams
George Sharkey
Gary Harris
Kehinde Akintude
Donna Spicer
Sonya Davis
Christine Golding

**Notes of the Joint Meeting of the Greater London Employment Forum held via MS
Teams on Tuesday 22 February 2022**

PRESENT

Employers' Side

Cllr Sade Bright	LB Barking & Dagenham
Cllr Daniel Thomas	LB Barnet
Cllr Howard Jackson	LB Bexley
Cllr Margaret McLennan	LB Brent
Cllr Alison Kelly	LB Camden
Cllr Steve Donnelly	LB Ealing
Cllr Linda Perks	RB Greenwich
Cllr Carole Williams	LB Hackney
Cllr Julie Davies	LB Haringey
Cllr Catherine Faulks	RB Kensington & Chelsea
Cllr Tim Cobbett	RB Kingston upon Thames
Cllr Brenda Fraser	LB Merton
Cllr Terence Hall	LB Newham
Cllr Richard Baker	LB Richmond upon Thames
Cllr Richard Clifton	LB Sutton
Mayor John Biggs (Chair)	LB Tower Hamlets
Cllr Guy Senior	LB Wandsworth

Trade Union Side

Sean Fox	UNISON
Julie Woods	UNISON
Helen Reynolds	UNISON
April Ashley	UNISON
Christine Lander	UNISON
Sonya Howard	UNISON
Gloria Hanson	UNISON
Gavin Edwards	UNISON
Jackie Lewis	UNISON
Andrea Holden	UNISON
Maggie Griffin	UNISON
Simon Steptoe	UNISON
Adejare Oyewole	UNISON
Gabby Lawler	UNISON
Neil Tasker	Unite
Susan Matthews	Unite
Danny Hoggan (Vice-Chair)	Unite
Vaughan West	GMB
Sonya Davis	GMB
Madeline Daley	GMB
Stuart Fegan	GMB

Madeleine Daley

GMB

IN ATTENDANCE

Jade Appleton	Political Advisor to the Conservative Group, London Councils
Daniel Houghton	Political Advisor to the Liberal Democrat Group, London Councils
Steve Davies	London Councils
Debbie Williams	London Councils
Julie Woods	UNISON

APOLOGIES FOR ABSENCE

Apologies were received from Cllr Danny Beales (Camden), Cllr Nesil Caliskan (Enfield), Cllr Zarar Qayyum (Hammersmith & Fulham), Cllr Amanda De Ryk (Lewisham), Cllr Elaine Norman (Redbridge), Cllr Rachael Robathan (Westminster), Donna Spicer (GMB), George Sharkey (GMB), Stuart Fegan (GMB), Penny Robinson (GMB) and Mary Lancaster (UNISON), and Ella Watson (Political Advisor to the Labour Group, London Councils).

TO RECEIVE THE MINUTES OF THE MEETING HELD ON 20 JULY 2021 AND TAKE ANY MATTERS ARISING

The minutes of the meeting held on 20 July 2021 were agreed.

Matters Arising - Attendance

Sonya Davis (GMB) not Davies
Madeleine Daley - GMB member not Unite

There were no further matters arising.

MANAGING THE RISK OF OCCUPATIONAL VIOLENCE IN THE WORKPLACE - Jonathan Godfrey, Corporate Health & Safety Advisor, Kensington & Chelsea

Jonathan Godfrey (Kensington & Chelsea) informed colleagues that he is attending today in his capacity as Chair of the London boroughs Health and Safety Network. The network has recently produced the 'Managing the Risk of Occupational Violence in the Workplace' document to raise the risks of occupational violence across London boroughs and includes some tips in managing and reducing risks. Our stakeholders are the Health & Safety Executive (HSE), London Councils and the Local Government Association.

The HSE have expressed great interest in seeing this developed and the resources include UNISON's Charter. Late in 2021 I spoke with Kim Someley (UNISON) about how we could work together and develop with UNISON aspirations to mitigate occupational violence and reduce the risks. Like many health and safety risks in the country this is mitigating the risks as a progressive process.

The Suzy Lamplugh Trust are another resource and already provide a lot of advice to councils. Their Charter is something we thought was valuable in what we wanted to do in London. The NHS Reduction of Violence Charter is another resource and we have also engaged with the

London Ambulance Service to see how they integrate their policy document into their real time working arrangements.

Colleagues in attendance would have seen the document and I am happy to take questions.

UNISON VIOLENCE AT WORK CHARTER (taken as part of violence in the workplace item)
- Gavin Edwards, Senior National Officer for Social Care (UNISON)

Gavin Edwards informed colleagues that the UNISON Violence at Work Charter (attached) was a piece of work we started a number of years ago and it has grown to be a wider piece of work that includes councils and private sector organisations. We found from conversations with UNISON members in some areas particularly outsourced services, that suffering from violence at work was seen as part of the job. Employers were also just saying this is part of the job and something you have to put up with. UNISON's Charter says that this is not accepted, an employer has a duty of care and must put preventative actions in place.

The main, and reasonable request is having a written policy on violence at work and make sure a senior manager is there to implement it. Councils should reduce lone working where possible, enable staff to report violence, which is then monitored. Provide support for staff when they are the victims of violence and make counselling available. In social care we were being told that people doing sleeping shifts, were waking up with people standing over them with knives, being kidnapped, a whole range of incidents from lower-level aggression all the way through to genuine violent incidents and unfortunately there has been incidents where people have been killed.

There are a number of big organisations who have signed up to the Charter and we ask councils to use their commissioning power and ask organisations who they are commissioning services from to sign up to the Charter. I have not worked specifically on this piece of work in the last year, but it makes a big impact when organisations sign up to this Charter.



End Violence at
Work Charter.pdf

UNISON's definition of violence in the Charter is in common with the Health and Safety Executive, UNISON defines violence at work as "Any incident in which an employee is abused, threatened or assaulted in circumstances relating to their work."

The Chair stated that in his pre-meeting we talked briefly about the role of councillors, consultants and others working in authorities where the duty of care should still apply.

Gavin responded that yes, the duty of care still applies. On the whole, although not uniform, we are finding that where councils are doing things already the amount of change, they need to put in place is not huge but for organisations outside of the council this can be huge to put in place. I would be surprised if councils do not already have things in place so it should not be hard for them to meet the needs of the Charter.

Jackie Lewis (UNISON) stated that the unions very much welcome the ethos behind Jonathan's draft documents but have some concerns, there are number of gaps. One example of what we

are looking at is the definition of violence, the unions definition is very different from the one in the draft document which seems to be saying violence happens in your workplace and was surprised this piece of work was only prompted by attacks on social workers a few years ago UNISON's charter defines that violence happens in all kinds of settings. There have been incidents in my borough, Lambeth where a social worker received threats from their neighbours so we would want to see the employers document based on the broader sense of violence. We welcome the initiative but would like the opportunity to be consulted and have some input around the draft wording so would welcome a more detailed discussion with Jonathan and colleagues. Our comments would be constructive. The idea of trying to set standards for London boroughs around health and safety is a good one but we would like to see it be used not just stuck on shelves so it needs to link to arrangements that may already be in place. The Unions would like to get behind this piece of work.

Neil Tasker (Unite) stated that he does not think it sets the bar too high, it could be improved and strengthened. For me on a daily basis when we go to health and safety meetings the reporting of incidents is increasing and more needs to be done about control. Wondered how UNISON ensures when outsourced workforce's sign-up to the Charter that they are actually doing what the Charter says. Are there any controls in place?

Jonathan Godfrey responded that the rationale behind his document is the engagement with the HSE and that the workplace is the priority which does not negate that the employer has a duty of care outside of the workplace. I think the point that I want to make with the document is to raise the profile and join it up to UNISON's charter. It is all very well signing up to a charter, but actions are key. Our document highlights those actions need to take place, hence the involvement of the HSE. The document is crafted around the HSE's violence at work in the workplace which definition is more bespoke to London boroughs. We wanted to provide a document that London boroughs can embrace, and it is important that councillors are mentioned. We could apply this to bullying as well within the workplace. Notwithstanding the fact there are a number of definitions we talk about people being safe, healthy, and well in the workplace and not affected by occupational violence. Would welcome a discussion with union colleagues.

Gavin Edwards stated that Neil's point raised is an important one. We were really determined at the start of the process that this is not just getting lots of people to sign up, it needed to firstly raise the profile of the issue and then to show change with the employers. With the 51 community aided voluntary sectors who signed up, a majority of them had to change things. They had to provide written proof on what parts they were already doing and also provide what they were going to do in the future. Checking back, we are trying to do on a regular basis, there is a resource implication to this, but we are about to go on another sweep on both the Violence at Work Charter and the Ethical Charter.

The Chair asked that in terms of the process how would Jonathan take on board UNISON's Charter and the question that Jackie Lewis (UNISON) raised about having a discussion with the unions.

Jonathan Godfrey responded that the resolution for him would be through the Health & Safety network group. From my point of view, it will come through the network group, so individual borough representatives bring concerns to the group, since they are developing the guidance and will take the lead in disseminating this.

Jackie Lewis (UNISON) responded that the unions question was that we would like the opportunity to have a discussion outside of this forum about our concerns. It does not seem sensible to proceed on the basis you will get input from colleagues but not the unions, so this is

the nut we are trying to crack. I would have thought the logic is that there is some way to best discuss this, we are not looking for local union discussions, it could be raised through the Joint Secretaries.

Steve Davies, Employers Side Secretary stated that he will arrange for Jonathan, key health and safety representatives to meet with some union colleagues to have a physical/virtual meeting to discuss further and strengthen the document in key areas.

Christine Lander (UNISON) asked whether the health and safety group had looked at the safeguarding policy in the Children's Act as there are lots of statement in there that will support adults in the community?

Jonathan Godfrey responded that absolutely, going back to Jackie's point, local authorities have loads of great policies that tend to sit in silos. The purpose of the document we are producing is all around highlighting awareness at Executive and Member level so the organisation can accept it as a risk and make plans to mitigate it in the future.

APPRENTICESHIPS UPDATE – PAY SURVEY 2021 – Amin Aboushagor Principal Policy Officer for Skills and Culture, London Councils

Amin Aboushagor (London Councils) gave a presentation on the apprenticeships pay survey 2021 (attached) which covered -

- Background and key findings
- London Living Wage (LLW)
- Average Pay Level 2 and Level 3



Apprenticeship Pay
and Levy Data 2021

Vaughan West (GMB) stated that he thinks colleagues generally welcome this survey and it is encouraging to note the number of boroughs paying above the minimum and are grading people at appropriate grades. The one thing I would ask is whether as part of this survey would it be possible to get data on apprenticeship outcomes, when apprenticeships come to an end, are they retained by the council or do they leave?

Jackie Lewis (UNISON) stated that there is a lot of detail here about the Levels 1, 2 and 3 apprenticeships most of which are for people who do not currently work for a council, whereas the new higher-level apprenticeships provide an opportunity for existing staff to gain qualifications. There is now the social worker and occupational therapist apprenticeships which lead to the formal qualifications required. One thing we would like to ask is that data on existing staff undertaking apprenticeships at higher levels be part of the next survey collection. Locally we have been keen to pursue and make opportunities for existing staff to apply for them so any data/analysis for next year would be welcomed.

Amin Aboushagor responded that on apprenticeship outcomes in terms of what data we get, we will be undertaking a second survey later this year which for the first time will combine this pay survey along with a breakdown of ethnicity, gender, different types of apprenticeships and levy

spend, which will have the information on outcomes. My understanding is that the one undertaken last year will have some information but certainly the one this year will provide this information.

In respect to what our survey asks about in terms of what boroughs do for exiting staff, this survey is for new apprenticeships only it does not count existing staff, but we will certainly consider a question be added for this year's collection. One issue with the apprenticeship levy is if a council does not use the money within two years it goes back to the Treasury which means councils are more inspired to use the money for higher apprenticeships than lower due to the need to spend the levy. We have been lobbying the government to get them to change the timeline in spending the levy and will continue to do so.

The Chair stated that this is very useful information, and the metrics will be useful in terms of numbers. Grateful for Amin's presentation.

April Ashley (UNISON) asked when will the next survey results be shared?

Amin Aboushagor responded that the plan is to undertake the survey in the autumn and the report will be produced by end of 2022 so it will be the first meeting of this forum in 2023 when the information can be presented.

LONDON HEALTHY WORKPLACE AWARD AND GLA'S GOOD WORK STANDARD UPDATE

Steve Davies, Employers Side Secretary informed that these reports have been debated at previous meeting and that it has been requested that we keep a track on what organisations are re doing in term so achieving these awards and accreditations. Just because some organisations to not obtain or achieve these accreditations does not mean they are not achieving other workplace accreditations.

The reports were noted.

LONDON LIVING WAGE - POSITION IN LONDON UPDATE

Steve Davies, Employers Side Secretary stated that we always provide an update report in terms of what is happening with the London Living Wage (LLW). We identify the background and the listing in the report. The LLW rate was increased in November 2021 to £11.05p and at present the outer London pay spine is £11.01p which is before the April 2021 pay award is agreed, if agreed the minimum rate goes up to £11.30p, which would exceed the LLW rate. Hopefully once the national pay settlement is agreed we can uprate the pay scales and everyone in London will be ahead of the LLW rate in any event.

LONDON COUNCILS' CONSTITUTIONAL MATTERS: To receive a cover report and attachments for noting

- 1: Amendments to London Councils Standing Orders
- 2: Protocol for London Councils Virtual Meetings
- 3: Scheme of Delegations

Steve Davies, Employers Side Secretary informed that these do not really affect the Greater London Employment Forum or the Greater London Provincial Council so just for noting.

ANY OTHER BUSINESS

The Chair informed colleagues that today's meeting was the last meeting for Vaughan West (GMB) who will be retiring in July and Cllr Linda Perks (Greenwich) and Cllr Alison Kelly (Camden) who will both be standing down as members this year. It has been great working with you all and we wish you all good luck for the future.

Cllr Alison Kelly (Camden) thanked the Chair for all his work for this meeting and the way he works inclusively is very much admired.

The meeting concluded at 12.28pm

DATE OF NEXT MEETING:

AGM Tuesday 19 July 2022

Group meetings: 10am

Joint Meeting: 11.30am

Future Meeting Dates

23 February 2023

18 July 2023

Meeting: 11.30

Greater London Employment Forum

Local Government and NHS Collaborative working

Item: 6

Report by: Steve Davies **Job title:** Head of London Regional Employers' Organisation

Date: 19 July 2022

Contact Officer: Steve Davies

Telephone: 020 7934 9964 **Email** Steve.davies@londoncouncils.gov.uk

Purpose: To remind the meeting of the reasoning for introduction of an Employment Service Passport agreement for use between employers in the NHS and local government to recognise accrued service for individuals that get jobs in each other's sector, and therefore recognise their continuous service for certain contractual entitlements, such as annual leave, occupational sick pay, occupational maternity pay, other leave arrangements.

The aim is to help to make London NHS and local government employers a more attractive recruitment proposition than the private sector and support the recruitment and retention of talent in the public sector workforce in London.

This meeting provides an opportunity to share the arrangements for how it will work and re-energise its introduction since this stalled with the onset of Covid-19.

1. Introduction/ Background

- 1.1 HR leads from NHS London and local government have met to improve collaborative working across the employer and professional HR networks.
- 1.2 The potential for sharing knowledge, information, workforce practices and understanding of different cultures, systems, governance arrangements, etc. within the NHS and local government across employer and professional HR networks has been identified as important, especially with the vision of health improvement and prevention articulated by the NHS Long Term Plan and introduction of integrated care systems.
- 1.3 HR leads from NHS Employers, Health Education England and London Boroughs Regional Employers' Organisation have identified the following areas for collaboration/

knowledge sharing/ understanding:

- HR network linkages
- Apprenticeships
- Recruitment and Career pathways
- Equalities, Diversity and Inclusion – sharing good practice that stimulates greater workforce diversity and inclusion
- Leadership development opportunities – e.g. training, mentoring, secondments
- Employment Service Passport

2. Employment Service Passport

- 2.1 A key aspect of improving collaboration and networking is the potential to get some tangible benefits from working together. Having greater flexibility of employment across public services is an ambition shared by the organisations and recognised trade unions. Therefore, the opportunity to get an employment service passport agreement between the NHS and local government is something that can demonstrate the collaborative working relationship across HR.
- 2.2 **What is an Employment Service Passport?** - An Employment Service Passport is an agreement between NHS and local government London employers to recognise accrued service for individuals that get jobs in each other's sector and therefore recognise their continuous service for certain contractual entitlements, such as annual leave, occupational sick pay, occupational maternity pay, other leave arrangements. Note - This relates to individual recruitment only and does not cover service transfers which fall under TUPE or TUPE like arrangements.
- 2.3 A key benefit of such an arrangement is making NHS and local government employers a more attractive recruitment proposition than the private sector, or some other public sector organisations and supporting the recruitment and retention of talent in the public sector workforce in London.
- 2.4 The principles and arrangements for an Employment Service Passport have been discussed and approved by respective NHS and London boroughs heads of HR meetings and the meeting of the London NHS Partnership – Social Partnership Forum on 5 March 2020, which is a meeting of NHS employer and recognised trade union representatives.

3. How will the Employment Service Passport work?

- 3.1 The aim of the MoU is not to change the terms and conditions of service for each individual organisation in scope; all local agreements, employment benefits and terms and conditions will be retained. However, where there has not been a break of one clear week or more between the employments, any new local arrangements that refer to continuity of service, e.g., additional leave entitlement, will take account of the recognised other employer service as part of the calculation of certain contractual entitlements. So, for example, if an employee moved from an NHS employer and had 10 years continuous service, the 10 years will be recognised for long service annual leave enhancements and

better sick pay entitlements. The alternative (and current practice) is the employee's NHS service is not recognised and they get only the basic annual leave or sick pay entitlements. The individual will still be subject to their new employer's terms and conditions (local and national) and their entitlement to their previous contractual benefits shall not transfer.

- 3.2 For London local government the best mechanism for recognising this kind of arrangement would be incorporation into the London Agreement. This will need further consultation, understanding and agreement before this can happen.
- 3.3 For NHS employer bodies the preferred route of governance agreement would be agreement at regional Sustainability & Transformation Partnership (STP) board level/ Integrated Care System level by NHS employers and therefore agreement on behalf of several regional NHS employer bodies.

4. What are the Benefits?

- Supporting the recruitment and retention of talent in the public sector workforce in London
- Recognition of continuous service for certain contractual entitlements will provide a potentially wider pool of applicants.
- Making NHS and local government employers a more attractive recruitment proposition than the private sector, or some other public sector organisations.
- A flexible/mobile workforce can have both economic and social benefits, with a direct impact on engagement and turnover, while providing increased development, motivation, and job satisfaction for employees. This increases staff morale, and it is agreed that a motivated workforce is more productive.
- A flexible/mobile workforce will strengthen cross organisational cultural understanding, enhance professional links, and increase partnership working. Learning best practice from each other can only improve the totality of approaches adopted individually by each organisation.
- Having a geographically and organisationally mobile workforce will benefit all organisations and many individuals and will expedite the integration of social care and healthcare.

5. Concerns/ Issues and Mitigation / Answers

Concerns/ Issues/ Questions	Answer/ Mitigation
Do we need to change contracts of employment to do this?	<p>No.</p> <p>The proposal is not to copy or transfer the individual's contract of employment (which happens with TUPE), or to change the recruitment organisations terms and conditions, but just to recognise the years' service someone has with their previous organisation so that they will not lose the benefit they built up of having longer service.</p> <p>For example, an employee from the NHS (or vice versa local government), with 10 years' service joining a London borough (or vice versa NHS), will have that 10 years recognised for the purpose of getting additional annual leave entitlement with the London borough (or NHS), full sick pay benefits and other service related leave benefits.</p>
How much extra will this cost?	<p>Nothing.</p> <p>The budget cost for any job vacancy (position/post) will be exactly the same as at the point of advert and appointment.</p> <p>There may be some productivity costs due to giving extra leave or sick pay because of the recognition of accrued service from a different employer. However, these costs will not add to the budget cost for the post and therefore will be no different than had an individual been taken on from local government with 10 years' service.</p>
Will there be likely extra costs for redundancy?	<p>No.</p> <p>There will be no recognition of previous service for the purposes of redundancy or severance calculations.</p>
Will service be recognised for pension or redundancy/ severance payments?	<p>No.</p> <p>Recognising service for redundancy or pension purposes would require changes in legislation to make it work. Plus, it would incur a potentially significant cost to employers. Similarly, service recognition for severance payments would require changes to the new employers' contracts of employment and terms and conditions which are deemed to problematic as well as incurring a potential cost to the new employers.</p>
What will the previous service be recognised for?	<ul style="list-style-type: none"> • Additional annual provisions with the new employer. • More generous maternity leave and pay provisions • Sick pay entitlements, which improve with greater levels of continuous service • Any other leave provisions whereby service length grants additional benefits

Will this apply in TUPE or TUPE like situations	No This is a measure to support normal recruitment and retention arrangements. Where a TUPE situation arises the individual transfers to the new employer with most (excludes pension) of their contractual conditions intact and protected.
Will someone who is subject to this arrangement have their service and entitlement protected if subsequently part of a TUPE transfer	Yes Where an individual has had their previous service recognised and is now enjoying additional leave entitlements as a result with their new employer, then if they are subsequently transferred as part of a service TUPE or TUPE like transfer they will have their entitlements protected since it will be deemed to be in their contract of employment terms and conditions.

Greater London Employment Forum Local Government Pay Claims 2022

Item: 7

Report by: Steve Davies **Job title:** Head of London Regional Employers' Organisation
Date: 19 July 2022
Contact Officer: Steve Davies
Telephone: 020 7934 9964 **Email** Steve.davies@londoncouncils.gov.uk

Purpose: To report the latest position on the local government pay claims for 2022.

1. Summary of the current position

1.1 The unions submitted their pay claim for local government services staff effective from 1 April 2022 on 6 June 2022. This is as follows:

The claim is for:

- A substantial increase with a minimum of £2,000 or the current rate of RPI - whichever is greater - on all spinal column points.

In addition:

- A Covid-19 recognition payment
- A national minimum agreement on homeworking policies for all councils and the introduction of a home working allowance
- An urgent review of all mileage rates currently applying
- A review and update of NJC terms for family leave and pay
- A review of term time only contracts and consideration of retainers
- Reduction in the working week (without loss of pay) to 35 hours (34 in London) plus one additional day of annual leave

1.2 The Chief Officers claim is “a *substantial increase in rates of pay and all relevant allowances; taking into account private sector comparator pay rates and the cost of living crisis (as reflected in current 12-month inflation of 11.1 per cent*”.

1.3 The Chief Executive's claim is “a *pay increase that is the same as the generality of local government staff, through implementing a direct and immutable link, so that chief executives would receive the same increase as staff covered by the NJC pay points 25 to 43....*”.

- 1.4 Local Government Association officers together with National Joint Council Employer representatives conducted briefings with regional employer organisations during June. In London our briefing was conducted on Tuesday 14 June.
- 1.5 The National Employers are due to meet on 25 July to consider in detail the unions claim, information from the regional employer briefings and other relevant issues.

2 Context Information

- 2.1 The unions have helpfully summarised and outlined a number of key points in their claim for local government services staff. These are outlined below:

CONTEXT OF OUR CLAIM

- Council and school workers have endured a decade of pay freezes and below average pay awards
- Local government workers have lost on average 27.5% from the value of their pay spine since 2010
- The new cost of living crisis plus a standstill on NJC conditions has devalued low pay even further
- Just over half (51%) the cost of meeting this pay claim would be recouped by the government
- Further calls to central government for new funding for pay are needed
- The TU side urges local government employers to join us in making those renewed calls

COST OF LIVING CRISIS

- A sharp rise in the cost of living is hitting our members hard
- They are experiencing the fastest fall in living standards since the 1950s
- Inflation is forecast to peak at over 10% this year
- Economic conditions are now unlikely to return to pre-Covid levels until at least 2024
- Support measures offered by the government are not enough

ECONOMIC BACKGROUND

- Over the past 12 years, most NJC SPCs have lost a third of their value
- Many of the roles hit by long-term low pay are those likely to be worst hit by the cost of living crisis
- Local government will fail to attract or retain staff if wages fall further below the cost of living
- For 10 of the last 11 years, NJC pay awards have fallen below average pay awards in other sectors
- Household debt in the UK is now rising at its fastest rate since Covid-19 began

- UK household credit card borrowing in February 2022 saw the biggest increase since records began

COMPARING NJC PAY

- NJC SCPs 1-3 now all fall below the £9.90 UK Foundation Living Wage rate
- NJC pay would need to rise by more than 4% each year over the next three annual pay awards to meet the expected minimum wage target by 2024
- Deleting pay points on a new pay spine should always be a last resort
- The NJC should seek to create some breathing room between the legal minimum and SCP 1

RECRUITMENT AND RETENTION PRESSURES

- 78% of councils are experiencing some form of recruitment and retention difficulties
- COVID-19 workforce absences have restricted the ability recruit and retain staff
- Unemployment is at a record low and local government pay is stagnating - this will only make recruitment and retention harder
- Some traditionally low-paid retail jobs have quietly overtaken local government pay at the bottom

PAY-RELATED CONDITIONS OF WORK

- Covid-19 continues to put some strain on local government services and staff – a recognition payment would go some way towards recognising this
- All councils must have a homeworking policy in place and that it should include an allowance
- HMRC millage rates which have remained unchanged since 2011-12 and do not reflect new cost of living rises to fuel – an urgent review of all mileage rates is needed ASAP
- NJC terms for Family leave and pay compares unfavourably and need a major review
- A review of term time only contracts is needed
- A reduction in the working week (without loss of pay) and an additional day of annual leave would help to offset historic low pay

2.2 Regardless, of the points raised by the unions, the current economic situation and cost of living crisis, local government employers have been grappling with the challenges and pressures created on the bottom of national pay scales by the National Living Wage (NLW). The National Living Wage is the minimum hourly rate of pay across the country and calculated by the Low Pay Commission (LPC). It is not to be confused with the Real Living Wage which is calculated by the Living Wage Foundation and based on the cost of living.

- 2.3 Since its introduction in 2014, the National Living Wage (NLW) has presented a huge challenge for the National Joint Council (NJC) in managing to maintain headroom between the bottom pay points of the local government pay spine and the statutory NLW.
- 2.4 Ahead of the last General Election, the Conservative Party announced a policy of increasing the NLW from 60 per cent of national median earnings to 66 per cent by April 2024. This has formed the remit of the LPC since and has resulted in some significant annual increases in the NLW.
- 2.5 The NJC managed to achieve some breathing space in 2018-19 by revamping its pay spine. At that point, there was 79p headroom between the lowest local government pay rate and the NLW.
- 2.6 The NLW has had several years of significant increases and reached £9.50 on 1 April 2022. The NJC has now seen all of that headroom eroded. Consequently, the bottom pay point is at parity with the NLW at £9.50 and will remain so until the 2022 pay round has been finalised.
- 2.7 The LPC calculates forecasts the NLW rate a few years ahead based on economic forecasts and predictions. It can be quite volatile, which has made it difficult for the NJC to plan effectively over the past few years.
- 2.8 The economic turmoil over the past two years has only increased the volatility of the projections. This can be illustrated as follows.
- In April 2020, the LPC set out that the projected NLW rate for April 2024 was £10.69.
 - In December 2020, due to the impact on the economy of the COVID pandemic, the Office for Budget Responsibility (OBR) revised down this forecast to £10.10
 - By April 2021, when the LPC published that year's NLW consultation documentation, the projection had increased to £10.33.
 - By the Budget in Autumn 2021, the projection had rebounded once more and stood at £10.70.
- 2.9 The LPC has now issued its latest forecast alongside the call for evidence on the NLW rate for 1 April 2023, the LPC wrote:
- “Although our recommendations in the autumn will be subject to Commissioners’ assessment of economic conditions, our current best estimate for the on-course NLW rate in April 2023 is £10.32, within a range of £10.14 - £10.50. Our current best estimate of an NLW set at two-thirds of median earnings for those aged 21 and over (the minimum age is reducing from 23) in 2024 would be £10.95 within a range of £10.58 - £11.33. These are based on the latest wage growth forecasts, but actual wage growth may turn out higher or lower, and we will update these ranges in the summer based on

changing forecasts. We will publish a report, to coincide with the increase in NLW and NMW rates, setting out this pathway in more detail”

- 2.10 This projection is the highest rate yet predicted for the NLW in 2023 and 2024 and there is no guarantee it won't rise further due to the ongoing economic volatility, potential impact of the international context and expected further increases in the rate of inflation.
- 2.11 The problem for the NJC is caused less by in-year comparisons but more the practicalities of when the government announces the increase to the NLW for each forthcoming April (usually in October / November) and the NJC's negotiating timescales, which almost always run past the usual implementation date of 1 April due to the timing of the local government funding settlement, trade unions' pay claim, the consultation process and sometimes the electoral timetable.
- 2.12 In order to remain compliant with NLW legislation and allowing for forecasts to jump again beyond the LPC's latest projections, but nothing else (in terms of a 'normal' pay award), the NJC would need to do the following:
- To achieve a bottom rate of £10.50 in 2022 would require deleting SCPs 1-5
 - To achieve a bottom rate of £11.50 in 2023 would then require deleting SCPs 6-10
 - Just doing this and nothing else would potentially put 35 per cent of the full time equivalent (FTE) national local government workforce on the same bottom pay point. This seems impractical and unworkable.
- 2.13 The National Employers are due to meet on 25 July to consider all these issues in detail alongside the unions claim.
- 2.14 It should be noted that the national employers have written to the unions on behalf of local authorities urging them to work with them and each other in the forthcoming pay negotiations to avoid another lengthy process that delays the delivery of the pay award to employees.

3 The London Pay Spines and GLPC role

- 3.1 The outer and inner London pay spines were created in 2000 as part of 1997 national agreements to implement 'single status' (merging officer and manual worker conditions of service).
- 3.2 The Greater London Provincial Council Employers (GLPC) side has authority to act on behalf of all the authorities covered by the London Agreement. The purpose of the GLPC is to consult on, negotiate and determine regional agreements including the London pay spines.

- 3.3 Historically, the London pay spines have been amended each year in line with the pay awards agreed by the NJC for Local Government Services.

Greater London Employment Forum Menopause – Support Arrangements

Item: 8

Report by: Steve Davies **Job title:** Regional Employers' Secretary
Date: 19 July 2022
Contact Officer: Steve Davies
Telephone: 020 7934 9963 **Email** steve.davies@londoncouncils.gov.uk

Purpose: To provide an update report on the type of support arrangements that London boroughs have put in place to support people going through menopause symptoms. This was last reported to GLEF on 20 February 2020.

1. Introduction

- 1.1 There are approx. 13 million people in the UK experiencing the menopause (41%). The menopause is a natural part of ageing that usually occurs between 45 and 55, in the UK the average menopause age is 51.
- 1.2 In London boroughs women represent over 60% of the workforce, and the average age of the workforce is 46 years old. This means a significant portion of our workforce will be affected by the symptoms of the menopause in the course of their daily duties.
- 1.3 Menopause symptoms can vary for those going through it, but those that suffer extreme physical and psychological symptoms say it can have a negative impact on their performance and attendance at work, and on their relationships with colleagues.

2. Symptoms

- 2.1 The symptoms and their severity vary. Contrary to common belief the symptoms begin months or even years before periods begin to stop. This phase is known as perimenopause. Symptoms persist for an average of 4 years after a woman's last period. 1 in 10 people experience symptoms for up to 12 years.
- 2.2 The most common symptoms of the menopause are (but not limited to):
 - Hot Flashes - short, sudden feelings of heat, usually in the face, neck and chest, which can make the skin red and sweaty
 - Night sweats - hot flushes that occur at night
 - Difficulty sleeping – which can cause tiredness and irritability during the day
 - Problems with memory & concentration
 - Headaches
 - Mood changes - such as low mood or anxiety.

- 2.3 The Chartered Institute for Personnel and Development (CIPD) and YouGov surveyed 1,409 people experiencing menopause symptoms (March 2019). Of those who were negatively affected by the symptoms at work, they reported the following issues:
- nearly two-thirds (65 per cent) said they were less able to concentrate
 - more than half (58 per cent) said they experienced more stress
 - more than half (52 per cent) said they felt less patient with clients and colleagues
 - nearly a third (30 per cent) said they had taken sick leave but had not felt able to say the real reason for their absence.

3 Affecting work ability and efficiency

- 3.1 The symptoms listed above are all impactful on a person's life and their ability to perform at work. Where the menopause is a normal event (not an illness, health condition) this means that the symptoms of the menopause are often under recognised, undervalued and not taken seriously.
- 3.2 Many people do not recognise that it is the menopause (or perimenopause) causing their symptoms, and so they will not talk about it and – more importantly – they will not ask for help. In addition, if their colleagues do not know enough about the menopause then it potentially makes it very hard for them to talk about symptoms they are experiencing at work.
- 3.3 It is no surprise that around half people going through menopause have been reported as finding work difficult due to their symptoms. Poor concentration, tiredness, poor memory, depression, feeling low, reduced confidence, sleepiness and particularly hot flushes are all cited as contributing factors.
- 3.4 Evidence shows that there is a direct link between menopause symptoms and feeling less engaged at work, less satisfied with their job, greater intention to quit, lower commitment to work.
- 3.5 It is estimated that for around 10 per cent experience symptoms so bad that they feel unable to continue working.

4 How employers help

- 4.1 All employers have a responsibility for the health and safety of all their employees. Some employers have been slow to recognise that women experience symptoms may need specific considerations and many employers do not have clear processes to support women with menopausal symptoms.
- 4.2 Experience has shown that there are three main elements to managing the menopause at work:
- Workplace culture – creating conditions for staff and managers to feel comfortable talking about the menopause.

- Workplace policies and advice – creating frameworks for staff and managers to manage the menopause.
- Workplace environment – creating work locations that can better alleviate the symptoms of the menopause

5 Employer and Unison guidance

- 5.1 There is a wealth of guidance for employers on how to support people going through the menopause. Guidance from bodies such as the LGA (Local Government Association), ACAS, CIPD (chartered institute of personnel and development), Society of Occupational Medicine, NHS Employers, and British Menopause Society.
- 5.2 UNISON have also produced guidance - *The Menopause is a Workplace Issue* - is aimed at supporting employers to create a working environment where staff feel supported. The guide highlights how symptoms – from migraines to panic attacks – are an occupational health issue and can have a significant effect on staff.

6 London boroughs support arrangements

- 6.1 We asked London boroughs what arrangements they have put in place to provide information, guidance and support to staff and managers about the subject matter of menopause.
- 6.2 All boroughs reported they have either a formal policy and/ or provide guidance and support to staff and managers about the subject of menopause.
- 6.3 Examples of the type of support that boroughs have been providing include
 - Employee Menopause Support Groups
 - Women's Network which also supports colleagues going through the menopause
 - Menopause Advocates
 - Informal Menopause café where staff could drop in for informal chats, or ask questions
 - Dedicated section on the staff intranet
 - All staff communications on the menopause
 - Menopause bitesize sessions every two months
 - Webinars and other digital forum for sharing information
 - Menopause awareness sessions for staff and managers
 - E-learning modules

Greater London Employment Forum

Constitutional Matters - Amendments to
London Councils Standing Orders, and
annual presentation of Scheme of
Delegations to Officers

Item: 9

Report by: Christiane Jenkins **Job title:** Director, Corporate Governance
Date: 19 July 2022
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Summary: This report proposes amendments to London Councils Standing Orders.

This report also provides, for information, the most recent version of London Councils Scheme of Delegations, which encompasses amendments to reflect the current officer structure of London Councils.

Recommendation: The Committee is recommended to:

Note the proposed amendments to London Councils Standing Orders, as detailed in this report and at **Appendix One**;
Note the proposed amendments to London Councils Scheme of Delegations to officers at **Appendix Two**, including the relevant amendments to sections 7, 8, 12 and Part A of Appendix A

Background

Standing Orders:

1. London Councils Standing Orders (SOs) are contained in Schedule 6 of the Leaders' Committee Governing Agreement. In accordance with section 27.2 of the SOs, they can be amended by a decision of London Councils Leaders' Committee. The SOs have been amended a number of times since 2001. The current version was last amended following Leaders' Committee on 8 June 2021.

A couple of changes are proposed as follows:

2. Section 5 – Chair of Meeting. Section 5.1 has been amended to clarify the process for the election of a person to preside over a meeting in the event that the elected Chair is absent.
3. Section 22 - Delegations of Functions. Section 22.1 has been amended to remove reference to London Councils Forums which do not exercise functions.

Scheme of Delegations:

4. In line with London Councils Standing Orders, London Councils Scheme of Delegations to Officers is approved annually at Leaders' Committee's AGM, although additional delegations may be made during the year. The current Scheme was approved at Leaders' Committee AGM on 8 June 2021. No changes have been made since that time. A small number of changes are proposed to the Scheme of Delegation since the last AGM, to recognise the revised officer structure within London Councils.

The proposed changes are:

- Sections 7 and 8: these sections, relating to the nomination of a Deputy to assume authority in the absence of the Chief Executive, have been revised following the deletion of the post of Deputy Chief Executive
- Paragraph 12: all references to Corporate Management Board (CMB) now replaced with Corporate Management Team (CMT)

- Appendix A Part A: Renumbering; duplicate change as in paragraph 12 referred to above also made to the opening text and function 26 (as renumbered); function 2 replaced to reflect the current statutory provisions; function 28 (as renumbered): change of job role from Corporate Governance Manager to Head of Governance and Data Protection.
5. London Councils' joint committees have retained the authority to make decisions on policy and service provision and have delegated to officers the administrative functions relating to the running of London Councils.
 6. The Scheme of Delegations to Officers reflects the current structure of London Councils and enables effective and transparent decision-making processes. It does not seek to repeat the delegations contained within the Governing Agreements in full, only repeating them if it enhances the usefulness and clarity of the relevant delegation. The Scheme also does not repeat the specific delegations granted to the Director, Corporate Resources, where the responsibilities are included within the financial regulations. The Scheme of Delegations to Officers refers largely to administrative functions such as staffing, which are delegated in the first instance to the Chief Executive.

7. Recommendation

The Committee is recommended to:

- Note the proposed amendments to London Councils Standing Orders, as detailed in this report and at **Appendix One**;
- Note the proposed changes to London Councils Scheme of Delegations to officers at **Appendix Two**.

Legal Implications for London Councils

8. Part 5A of the Local Government Act 1972 governs public access to meetings, agendas and reports, the inspection of minutes and background papers, etc. and applies to London Councils as a Joint Committee. From 7 June 2022, meetings will now be held in person, with a virtual (but non-voting) offer for members who are unable to attend in person.
9. It is important that London Councils' joint committees properly delegate the exercise of functions to Officers in a manner which is consistent with the relevant Governing Agreements, and any legal restrictions on delegable functions, to ensure that the work of

London Councils (through Leaders' Committee, Grants Committee and LCTEC) is delivered efficiently and effectively, and to avoid giving rise to any possible grounds for challenge to decisions made pursuant to those delegations.

Equalities Implications for London Councils

10. There are no specific equalities implications for London Councils.

Financial Implications for London Councils

11. There are no financial implications for London Councils.

Appendices:

Appendix One: London Councils Standing Orders June 2022 with the proposed changes

Appendix Two: London Councils Scheme of Delegations to Officers June 2022 with the proposed changes