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GENERAL PURPOSES AND LICENSING COMMITTEE

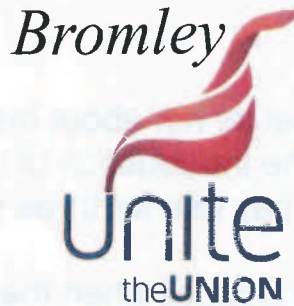
Meeting to be held on Tuesday 23 October 2012

5 LOCALISED PAY AND CONDITIONS OF SERVICE (Pages 3 - 8)

A response to the proposals has been received from UNITE – this is attached as Appendix 4 to the report.

Copies of the documents referred to above can be obtained from
www.bromley.gov.uk/meetings

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LONDON BOROUGH OF
BROMLEY

16 OCT 2012

ASSISTANT CHIEF
EXECUTIVE (HR)

The Council's proposals to remove staff from National Terms & Conditions is a threat to our pay, terms and conditions some of which have been won for us by generations that have preceded us. Why else would Bromley Council choose now to bring out these proposals, given the climate of massive budget cuts, the biggest job cuts we have ever seen and a promise of more to come.

The Council say that this is not about cutting our pay, terms and conditions the questions that need to be answered then is why do it? NT&C give staff a safety net a bottom line for our pay T&C. If Bromley Council want to reward us with better pay, T&C they are free to do that under National T&C, they just can't pay us less.

Let's look at history. Bromley Council have always given us the absolute minimum they can, both with pay and terms & conditions. While other Councils have rewarded their staff with above the national minimum, in leave, sick pay etc Bromley have kept to the minimum.

When the Government announced a pay freeze for public sector workers they also announced a £250 pay increase for people earning less than £21k a year. Although a good number of London Boroughs honoured this commitment Bromley Council refused to pay their low paid members of staff.

The leader of the Council said at the full council, when we had the biggest lobby Bromley has seen, that his colleagues in Croydon had made a payment to their low paid employees and Bromley would have liked to have done the same, but couldn't because we are tied by N/T&C, it seems strange then that Croydon Council are in N/T&C so if Croydon could pay why didn't Bromley.

Bromley Council didn't because they choose not to. So why should we believe the Council now with promises that this is not about an attack on our pay and T&C?

Why would we believe that its not about making us pay for a crisis we had no hand in with the introduction of car parking charges for staff that have not had a pay rise for three years?

Why would staff trust the Council when they voted in, in all of five minuets with no discussion, the change of criteria for essential car users meaning some staff will lose £900 a year and have to pay the parking charges.

Why would staff trust the Council when rather than give staff the day off for their hard work and commitment in very difficult circumstances, when it wanted to close all non essential services on the 28th December, it decide to make staff use half a day of their annual leave. After all the Council would save money by closing down.

Be in no doubt it won't be words that will convince staff Bromley Council can be trusted it will be their actions.

Annual Pay Award

Under N/T&C if a cost of living pay award is made the Council is contractually bound to pay it to all employees from 1st April each year. That award is negotiated between the Representatives of Local Authorities and Trade Unions, at the end of that process union members are balloted if they want to accept the award or not.

Under Bromley's pay review there will be no negotiations just consultations in other words, like most of the consultations on reorganisations they listen to what staff have to say, they even write a report saying what we have said, then say thanks for that we are going to do what we proposed in the first place. That's what staff believe is exactly what will happen under consultation over pay, whatever the Council decides to pay, if anything, will be imposed on the 1st April each year.

It gets worse instead of deciding what its thought can be afforded and then paying that to all as a cost of living pay rise, the amount will be split into two pots. One pot for the cost of living award and one pot for the super employee award.

As yet, staff still don't know if there is a formula for splitting the amount between the two pots, the fear is that more money will be put into the non consolidated non pensionable pot with less in the Cost of Living award pot.

The questions around the super employee payment still have no answers - who will decide who is a super employee, is it local management or corporate? - No answer.

What would an employee have to do to be super, when Senior Management accept that the vast majority of their workforce are very good workers? - No answer. This really is a recipe for if your face fits.

Holding back the cost of living pay rise from poor performers.

Senior managers say they know that the percentage of people who are just poor performers is minuscule. Bromley has procedures to deal with people who just don't do their jobs. At one meeting when Unite asked why, if the percentage is so low, don't managers deal with poor performance, the reply was managers are not doing this as they don't like doing it. Well if that is the case how much harder and divisive will it be for managers to have to tell a member of their team they are recommending that they don't get the pay increase at all.

The next question is how much is all this going to cost and who will be doing all the work that is now done nationally?

The consultations will now be with managers - head teachers - outside bodies - trade unions - other stake holders and of course members. Who do you know that has that amount of extra time in their job? However, if as we suspect, it will not be meaningful consultation but us being told what we get and it being imposed every 1st April I suppose most Chief Officers could manage it.

Managers alongside having to manage most services with fewer and fewer staff will now have to alongside pads, decide who will not get a pay increase through poor performance, and who in their opinion is a super employee.

They will also have to deal with the division in their teams who have all worked really hard to provide their services only to find that maybe one of their number is deemed super to the rest. Most of our services rely on team work how divisive will this be.

Then there are the moderators who will decide if someone is or is not a super employee. Who are these going to be? - No answer

Appeals

Staff can appeal if deemed a poor performer. Staff can appeal if they are not chosen as a super employee. Staff can appeal if their manager puts them forward as a super employee but the moderator thinks their not.

So who will attend the appeals? Will there be Directors or Assistant Directors chairing appeal panels with H.R. Consultation advising them? We take it managers will have to bring the case for either recommending or not, somebody for a super voucher or recommending someone doesn't get the cost of living pay award. A trade union representative in the interests of natural justice.

The question has to be asked again how much is all this going to cost in staff time and who has the spare capacity to do the work.

Along side the pay award, the proposals mean putting all other terms and conditions (such as leave, sick pay, maternity, grading schemes, mileage payments etc) in the hands of Bromley Council. The consultation document on these proposals say staff will be transferred to Bromley contracts with all other terms & conditions remaining the same. However, as always the devil is in the detail the document also states that the other terms & conditions will be looked at on an "as is basis".

Unite believes that if the council really meant their rhetoric that this proposal has nothing to do with cuts in our pay terms and conditions as a minimum they would have agreed to write in every workers contract their commitment to keep pay and all terms and conditions at least in line with the NJC award.

The Staff Side Secretary has been holding a ballot of staff, as the employers refused to do so.

The result so far 726 staff have voted against with just 7 voting in favour. An indication of the mistrust of the workforce has towards our employer.

Unite requests that Councillors reject this proposal. Show your staff that at a time of the biggest cuts to services and jobs that most of us have ever seen, you value and take on board their fears and worries. Staff have clearly shown that they want the protection of National Terms and Conditions. The question Unite asks you is what do you want to do that you cannot do now except cut our pay and conditions?

Kathy Smith
Bromley LG Unite Branch Secretary

These proposals that if the council really meant these motions that this proposal has nothing to do with cuts in our pay terms and conditions as a minimum they would have agreed to write in every workers contract their commitment to keep pay and all terms and conditions at least in line with the LNU award.

The Staff Side Secretary has been holding a pot of staff as the employees refused to do so.

The result so far 138 staff have voted against with just 1 voting in favour. An indication of the mistrust of the workforce has towards our employer.

Units requests that Councilors read the proposal. Show your staff that at a time of the biggest cuts to services and jobs that most of us have ever seen, you value and take on board their fears and worries. Staff have clearly shown that they want the protection of National Terms and Conditions. The question Units asks you is what do you want to do that you cannot do now except cut our pay and conditions?

Kathy Smith
Bromley LD Units Branch Secretary