

**Cabinet Member Meeting
Organisation and Workforce
17 JANUARY 2024**

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| Cabinet Member: | Portfolio: | |
| Cllr. Philip Hughes | Organisation and Workforce | |
| Employment Contract Notice Periods | | |
| Purpose: To consider and agree the appropriate contractual notice periods for our workforce, with relevance to their seniority in the organisation, and accounting for the recruitment challenges in our 'harder to recruit' professional occupational groups. | | |
| Recommendations / key decisions required: To implement the revised contractual notice period requirements following a period of consultation with the Trade Unions. | | |
| Reasons: To balance what is fair to the employee with what is reasonable for the organisation, particularly in terms of recruiting replacements. To better align our notice periods with many of our fellow Welsh County Councils and partner organisations, to support more reciprocally timely employee transfers. | | |
| Directorate: Chief Executives Name of Head of Service: Paul Thomas Report Author: Kate Morgan | Designations: Assistant Chief Executive, People Management Senior HR Business Partner | Tel: Email addresses: PRThomas@carmarthenshire.gov.uk |

Declaration of Personal Interest (if any):

None

Dispensation Granted to Make Decision (if any):

N/A

(If the answer is yes exact details are to be provided below:)

DECISION MADE:

Signed: _____ DATE: _____

CABINET MEMBER

The following section will be completed by the Democratic Services Officer in attendance at the meeting

| Recommendation of Officer adopted | YES / NO |
|---|----------|
| Recommendation of the Officer was adopted subject to the amendment(s) and reason(s) specified: | |
| Reason(s) why the Officer's recommendation was not adopted: | |

EXECUTIVE SUMMARY

Review of Contractual Notice Periods

BRIEF SUMMARY OF PURPOSE OF REPORT.

When deciding on the length of notice periods, it is quite usual for the employer to take into account the seniority of the role, or any other factors, including a potential restricted applicant pool in a 'harder to recruit' occupational grouping.

HR have received representations from service departments in respect of the impact on their services when staff leave the Authority with 1 months' notice. Posts can remain unfilled for a significant period, waiting for the recruitment and commencement of new appointees to the Authority. Whilst a vacancy factor can support more financial latitude, this can have a negative impact on service delivery and it can also create risk, particularly in our statutory services.

Research has shown that many other Welsh local authorities operate a tiered notice period system based on pay scale. NHS Wales terms and conditions also have a tiered notice period system which applies to all Health Boards in Wales.

The evidence collated from other Welsh local authorities, and NHS Wales, shows this trend to tier the notice period staff are required to give to terminate their employment, at or around the equivalent of Grade H or I in our pay structure. Current arrangements in Carmarthenshire tier notice periods at grade L. Having more alignment to other local authorities in this regard will also minimise pressure during turnover periods in the workforce, and support more reciprocally timely employee transfers.

The proposal is:

Tier the contractual notice periods according to seniority (identified by grade), as follows:

| | | |
|----------------|------------|---------------------|
| Grade A-H | – 1 month | (existing T&C's) |
| Grade I – O | – 3 months | (new for grade I-K) |
| Chief Officers | - 3 months | (existing T&C's) |

Consultation with the recognised Trade Unions is recommended to try and achieve agreement to implement a revised contractual notice periods for new recruits and new internal appointments via normal recruitment and restructures.

OTHER OPTIONS AVAILABLE AND THEIR PROS AND CONS

An option is to leave the current notice period arrangements un-changed.

The pros of this option are that no further work is needed. The cons are that we remain out of kilter with the majority of other local authorities, some of whom are our key workforce competitors. Doing nothing also means that we do not address the challenges faced by our service leads in managing their vacancies in a timelier way.

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| DETAILED REPORT ATTACHED ? | NO |
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IMPLICATIONS

ALL IMPLICATIONS REQUIRE SIGN OFF BY THE DIRECTOR OR HEAD OF SERVICE

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: **Paul Thomas, Assistant Chief Executive**

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|-----------------------------|------------|------------|-------------|------------------------|----------------------------|-----------------|
| Policy and Crime & Disorder | Legal | Finance | ICT | Risk Management Issues | Organisational Development | Physical Assets |
| YES | YES | YES | NONE | NONE | YES | NONE |

Policy, Crime & Disorder and Equalities

A shift in notice period requirements by grade does not present any equality risk, either directly or indirectly.

Legal

The proposed changes to notice periods is a legitimate course of action in line with employment law.

Finance

Marginally reduced vacancy factor to be managed within existing delegated budgets.

Staffing Implications

Implications are limited as new recruits have no existing contractual relationship with the authority. For existing staff securing new roles via internal transfers and restructuring, at or above grade I, the new notice period will form part of the job offer.

If there is a wish by Heads of Service to enter into negotiations with existing groups within the workforce, this will require more detailed negotiation, however, it's quite achievable by a process of consultation.

Consultation with the Trade Unions is recommended, with a view to seek agreement on the proposed changes. Agreement is always preferable; however, the absence of a trade union agreement is not fatal in terms of implementing the revised arrangements for new recruits.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Paul Thomas, Assistant Chief Executive

1. Scrutiny Committee

N/A

2. Local Member(s)

N/A

3. Community / Town Council

N/A

4. Relevant Partners

N/A

5. Staff Side Representatives and other Organisations

Consultation with recognised Trades union will commence following CMT decision

**CABINET MEMBER PORTFOLIO
HOLDER(S) AWARE**

YES

Include any observations here

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THERE ARE NONE

| Title of Document | File Ref No. | Locations that the papers are available for public inspection |
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