

# Equality Impact Assessment- Stage 2 Template

**Table 1: Defining the Policy**

<b>Title of Policy:</b>	Removal/reduction of terms and conditions not prescribed by national agreements
<b>Service:</b>	Resources and Governance
<b>Team:</b>	HR
<p>What is the purpose of the proposed policy or changes to established policy?</p> <p>To reduce or remove terms and conditions to staff covered by the single status agreement that in the view of management are either outdated or are unaffordable relative to the Council's revenue budget and substantial changes that have taken place to pay rates at lower grades due to the introduction of the Scottish living wage</p> <p>The range of Ts&amp;Cs proposals have been divided between those that are ongoing payments to staff and those that are one offs:</p> <p>Ongoing Ts &amp; Cs that management are proposing to remove include:</p> <ul style="list-style-type: none"> <li>• Payments of time and a quarter for working weekdays between 20:00 and 22:00</li> <li>• Payments of time and a third for working weekdays between 06:00 and 07:00</li> <li>• Payments of time and a third for working weekends</li> <li>• Payments of time and a half for working any hours in excess of 37 hours (overtime payments)</li> <li>• Payments of double time for public holiday working</li> </ul> <p>Different contractual arrangements that exist and that some staff have personal contracts that specify evening and weekend payments.</p> <p>One off Ts &amp;Cs considered by management for removal include:</p> <ul style="list-style-type: none"> <li>• Death in benefit service payments</li> <li>• Payments for 25 year long service awards</li> <li>• Payments for 40 years long service awards</li> <li>• Relocation payments</li> </ul> <p>Management would also like to engage in discussions with the JTUC on removing site specific contracts which would enable greater mobility in certain job roles and reduce administrative overheads and the possibility of a further reduction from 35 to 34 hours in the working week.</p>	

Who is affected by the policy or who is intended to benefit from the proposed policy and how?

All staff covered by single status Ts and Cs are affected by the changes. The impact is skewed towards the lower paid who are more likely to be working at weekends, evening, on overtime or they have opted out of the pensions scheme

How have you, or will you, put the policy into practice? Who will be responsible for delivering it?

The 2018-19 Budget consultation process involved the presentation of a number of Officer proposals for review and feedback from Clackmannanshire residents and other stakeholders. The review acknowledges that taking forward any of the options involves important and difficult decisions and for most options there is an indication of the level of savings flowing from particular options, not an exact amount. A full description of the budget challenge was presented to the JTUC by the Executive Team on the 27th November 2017.

Proposals for changes to terms and conditions (Ts & Cs) relate to those Ts &Cs that do not form part of national agreements. So, for example, stand by and disturbance allowances and sick leave are not included.

Changes to staff have been presented in the public consultation in the following terms:

*Changes to staff terms and conditions e.g. - removal of additional payments for weekend and evening working - reduction in overtime rates - reduction in working week*

with an indicative saving of £500k to £1m.

Management are in the process of consulting with the JTUC on the Ts&Cs options prior to the submission of the 2018/19 budget to Council. The position of the JTUC in respect of each of the savings proposals has been discussed with the JTUC prior to the 31<sup>st</sup> January with feedback received. Further clarification on the JTUC proposals in regard to priorities and the practicality of implementation are still awaited so that any proposals taken forward in the budget to be presented to council can fully reflect the level of support that the JTUC is giving to each of them. This will inform the options for implementation that will be required if the saving is to be delivered.

Management has facilitated Town Hall meetings for on Wednesday the 7<sup>th</sup> February so that the JTUC could consult with their membership on proposals before the position can be finalised.

The process of consultation will be based on following key principles from ACAS guidance and include any further principles that the JTUC and management may jointly consider as a reasonable measure that will aid the process.

The process will follow ACAS Guidance and in particular ACAS Code of Practice Number 2 in regard to the disclosure of information.

The JTUC will be asked to identify a “bargaining unit” /”working group” and time off for duties concerned with the negotiations will be granted in line with ACAS Code of Practice Number 3.

A timetable of meetings will be established and agendas and minutes will be produced as far as is practical within agreed timescales.

A common folder on the “J” drive will be established for the sharing of information to which the JTUC bargaining unit will have access. A minute taker will be appointed for all meetings in regard to discussions on Ts & Cs.

The accountancy service is currently developing a detailed financial model which will be presented to the JTUC as a true and up to date reflection of the costs of Ts & Cs.

The Head of Resources and Governance will have responsibility for driving the process of consultation and reporting the findings to elected members prior to the budget. He will then take forward any implementation plans as required

## Table 2

In the Stage 1 Screening you identified that the policy will impact on one or more of the protected characteristics.

What information do you have that tell you how this policy might have an impact.  
Key Questions:

- Will the impact of the proposed policy/function be the same or different for each group identified.
- Is there any indication or evidence of higher or lower participation or uptake of services by different groups?
- Are there any groups of people who are not taking up services?

<b>Protected Characteristic</b>	<b>What Evidence do you have and Consultation has been undertaken</b>
Sex	Previous meetings with JTUC highlighted the potential for a disproportionate affect of changes to unsocial hours on low paid women. However analysis of statistics generated from iTrent based on 2016 17 data showed that over the previous two years men are disproportionately more affected. It is a fact that the Council employs more women than men 70:30 but both contractual and non-contractual elements of unsocial hours are paid at a ratio of 64:36.

The following list is an example of some of the documentation that has been provided as part of the consultations with JTUC. This doesn't include email traffic, or time taken in TU/management meetings in 2016 and 2017 at which the proposals were also discussed. There were also three specific meetings between July and October of 2016 which were chaired by the Deputy Chief Executive.

- Minutes of Working Week discussions on 6 October 2015
- Minute of Management Union consultation on 14<sup>th</sup> October 2015, 12<sup>th</sup> August 2015, 8<sup>th</sup> July 2015, 9<sup>th</sup> March 2015
- A paper to JTUC dated 14<sup>th</sup> October 2015 outlining the change proposal
- A paper to JTUC in May 2017 proposing the offer following the 2017-18 budget summarising the offer the revised saving per element as at 2017-18 and a graphical breakdown of the number of staff affected and by grade bands
- A paper dated 9<sup>th</sup> August to JTUC entitled Working Week (Unsocial Hours) progress which summarised updates to the proposals and highlighted the value of unsocial hours elements by service and element
- A letter to Andy Kane dated 4<sup>th</sup> July 2016
- The initial MCB proposals dated 21 July 2015 which runs to 11 pages
- An email from Chris Alliston to Pamela Robertson dated 5<sup>th</sup> August that included a spreadsheet demonstrating examples of pay-outs that staff in specific jobs may receive if a one year buy out is accepted.

Staff not in TUs have been given the opportunity at Town Hall meetings in 2015 and 2016 to hear directly from the Chief Executive about possible changes to Ts and Cs, put questions to her and to feedback both through paper based and on-line surveys. The 2018/19 budget proposals were as far as possible explained to staff members by Heads of Service again with the opportunity to feedback and they are now out as part of the public consultation.

A timetable of meetings is being established with the JTUC to discuss the proposals with the intention of gaining their position on each of them by the time of the Council budget meeting to inform elected members about the issues they raise particularly in regard to the impact on any protected characteristic

--	--

**Table 3: What is the impact on the protected characteristics identified?(see Step 3 of guidelines)**

Protected Characteristic	Impact (H,M,L or U)*	Description of Impact
Sex	L	<p>Marginally more impact based on most recent data on men than women based on proportionality of staff in the Council. The ratio is not considered significant enough to warrant specific mediating action.</p> <p>The Scottish Living wage is now £8.51 with the proposal to increase to £8.75. This is the lowest minimum hourly rate the Council pays. On the Living Wage Scotland website it states: "Paying a Living Wage can afford workers more time to spend with their friends and loved ones, and time to dedicate to their local community. The real Living Wage is calculated annually by the Resolution Foundation and overseen by the Living Wage Commission, based on the best available evidence on living standards in London and the UK".</p> <p>Since the Scottish Living Wage is independently assessed as being the real rate at which people are lifted out of poverty Officers do not feel that income supplements paid through unsocial hours are necessary to reduce the impacts of low pay.</p> <p>There is no evidence that removal of this payment will impact on recruitment as jobs are not advertised on the basis that these allowances are payable.</p>

**Table 4: Does the policy need to be changed?(see step 4 of Guidelines)**

Are there any changes?	
Protected Characteristic	Description

Sex	Yes/ No	Not at this stage – but pending wider consultation feedback through January and February 2018
-----	------------	---

**Approved by:**

<b>Name (Head of Service)</b>	Stephen Coulter
<b>Date</b>	12 <sup>th</sup> February 2018