



# HR in the East Midlands

November 2021

We receive a number of queries from councils on your current employment law issues and we have tailored an event with Darren Newman on **19<sup>th</sup> January** to cover these challenges, along with an update on key case law expectations for 2022 – see the In Deep with Darren section for details. This month's bulletin also includes a round-up of national and regional updates including the XpertHR deal and winners of the LA Challenge.

## Regional Workforce Priorities

The East Midlands Regional Employers' Board (REB) and Regional Joint Council (RJC). The REB agreed the following as priorities for the future workplan:

- Supporting councils with recruitment/retention issues: pay benchmarking, advice on market supplements and exploring opportunities to reduce agency costs.
- Providing guidance and development opportunities for councils to successfully adapt to new ways of working, including leading people and induction and support for new employees.
- Health and well-being.
- Promoting new training schemes to address skills shortage areas: apprenticeships, T levels, etc.
- Refresh of equality and diversity to support inclusion.

The RJC received a presentation on T Levels. The new joint priorities include promoting the sector as an employer of choice and workforce implications of the COVID response.

## XpertHR Regional Deal 2022-23

Demonstrating the value of collaborating, EMC negotiates a discount to subscribe to the online information service Xperthr on behalf of our member councils. We have negotiated a **price freeze** of rates for the coming year based on the current number of user licences. The costs for April '22 to March '23 are:-

- Single User Licence - £820.00 per person + VAT. The standard rate card pricing structure is £2330 pp + VAT - a **saving of 65%** per licence.
- Public Sector Site Access Fee - £160.00 per organisation + VAT. The standard public sector site access fee is £1220 + VAT – a **87% saving** per organisation.
- For the optional additional Abbey Legal advice line from XpertHR, the cost is £662.00 per person.

You can join the regional scheme or renew your subscription by contacting Mila by **Friday 28th January 2022**, letting her know how many licences you require: [mila.pereira@emcouncils.gov.uk](mailto:mila.pereira@emcouncils.gov.uk)

## Projects with Local Authorities

In November we supported councils with assignments including: -

- Team development
- Mediation
- Investigations relating Dignity at Work

**To find out how EMC could support an area of work for you, then please contact Sam or Lisa.**

[Sam.Maher@emcouncils.gov.uk](mailto:Sam.Maher@emcouncils.gov.uk)

[Lisa.Butterfill@emcouncils.gov.uk](mailto:Lisa.Butterfill@emcouncils.gov.uk)

# Learning & Development

On 10th November East Midlands Councils held the East Midlands Local Authority Challenge, this year the event was held virtually. Teams from across the East Midlands took part in the challenge and competed for the coveted prize of the Local Authority Challenge East Midlands Winner.

**South Kesteven District Council** were announced winners of the 2021 Local Authority Challenge East Midlands. This is the third time that South Kesteven District Council has won this coveted prize.

Teams on the day undertook a range of activities including presentations to Overview and Scrutiny boards of their fictional local authority, challenging media interviews and collaborating in a virtual environment. The day requires teams to develop relationships with their Council Leader and manage increasingly challenging situations that arose throughout the day.

We are pleased to announce the results below, but congratulations go to all teams involved on the day.

**East Midlands LA Challenge Winner** – South Kesteven District Council

**East Midlands LA Challenge Runners Up** – Harborough District Council

**Winner Best Presentation** – South Kesteven District Council

**Winner Best Media Interaction** – Joint winners Leicester City Council and Derby City Council  
Finalists – Leicester City Council, Derby City Council and South Kesteven District Council

**Winner Best Residents Magazine** – Derby City Council

**Winner Best Stakeholder Management** – South Kesteven District Council

Finalists – Ashfield District Council, Leicester City Council and South Kesteven District Council

**Winner Best Chief Executive** – Claire Moses, South Kesteven District Council

Finalists – Ashfield District Council, Leicester City Council and South Kesteven District Council

East Midlands Councils would also like to thank all those on the day who played the crucial roles of Council Leaders, Partners and Media representatives.

It was a great day and we look forward welcoming teams to the next Challenge!

## Developing a Coaching Strategy

This month EMC colleagues held a collaborative session for Coaching Champions within the East Midlands Coaching Network. The session explored coaching strategies, with the goal of developing a coaching strategy template. The template strategy is available for use and local tailoring. For more information contact [Kirsty.lowe@emcouncils.gov.uk](mailto:Kirsty.lowe@emcouncils.gov.uk)

## EMC Leadership Development Programme

This month our first Leadership Development Programme came to an end, with the final workshop seeing delegates feeding back on the progress made on the leadership challenges they had faced.

**Cohort 2** - Our second Leadership Development Programme started last month. In November delegates started action learning sets and next month the programme will include workshops on:-

- **Building resilient organisations** - To provide an understanding of resilient organisations and how senior and middle managers can ensure organisational resilience
- **Re-imagining the future** - The role positive psychology plays in creating a vision. How to make space for innovation and creativity when working remotely. Engaging people with a new vision and strategy.

If this type of development is of interest to managers in your organisation, please contact Kirsty.

## Workshop on T Levels – 20<sup>th</sup> January 2022

The LGA will run a free workshop for EMC on 20<sup>th</sup> January 2022 from 10.00-11.30am. The session will explain T Levels and work placements. These can be a useful opportunity to develop relevant skills and build connections with our future workforce. For further information contact [mila.pereira@emcouncils.gov.uk](mailto:mila.pereira@emcouncils.gov.uk)

### Contact Details

For further information about any of our work please contact the team:-

[Sam.Maher@emcouncils.gov.uk](mailto:Sam.Maher@emcouncils.gov.uk)

[Lisa.Butterfill@emcouncils.gov.uk](mailto:Lisa.Butterfill@emcouncils.gov.uk)

[Kirsty.Lowe@emcouncils.gov.uk](mailto:Kirsty.Lowe@emcouncils.gov.uk)

[Mila.Pereira@emcouncils.gov.uk](mailto:Mila.Pereira@emcouncils.gov.uk)



## In Deep with Darren

Darren's article will be issued separately this month. However, we are pleased to be offering a more interactive opportunity to access Darren's insights, through a focused Employment Law Update webinar in January.

The event is tailored to cover the issues and concerns you have raised with us.

### Tailored Employment Law Update 19<sup>th</sup> January 2022

We are pleased to offer a two-hour update from Darren Newman in the New Year.

The session will cover current employment law issues with a focus on the frequent questions and concerns that you have been raising with us at EMC relating to current challenges presented by the pandemic:-

- how should we deal with employees who are worried about returning to the workplace?
- are those suffering from long-covid protected by the Equality Act?
- how should employers deal with the question of vaccination. Can we insist on employees getting vaccinated and what can we do if they refuse?

On wider employment law, the session will also cover implications of important cases on collective bargaining, discrimination, employment status, redundancy, flexible working, disability discrimination and an employee's political activities.

The session will be from 10.00 to 12.15 and will incorporate a 15-minute break. Places will be available at a cost for EMC members of **£65 per delegate**. We are also offering a discount for multiple bookings – so you will be able to **BUY ONE PLACE AND GET ANOTHER HALF PRICE**. To book, please go to our website at the following link [here](#). You will need to provide a purchase order number.

## National Developments

### Pay Negotiations

On 15<sup>th</sup> November, ahead of councils receiving ballot notices, EMC circulated information relating to the national pay negotiations and actions being taken by unions to ballot their members. The information is set out below:-

**UNISON** – will be conducting a formal national strike ballot from 1 Dec to 14 Jan. The results will be collated on an aggregated\* basis. [Notices of Ballots](#) or letters of intent were due to be sent to councils by Unison on 17<sup>th</sup> November.

**GMB** – is currently conducting a national consultative ballot (closes Mon 13 Dec) in order to determine whether there is support for strike action. If there is such support, GMB's subsequent formal national strike ballot will be collated on a disaggregated\*\* basis.

**Unite** – its national committee met yesterday to sign off its timetable. Its formal strike ballot will be a national coverage disaggregated\*\* ballot. Unite's timetable for strike ballots of NJC 'Green Book' employees and JNC 'Red Book' Craftworkers is:

Fri 7 Jan – Wed 12 Jan: Notices of Ballot issued to employers;

Fri 14 Jan – Thu 17 Feb: National strike ballot;

Thu 17 Feb: Ballot results issued.

The law requires that there is a ballot of employees in accordance with strict legal requirements before industrial action is called for or endorsed. Only where such a ballot produces a majority in favour of industrial action and at least 50 per cent of those eligible to vote have voted will the action be lawful. The ballot will only be effective for and mandate industrial action that takes place within six months, beginning with the date of the ballot (which is the date the ballot closes).

\*This means that to take action, at least 50 per cent of the national membership is required to vote.



\*\*This means that action could be taken at each council / school where a turn-out of at least 50 per cent is secured (if members vote in favour strike action).

**Click here for employers' guidance on [Industrial action ballots](#)**

The Employers' Side of the NJC is scheduled to meet on 31<sup>st</sup> January 2022.

## Youth & Community Workers

Youth and Community Workers rejected their pay offer of 1.75% and UNITE will be conducting a ballot for strike action.

## NJC Circular on Guidance for Term-Time Only Employees & Queen's Platinum Jubilee

At EMC we have had a number of queries over the last few months requesting guidance on how to manage the additional day's leave in celebration of the Queen's Platinum Jubilee 2022 in respect of term-time only employees. We were therefore pleased to be able to circulate the guidance to authorities earlier this month. You can access a copy [here](#).

## Minimum Wage Increases from 1st April 2022

The Government announced the National Living Wage (NLW) and National Minimum Wage (NMW) rates which will come into force from 1 April 2022. The new rates are set out below, along with the current rate in brackets and the percentage increase:-

National Living Wage Rate (23+):	£9.50 (£8.91)	6.6%
21-22 Year Old Rate:	£9.18 (£8.36)	9.8%
18-20 Year Old Rate:	£6.83 (£6.56)	4.1%
16-17 Year Old Rate:	£4.81 (£4.62)	4.1%
Apprentice Rate:	£4.81 (£4.30)	11.9%

## Living Wage Foundation Rate Increases

Some councils recognise the voluntary Living Wage Foundation (LWF) rate. This is reviewed annually in November and the Foundation recently announced the new rate for outside of London as £9.90 per hour, an increase of 40p on the hourly rate. Organisations that recognise LWF living wage rate are required to

apply the new rate as soon as possible and no later than 6 months following the increase.

## Gender Pay Gap – ONS Statistics

The Office for National Statistics (the ONS) has published the results of its annual survey of the gender pay gap in the United Kingdom.

For full time employees the gap as at 1 April 2021 was 7.9%. While that is an increase from the April 2020 gap of 7%, it nevertheless is part of a general downward trend, the gap in April 2019 being 9%. You can access the ONS information here: [ONS Gender Pay Gap](#)

## ACAS Guide on Changing Contracts

ACAS has recently published guidance for employers on making changes to employment contracts which summarises the main issues for employers to consider. It emphasises maintaining good relationships between employers and employees, and on exploring all other options for change before dismissal and reengagement is used. It can be accessed here: [ACAS guide](#)

## Apprenticeships

The LGA is offering a webinar on **Implementing Apprenticeships with Impact** on Wednesday 8<sup>th</sup> December from 2.00 to 3.30pm This has been rescheduled for its original date in early November.

For everyone that has already registered, your registration will automatically move to the new date and time - you will have received an email confirming this change. You do not need to re-register.

For anyone that would like to attend the new date but has not yet registered, you can do so by using this link: <https://attendeegotowebinar.com/register/4675715395507589647>. After registering, you will receive a confirmation email containing information about joining the webinar.

