



HR in the East Midlands

May 2022

EMC's role is to help councils benefit from collaboration and this month's issue highlights Exchanges, Networks and events that are great ways of using our collective resources to make progress on key issues for the sector. A feature is the EDI network which launched this month. The L&D section outlines leadership and management development opportunities. The collective theme continues with Darren's article, which looks at proposals that may reduce the collective power of unions. See below details of the regional pay briefing – a key meeting for HR and Finance Directors and Lead Councillors.

Growing our Own Exchange

Over 50 people signed up to join our Exchange earlier this month to look at ways of addressing skills shortages through growing our own employees.

We heard from great speakers and the participants were able to share information and ideas on how councils are addressing skills shortages and recruitment/retention.

We are progressing actions arising from the meeting, which include mapping apprenticeship providers, pooling information and signposting to relevant resources.

Future workshops will be arranged on aspects linked to this theme – so watch this space! For further information, contact Lisa Bushell or Sam.

Regional Pay Consultation Meeting – 21st June 2022

The national union pay claim is expected soon and so we have planned a regional pay consultation meeting on Tuesday 21st June 2021 to discuss and inform the national pay negotiations. The meeting will take place virtually on MS Teams from 2.00-4.00pm, as this format seems to be easier for officers and councillors to attend.

The purpose of the meeting will be to provide councils in region the opportunity to meet lead national negotiators and discuss and input to the national pay negotiations for 2022.

It is an Employers meeting but will begin with a presentation from the unions on their claim. Background information is provided in an Employers' Circular (available [here](#)). This will be circulated by EMC ahead of the meeting, along with questions for councils to consider and feed responses back to us. To book a place please visit our website [here](#).

Projects with Local Authorities

During May, EMC has supported individual councils with:-

- Top team development facilitation
- In-house workshops for managers on hybrid working
- Job evaluation

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

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Lisa.Butterfill@emcouncils.gov.uk

EDI Network Launch

On 18 May EMC launched our new Equality, Diversity and Inclusion (EDI) Network, with over 30 people joining this first meeting. It was a very positive meeting, with participants keen to engage and take the opportunity to work together, share information and learning.

The meeting focused on how the network should operate and what participants wanted to collaborate about and engage with each other.

The network will include opportunities for action learning and to share information, documents and resources through MS Teams channels and to develop training resources.

To support participants making progress together on their work priorities, we are setting up a number of special interest groups that sit alongside the network meetings, with outcomes and resources shared within the network. This will provide a practical space to enable colleagues to work together on areas of interest.

The themes that were raised by a number of group members were the following, and will be proposed as suitable for special interest groups to work together and progress:-

- Leadership and personal accountability
- Disability confident accreditation
- The LGA Framework
- Effective Employee Groups and Champions
- Equality Impact Assessments
- Recruitment and selection

The next virtual meeting will be on **12th July 2022 – 10:00 – 11:30**, where the approach for the network and its future work programme will be agreed.

If you are interested in joining the EDI Network contact kirsty.lowe@emcouncils.gov.uk

Additional EDI Information

ACAS Guidance on Managing Disability in the Workplace

Acas has updated its **guidance on how to manage disability in the workplace** including how to talk about disability, managing a disability that gets worse over time, disability related absence and capability and performance when someone is disabled. A link to the guidance can be accessed [here](#)

Regional Workshop - Introduction to Neurodiversity, 22 June

In this introductory session we will be introducing you to the idea of neurodiversity, what it is, and what the common conditions are that people experience.

This session is suitable for anyone throughout your organisation but is particularly useful for those working in team leading positions, learning and development teams and human resources. For details visit [here](#).

Trends in ET Claims

ACAS recently published information in their newsletter about trends in Employment Tribunal claims. They reported that there had been an increase in claims relating to “banter”. There has also been a steep rise in claims relating to neurodiversity discrimination, which is likely to be linked to greater awareness.

According to a study by Fox & Partners, in the past year there had been an increase in claims relating to autism of 40%, a 31% rise in claims relating to Asperger’s syndrome and a 14% rise in claims relating to dyslexia. A link to the study is here: [study](#)

Acas have produced a podcast "[Thinking differently about neurodiversity](#)"



Learning & Development

Inspire People Professionals Academy

Colleagues at our sister organisation in the West Midlands are hosting **Inspire People Professionals Academy**. This programme is aimed at Local Government people professionals leading their organisations through change and transformation. It was launched to help support you as part of our national workforce programme of support to councils across the English regions.

The aim of this programme is to help people professionals in councils be better prepared, building the skills and mindset required in a changing world, for the COVID recovery and reset work that lies ahead in 2021 and beyond and the need to build more inclusive work cultures.

Participants will have access to 8 virtual learning modules (40 hours) and CIPD's digital learning (15 hours) for self-directed learning around core behaviours. For further information on the programme visit [here](#).

A look at our leadership offer...

EMC accredited Leadership Development Programme

High Impact Leadership, ILM Level 5 Award in Leadership and Management, starting 8 September. The course will take place with a combination of face-to-face workshops and interactive virtual workshops.

Who is this aimed at? All levels of leadership development require some fundamentals: situational leadership, leadership behaviours, personal effectiveness, emotional intelligence and communication. This programme builds on those with tips and tools you can implement straight away.

For more information on the programme visit [here](#).

[Programme Information - September 2022](#)

ILM Level 3 in Leadership and Management – We are looking at hosting a regional programme and would like to gauge interest in this. If this is something that you would be interested in for your authority email Kirsty.lowe@emcouncils.gov.uk

Leading through turbulent times – Leadership Development Programme

Due to demand from councils that had delegates on previous cohorts, we are delighted to offer a further opportunity to join our 'Leading through turbulent times' Leadership Development Programme which will start in Autumn.

Launched in 2021, two cohorts have completed the programme. Previous delegates have said the following about the programme:-

"It has given me the skills and knowledge to carry on leading no matter what the situation".

"Chance to reflect and empathise with colleagues - a sense of common problems".

"I am finding the adaptive thinking really helpful and to take that step back and take that helicopter view".

The overall aim of this unique and focused programme is to provide senior and middle managers with the skills, knowledge, and capability to lead their people through turbulent times. Developed around four key themes of Self Leadership, Leading the Organisation, Leading People and Leading Teams, this programme will help leaders and managers to:

- Develop self-awareness of their own leadership and resilience during turbulence and change.
- Respond to the challenges a crisis and long-term uncertainty create for organisations, teams, and people.
- Identify ways in which organisations can build their resilience, adapt to change, and engage their people during turbulent times.
- Address key challenges when leading and managing people during change and uncertainty.
- Identify strategies and actions to support performance, engagement, and wellbeing of people during change.

Dates and further information will be available on our website [here](#) shortly.

Contact Details

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

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In Deep with Darren

This month, Darren Newman looks at proposals to amend the right to representation and limit industrial action.

One of the most controversial employment law reforms introduced in recent years was the Trade Union Act 2016. Among other measures, it required industrial action ballots to achieve a turnout of at least 50 per cent in order to be valid. In addition, where the industrial action concerned important public services at least 40 per cent of those entitled to vote would need to vote yes for industrial action to be lawful.

The Government's rationale for the measure was the worry that workers were being pressured into taking part in industrial action that did not have a proper democratic mandate. Turnout for ballots was often low with the result that a small number of workers voting in support of action could sway the result.

That all changed once the new law was introduced. Knowing that a large turnout is required, unions now campaign hard to encourage their members to vote. If that was the intention behind the Act then the recent strike ballot among railworkers can therefore be taken as a sign of success. The turnout was 71% with 89% voting in favour of strike action. That means that strike action was supported by 63% of those entitled to vote – a mandate that any Government can only dream of.

Rather than be pleased that the Trade Union Act has achieved its aims, however, the Government seems to be unhappy about the outcome and is threatening to introduce legislation limiting the scope for industrial action in essential public services. The Transport Secretary Grant Schapps has indicated that a pledge in the 2019 Conservative manifesto to require a minimum

level of service to be maintained during transport strikes may still be implemented.

Since no employment bill was announced in the Queen's Speech it seems unlikely that anything will happen soon. What is more, a measure like that would be highly controversial and would be challenged in the European Court of Human Rights as an undue interference with the right to strike. International law does allow for some restrictions on industrial action in essential public services, but this is strictly limited to cases where a strike could threaten the health or safety of the population. Preventing inconvenience to commuters is not going to meet that threshold.

Meanwhile the Education Secretary came up with an interesting proposal for undermining the power of trade unions among teachers. The Telegraph has reported¹ that Nadhim Zahawi is considering proposals to widen the right of teachers to be accompanied at disciplinary and grievance hearings to cover not just fellow workers and trade union officials but also 'external lawyers or a representative of a body other than a union'. A Government spokesperson told the Telegraph that the rationale for the move was that many teachers joining a trade union 'simply to protect themselves in case they face allegations of abuse'.

In fact the Government's ideas do not seem to run so far. The written parliamentary answer to which the Telegraph refers actually makes no reference to lawyers - merely to other professional associations. It goes so far as to name one – Edapt – which is a subscription-based advice service for teachers that aims to offer some of the services of a trade union – without the wider employment relations role. But since Edapt is not a trade union, teachers are not currently entitled to be accompanied by its representatives in grievance and disciplinary hearings. Would it be a good idea to extend the right to be accompanied beyond the current provision for trade union officials and fellow employees? Absolutely not.

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<https://www.telegraph.co.uk/politics/2022/05/21/torie-s-poised-torpedo-unions-threat-bring-country-standstill/>



It would be a serious mistake to let the Government's issue with trade unions obscure the important role of a trade union representative in disciplinary and grievance hearings. Yes, they are there to ensure that the interests of the individual are protected. But they also have a relationship with the employer and are able to appreciate the wider context. I have encountered many trade union representatives in hearings over the years and in the overwhelming majority of cases they help the process run smoothly. They can explain what is going on to the employee concerned and help them appreciate the wider context. If something is wrong with the process, they can point that out at an early stage – allowing the employer to address concerns promptly rather than argue about them at a subsequent Tribunal. Their ongoing relationship with the employer helps them to do this and helps the employer take their concerns seriously.

I am sure that Edapt is a fine organisation, but any legislation extending the right to be accompanied will inevitably create a market for less professional or less responsible representatives to get in on the act. Paid representatives with no continuing relationship with the employer or wider concern for the workforce would not be a welcome addition to the process. Even worse, it is difficult to see how you could prevent law firms from setting up representative services of their own. If employees have legal representation in disciplinary and grievance hearings, then employers will want to bring their lawyers into the room too. Surely no employer would want to go down that road?

The Government should be careful not to fall into the trap of thinking that any change that undermines trade unions will help employers. Unions have a legitimate role to play in the relationship between employers and employees – particularly in the public sector. As the experience of the Trade Union Act shows, attempts to legislate in this area can have unintended consequences. The minimum balloting thresholds have not prevented industrial action but merely encouraged higher turnouts, giving strikes greater legitimacy. Widening the right to be accompanied would result in unwarranted outside interference in procedures that should be handled internally.

If and when the Government does eventually get around to bringing forward its proposals for employment law reform it would be wise to stick to

its manifesto pledges on flexible working, carers leave and protecting new parents from redundancy.

The right to be accompanied is not broken and does not need fixing.

Congratulations to PPMA Award Winners from the Region

The PPMA Excellence in People Management Awards is open to all UK public sector organisations, voluntary sector organisations, charities, private sector partners, individuals and academic institutions.

It was great to see that people and organisations from the East Midlands received 2022 awards:-

- Best Workforce Transformation/ Change Initiative - Winner: **Leicestershire County Council**
- Best Partnership / Collaboration - Highly Commended: **Northamptonshire Children's Trust** in partnership with Opus People Solutions
- Service Super Stars - Winner individual: **Fiona Tuck, HR Business Partner, Lincolnshire County Council**

More details can be found [here](#).

National Developments

Statutory Guidance on Special Severance Payments

The Government recently issued new statutory guidance on Special Severance Payments. A link to this is provided [here](#)

The LGA's Workforce Team have covered the Guidance within their latest Advisory Bulletin – a copy of which is available [here](#)

The Statutory Guidance is separate from Government proposals relating to cap or recover exit payments and it is possible that we see further developments on these, which link to manifesto pledges. We will of course keep you posted as soon as there is any news.



National Pay Negotiations

National Employers have written to trade unions' leaders with the aim of avoiding a repeat of last year's delays in reaching agreement. The timescale was affected by the unions' arrangements for consultation and balloting.

A copy of the letter is available here: [letter to TUs](#)

Local Government Pension Scheme (LGPS) latest bulletin 223 - April 2022

The Local Government Pensions Committee (LGPC) monthly bulletin informs employers and administering authorities about current issues affecting the LGPC.

The latest Bulletin includes updates about changes to deadlines related to the annual allowance, changes to the normal minimum pension age and LGPS scheme employer role training. A link is here: [Bulletin 223](#)

T Levels news and updates

Offering an **T Level industry placement** to a young person, can encourage them to actively contribute to and make an impact on local government, while also providing a diverse skill set and resource to councils.

The LGA is in the process of developing their **support offer to councils** to help them implement T Level industry placements in their workplace. To assist with this, Councils have been asked to complete a short survey (see link below), which aims to find out if councils are considering taking on T Level placements, what further support they need to do so, and to find out lessons learned so far. This is vital in helping us to understand and monitor the sector's needs.

[Complete the survey here](#)

If you are interested in T Levels or want to find out more about the support programme and how you can access it please email [David Drewry](#) or [visit the following website page](#).

Apprenticeship Newsletter – May 2022

The latest LGA apprenticeship newsletter can be found [here](#). It covers developments in the world of apprenticeships, including:-

- First Wave of New Tools Now Up on the KHUB
- Apprenticeship MOTs
- Links to recent webinars
- Surgeries
- UPDATE: Apprenticeship Incentive Payments
- IFATE Apprentice Panel Recruitment

