

Report for: **General Purposes Committee**

Item number:

Title: **Employee Notice Periods**
Report

authorised by: Dan Paul, Chief People Officer

Lead Officer: Dan Paul, Chief People Officer

Ward(s) affected: **N/A**

**Report for Key/
Non Key Decision:** **Non Key**

1. Describe the issue under consideration

The Committee is requested to enter into a collective agreement with Trade Unions to change to employee terms and conditions in relation to notice periods in order to ensure that they are appropriate to the level of seniority, enable service continuity and assist in reducing agency staff cover. Trade Unions have agreed to the proposed change.

2. Cabinet Member Introduction

Not required for the General Purposes Committee.

3. Recommendations

3.1 That the Committee approve the following changes via a Collective Agreement:

- a) Notice periods for employees paid up to and including PO4 to have a minimum notice period of 6 weeks.
- b) Notice periods for employees paid PO5 and above to have a minimum notice period of 3 calendar months.
- c) For those on TUPE terms and conditions and not on Council pay scales, those with pay equal to or exceeding SCP 39 will have a notice period of 3 months. Those paid below that figure will have a notice period of 6 weeks.
- d) The above to be applied from 1st January 2024.

That the Committee note:

- e) That managers are authorised to reduce notice periods in individual cases as appropriate, as has always been the case.
- f) That some employees are not included in the change:
 - a. Senior Managers, who are already on 3 calendar months notice.
 - b. Those employed on Teacher term and conditions and other terms and conditions where notice periods are related to school term dates.
 - c. Those employed in Foundation and Voluntary Aided schools, where the Council is not the employer. Separate consultations will take place in those

schools as required. Those employed in Maintained and Voluntary Controlled Schools are included in the decision being taken by the Committee.

- d. There are some employees at PO4 and below who have contracts stating a greater period of notice than 6 weeks. This will not change and these longer notice periods will continue to apply.

4. Reason for decision

- 4.1 To ensure that notice periods are appropriate and strike the appropriate balance in terms of service delivery and employee rights.

5. Background

- 5.1 As is good practice, from time to time employee terms and conditions are considered to ensure that they remain appropriate and support the Council's objectives.
- 5.2 The Equal Pay Collective Agreement of 2008 sets notice periods for all employees up to and including PO8 grade. The notice period in that Agreement is "to the end of the month following that in which notice is given". This results in variable notice periods of between 4 and 8 weeks, depending on when in the month notice is given.
- 5.3 This is confusing and in practice for many years the Council has applied a notice period of 4 weeks. This is not in line with the Agreement it has been agreed with Trade Unions that for our lower graded employees, it would be more appropriate to standardise notice periods at 6 weeks, that being the mid point of the current 4-8 week range.
- 5.4 In any case, for more senior employees, that notice period is too short to allow for appropriate advertising and replacement of employees who are leaving. This is likely to lead to an increased use of agency staff and a lack of continuity of management. It has been agreed with Trade Unions that a notice period of 3 calendar months would be appropriate.
- 5.5 This change would apply to existing and new employees. A contractual change date of 1 January 2024 allows an implementation period for employees who have been successful in gaining other employment and already told their new employer what their notice period is.
- 5.6 As this change affects the whole workforce and is unrelated to any TUPE transfer, the changes will also apply to employees on TUPE terms and conditions.

6. Alternative options considered

- 6.1 The alternative would be to make no change, which has been discounted as the benefits would not be realised.

7. Contribution to strategic outcomes

- 7.1 A change to notice periods would benefit the Council's strategic outcomes in the ways set out above, specifically in the potential to reduce agency staffing and in the continuity of management and service delivery.

8. Statutory Officers' comments (Chief Finance Officer (including procurement), Head of Legal and Governance, Equalities)

8.1 Head of Legal & Governance Comments

8.2 Chief Finance Officer Comments

There are no direct financial implications arising from this report.

8.3 Equalities Comments

8.3.1 The Council has a public sector equality duty under the Equality Act 2010 to have due regard to the need to:

8.3.2 Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act.

8.3.3 Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it;

8.3.4 Foster good relations between people who share a relevant protected characteristic and people who do not share it;

8.3.5 A "relevant protected characteristic" is age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

8.3.6 The change to notice periods for employees will have a neutral impact.

9 Use of Appendices

None

10 Local Government (Access to Information) Act 1985

Not Applicable