



NOTICE OF MEETING

Employment Committee

Wednesday 6 July 2016, 7.30 pm

Council Chamber, Fourth Floor, Easthampstead House, Bracknell

To: Employment Committee

Councillor McLean (Chairman), Councillor Allen (Vice-Chairman), Councillors Angell, Mrs Birch, Leake, Ms Miller, Mrs Temperton, Virgo and Worrall

Non-Voting Co-optee

Councillor Heydon

cc: Substitute Members of the Committee

Councillors Brossard, Dudley and Mrs Hamilton

ALISON SANDERS

Director of Corporate Services

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Published: 27 June 2016



Employment Committee
Wednesday 6 July 2016, 7.30 pm
Council Chamber, Fourth Floor, Easthampstead House,
Bracknell

Sound recording, photographing, filming and use of social media at meetings which are held in public are permitted. Those wishing to record proceedings at a meeting are however advised to contact the Democratic Services Officer named as the contact for further information on the front of this agenda as early as possible before the start of the meeting so that any special arrangements can be made.

AGENDA

Page No

1. **Apologies**

To receive apologies for absence and to note the attendance of any substitute members.

2. **Declarations of Interest**

Any Member with a Disclosable Pecuniary Interest or an Affected Interest in a matter should withdraw from the meeting when the matter is under consideration and should notify the Democratic Services Officer in attendance that they are withdrawing as they have such an interest. If the Interest is not entered on the register of Members interests the Monitoring Officer must be notified of the interest within 28 days.

3. **Minutes from previous meeting**

To approve as a correct record the minutes of the meeting of the Committee held on 10 May 2016.

5 - 8

4. **Urgent Items of Business**

Any other items which, pursuant to Section 100B(4)(b) of the Local Government Act 1972, the Chairman decides are urgent.

5. **Update from the Chairman of the Local Joint Committee**

A verbal update from the Chairman of the Local Joint Committee.

6. **Minutes of Sub Groups**

The Committee is asked to note the minutes of the Local Joint Committee held on 10 May 2016.

9 - 10

Exclusion of the Press and Public

Agenda items 7 and 8 are supported by annexes containing exempt information as defined in Schedule 12A of the Local Government Act 1972. If the Committee wishes

to discuss the content of these annexes in detail, it may choose to move the following resolution:

That pursuant to Regulation 4 of the Local Authorities (Executive Arrangements) (Access to Information) Regulations 2012 and having regard to the public interest, members of the public and press be excluded from the meeting for the consideration of item 7 and 8 which involves the likely disclosure of exempt information under the following category of Schedule 12A of the Local Government Act 1972:

- (3) *Information relating to the financial or business affairs of any particular person (including the authority holding that information).*

7. Revenue Budget 2016/17 - Employment Implications of Service Changes taken to Public Consultation

The purpose of this report is to identify additional staffing implications arising from the revised financial position for 2016/17. This set of changes was subject to public consultation, which has now closed. The savings proposed were agreed by the Executive on 14 June 2016. The proposals have also been to a meeting of the Local Joint Committee for consultation. The Employment Committee is now asked to consider the report. 11 - 24

8. Proposed Redundancies - Education Library Service

The purpose of this report is to seek approval to the redundancy of the postholders identified in Exempt Appendix A which arises from the closure of the Education Library Service. 25 - 36

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**EMPLOYMENT COMMITTEE
10 MAY 2016
7.30 - 8.00 PM**



Present:

Councillors McLean (Chairman), Allen (Vice-Chairman), Mrs Angell, Ms Miller and Worrall

Non-Voting Co-optee:

Councillor Heydon

Also Present:

Councillor

Apologies for absence were received from:

Councillors Mrs Birch, Leake and Virgo

58. Declarations of Interest

There were no declarations of interest.

59. Minutes from previous meeting

RESOLVED that the minutes of the meeting held on 16 March 2016 be approved as a correct record and signed by the Chairman.

60. Matters Arising

There were no matters arising.

61. Urgent Items of Business

There were no items of urgent business.

62. Employees Code of Conduct Amendment

The Committee considered a report of the Director of Corporate Services seeking the approval of an amendment to the Employees Code of Conduct. The amendment would introduce a requirement for all Council employees to declare the existence of charges brought by the Police, convictions in a court of law or the issue of a caution on any matter, and to report it immediately to their directorate HR lead or the Chief Officer: HR.

This followed a decision by Corporate Management Team to review and amend the practice of carrying out three yearly Disclosure and Barring Service (DBS) rechecks to posts where there was no statutory duty to do so. During the time the Council had performed regular rechecks, there was no recorded case of an employee whose employment had been terminated due to new offences being detected by this service. A budgetary saving had resulted from not undertaking the rechecks which had been

included in the 2016/17 budget. The imposition of a requirement on employees to disclose new convictions was expected to mitigate any risks which might arise.

The Committee noted a number of amendments made to the report in order to ameliorate the concerns expressed by Members at a previous meeting:

- The rationale of the proposals was to create a framework which placed an obligation on the employee to disclose, enabling the Chief Officer (with HR/Legal advice as appropriate) to determine whether or not an individual could continue in their role pending the conclusion of criminal proceedings. It was emphasised that disclosure would not lead to automatic censure.
- While it was considered necessary to maintain the requirement for all charges, convictions or cautions (with the exception of offences resulting in a fixed penalty notice) to be disclosed, regardless of their nature, it was for the Council to decide, having undertaken a risk assessment, on an appropriate and proportionate response.
- To ensure a consistent approach across the Council to any disclosures made, it was proposed that employees would be required to report charges, convictions or cautions to their directorate HR Lead or the Chief Officer: HR.
- An additional recommendation had been added to provide for the new requirements to have retrospective effect from 1 July 2015 (the date at which the DBS rechecks ceased to be undertaken).

The Committee recognised that the Council had a duty to safeguard the interests of clients, customers and taxpayers by the introduction of such measures, so that any risks arising from disclosures could be properly assessed and mitigating action taken where necessary. With the reference to the retrospective duty to report, it was suggested that a month would be a reasonable period for employees to make any disclosure once the amendment to the Code had been made and notified to staff.

RESOLVED

- 1 That the provision outlined in paragraph 5.7 of the report under the heading 'Reporting of Criminal Charges and Convictions' be added to the Employees Code of Conduct.
- 2 As a consequence to the proposed changes above, an additional offence (of failing to disclose) as detailed in paragraph 5.8 of the report be added to the Disciplinary Procedure as an instance of potential serious misconduct.
- 3 That the above resolutions have retrospective effect from 1 July 2015 (ie the point at which DBS rechecks ceased to be undertaken).

63. Revenue Budget 2016/17 Employment Implications

The Committee considered a report setting out the staffing implications arising from the revised financial position of the Council for 2016/17 and the requirement for it to make substantial budget economies. The budget proposals focussed, as far as possible, on making savings and efficiencies in areas that would have the least direct impact on services to residents, although this was not possible in all instances.

All staff affected by the emerging proposals were fully briefed by managers during January 2016 and issued with a formal 'At Risk' letter on 5 February or during week commencing 8 February 2016. This was followed by in-depth meetings with those employees held by departmental HR staff and managers responsible for the service, in line with the Council's agreed Organisational Change timetable.

The report referred to 7 posts (equating to 6.5 FTE) identified for redundancy in Corporate Services/Chief Executive's Office and the Environment, Culture and Communities Directorate. Full detail of the posts and the cost of redundancies were included in an Exempt Appendix. The Committee noted that there had been four requests for voluntary redundancy leaving just three cases of compulsory redundancy. The Committee was also informed of four further posts which were 'At Risk' of redundancy where postholders had been successfully redeployed.

The total cost of the proposals was £187,434, with an average payback period of 7 months. This would reduce if further redeployment opportunities were identified. The final cost would be met from the Structural Changes Reserve.

RESOLVED that:

- 1 The deletion of the posts identified in Exempt Appendix B be approved with effect from the dates indicated.
- 2 The postholders be declared redundant in accordance with the terms set out in the Exempt Appendix, with the costs being met from the Structural Changes Fund (subject to any redeployment opportunities offered to those affected).

64. Update from the Chairman of the Local Joint Committee

The Committee was informed that a very short meeting of the Local Joint Committee had been held earlier in the afternoon and that no issues relating to the business on the Employment Committee agenda had been raised.

The Chief Officer: HR had been asked to look into arrangements for the future for consulting the parties involved in the Local Joint Committee to ascertain whether there were issues to consider which warranted a meeting being called, or whether it could be cancelled. It was proposed to consult via a pre-meeting for the Chairman of the staff side and the lead Councillor, to enable a decision to be taken.

65. Minutes of Sub Groups

The Committee noted the minutes of the Local Joint Committee held on 16 March 2016.

CHAIRMAN

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**LOCAL JOINT COMMITTEE
10 MAY 2016
4.00 - 4.10 PM**



Present:

Councillors Leake (Chairman), Allen, Mrs Angell and Worrall
Lorna Cameron, UNISON
Nikki Dancey, GMB

48. Declarations of Interests

There were no declarations of interest.

49. Minutes from Previous Meeting

The minutes of the meeting held on 16 March 2016 were approved as a correct record.

50. Urgent Items of Business

There were no items of urgent business.

51. Employment Committee: Agenda and Related Matters

1) Employees Code of Conduct Amendment

The Chief Officer: Human Resources reported that a number of issues had been raised by the Employment Committee when this report had been submitted at the last meeting in March 2016. As a result some revisions had been made as set out in the report.

2) Revenue Budget 2016/17 – Employment Implications

The Chief Officer: Human Resources reported that this report identified additional staffing implications arising from the revised financial position for 2016/17. The report detailed that there would be a total of seven redundancies arising from these proposals, four of these were voluntary. In addition, four staff had been successfully redeployed.

It was proposed that further redundancies would be put forward at the 6 July 2016 Employment Committee.

Trade union representatives stated that they understood that there would be further redundancies following the formal notification from the Chief Officer: HR in her letter earlier in the year. The Chief Officer: Human Resources agreed the appropriate Trade Union representatives would be contacted by the department with the detail before the next Local Joint Committee.

52. Matters to be Raised by Trade Unions

No matters were raised.

CHAIRMAN

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**TO: EMPLOYMENT COMMITTEE
6 JULY 2016**

**REVENUE BUDGET 2016/17 – EMPLOYMENT IMPLICATIONS OF SERVICE CHANGES
TAKEN TO PUBLIC CONSULTATION
(Director of Corporate Services – Human Resources)**

1 INTRODUCTION

- 1.1 The purpose of this report is to identify additional staffing implications arising from the revised financial position for 2016/17. This set of changes was subject to public consultation, which has now closed. The savings proposed were agreed by the Executive on 14 June 2016. The proposals have also been to a meeting of the Local Joint Committee for consultation. The Employment Committee is now asked to consider the report.

2 RECOMMENDATIONS

The Employment Committee is recommended to:

- 2.1 **Delegate to the Director of Children, Young People and Learning in consultation with the Chairman, the authority to approve the deletion of the posts identified in Exempt Appendix B with effect from the dates indicated, subject to the Council approving the Executive recommendations on 13 July.**
- 2.2 **Delegate to the Director of Children, Young People and Learning in consultation with the Chairman, the authority to agree that the post-holders are declared redundant in accordance with the terms set out in that Exempt Appendix with the costs being met from the Structural Changes Fund (subject to any appeals, subject to any redeployment opportunities offered to those affected, and subject to the Council approving the Executive recommendations on 13 July).**

3 REASONS FOR RECOMMENDATIONS

- 3.1 To make financial savings to meet the requirements of the revised budgets for 2016/17.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 One option considered was the use of a commissioned service, Berkshire Youth, which have taken on the universal work, leaving Bracknell Forest employees to do just targeted work. The amount of universal provision has been maximised within the constraints of budget.

5 SUPPORTING INFORMATION

- 5.1 To achieve a balanced budget in 2016/17, based on estimates of the likely level of budget settlement, the Council had already agreed to make economies of £4 million to partially bridge the budget gap of £10.1 million, not all of which were from staffing costs. Following the budget settlement announcement a further gap of £2.4m had been identified and proposals to meet this further gap have been the subject of consultation and discussion with Members and with staff. Some have already been implemented following decisions at the May Employment Committee, but those in this report could not take place until Public Consultations had concluded.

- 5.2 The budget proposals focus, as far as possible, on making savings and efficiencies in areas which will have the least direct impact on services to residents. However, for these services there is a proposed impact on residents and therefore a twelve week Public Consultation period began on 24 February and closed on 17 May 2016. EIAs have been separately produced on the service implications; an EIA on the impact on workforce is attached at Appendix C. Council is due to make a decision on the Executive's recommendations (from the 14 June meeting) on 13 July, and so Employment Committee is asked to delegate the authority to make the redundancy decisions to the Director and the Chairman, after the Council has made its final decision on the service changes proposed.
- 5.3 All staff who are potentially affected by the emerging proposals were fully briefed by managers during January 2016, received specific feedback on the Public Consultation on 18 May and received a formal "At Risk" letter on 19 May. More in-depth meetings with those employees were held by departmental HR staff and managers responsible for the service to talk directly to them and to accord with the agreed Organisational Change timetable. A copy of that Protocol is attached as Appendix A; this follows a similar approach to previous years.
- 5.4 When the savings which would be subject to public consultation were first identified, a post in the Community Safety Team was identified; the individual concerned has accepted a part time version of the post as a suitable alternative to redeployment and has been redeployed into that part time role. The proposals impact on the following areas with the detail outlined in Exempt Appendix B:

5.5 **Children, Young People and Learning – Youth Services**

(a) **Youth Services**

As part of the savings for 2016/17 the proposal to save £75k from the Youth Service was accepted. This included the deletion of 12 part time youth worker posts at 1.88 FTE. This budget proposal meant that centres would open for less time leading to a reduction of universal services for young people. As a result a 12 week public consultation was necessary. There were no representations during this period so the decision to move forward with these savings proposals have been confirmed.

Of the 12 posts, 4 were vacant, and have been deleted, leaving 8 occupied posts. The staff involved have been consulted under the Council procedures and have been treated as being 'at risk' for the purposes of the Council's internal recruitment opportunities. To date, two have been offered positions for redeployment, references 1 and 7 on the exempt appendix; if their trial periods are successful they will not need to be made redundant, and the remaining six posts will be made redundant.

STAFFING IMPACT: 6 POSTS (0.73 FTEs) (subject to 2 successful trial period redeployments)

OR if trial periods unsuccessful, 8 POSTS (1.48FTEs)

References 1-8 in Exempt Appendix B

5.6 Children, Young People and Learning – Children’s Services

(a) Children’s Services

It is proposed to delete a Childcare Development Officer post as part of the budget savings exercise.

There are two Childcare Development Officer posts with different responsibilities - one specifically deals with SEN, and the post identified for deletion has responsibility for developing and maintaining the network of home based childcare provision. The deletion of this post would lead to the dissolution of the existing Childminder Network. The network has been under review for the past 6 months as it has not been delivering outcomes for vulnerable families. The childminding network is a very static group of highly qualified childminders and support requirements are very low. When or if support is required a Childcare Development Officer will provide this on an ad hoc basis.

STAFFING IMPACT: 1 POSTS (1 FTE)

Ref 9 in Exempt Appendix B

The Process

5.7 When considering budget reductions, officers first scrutinise the requirements for a particular service or function ie whether it could be changed/reduced/reshaped or what the impact would be if it were no longer provided. Having done so and made a judgement in that context, they then consider what the staffing impact will be. Where staffing reductions in multi-occupancy posts are required, if no suitable voluntary redundancies/early retirements emerge, the method of selecting employees for available posts follows the Council’s Redundancy Handling Procedure and takes into account the following factors:

- Skills/experience
- Attendance/disciplinary record

Any recommended redundancy or severance payments thereafter are brought to this meeting and will be made in accordance with the relevant legislation and/or statutes, and the Council’s Policy on Early Retirements and Redundancies.

5.8 In the majority of cases the notice period will be worked before the effective date. In some cases the individuals will not have the opportunity to work their full notice period between notification of redundancy and the effective date; in these cases, the balance of notice will be paid as pay in lieu of notice.

Conclusion

5.9 The total number of Full Time Equivalents affected by these proposals is 1.73 FTEs, assuming the two trial redeployment periods are successful.

If the two trial periods are unsuccessful, the total number of FTEs is 2.48.

As the process of actively seeking redeployment opportunities will continue right up to the termination date, some staff may secure alternative posts with the Council between the date of decision on redundancy and the effective date as specified on the exempt appendices.

6 **ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS**

Borough Solicitor

- 6.1 Any service restructure involving a reduction of employees has to reflect the requirements of the Employment Rights Act 1996 and the Council's own Redundancy Handling Procedure to ensure that the case for redundancies is genuine and thereafter to ensure that any decisions are predicated on ;
- (1) (Where appropriate) the establishment of a reasonable selection criteria
 - (2) Adequate consultation
 - (3) Consideration of suitable alternative employment

The Council's compliance with this criteria is set out in the main body of the report.

Borough Treasurer

- 6.2 The total cost of the proposals outlined in this report is £40,408 if the two trial periods are unsuccessful. The average payback period is 4 months.
- 6.3 The overall cost will reduce if redeployment opportunities are identified. The final cost can be met from the Structural Changes Reserve.

Equalities Impact Assessment

- 6.5 An Equalities Screening Record Form has been completed in accordance with Council policy and is attached as Appendix C. Service areas are responsible for EIAs on the service impact of any major changes.

Strategic Risk Management Issues

- 6.6 Failure to implement proposals involving staff reductions will result in significant alternative savings needing to be found in the Council's budget. There may be resource capacity issues in parts of the organisation as a result of these measures which will need to be managed.

7 **CONSULTATION**

Principal Groups Consulted

- 7.1 Employees affected have been individually consulted. Trades unions have been formally consulted throughout the process commencing with statutory consultation letters and including a special meeting of the Local Joint Committee.

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7.2 As noted above, a Public Consultation was held on the service changes leading to the redundancies described above.

Background Papers

None.

Contact for further information

Timothy Wheadon, Chief Executive ext 5601

timothy.wheadon@bracknell-forest.gov.uk

Nikki Gibbons, Chief Officer: Human Resources ext. 2049

nikki.gibbons@bracknell-forest.gov.uk

Alan Nash, Borough Treasurer ext 2180

alan.nash@bracknell-forest.gov.uk

**MANAGEMENT OF ORGANISATIONAL CHANGE CHECKLIST & TIMETABLE
PHASE 2 BUDGET CONSULTATION (For those services subject to Public
Consultation and EIA)**

FOR ADDITIONAL BUDGET REDUCTION PROGRAMME

**12 week consultations began 24 February with Exec Decisions on 14 June; 6 July
Employment Committee**

Ref	Dates	Description	Responsible Officer(s)
1	15/2/16	Publish Executive papers on budget proposals	BT
2	23/2/16	Executive meeting to consider and decide savings proposals and clear them for public consultation	
3	22/1/16	Notify Trade Union(s) of anticipated redundancies – subject to the Executive agreeing them (S188 letter)	CO:HR - done
4	25/1/16 – 26/1/16	Initial Consultation with all staff potentially affected, in groups and then individually as necessary, also notifying them that Public Consultation will begin shortly. (Issue letter summarising discussion of proposals including information given, process and deadline for feeding back comments and describing next stage.)	Departmental HR and Director/CO
5	26/1/16 - onwards	Consider vacancies in light of proposals before advertising; potential to hold or advertise internally in some cases. If new jobs are to be created job descriptions/person specifications/JIQs prepared and submitted for job evaluation	Departmental HR and CO
6	Monday 8 Feb	Early letter to staff explaining process	
7	24/2/16 – 17/5/16	Start 12 week Public Consultation period and produce EIAs	Directors
8	18/5/16 – 31/5/16	Period to consider consultation response	

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9	18/5/16	Feedback to affected employees on staff consultation comments/Public Consultation comments and any resulting changes contemplated <u>all still subject to Exec and Committee decisions. Feedback must include proposed date of closures/redundancies if approved.</u>	Director/CO/ HoS of HR
10	19/5/16	Send formal At Risk letters with severance details, copy letter to manager. HR to explain severance figures. <u>All subject to Exec and Committee decisions.</u> Redeployment discussions may have begun informally but here the formal redeployment meetings begin.	Departmental HR
11	25/5/16	Appeals against being placed At Risk to be lodged	Individual/ Departmental HR
12	27/5 – 1/6/16	Appeals against At Risk status heard	Departmental HR/CO
13	1/6/16 – 8/6/16 (can start 27/5 if no appeals)	Selection processes for posts where applicable. (Where there is an appeal against At Risk status this must be resolved before concluding the selection process for the posts for which they are in a selection pool.)	CO/Departmental HR
14	14/6/16	Appeals lodged (against selection decision)	Individual/ Departmental HR
15	14/6/16	Executive approves budget proposals	Executive
16	By 20/6/16	Appeals heard (as above). Posts no longer At Risk, confirm by letter. Posts still At Risk, confirm by pre-committee letter: must include date of redundancy and date notice to be given.	CO/Departmental HR Departmental HR
17	22/6/16	CMT consider report on Restructure Fund	CMT
18	By Fri 24/6/16	Finalise/publish report for Special Employment Committee and LJC	BT/Directors/CO: HR
19	6 July 16	Local Joint Committee Employment Committee meet to agree subject to appeals/ delegate authority.	Directors/CO:HR
20	13 July 16	Council considers Exec recommendations	
21	14 July 16	Write out to staff. Notice period begins 1 – 3 months	Departmental HR

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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Initial Equalities Screening Record Form (Appendix C)

Date of Screening: April 2016	Directorate: Corporate Services	Section: HR
1. Activity to be assessed	Revenue Budget 16/17 – Employment Implications of service changes subject to Public Consultation	
2. What is the activity?	<input type="checkbox"/> Policy/strategy <input type="checkbox"/> Function/procedure <input type="checkbox"/> Project <input type="checkbox"/> Review <input type="checkbox"/> Service <input checked="" type="checkbox"/> Organisational change	
3. Is it a new or existing activity?	<input checked="" type="checkbox"/> New <input type="checkbox"/> Existing	
4. Officer responsible for the screening	Nikki Gibbons	
5. Who are the members of the screening team?	Pat Butler	
6. What is the purpose of the activity?	Make additional organisational change necessary to achieve the required budget savings. To assess if any part of the workforce will be disproportionately impacted. Redundancies are handled in line with the Council's organisational change policy/procedure.	
7. Who is the activity designed to benefit/target?	Staff – 9 will be made redundant if no further suitable redeployment can be found. It is part of our organisational change procedure to seek alternative employment for all those at risk of redundancy.	
Protected Characteristics	Please tick yes or no	Is there an impact? What kind of equality impact may there be? Is the impact positive or adverse or is there a potential for both? If the impact is neutral please give a reason.
		What evidence do you have to support this? E.g equality monitoring data, consultation results, customer satisfaction information etc Please add a narrative to justify your claims around impacts and describe the analysis and interpretation of evidence to support your conclusion as this will inform members decision making, include consultation results/satisfaction information/equality monitoring data
8. Disability equality	Y N ✓	None.
9. Racial equality	Y ✓	Adverse, but this is only one individual in a small group
10. Gender equality	Y N ✓	Broadly neutral
		Two males and seven females affected (78% female). The non school workforce generally is 71% female and the department in which the majority of the redundancies occur is 84% female.

11. Sexual Orientation equality	Y	N ✓	None	4 individuals identified as heterosexual and the remainder did not specify orientation. The non schools workforce is 86.4% heterosexual.
12. Gender re-assignment	Y	N ✓	None	No known instances of staff concerned having had gender reassignment.
13. Age equality	Y	N ✓	None	The age distribution amongst the redundant employees is mainly in the 30-49 age band (67%). One is under 30 and two are over 50. The non schools workforce is also predominantly in the 30-49 age band (48%), with a further 38% being 50+. The younger profile of this group is likely to reflect a younger group working in the Youth Service.
14. Religion and belief equality	Y ✓	N	Impact on the non-Christian workforce within a small group. The religion/belief of the individuals would not have been evident to those making the selection as it is held for monitoring purposes only.	1 identified as Christian, 3 as "other" and one as "none", the others did not declare their religion/belief. In the non schools workforce 57% are Christian and 3.8% other, with 23.1% identifying as having no religion. The non Christian workforce is therefore disproportionately affected in this group.
15. Pregnancy and maternity equality	Y	N ✓		None known
16. Marriage and civil partnership equality	Y	N ✓		None known
17. Please give details of any other potential impacts on any other group (e.g. those on lower incomes/carers/ex-offenders) and on promoting good community relations.	Many of the youth workers are in part time posts (evenings, weekends) often in addition to a separate day job, so the impact of losing their positions is perhaps less significant as it represents a smaller percentage of household income.			
18. If an adverse/negative impact has been identified can it be justified on grounds of promoting equality of opportunity for one group or for any other reason?	The small numbers involved make comparisons on the basis of percentages misleading.			
19. If there is any difference in the impact of the activity when considered for each of the equality groups listed in 8 – 14 above; how significant is the difference in terms of its nature and the number of people likely to be affected?	The personal characteristics of the individuals to be made redundant are not known to decision makers at the initial stages ie when the decisions are taken to reduce services. The numbers affected are quite small and this can lead to a disproportionate impact on percentages. There is no significance perceived in the adverse impacts identified.			

20. Could the impact constitute unlawful discrimination in relation to any of the Equality Duties?	Y	N✓	No. There is no evidence that discrimination is a factor in the selection of services to be reduced or employees to be made redundant.	
21. What further information or data is required to better understand the impact? Where and how can that information be obtained?	None			
22. On the basis of sections 7 – 17 above is a full impact assessment required?	Y	N✓	The explanations offered above are deemed sufficient not to warrant a full EIA. The impact on the individuals At Risk of redundancy is mitigated by seeking redeployment for them; by holding individual meetings with them to discuss their skills and experience, and to explain their severance package. Posts in the teams affected are “ringfenced” for At Risk employees. Other posts which become vacant during this period are looked at on a case by case basis, and those which could potentially provide a redeployment opportunity are advertised internally only to allow those At Risk to apply before any external competition is considered.	
23. If a full impact assessment is not required; what actions will you take to reduce or remove any potential differential/adverse impact, to further promote equality of opportunity through this activity or to obtain further information or data? Please complete the action plan in full, adding more rows as needed.				
Action	Timescale	Person Responsible	Milestone/Success Criteria	
Ensure equality of opportunity throughout the redeployment period		HR Heads of Service		
24. Which service, business or work plan will these actions be included in?				
25. Please list the current actions undertaken to advance equality or examples of good practice identified as part of the screening?				
Individuals will be individually contacted by an HR adviser to discuss possible redeployment, and to help them where necessary with CVs and other aspects of job search.				
26. Chief Officers signature.		Signature: Nikki Gibbons	Date: June 2016	

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TO: EMPLOYMENT COMMITTEE
6 JULY 2016

PROPOSED REDUNDANCIES - EDUCATION LIBRARY SERVICE
Director, Children, Young People and Learning

1 PURPOSE OF REPORT

- 1.1 The purpose of this report is to seek approval to the redundancy of the postholders identified in Exempt Appendix A which arises from the closure of the Education Library Service.

2 RECOMMENDATIONS

- i) **That the Employment Committee declares the postholders, identified in the Exempt Appendix A, redundant with effect from 31 August 2016 subject to the Executive Member decision referred to in 3.5. Costs will be shared with other authorities in the joint service (see paragraph 5.12).**
- ii) **Delegate to the Director of Children, Young People and Learning in consultation with the Chairman (subject to the Executive Member decision referred to in 3.5), the authority to approve retention of two of three posts identified in Exempt Appendix A to a later date, 31 October 2016, to finalise the stock disposal and other arrangements post closure. (Selection method for the individuals to be retained until October to be agreed by Chief Officer: HR).**

3 REASONS FOR RECOMMENDATION

- 3.1 The Education Library Service is a joint service established by Bracknell Forest, Reading, Slough and West Berkshire Councils and the Royal Borough of Windsor and Maidenhead for which Bracknell Forest Council is the host authority. The service is provided on the basis of full-cost recovery. Funding for the service is almost entirely delegated to schools.
- 3.2 Due primarily to pressures on school budgets, income from sale of services has reduced consistently since 2010. Throughout the period the service has been sustained by in-year savings, primarily achieved by reducing expenditure on staffing and stock. In three of the last five years the service has operated on a deficit budget which has been met by drawing down from reserves built up in previous years.
- 3.3 The future income projections mean that savings of £90k would need to be found in 2016/17 and further savings of between £183k and £214k would be required to achieve a balanced budget in 2017-18
- 3.4 The agreement of the five Local Authorities to closure has been obtained with effect from 31 August 2016.
- 3.5 As a result the formal decision will be made by the Executive Member on 29 June 2016 to close with effect from 31 August 2016.

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4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 As an alternative to the closure of the service a number of alternatives were explored including further discussion on reducing the staffing levels and seeking potential new partners. However the level of staffing reductions that would have been required would have impacted on the viability of the service and there was also a major concern to how many schools would continue to buy into the service given the significant budget pressures facing schools. In this context informal approaches failed to identify any potential partners.
- 4.2 Like the other four authorities, the Council is working with its schools to identify arrangements that can be put in place to support school libraries following the closure of the service.

5 SUPPORTING INFORMATION

- 5.1 The Education Library Service is a joint service which has been hosted and run by Bracknell Forest Council from April 1998 following the abolition of Berkshire County Council. Currently Bracknell Forest, Reading, Slough and West Berkshire Councils and the Royal Borough of Windsor and Maidenhead are the participating council's using the service under a joint agreement. The service is provided on the basis of full-cost recovery. Funding for the service is almost entirely delegated to schools.
- 5.2 Arrangements for the Education Library Service are set out in the Joint Agreement between the Authorities signed in June 2005. The Agreement sets out the treatment of liabilities, including redundancy costs, and assets, including stock.
- 5.3 Due primarily to pressures on school budgets income from sale of services has reduced consistently since 2010. Throughout the period the service has been sustained by in-year savings, primarily achieved by reducing expenditure on staffing and stock. In three of the last five years the service has operated on a deficit budget which has been met by drawing down from reserves built up in previous years.
- 5.4 Initially it had been proposed to undertake a further reorganisation of the service in order to secure its financial viability. A new service offer for primary schools was successfully introduced in April 2015 intended to improve the service offered to schools and reduce delivery costs. This service was well received and there is evidence of increased impact however income has continued to decline.
- 5.5 The feedback from schools has indicated that their reduced spend is as a result of their challenging budgets. Reductions in spending on books and school libraries are a relatively easy saving in response to pressures on school budgets with little obvious short term impact. Such a response has been augmented by an increased reliance on online and electronic resources at the cost of school books and other more traditional resources.
- 5.6 The department considered options for further staffing reductions for the service to deliver a balanced budget in 2016-17. This would require savings of £90k to be found or for Bracknell Forest to underwrite the service, which would not be appropriate given the nature of the joint service hosted by Bracknell Forest. It was also unlikely that the partnering authorities would find additional financial resources to cover the additional costs to cover the service.
- 5.7 Although revised proposals were prepared in the light of the on-going reductions in school spending it became clear that the financial outlook for ELS would be likely to continue to decline due to pressures on school budgets, inflation and other budget pressures.

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- 5.8 The longer term projections indicated that further reductions would be required in 2017-18 and subsequently, at which point the service would no longer have been deliverable.
- 5.9 It was therefore decided in agreement with the five Local Authorities to close from 31 August 2016.
- 5.10 Schools have been consulted on the proposals and a working group representing schools is working with the department to identify arrangements that might be put in place to support school libraries following the closure of the service.
- 5.11 The Director wrote to the other DCS on 28th April to provide a revised estimate of assets and liabilities likely to remain when the service closes and setting out proposals for their apportionment in accordance with the Joint Agreement. Confirmation has subsequently been received from all four authorities of their agreement to these proposals under which 23.5% of these costs will fall on the Council, circa £70K.
- 5.12 Since the decision was made to cease the service, there has been collaborative work with the partner authorities to seek redeployment or, as they are separate employers, new job opportunities. This has been particularly the case with West Berkshire Council and the Royal Borough of Windsor and Maidenhead. Unfortunately, partly due to the fact that neighbouring authorities are also downsizing, this has only been of limited success with one worker being redeployed in Bracknell Forest.
- 5.13 The staff concerned have been fully consulted throughout this process and engaged, where practical, with future delivery options. There has been some uncertainty over a number of years about the future of the service as this joint arrangement is one of fairly few which continues to operate. Most other council led education library services have been closed for some years.
- 5.14 At the time the service closes two employees will need to be continued to be employed to deal with the disposal of stock and other assets between the partner authorities. It is anticipated that this would need to continue until 31 October 2016. The selection process for this will be agreed with the Chief Officer: HR. The costs of continuing to 31 October in each case are given in Exempt Appendix B.
- 5.15 It should be noted that the costs of severance are particularly high in employees reference 4 and 8 on the exempt appendix, with a payback period of 27 and 29 months respectively.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 6.1 No specific legal implications arising from the reports recommendations.

Borough Treasurer

- 6.2 The total cost of the redundancies set out in this report exceeds £300k, of which the Council's share is almost £72k. In most circumstances redundancy costs would be met from the Cost of Structural Changes Reserve. However, as the closure of the Education Library Service will not result in any future savings but will avoid future costs falling on the Council it is recommended that the Council's share be met from the Contingency rather than the Cost of Structural Changes Reserve.

Equalities Impact Assessment

- 6.3 Attached.

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Strategic Risk Management Issues

- 6.4 Should the decision to close not have been jointly taken there was a concern that one or more of the participating authorities could opt out of the service and more costs could be left with the remaining partners.

7 CONSULTATION

Principal Groups Consulted

- 7.1 Unions and staff have been consulted in accordance with Council policy and legislative requirements.

Client officers from the participating LA.

Bracknell Forest Headteachers.

Method of Consultation

- 7.2 Written information, group and individual discussions

Representations Received

- 7.3 None at this stage.

Contact for further information

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Initial Equalities Screening Record Form

Date of Screening: June 2016	Directorate: CYPL	Section: Education Library Service	
1. Activity to be assessed	Closure of the Education Library service – impact on staff		
2. What is the activity?	<input type="checkbox"/> Policy/strategy <input type="checkbox"/> Function/procedure <input type="checkbox"/> Project <input type="checkbox"/> Review <input type="checkbox"/> Service <input checked="" type="checkbox"/> Organisational change		
3. Is it a new or existing activity?	<input type="checkbox"/> New <input checked="" type="checkbox"/> Existing		
4. Officer responsible for the screening	Jeremy Saunders – Head of Service		
5. Who are the members of the screening team?	Jeremy Saunders, Paul Young HR		
6. What is the purpose of the activity?	The staff provide services to a number of schools around Berkshire and beyond under service level agreements. All existing service level agreements will come to an end by 31 August 2016 when the service will close. The majority of staff will no longer be required after this date. There will, however, be a requirement to continue to employ two members of staff to disaggregate the stock and other assets between the partner LAs. There have been attempts to redeploy staff throughout the partner authorities with two successful appointment being made. The remaining staff are not actively seeking redeployment and no suitable alternative employment has been found.		
7. Who is the activity designed to benefit/target?			
Protected Characteristics	Please tick yes or no	Is there an impact? What kind of equality impact may there be? Is the impact positive or adverse or is there a potential for both? If the impact is neutral please give a reason.	What evidence do you have to support this? E.g equality monitoring data, consultation results, customer satisfaction information etc Please add a narrative to justify your claims around impacts and describe the analysis and interpretation of evidence to support your conclusion as this will inform members decision making, include consultation results/satisfaction information/equality monitoring data
8. Disability Equality	Y	N ✓	None of the employees has declared a disability. Non schools workforce has 3% disability
9. Racial equality	Y	N ✓	All those who declared ethnicity were White British. Non schools workforce is 11.5% BME
10. Gender equality	Y	N ✓	The group is 87.5% female. The non schools workforce is 71% and CYPL is 84% female.

11. Sexual orientation equality	Y	N ✓		All those who declared an orientation were heterosexual. The non schools workforce is 86.4% heterosexual.
12. Gender re-assignment	Y	N ✓		None known
13. Age equality	Y	N ✓		37.5% are in the 30-49 age band and 62.5% in the over 50 age band. The non schools workforce has 48% and 38% respectively in those bands.
14. Religion and belief equality	Y	N ✓		Of those who declared, 66.7% were Christian and 33.3% had no religion. The non schools workforce has 57% and 23.1% in those categories respectively.
15. Pregnancy and maternity equality	Y	N ✓		None known
16. Marriage and civil partnership equality	Y	N ✓		None known
17. Please give details of any other potential impacts on any other group (e.g. those on lower incomes/carers/ex-offenders) and on promoting good community relations.	n/a			
18. If an adverse/negative impact has been identified can it be justified on grounds of promoting equality of opportunity for one group or for any other reason?	n/a			
19. If there is any difference in the impact of the activity when considered for each of the equality groups listed in 8 – 14 above; how significant is the difference in terms of its nature and the number of people likely to be affected?	n/a			
20. Could the impact constitute unlawful discrimination in relation to any of the Equality Duties?	Y	N ✓		
21. What further information or data is required to better understand the impact? Where and how can that information be obtained?	The group of staff have been fully consulted through this exercise and no equality issues have been identified.			

22. On the basis of sections 7 – 17 above is a full impact assessment required?	Y	N✓	
23. If a full impact assessment is not required; what actions will you take to reduce or remove any potential differential/adverse impact, to further promote equality of opportunity through this activity or to obtain further information or data? Please complete the action plan in full, adding more rows as needed.			
Action	Timescale	Person Responsible	Milestone/Success Criteria
24. Which service, business or work plan will these actions be included in?			
25. Please list the current actions undertaken to advance equality or examples of good practice identified as part of the screening?	Individuals are contacted by an HR adviser to discuss possible redeployment and to help where necessary with CVs and other aspects of job search.		
26. Chief Officers signature.	Signature: CHRISTINE MCINNES		Date: June 2016

When complete please send to abby.thomas@bracknell-forest.gov.uk for publication on the Council's website.

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