

For publication

Chesterfield Borough Council Partnership Agreement with recognised Trade Unions

Meeting:	Joint Cabinet Employment and General Committee
Date:	16 April 2024
Cabinet portfolio:	Customers and Business Transformation
Directorate:	Digital, HR and Customer Services

1.0 Purpose of the report

- 1.1 This report seeks approval to adopt the latest revision of the Council’s Partnership Agreement with Trade Unions and requests authority for Housing Services to ‘backfill’ the time which is lost to trade union activity to the equivalent of 1.6 FTE.

2.0 Recommendations

- 2.1 That Joint Cabinet and Employment and General Committee endorse the refreshed partnership agreement and approve that this can be signed on behalf of the Council.
- 2.2 That Joint Cabinet and Employment and General Committee approve that an additional £45k is made available to enable 1.6 FTE posts to be backfilled in Housing Services, offsetting the increase in Trade Union facility time which is built into the refreshed agreement.

3.0 Reasons for recommendations

- 3.1 The refreshed agreement enables effective partnership working with Trade Unions during a period of intensive change whilst also balancing the need to maintain service delivery to our residents, businesses, and visitors.

4.0 Report details

- 4.1 Effective joint working with Trade Unions has the potential to produce benefits for our workforce and our communities, including better services, effective implementation of policy, ensuring high standards of employment

practices and providing a transparent and streamlined structure for Trade Union, employer, and staff engagement.

- 4.2 The Council first signed a partnership agreement with recognised Trade Unions in 2020. The document sets out a framework for working with Trade Union representatives, so that good formal and informal working relationships are maintained. The agreement recognises the essential role that Trade Unions play in ensuring our employees are supported, advised, represented, and consulted on change and sets out our commitment to engage with Trade Unions and with the workforce over important decisions that have an impact on our employee's lives.

- 4.3 Officers have recently worked with local Trade Union representatives to review and refresh the Trade Union partnership arrangement, taking account of current Trade Union membership numbers and in an effort to ensure facility time reflects the scale of change activity that is underway.

- 4.4 It is proposed that the Council increases the level of paid facility time to our recognised Trade Unions, from 5 days per week to 11.5 days per week during the next two years. This increase recognises the significant change activity underway at Chesterfield Borough Council, including implementation of our budget strategy initiatives, reviewing the pay and reward of our trades staff, refreshing the terms and conditions available to our workforce, undertaking reviews of employment and health and safety policies and workforce wellbeing activities, whilst also digitally transforming the way we work.

- 4.5 The revised Partnership Arrangement is attached at Appendix A of this report.

- 4.6 Many of the Trade Union representatives are based in Housing services and the time spent on Trade Union duties is typically not backfilled, which is having an adverse impact on service delivery. Some funding is already made available to Housing, and it is recommended that an additional £45k is transferred from the general fund budget to the HRA to enable backfilling to take place across relevant teams. This will generate a pressure in the general fund which will be met as part of the Council's overall budget strategy implementation plans.

5.0 Alternative options

- 5.1 Officers have considered whether paid facility time for Trade Union representatives should remain the same, or indeed be reduced. However, taking this approach would mean that the level of engagement which is currently being undertaken with Trade Unions could not be sustained, as the current level of paid facility time is not sufficient to deliver the significant change activity that is underway. These options have therefore been rejected as we recognise the benefits that can be achieved through

effective working with trade unions when implementing change in the organisation.

6.0 Implications for consideration – Financial and Value for Money

6.1 Increasing the level of paid facility time to 11.5 days will cost the Council approximately £104k per annum.

6.2 The Council's General Fund budget and the Housing Revenue Account fund the paid facility time which is allocated to Trade Union representatives. In previous years, the time spent on Trade Union duties has been absorbed within existing budgets.

6.3 As the Council's existing Trade Union representatives are predominantly employed by the Council's Housing Directorate, there is a requirement to fund the backfill of 1.6 FTE posts, enabling service levels to be maintained during trade union facility time. An additional budget pressure of £45k will be incurred in budget code 0483, and this will be offset via the Council's budget strategy initiatives. Additional facility time will continue to be absorbed within existing budgets.

7.0 Implications for consideration – Legal

7.1 There are no legal implications generated by this report. The partnership arrangement is not a legally binding document.

8.0 Implications for consideration – Human Resources

8.1 Five of the six primary trade union representatives are based within the Housing Directorate. Permission is sought to backfill for the time which is being lost to trade union duties in this service area as service levels are being adversely impacted and the level of lost time cannot be sustained.

8.2 It is proposed that these posts are recruited on a two-year fixed term contract. The council will seek to recruit these posts from internal recruitment, prior to seeking external applications.

9.0 Implications for consideration – Council Plan

9.1 Adherence to the Trade Union Partnership arrangement will help to ensure that elected members, managers, trade unions and employees can work together to deliver good services, protect our employees, and deliver effectively on our Council Plan ambitions.

10.0 Implications for consideration – Climate Change

10.1 The trade union partnership arrangement does not generate any negative implications for consideration.

11.0 Implications for consideration – Equality and diversity

11.1 The policy does not impact on specific groups or those with protected characteristics.

12.0 Implications for consideration - Risk management

Description of the Risk	Impact	Likelihood	Mitigating Action	Impact	Likelihood
Increasing trade union membership may result in requests for further facility time	M	M	Implement caps on facility time and regular reviews	M	L
Industrial relations break down and the partnership ambitions cannot be achieved	H	M	Structured governance arrangements will ensure regular communication and regular reviews will be implemented	H	L

Decision information

Key decision number	<i>All key decisions must be in the Forward Plan at least 28 days in advance. There are constitutional consequences if an item is not in the Forward Plan when it should have been. Contact Democratic Services if in doubt.</i>
Wards affected	All wards

Document information

Report author	<i>Rachel O'Neil, Service Director, Digital, HR and Customer Services</i>
Background documents	These are unpublished works which have been relied on to a material extent when the report was prepared.
	<i>This must be made available to the public for up to 4 years.</i>
Appendices to the report	

