



HR in the East Midlands

March 2020

Much of this edition is unsurprisingly related to the Covid-19 situation and we are replacing our Learning & Development section with a dedicated Covid-19 page, which this month includes offers of support on this issue going forward. Darren Newman's article is in social isolation this month – instead we share his suggested wording for the training clause in contracts from 6th April 2020.

Refocusing EMC's Support

We are focusing our services and resources to provide advice, information and support in response to Covid-19. In such challenging times, information exchanges, networking and co-ordinating our efforts and resources are all even more important and we will be concentrating on this aspect of supporting you, and exploring opportunities to do so virtually/electronically.

Our scheduled learning & development programme has been postponed and all delegates have been informed. As soon as appropriate and practical, we'll provide information on the rescheduled programme.

We have been in contact with councils to discuss ongoing/scheduled assignments to explore options for them to be postponed/continued. This support remains available wherever possible.

Following Government guidance, we are working from home. You can contact us using our usual email addresses. If you would prefer a conversation, please email us and we'll arrange a phone call.

National Pay Negotiations - Regional Consultation

Consultations on the national pay negotiations are now taking place via email. The briefing paper and presentation/notes for the cancelled pay event are available [here](#). Having considered these, please provide your council's response in the context that it is clear that a pay deal for 2020-21 cannot be achieved at 2%. The National Employers seek your views on whether:

1. The pay offer must remain at 2%. In taking this position, your council fully understands and accepts that a pay deal will not be possible

OR

2. An improved offer should be made. Such an offer should not exceed 'x%' and should only be made on the basis that the unions undertake to consult their memberships on it.

Please send your response by **Monday 6th April 2020** to sam.maher@emcouncils.gov.uk so we can send collated and anonymised responses to the National Employers for their next meeting on 14th April 2020.

Contact Details

Please contact us via email:-

Sam.Maher@emcouncils.gov.uk

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Covid-19 Information

We will be using this page of the bulletin to provide a round-up of information relating to the workforce implications of responding to the Covid-19 situation. Clearly, the situation moves rapidly and we advise accessing the links to official websites to ensure you are looking at updated advice/guidance.

We have set up a dedicated area of our website that holds information relating to Covid-19 which contains the links to official sites and copies of **national circulars** etc. You can access it by using the following link:-

[Workforce Information - COVID-19](#)

PHE & LGA Webinar, 25th March 2020

Over 50 people joined the Covid-19 webinar we facilitated last week. All of the information from and connected to the webinar, including slides and a recording, were sent to participants last week. They are also available through the above link.

Responding to Your Questions & Queries

In the first instance, please continue to direct your questions/queries to Sam Maher and Lisa Butterfill at EMC, rather than the Workforce Team at the LGA. This will allow them to progress their work on developing the national guidance and their conversations with government in supporting the sector.

This approach enables us to understand common issues and concerns, which we can then feed to our national colleagues to help them develop guidance, advice and to inform their FAQs.

We also share information with our counterparts in other regions to understand any wider patterns and to help share practice and approaches. We are meeting our national and regional colleagues on a weekly basis and the outcome of last week's collaboration is the advice that was circulated on Friday afternoon. This can be accessed [here](#)

DfE Updated Guidance

Here are some more recently published updates to existing guidance from DfE:

- **Guidance on Vulnerable Children and Young People** Questions and answers about the provisions being made for vulnerable children and young people: [link](#)
- **Travel Advice for Educational Settings** Advice for educational settings, and their students and staff, who are travelling or planning to travel during the coronavirus (COVID-19) outbreak: [link](#)

Please note, we expect the guidance to be regularly updated (potentially daily) to add further information and respond to the situation on the ground. A full list of the latest published information can be found [here](#).

See also the Joint Statement regarding Notice Periods for Teachers & School Leaders in the National Developments Section of this Bulletin

Further Regional Support

EMC is keen to ensure that we continue to support you during these challenging times and, in addition to the webpage, our advice line and providing regular updates, we are facilitating information-sharing/ benchmarking and collaboration, using both email and our virtual meeting/webinar facilities, wherever this would be valuable.

We can organise virtual meetings in various ways, ie by county group and/or by authority type – either as open networking/updating or focused on a particular pressing or common issue. For example: furloughed workers and the job retention scheme, redeployment, union consultation. We can also help with co-ordinating redeployment opportunities between authorities (and partners).

We will be in touch shortly to progress these plans further, but in the meantime would welcome your suggestions on what we can do that would be of most help to you. Please contact us:-

Sam.maher@emcouncils.gov.uk

Lisa.butterfill@emcouncils.gov.uk



In Deep with Darren

We are not featuring a full article from Darren Newman this month, which had been on the subject of the legal implications of the Coronavirus, as this situation is changing so quickly it is challenging to ensure that the article remains up-to-date. Instead we have outlined advice that Darren provided at our recent Employment Law Seminar regarding the new requirements for statements of particulars.

Provisions in Written Statements of Particulars relating to Training

We had the pleasure of offering our annual Employment Law Update, delivered with pragmatic and entertaining expert knowledge of Darren Newman. Many of you were able to attend the event and the feedback from delegates was excellent (air-conditioning aside!)

During the seminar, Darren covered the new requirements coming into effect on 6th April 2020 as part of the Government's response to the Taylor Review. The measures being introduced are:-

- Abolition of the Swedish Derogation (which had enabled agency workers to be given different terms of conditions to direct employees depending on particular circumstances)
- Holiday pay reference period moving to 52 weeks
- Written statement of terms for all **workers** to be provided from day one of their assignment
- These statements to include particular information, for example details of any leave available, working hours/patterns, probation arrangements, mandatory training and training that would be paid for by the employee.

At EMC, we had received a number of queries and requests for advice relating to the new requirements relating to written statements of particulars, notably the provisions relating to mandatory training. Many have been concerned that they would need to include long lists of all potential training that an employee would be required to attend.

Darren gave some helpful advice about this during his seminar that we thought would be useful to share as part of this month's bulletin. Darren suggested referring to any core training, but rather than providing a long list of courses, the following wording was proposed:-

"From time to time we may require you to undertake training for the better performance of your duties."

More information can be found on Twitter: [@daznewman](https://twitter.com/daznewman)

National Developments

Relaxation of Carry-over of Statutory Annual Leave Rules

The Government has relaxed the rules on carrying over annual leave to support key industries during COVID-19. Workers who have not taken all of their statutory annual leave entitlement due to Covid-19 will now be able to carry it over into the next two leave years. For further details, click [here](#)

Gender Pay Gap Publishing Requirements Relaxed

Due to the Coronavirus outbreak, the Government Equalities Office (GEO) and the Equality and Human Rights Commission (EHRC) have decided to suspend enforcement of the gender pay gap deadlines for this reporting year (2019/20).

The decision means there will be no expectation on employers to report their data if they have not already done so. The full statement can be found [here](#).



Joint Statement: Notice Periods for Teachers & School Leaders

A joint statement has been agreed between national employers and unions relating to the provision within the Burgundy Book concerning notice periods for teachers and school leaders. A copy can be accessed [here](#)

Apprenticeships

LGA Apprenticeship Newsletter, March 2020

The latest LGA newsletter can be found [here](#). This month it includes:-

- COVID-19 Crisis
- LGA 2020 Apprenticeships Survey
- Survey on Regulatory and Compliance Officer Apprenticeships
- Latest Update on Apprenticeship Standards Development
- Fire It Up campaign
- Consultation on a simplified EQA System
- E-Learning Opportunities
- Apprenticeships and T-Levels in the News

