



Personnel Committee

Date: Wednesday, 13 February 2019
Time: 10.10 am (or at the rise of the Executive)
Venue: Council Antechamber, Level 2, Town Hall Extension

Everyone is welcome to attend this committee meeting.

Access to the Council Antechamber

Public access to the Council Antechamber is on Level 2 of the Town Hall Extension, using the lift or stairs in the lobby of the Mount Street entrance to the Extension. That lobby can also be reached from the St. Peter's Square entrance and from Library Walk. **There is no public access from the Lloyd Street entrances of the Extension.**

Membership of the Personnel Committee

Councillors - Ollerhead (Chair), Akbar, Bridges, Craig, Leech, Leese, N Murphy, S Murphy, Rahman, Richards, Sheikh and Stogia

Agenda

1. Urgent Business

To consider any items which the Chair has agreed to have submitted as urgent.

2. Appeals

To consider any appeals from the public against refusal to allow inspection of background documents and/or the inclusion of items in the confidential part of the agenda.

3. Interests

To allow Members an opportunity to [a] declare any personal, prejudicial or disclosable pecuniary interests they might have in any items which appear on this agenda; and [b] record any items from which they are precluded from voting as a result of Council Tax/Council rent arrears; [c] the existence and nature of party whipping arrangements in respect of any item to be considered at this meeting. Members with a personal interest should declare that at the start of the item under consideration. If Members also have a prejudicial or disclosable pecuniary interest they must withdraw from the meeting during the consideration of the item.

4. Minutes

To approve as a correct record the minutes of the meeting held on 29 January 2019

5 - 12

5. Senior Management Capacity

The report of the Chief Executive **will follow**

6. Senior Management Arrangements for the Homelessness Service

The report of the Acting Executive Director (Strategic Commissioning and Director of Adult Social Services) **will follow**

7. Flexible Working Policy Framework

The report of the Director of Human Resources / Organisational Development **will follow**

Information about the Committee

The Personnel Committee is made up of the Leader of the Council, the other nine Members of the Executive, the Assistant Executive Member (Finance and Human Resources), and the Leader of the Opposition.

Amongst its responsibilities, the Personnel Committee considers department staffing and organisational reviews; determines collective and corporate terms and conditions of staff and 'market rate' supplements. The Committee also determines the assignment and re-grading of certain posts and policies relating to local government pensions.

The Council is concerned to ensure that its meetings are as open as possible and confidential business is kept to the strict minimum. When confidential items are involved these are considered at the end of the meeting at which point members of the public are asked to leave.

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Smoking is not allowed in Council buildings.

Joanne Roney OBE
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Further Information

For help, advice and information about this meeting please contact the Committee Officer:

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This agenda was issued on **Tuesday, 5 February 2019** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Mount Street Elevation), Manchester M60 2LA

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Personnel Committee

Minutes of the meeting held on Tuesday 29 January 2019

Present: Councillor Ollerhead (Chair) – in the Chair

Councillors: Akbar, Craig, Leech, Leese Rahman,

Apologies: Councillor Bridges N Murphy, S Murphy, Richards, Sheikh and Stogia

PE/19/01 Minutes

Decision

To approve the minutes of the meeting held on 12 December 2018.

PE/19/02 Senior Management Capacity Review

The Committee considered a report of the Chief Executive which set out proposals to realign senior leadership capacity in the context of impending vacancies in the Senior Management Team (SMT) and below and the need to develop wider leadership capacity and resilience.

Vacancies had arisen due to the impending departure of the current Deputy Chief Executive who would soon take up the post of Chief Executive at Trafford Council. The current Director of Human Resources / Organisational Development (HR/OD) would also shortly take up a post of Executive Director at Bury Council

The Committee noted that proposed changes would lead to a budget saving of £104,000 and were designed to invest in delivery capacity in support of the Council's strategic objectives despite no net increase in SMT numbers.

The report asserted that the departure of the current Deputy Chief Executive provided an opportunity to consider the detailed portfolio and accountabilities of this post in the context of the new Corporate Plan and emerging Corporate Core Transformation Plan. In line with *m people* principles the City Treasurer would be Level 1 matched to a new post, of Deputy Chief Executive and City Treasurer, with a significantly enhanced portfolio:

The Strategic Director grade within the Council's pay and grading structure does not enable the scale and scope of the responsibilities of the new Deputy Chief Executive and City Treasurer portfolio, which were previously incorporated across three SMT posts, to be reflected. The Council's grading structure will therefore require review to accommodate a grade between the top of the current SS5 and Chief Executive grade (SS6) with a salary of £150,000.

The other areas of the current Deputy Chief Executive's portfolio would be redistributed with the Chief Executive providing personal capacity and leadership to drive the delivery of Our Manchester within the Council and City and leadership to strategic communications function, which would sit operationally within the City

Solicitor's portfolio. The City Solicitor would also take management responsibility for the Communications Service and Civic and Ceremonial team within the existing grade for the post.

Additionally, it was proposed that leadership of the Neighbourhoods Directorate would be provided by a new Strategic Director (Neighbourhoods) post (at Grade SS5) who would become a member of the Council's Strategic Management Team and report directly to the Chief Executive following established approval mechanisms. The post would also take the lead on City Culture strategy. In light of this the Committee was asked to disestablish the current Chief Operating Officer (Neighbourhoods) post (SS4) and, in line with *m people* principles, and ringfence that post holder for assessment to the Strategic Director (Neighbourhoods) role. A further report will be presented in the coming months setting out proposals in relation to additional leadership changes within the Neighbourhoods Directorate.

It was also proposed that in order to manage the capacity of the Deputy Chief Executive and City Treasurer post that a number of further structural changes be endorsed, namely:

- That a new post of Director for Policy, Performance and Reform is created (evaluated at Grade SS4) to take responsibility for the Reform and Innovation; Policy, Partnerships and Research and the Performance, Research and Intelligence teams.
- An enhanced role for the Deputy City Treasurer involving a greater proportion of the statutory functions of the City Treasurer. Additional responsibilities would be contained within existing grade for the post, but arrangements will be monitored to ensure that with the combining of the City Treasurer and Deputy Chief Executive responsibilities there will be sufficient capacity to ensure the proposed additional duties could be adequately fulfilled.
- A redesignation of the post of Head of Policy, Partnerships and Research to Head of Local Planning and Critical Infrastructure reporting to the Strategic Director (Development) to give support on the new Manchester Local Development Plan.
- The creation of a post of new Strategic Lead post, Policy and Partnerships (evaluated at Grade SS2) reporting to the Director for Policy, Performance and Reform.

The Committee also noted that that the current Director of HROD would leave the Council in March Recruitment arrangements to source a replacement HROD Director was recommended, on the existing grade and Role Profile.

The Committee also noted that despite the proposals meeting immediate capacity needs more thought was needed on capacity below the SMT level such that a further report will be brought forwards in the coming months setting out both structural changes to assure these arrangements and proposals to strengthen succession and development planning for senior leaders.

The Committee noted the comments received the Trade Unions concerning the proposals.

There was a discussion about the decision to merge the role of Deputy Chief Executive and City Treasurer. In recognition of the talent of the current post holder of City Treasurer, a member queried whether merging the role to encompass two portfolios might potentially pose difficulty in the future in terms recruiting a candidate of equal calibre and expertise. The Chief Executive explained that the portfolio of the Deputy Chief Executive was being split across two roles with part being merged with the City Treasurer role and part would be covered by the role of Strategic Director (Neighbourhoods). With regard the model and the potential impact on recruitment arrangements, the Chief Executive explained that the role of City Treasurer as de facto Deputy Chief Executive was a fairly and fairly common model in comparable authorities.

The provision detailed structure charts to set out reporting arrangements and provide better guidance on where savings and / or costings was welcomed and it was agreed that in future these would be provided as standard where indicated.

The Leader of Council congratulated both Sara Todd on her appointment of Chief Executive at Trafford Metropolitan Borough Council and Lynne Ridsdale for her appointment as Executive Director at Bury Council. He added that whenever a senior post became vacant it was prudent to consider whether the post should be routinely filled under existing arrangements or operated in a different way. He also said that in order to use the Human Resources function in an effective way, a certain amount of fluidity should be retained to retain the skills and talents of the workforce in the best way possible given the changing landscape of local government services.

The Committee agreed the proposals.

Decisions

1. To note the appointment of Sara Todd to the post of Chief Executive of Trafford Metropolitan Borough Council and thank Sara for her commitment, dedication and significant contribution to the people of Manchester for the past 14 years.
2. To recommend to Council that the role profile and duties of the existing Deputy Chief Executive post are varied as set out in the report and to include the duties of the Council's statutory Section 151 Officer. The post will become Deputy Chief Executive and City Treasurer.
3. To agree that the Deputy Chief Executive and City Treasurer will take leadership responsibility for the: Human Resources / Organisational Development (HR/OD); Policy, Partnerships & Research; Reform & Innovation; and the Performance, Research & Intelligence services along with providing overall leadership to the Corporate Core, working closely with the City Solicitor, who will retain responsibility for the City Solicitor's Division.
4. To recommend to Council that the Deputy Chief Executive and City Treasurer is remunerated at a salary of £150,000 to reflect the increased portfolio and in line

with the proposed changes to the Council's Pay Policy Statement detailed elsewhere on this meeting's agenda.

5. To agree that the Deputy City Treasurer assumes a greater proportion of the statutory functions of the City Treasurer role as detailed in the report, within the existing grade for the post.
6. To agree that the City Solicitor will take on responsibility for the Communications service and Civic and Ceremonial function, within the existing grade for the post.
7. To note that the Chief Executive will provide personal leadership to delivery of the Our Manchester approach across the organisation and City, together with strategic communications
8. To recommend to Council the creation of a new post of Strategic Director (Neighbourhoods) at Grade SS5 on the Council's pay and grading structure. This post will take on strategic responsibility for the Neighbourhoods and Highways services. Establishment of this post will enable the disestablishment of the current Chief Operating Officer (Neighbourhoods) post and, in line with *m people* principles, this post holder will be ring fenced for assessment to the Strategic Director role.
9. To agree the redesignation of the Head of Policy, Performance and Research to Head of Local Planning and Critical Infrastructure, at Grade SS3 on the Council's Grading structure.
10. To recommend to Council the creation of a new post of Director Policy, Performance and Reform at Grade SS4 on the Council's pay and grading structure. This post will take on strategic responsibility for the Performance, Research & Intelligence; Policy, Partnerships and Research and Reform & Innovation teams and will be funded through equivalent reductions at the tier below.
11. To agree the creation of a new Strategic Lead - Policy and Partnerships at Grade SS2, which will be funded through equivalent reductions at the tier below
12. To thank Lynne Ridsdale for her contribution to Manchester and note the intention to recruit a replacement Director of HR/OD at the existing grade and under the current Role Profile.

PE/19/03 Senior Pay and Grading Update

The Committee considered a report of the Chief Executive which proposed a change to the senior pay and grading structure, to account for the newly-created post of Deputy Chief Executive and City Treasurer, relative to the Chief Executive and the Council's Senior Management Team tier.

In essence the report proposed an amendment to the existing structure to the effect that it was proposed that Bands SS1 – SS5 be retained, with Band SS6 deleted and

replaced with two new, separate grades, namely that the Deputy Chief Executive be graded at a salary spot point of £150,000 and the Chief Executive, £198,900. Salary progression would be subject to pay awards determined by the appropriate JNC negotiating body only.

The Committee noted the Trade union comments that had been submitted for consideration at the meeting and agreed the proposals.

Decisions

1. To approve the proposed amendments to the senior pay and grading structure set out below:
 - a) Retain Grade Bands SS1 – SS5
 - b) Delete Grade Band SS6 and replace with two new grades:
 - - Deputy Chief Executive £150,000
 - - Chief Executive £198,900
2. To recommend to Council that the changes are implemented with immediate effect.
3. To recommend to Council that the Council's Pay Policy Statement in March 2019 is amended to reflect the changes in the senior pay and grading structure.

PE/19/04 Local Government Pension Scheme – Updated Discretions Policy Statement

The Committee considered a report of the City Treasurer which set out changes to the Council's Discretions Policy in line with Local Government Pensions Scheme (LGPS) regulatory requirements. The Committee noted that the Policy Statement was last revised in 2014. A copy of the revised statement was appended to the report. The statement set out the Council's approach to its discretion in the following areas:

- Active members and leavers;
- Deferred members (people who are no longer members of the scheme); including Councillor scheme members;
- Calculation of redundancy payments; and
- Injury Allowance for leavers, deaths and reductions in pay after 15 January 2012.

The report asserted that nothing in the Policy Statement shall fetter the Council's discretion to exercise its powers. Each application within the discretionary areas would be considered in line with the published policy, taking account of the financial impact on the Council and the pension scheme, the need to avoid unlawful discrimination, and any exceptional circumstances that may exist.

The changes were summarised as:

- clarification of the Council's expectation that individual members take responsibility for planning and funding their retirement
- a broadening of the scope the Council has to consider applications from members to waive reductions. Previously cases were considered on caring or financial grounds. Now members have an opportunity to explain their circumstances and why they believe that their case is exceptional
- allowing the Council to offer shared cost Additional Voluntary Contribution schemes which reduce costs to the Council and to members
- the addition of the remit of schools

No changes were put forward on the Council's redundancy and industrial injury discretion position.

Unite the Union comments were submitted for consideration at the meeting. A member noted that the comments were less than positive but did not constructively state the focus of their issue. The Director of Customer Services and Transactions commented that the approach taken by the Authority was much more detailed than other authorities and in fact widened the scope for consideration of discretions, with each case considered on its own merit, whilst remaining cognisant of the financial cost and the sustainability of the scheme in the long term. She added that she had consulted with GMB and Unison who having considered the report expressed no concern with the arrangements.

Decisions

1. To recommend that Council adopts the discretionary framework set out in the revised Pension Scheme Policy Statement.
2. That periodic reviews of the policy statement and any associated documents are carried out by the City Treasurer and the Director of HR and OD in consultation with the Executive Member for Finance and Human Resources. Any substantial changes arising out of that review will be referred to Personnel Committee for approval.

PE/19/05 Improving Disclosure Barring Service Compliance

The Committee considered a report of the Director of Human Resources / Organisational Development (HR/OD) which discussed the background to the work programme being carried out to improve governance and administration arrangements regarding criminal record checks across the Council in response to recommendations arising from an internal audit in April 2018.

The report explained that in order to provide assurance around criminal record checking activity the report discussed the steps taken to ensure that safer recruitment decisions were made whilst ensuring compliance with safeguarding duties to prevent unsuitable people from working with vulnerable groups. It was asserted that the programme would strengthen organisational assurance of Disclosure Barring Service (DBS) management as a basis for safer recruitment and practice.

There was a discussion around the role of volunteers and the potential risk of the impact of the bureaucratic burden on volunteer organisations leading to a reduction in the number of volunteers. The Director of HROD described that this was a relatively low risk due to the robust systems already in place and the presence of the 'e-check' system which would reduce the impact.

There was also a discussion around the voluntary arrangements in place for elected members such that they may not be compelled to have a basic check. The Monitoring Officer explained that there was no right to require members to undergo a DBS check, neither was it part of the selection or nomination process in relation to elections. However, any DBS check findings that were undertaken would be strictly confidentially held and not be placed in the public domain allowing the Monitoring Officer to appropriately determine risk and enable appropriate steps to be taken.

The Committee noted that the role of elected member regularly resulted in contact with vulnerable adults and children but that in the absence of the powers to require mandatory DBS checks the authority's enhanced procedures were the most robust that could be achieved in the circumstances.

Decision

To note:

- the updated Disclosure Barring Service (DBS) framework, leadership arrangements and compliance activity.
- the revised approach for Elected Members,
- proposals for scoping volunteer capacity, including DBS compliance,
- the use of funding of circa £50,000 to expand the Neighbourhoods' volunteer record to be used across the Council, and
- support for the Ban the Box campaign.

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**Manchester City Council
Report for Resolution**

Report to: Personnel Committee – 13 February 2019

Subject: Senior Management Capacity

Report of: Chief Executive

Purpose of Report

For the Committee to approve a number of proposals related to the regrade and redesignation of posts across the Corporate Core and Neighbourhood Directorate. These proposals are based on an analysis of posts in line with the Council's Senior Job Evaluation Scheme and an assessment of service priorities and demands.

Recommendations:

The Committee is requested to:

1. Regrade the posts of Corporate Assessments Manager and Corporate Revenues Manager in the Revenues and Benefits Service from Grade 12 to Grade SS1 (£59,664-£64,574).
 2. Redesignate and regrade of the post Deputy Director of Galleries in the Libraries, Galleries and Culture Service, to Operational Lead, Galleries at Grade SS1 (£59,664-£64,574).
 3. Approve the salary and redesignation of the post Head of Data and Information Governance within the Performance, Research and Intelligence Service, to Operational Lead (Intelligence and Data Science) at Grade SS1 (£59,664-£64,574)
-

Wards Affected:

All

Financial implications for the revenue and capital budgets

The proposed regrading of 3 posts from grade 12 to SS1 will result in additional costs of £24k and these costs will be funded from within the existing service staffing budgets. This will be split Revenues and Benefits £16,112 and Libraries Galleries and Culture £8k.

The redesignation of the Head of Data and Intelligence post will be cost neutral in that the original approved spot salary for this post was £65k, which is the equivalent of the top of SS1.

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Background documents (available for public inspection):

1.0 Introduction

1.1 This report sets out the rationale for a number of proposals across the Core and Neighbourhood Directorates. These proposals reflect an analysis of a number of posts in line with the Council's Senior Job Evaluation scheme and propose amendments to both salary and designations which take account of this assessment. This analysis has been undertaken in the context of service and organisational priorities and future demands.

2.0 Proposed changes to existing posts

2.1 A number of existing Grade 12 posts have recently been re-evaluated to take into account changes to the posts including increased responsibilities. The evaluation of each of the posts below fall within the threshold of the Senior Job Evaluation scheme and therefore Committee is asked to approve regrading each of these posts to Grade SS1 (£59,664-£64,574):

2.2 Corporate Assessments Manager and Corporate Revenues Manager (Revenues and Benefits).

2.2.1 The breadth and responsibility within Revenues and Benefits, Customer and the Shared Service Centre have changed significantly over several years. This along with the impact of welfare reforms and other changes led to the redesignation of the senior post to Director of Customer Services and Transactions at SS4 with the next tier of management (Appendices 1 and 2) comprised of the Head of Customer Services (SS2), Head of the SSC (G12), Corporate Assessments Manager (G12) and Corporate Revenues Manager (G12). The two latter posts are now operating as Service Leads in their own right with a much greater level of autonomy and increased areas of individual responsibility including:

2.2.2 Corporate Revenues Manager

- Responsible for the collection of the majority of money owed to the Council, with services moving into the portfolio as part of other service redesigns
- Responding to the major changes in terms of business rates, including setting up new local discretionary policies and management of associated budgets.
- Developing new systems and processes to collect data on collection of appeals
- Delivering year on year improvements in collection across key areas of Council Tax and Business Rates.
- Leading on areas with central government and lobbying to improve policy and recovery areas including the sharing of HMRC data.
- Transfer of the responsibility for Adult social care and community alarms policy, collection and recovery
- Responsibility for Miscellaneous income and recovery

2.2.3 Corporate Assessments Manager

- Responsible for the administration of the majority of financial assessments carried out by the Council, with services moving into the portfolio as part of other service redesigns.
- Development and ongoing provision of the Welfare Provision Scheme, including food and fuel poverty and managing the associated budgets.
- Development of a local Council Tax Support Scheme, policy, budget and administration.
- Responsibility for new and increased discretionary budgets and associated policies.
- Leading on areas in terms of the Council's response to the welfare reform and homelessness agenda including the benefit cap and under occupation in the social sector, this has included developing new data sharing agreements with partners. It has also included supporting on new housing models and the financial and subsidy implications and new models to support residents.
- Transfer of responsibility for Adult Social care financial policy and assessments.

2.3 Neighbourhood

Operational Lead Galleries, Libraries, Galleries and Culture:

- 2.3.1 The strategic relationship and operation of Manchester City Galleries has been developed over the past few years as part of The Neighbourhoods Service which has enabled better connections to local neighbourhoods across the city and a focus on ensuring that Manchester residents recognise the gallery as a place for them. Following the appointment of a new joint Director, (a university employee, seconded on a half-time basis to Galleries) the post of Deputy Director has been reviewed and a new post of Senior Operational Lead (Galleries) reporting to the Strategic Lead - Libraries, Galleries and Culture has been established which it is proposed will better meet the needs of the organisation and to ensure the execution and delivery of the business plan and other corporate priorities including those of the Manchester Museums Partnership.
- 2.3.2 This Operational Lead is the most senior Council post within City Galleries, and is responsible for the operation and strategic development of all gallery sites, the management and development of gallery staff, and the safeguarding, use and development of the City's assets (primarily the world-class art collection) for the benefit of the people of Manchester.
- 2.3.3 The postholder is responsible for developing and managing Manchester's Galleries resources to deliver and enhance the creative vision of the joint Director, whilst ensuring that the strategic objectives of the Council are met.
- 2.3.4 The postholder is also leading on the strategic vision for the Galleries estate, Manchester Together archive - the archive of the spontaneous public response to the Arena attack in St Ann's Square, Town Hall collections and a wide range of external funding strategies.

2.4 Operational Lead (Intelligence and Data Science), Performance, Research and Intelligence

- 2.4.1 The post Head of Data and Information Governance post was established prior to the implementation of the Senior Job Evaluation scheme. A decision was made not to evaluate the post until the Head of Performance, Research and Intelligence had reviewed capacity across the service which is now complete.
- 2.4.2 The requirements of the post have since been updated and have been subject to full job evaluation under the senior job evaluation scheme. This post is a senior technical lead for the organisation in the realm of research and intelligence. The overall purpose of the post is to provide strategic and technical advice to the organisation in the use of research and intelligence. Through promotion of the use of data science techniques the post will work to identify opportunities to improve Council services, deliver better outcomes for residents and help shape the future of the City working with partners in the public and private sectors. The post holder will provide advice to support the organisation to develop a coherent intelligence strategy and will be responsible for improving the quality of data held by the Council and the way it is used across the organisation.

Key responsibilities include:

- Managing a wide ranging research and analysis portfolio, ensuring that effective intelligence and high-quality data is available to support senior officers, elected members and key stakeholders in order for the Council to achieve its strategic objectives.
- Managing the development of the authority's data science programme to ensure the provision of cutting-edge insight across a range of thematic areas as they affect Manchester's ability to deliver the Council's and wider city's priorities.
- Leading on developing complex and politically sensitive pieces of analysis, interpretation and in-depth reporting.
- The post holder will act as a senior point of contact for directorate and service based teams and senior managers, ensuring effective connections between operational delivery and the effective use of research and intelligence and will further develop relationships with external partners across Greater Manchester and the wider public sector, business and academia.

3. Conclusion

- 3.1 The proposals set out above seek to ensure the grading of posts within the Council's structure continues to be in line with the agreed approach to Job Evaluation and the organisation's Pay Policy Statement. As noted budget provision for the changes set out is being made available from within existing service budget.
- 3.2 Members are asked to agree the:

Regrade the posts of Corporate Assessments Manager and Corporate Revenues Manager in the Revenues and Benefits Service from Grade 12 to Grade SS1 (£59,664-£64,574).

Redesignate and regrade of the post Deputy Director of Galleries in the Libraries, Galleries and Culture Service, to Operational Lead, Galleries at Grade SS1 (£59,664-£64,574).

Approve the salary and redesignation of the post Head of Data and Information Governance within the Performance, Research and Intelligence Service, to Operational Lead (Intelligence and Data Science) at Grade SS1 (£59,664-£64,574)

4. Comments from Director of HROD

- 4.1 I have been consulted on, and support the proposals contained within this report.

5. Comments from Trade Unions

- 5.1 To follow.

**Manchester City Council
Report for Resolution**

Report to: Personnel Committee – 13 February 2019

Subject: Senior Management Arrangements for the Homelessness Service

Report of: Acting Director of Adult Social Services (DASS)

Purpose

To seek approval for the establishment of a role of Director of Homelessness Services to take strategic and overall responsibility for the delivery of the Homelessness Strategy within the city. This role will be part of the Senior Management team within the Adults Directorate. (Current and proposed structure charts are attached as Appendices 1 and 2)

Recommendations

The Committee is requested to:

1. Approve the establishment of a post of Director of Homelessness Services to take strategic and overall responsibility for the delivery of the Homelessness Strategy within the city. This post will be part of the Senior Management team within Adults Services.
 2. Recommend to Council that the Director of Homelessness Services post is remunerated at Grade SS4 (£94,072 - £103,863).
-

Wards Affected: All

Financial Consequences for the Revenue and Capital Budgets

This is a new role within the council as set out in the Homelessness Service Business Plan. The maximum salary will be £103,863 (£137k including employment costs)

Contact Officers

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Background Documents

None

1. Introduction and Background

- 1.1 Despite investment into a number of services there continues to be growing challenges for the City Council's Homelessness service. Demand continues to grow at an exceptional rate and there has been a significant increase in the numbers of households who are homeless in Manchester in recent years, including families, single people, young people, and people who are rough sleeping. This trend is reflected nationally and the roll-out of Universal Credit has made this even more challenging. Universal Credit will also impact upon emergency temporary accommodation, making this form of accommodation financially unviable for the owners. Furthermore, the Homelessness Reduction Act has placed new duties on the Council to prevent homelessness in all circumstances, has widened the application of the assistance and support that the Council is required to give, and has significantly increased the bureaucracy. The response to the Act will need to include investment in prevention services.
- 1.2 A driving factor of the increase in homelessness nationally has been attributed to welfare reform. The capping and freezing of Local Housing Allowance (LHA) has had a significant impact. This has been compounded by other welfare reforms such as the 'bedroom tax', the benefit cap, application of the shared room rate to single households under 35 years, and stricter sanction regimes. There has been an 89% increase in larger families presenting with 3 or more children from 117 in 2015/16 to 221 in 2017/18. It is possible this is as a direct result of welfare reform changes, such as the benefit cap. Of the families recorded as living in temporary accommodation, the largest proportion is single mothers (70% in 2017/18).
- 1.3 Alongside this, Private Rented Sector rents have increased three times faster than wages nationally: homes in this tenure are increasingly unaffordable for families on low incomes, particularly to households in receipt of LHA. In Manchester our success in sustaining economic growth has led to supply failing to keep pace with demand and as a consequence, increases in average rents in the private sector. The loss of a private rented tenancy has recently become the prime reason for people being owed a statutory homelessness duty in Manchester. The National Audit Office reports a similar picture nationally.
- 1.4 There has, and will continue to be, a significant increase in demand. Figures for the first three quarters of 2018/19, since the Homelessness Reduction Act came into force, show that a total of 5,846 households presented as homeless, a 24% increase compared with the same period in the previous year. In the same period, 2,991 statutory homeless applications were taken, a 34% increase when compared with the same two quarters in the previous financial year.
- 1.5 Whilst demand into the service increases, the flow out of the service continues to reduce. The following table shows the number of social lettings to people who have previously lived in hostel or temporary accommodation. This hostel or temporary accommodation category includes all those applying from

commissioned and step down accommodation as well as statutory homeless accommodation.

	Q1 2017/18	Q2 2017/18	Q3 2017/18	Q4 2017/18	2017/18 totals	Q1 2018/19	Q2 2018/19
Hostel/other temporary accommodation	157	150	143	166	616	160	113

1.6 This has led to the number of dispersed properties where families are placed on a temporary basis continuing to grow from 929 in August 2017 to 1,433 in December 2018.

2. The Homelessness Partnership and strategy

2.1 The vision for Homelessness within the city has been co-produced with the Manchester Homelessness Partnership, and is to end homelessness. The Manchester Homelessness Partnership calls on the citizens of Manchester, the city council, healthcare and other public services, charities, faith groups, businesses, institutions and other organisations to adopt the values of the Charter and to implement it through improved working practices and working together in new way.

2.2 However, while homelessness remains, the charter provides guiding principles concerning the rights of people who are homeless or at risk of homelessness. We believe that everyone who is homeless should have a right to:

- A safe, secure home along with an appropriate level of support to create a good quality of life
- Safety from violence, abuse, theft and discrimination, and the full protection of the law
- Respect and a good standard of service everywhere
- Equality of access to information and services
- Equality of opportunity to employment, training, volunteering, leisure and creative activities

2.3 We believe that those who work with homeless people have a collective responsibility to ensure that:

- Good communication, coordination and a consistent approach is delivered across all services
- People with personal insight into homelessness have a voice and involvement in determining the solutions to their own issues, to homelessness, and in wider society.

2.4 The Objectives that were agreed in 2017 in the three year business plan for the Council were:

- To continue with the focus on co-production with the Homelessness Partnership to ensure that we have listened to the views of people who

have insight into homelessness and formulate policies, procedures and services with them at the heart of all we do.

- To continue to work in partnership to support people who are living on the street to ensure they have access to accommodation and appropriate support.
- To focus on early intervention and prevention to stop families and individuals from becoming homeless, preventing disruption to the lives of adults and children
- To reduce the use of temporary accommodation for families by focusing on prevention.
- To improve access to settled homes for families and individuals who are in temporary accommodation.

2.5 These objectives have been further refined over the past year, due to the development of Our Corporate Plan and the city's Homelessness Strategy.

2.6 The Homeless Partnership co-produced the Homelessness Strategy for the City (2018-23). The vision for the Homeless Service mirrors the Homelessness Charter vision and the Strategy. The objectives listed above have been refined into the following three key priorities:

- **Homelessness a rare occurrence:** increasing prevention and earlier intervention at a neighbourhood level.
- **Homelessness as brief as possible:** improving temporary and supported accommodation to be a positive experience
- **Experience of homelessness to be a one-off occurrence:** increasing access to settled homes

2.7 Each organisation within the partnership has developed their own response to the strategy and the partnership holds organisations accountable to each other. An outcomes framework is being developed to ensure the actions of the Partnership meet these three objectives.

3. Proposal to establish a role of Director Of Homelessness as part of the Senior Management team within Adult Services

3.1 In response to the challenges outlined above and the highest level of priority the Council has given to both preventing and alleviating homelessness, it is proposed that a Director of Homelessness post is created. This role will have strategic and overall responsibility for the delivery of the Homelessness Strategy within the city. The role holder will lead both the city's Homelessness service and be responsible for commissioning services linked to delivering the strategy and be responsible for delivering effective outcomes both in Manchester and working through working closely with the Greater Manchester Combined authority. The role holder will promote and work with the Manchester Homeless Partnership supported by the Manchester Homeless Charter to ensure the strategy is continually refreshed and delivered.

3.2 One of the key priorities is to effectively and safely reduce and prevent homelessness and rough sleeping within the city of Manchester. Relationships

are paramount in this role in order to drive forward change, and will include working closely with the Director of Housing and Residential Growth to work on housing related strategies to both prevent homelessness and to support move on into permanent accommodation. The role holder will work closely with other organisations, including Manchester Health and Care Commissioning, Manchester Local Care Organisation, Greater Manchester Mental Health Trust, Greater Manchester Police, Registered Housing Providers and the Department of Work and Pensions. There is also a key strategic relationship with the Ministry of Communities and Local Government both in respect of accessing future funding and also in ensuring the voice of Manchester is heard in emerging policy and guidance.

- 3.3 Furthermore, linking with other partners such as commissioned providers and the voluntary sector as well as people who have experienced homelessness will be crucial in order to deliver improved outcomes for homeless households. The role holder will also be ultimately responsible for the outcomes of commissioned services to ensure they are working to deliver in an 'Our Manchester', strengths based way in keeping with the Manchester Homeless Charter. This role will be an ambassador for the 'Our Manchester' approach to ensure the city continues to work towards its vision for 2025 in relation to homelessness and housing provision.
- 3.4 In addition, the role holder will be responsible for ensuring the delivery of all statutory responsibilities in relation to homelessness legislation, including the Homelessness Reduction Act 2017.

4. Comments of the Director of HR & OD

- 4.1 I have been consulted on, and support the proposals contained within this report.

5. Comments from Finance

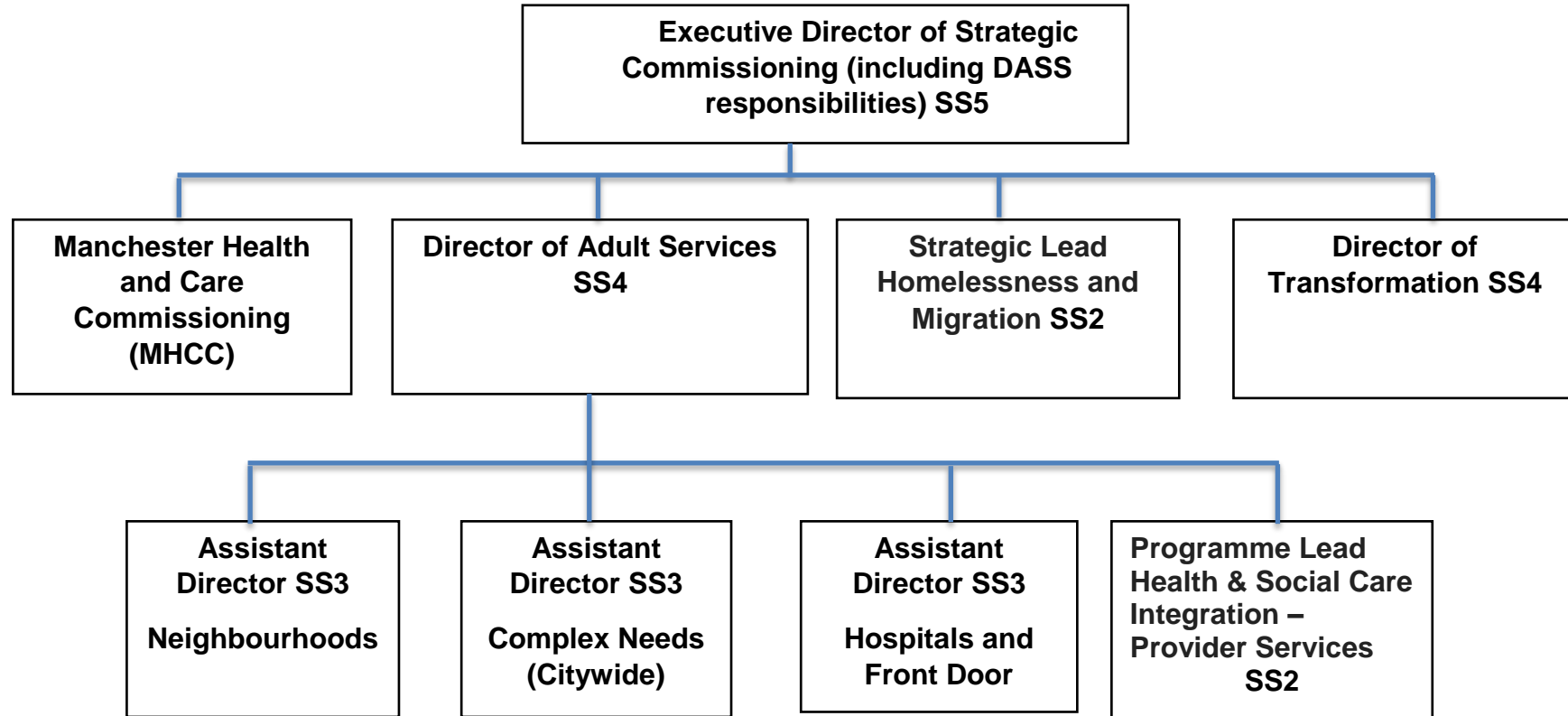
- 5.1 There is budget within the Homelessness service to meet the cost of this role. The role is currently being filled on a part-time interim basis at a cost equivalent to Grade SS5.

6. Comments from Trade Unions

- 6.1 To follow

APPENDIX 1 - Director of Homelessness As Is structure

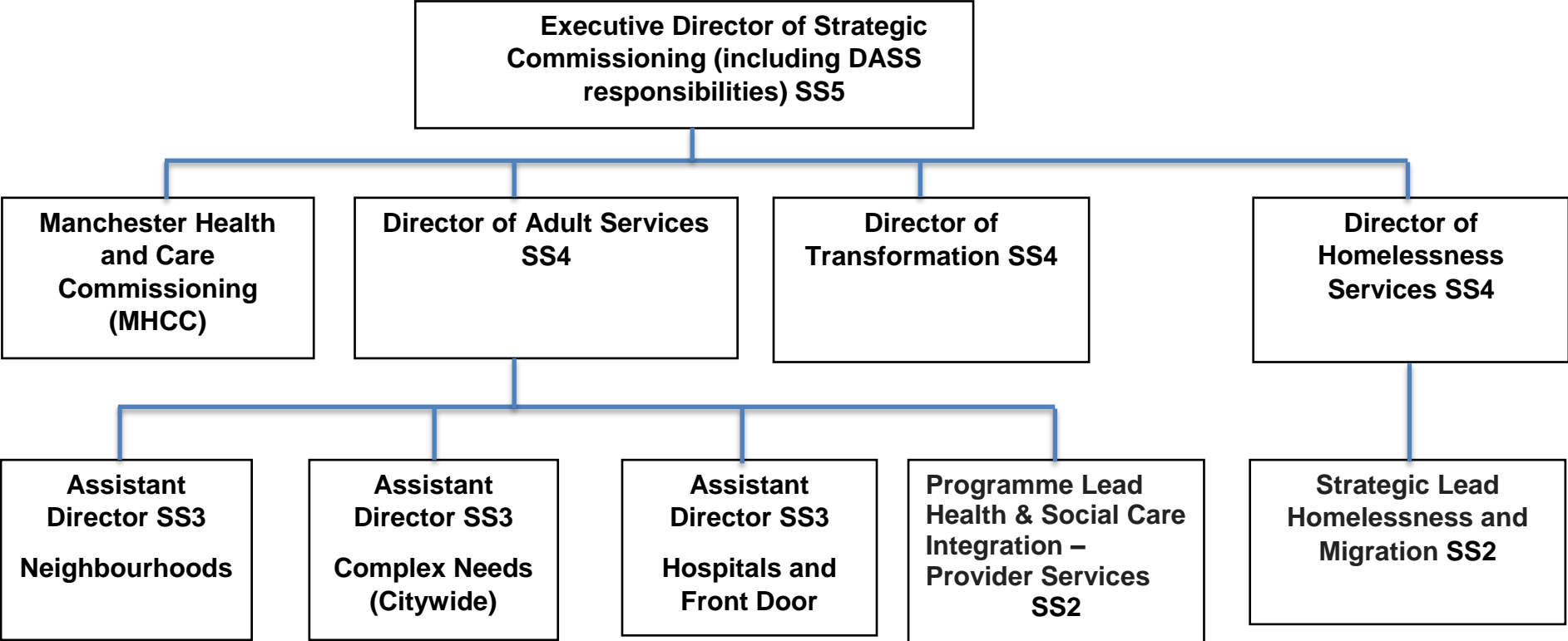
Current structure (As is)



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APPENDIX 2 - Director of Homelessness 'To be' structure

Proposed structure (To be)



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**Manchester City Council
Report for Resolution**

Report to: Personnel Committee - 13 February 2019

Subject: Flexible Working Policy Framework

Report of: Director of HROD

Purpose of Report

To seek approval from Personnel Committee to a number of policy and guidance developments in relation to flexible working which support the Our Ways of Working (OWOW) programme and broader aspirations of the Our People Strategy.

These changes specifically cover: strengthened Special Leave and Flexible Working Policies, and new clarified guidelines for flexitime and working from home.

Recommendations

The Committee is requested to:

1. Approve the revised Special Leave Policy (Appendix A)
 2. Approve the revised Flexible Working Policy (Appendix B)
 3. Note the proposal to strengthen guidance in relation to flexitime and ad-hoc working from home in line with existing policy provision.
 4. Note the intention to proactively communicate these developments and the Council's broader suite of support for flexible working as a new Flexible Working Policy Framework.
-

Wards affected:

All

Financial implications for the revenue and capital budgets:

None

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Background documents (available for public inspection):

Report to Resources and Governance Scrutiny Committee: Human Resources Subgroup, 22nd November 2018 - *Our Ways of Working*

1. Context

- 1.1 The Our Manchester approach is at the heart of the Council's people strategy; Our People Strategy. If the organisation is to truly embed this way of working and the associated Our Manchester behaviours throughout the Council then an enabling framework of people management policies are essential. The role of Policy here is to support managers in their role by providing a robust yet flexible framework which enables them to own their people management responsibilities and support staff effectively and equitably in a strengths-based way
- 1.2 In relation to embedding Our Manchester through the Council's approach to flexible working, the Our Ways of Working (OWOW) programme provides an overarching enabler to take this work forwards. OWOW is a fundamentally different approach to how, when and where we work. It seeks to support employees balance their responsibilities in and out of work and, at the same time, increase performance and productivity in delivering excellent services to the residents of Manchester.
- 1.3 The drivers for change are broad and include:
- The rationalisation of our estate
 - Reduced carbon emissions through less staff travel
 - Modernising the organisation as an employer to attract and retain talent which responds directly to staff feedback through Bheard
 - Supporting our employee wellbeing and equality priorities (including working carers)
 - Supporting the employment of our social value priority groups.
- 1.4 Through delivering on this agenda the Council will be 'Walking the Talk' in providing the progressive, modern and supportive employment offer as an exemplar to other organisations in the City in support of our Work and Skills Strategy. In progressing this work, support has been provided by Timewise, a social enterprise who champion flexibility in the workplace. The Council's overarching plan has been reviewed and endorsed by Timewise with Manchester now formally recognised as a 'Timewise Council'
- 1.5 The approach is being underpinned by a refreshed framework of workforce policies, an ambition to rethink and refocus our office design and a commitment to take full advantage of technology to enable smart and improve working.
- 1.6 Whilst the commitment is organisational wide, the offer will look and feel different across services, recognising the different models of delivery. For example how OWOW works in frontline delivery teams will be very different to back office services. However, the commitment is for all staff to have access to part of the offer, this could include greater use of technology, ability to change work locations or the ability to work from home.
- 1.7 OWOW is not about looking at policies in isolation but rather is underpinned by ICT HR and Estates working together to support a modern employment offer

which promotes flexibility for all staff whilst prioritising business delivery through a shift in organisational culture. OWOW is not a project or programme but rather the culmination of a range of interconnected strands of action.

2. Background: Flexible Working Policy Framework

- 2.1 As noted above, creating a truly flexible working culture in line with the aspiration of OWOW is something which cannot be achieved through policy alone. However, a clear framework of supportive policies in this area is an essential prerequisite and as part of the OWOW programme a review of this framework has been conducted involving a cross section of staff and managers and the Trade Unions.
- 2.2 The review affirmed the view that the Council has an existing strong suite of flexible working policies. This includes an overarching Flexible Working Policy as well as specific policies in areas such as Special Leave, Flexitime, Career Breaks and Flexible Retirement. However, it identified a number of areas where this framework could be strengthened namely:
- Strengthening and clarifying the language within the Special Leave And Flexible Working Policy to make this more accessible.
 - Improving guidance and support for specific groups such as carers, foster carers and disabled staff
 - Providing sufficient flexibility within the policy framework and supporting guidance to meet the diverse needs of all Services.
- 2.3 Feedback also emphasised the importance of presenting the Council's policy and guidance in this area as one integrated framework and in a clear and coordinated way accessible to all staff. Central to this presentation will be a clear and visible commitment that, in the spirit of the Flexible Working Policy itself:

Recognising the benefit that flexibility brings to both the organisation and our employees: all flexible working requests will be granted, unless there is a genuine business reason not to.

3. Policy and guidance recommendations

- 3.1 The draft revised policies and guidance appended consist of four key areas - Special Leave, Flexible Working Policy, Ad hoc Working From Home, and Flexitime.
- 3.2 Policy in these areas will be supported by strengthened guidance on the intranet which will also include strengthened information in relation to career breaks and flexible retirement in-line with the current policy provision. This will be presented alongside other information on OWOW and Health and Wellbeing.

3.3 Special Leave

3.3.1 The CIPD and Acas view is that when properly utilised special leave is part of a wider toolset of flexible working options, that as a whole leads to a better work/life balance. Special Leave is, in normal circumstances unpaid but, as set out within the appended policy, can be paid in certain circumstances such as when related to bereavement or urgent caring responsibilities. Following the review of the current special leave policy the language has been improved and more explicit emphasis to the facility to support carers and foster carers has been added. The policy has also be strengthened in relation to disability related special leave (DRSL). These proposed changes are outlined for approval in the revised special leave policy (**Appendix A**).

3.3.2 *Carers*

The Council's current special leave policy, if utilised effectively, does provide a mechanism for supporting working carers. However, given the integral role that managers have in creating a supportive environment for employees with caring responsibilities, a dedicated section has been included in the revised policy (Appendix A, para 8). This is intended to outline when special leave should apply for carers. New guidance has also been developed which provides more detail to support carers and their managers. - The approach supports a broader range of developments to support working carers across the Council

3.3 *Fosterers*

As in the case with carers, a dedicated section in the revised policy has also been included to demonstrate the Council's support for foster carers (Appendix A, para 9). The revised policy makes clear that special leave should be available to fosterers when they need time off for training, the assessment process, and issues that arise as part of the fostering process that would require an employee to request leave. This will also be emphasised in the new online guidance to support the policy.

3.4 *Disability Related Special Leave (DRSL)*

DRSL is available for employees who would be considered as having a disability under the terms of the Equality Act 2010. It can be used as a reasonable adjustment where a disabled person is absent from work for rehabilitation, assessment or treatment. Circumstances in which DRSL may be authorised include time off during working hours for hospital appointments, physiotherapy, counselling, or treatment.

3.5 The language in the policy has been refreshed and updated to reference the correct legislation. In line with best practice, the policy position has also been strengthened to allow DRSL to be taken in hours or a bundle of hours, as well as half-days or full days. Current guidance in this area is limited and, in order to provide confidence to staff and managers, this will be expanded upon and improved.

3.4 **Flexible Working Policy**

- 3.4.1 Benchmarking and consultation have confirmed that the Council's overarching Flexible Working Policy aligns with current good practice and is fit for purpose. However, as the most recent policy was published in 2010 the language has been refreshed where appropriate to improve accessibility through the use of plain English (**Appendix B**).
- 3.4.2 Aside from the policy language refresh there are no substantive changes suggested to the policy.

3.5 Ad hoc Working from Home

- 3.5.1 As part of the drive to embrace OWOW, staff in a broader range of areas are being encouraged work away from their usual location (where appropriate) on an occasional basis. Whilst there is no intention to develop a formal policy in this area, as existing policy provision is seen as appropriate, guidance for staff and managers has been developed to confirm the corporate message. This is appended for information and comment (**Appendix C**).

3.6 Flexible Working Hours Scheme (Flexitime)

- 3.6.1 A policy review has confirmed that the current flexible working hours scheme remains fit for purpose. Since its establishment in circa 1993 a range of local variations have been agreed and the range and volume of these have increased in recent years. Feedback from services that have introduced variations, from the organisation as a whole following consultation exercises, and from engagement with the Trade Unions has informed the development of a plain English, accessible version of the current scheme with a clear process for agreeing local variations which is appended for information and comment (**Appendices D and E**).

4. Comments from Trade Unions

- 4.1 Awaited

5. Comments from the Director of HROD

- 5.1 The policy developments and guidance improvements proposed will provide a strengthened basis to further the Council's OWOW ambition whilst ensuring fair and effective people management practices. This will both support improved workforce engagement and wellbeing and drive increased productivity.

6. Conclusion

- 6.1 Draft policies and guidance are appended below. As noted above, these have been developed reflective of the organisation's commitment to best practice in flexible working as part of OWOW.
- 6.2 The policy changes have been subject to an Equality Impact Assessment and no disproportionate implications have been identified.

6.3 Members are asked to:

- Approve the revised Special Leave Policy as appended
- Approve the revised Flexible Working Policy as appended
- Note the proposal to strengthen guidance in relation to flexitime and ad-hoc working from home in line with existing policy provision
- Note the intention to proactively communicate these developments and the Council's broader suite of support for flexible working as a new Flexible Working Policy Framework.

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Special Leave Policy

HROD Policy Team

HROD

February 2019



MANCHESTER
CITY COUNCIL

Contents

Introduction.....	1
Purposes	1
Scope	1
Definitions.....	1
Authorisation	2
Consideration of Request	2
Circumstances Where Special Leave May Be Granted	3
Applications for Special Leave	7
Monitoring.....	7

Document Control

Date effective from	20 February 2019	Owner	HROD Policy Team
Approval Date	13 February 2019	Approval By	Personnel Committee
Review date	Three years from the date of approval (or earlier where there is a change in the applicable law)		

Introduction

- 1.1** The Council recognises that on occasion employees may need access to short term leave outside of standard leave arrangements (e.g. annual leave/flexi leave) to support them when balancing work and personal responsibilities.
- 1.2** Special leave is time off work, which may be paid or unpaid, and is granted to employees for urgent personal or domestic reasons in circumstances that are not covered by any other policy.

Purposes

- 2.1** This policy covers the circumstances where special leave would normally be used by employees, and sets out the principles for special leave to be approved.
- 2.2** This policy aims to ensure that special leave, alongside the other flexible working options set out in Flexible Working Policy, assists in achieving an appropriate balance between meeting the needs of employees' individual circumstances and maintaining service provision.

Scope

- 3.1** These arrangements cover employees of Manchester City Council, excluding staff directly employed by schools, who make a request for Special Leave.
- 3.2** This policy does not cover public duties such as jury service and school governor duties. These provisions are covered separately under public duties and other leave.
- 3.3** This policy does not cover Unpaid Parental Leave which can be used if an employee needs time off work to look after children, arrange new childcare, or accompany children to appointments. The Council allows employees to take Unpaid Parental Leave on short notice in an urgent situation.

Definitions

- 4.1** For the purposes of the Special Leave provisions, the following definitions shall be used:

4.1.1 **Dependant**

Acas defines a dependant as:

- Someone who depends on the employee for care.
- A dependant could be a spouse, partner, child, parent, or someone else who depends on the employee, for example an elderly neighbour.

4.1.2 Partner

- For the purpose of Special Leave Policy this is any partner in marriage, or within a common law relationship, who relies on the employee for domestic support during times of crisis.

4.1.3 Relative

- For the purpose of Special Leave Policy this is a blood relative as well as a step relative, and anyone related through marriage, civil partnership, adoption, or fostering.

4.1.4 Carer

The Carers Trust defines a carer as:

- Anyone who cares, unpaid, for a friend or family member who due to illness, disability, a mental health problem or an addiction cannot cope without their support.

Authorisation

5.1 The level of authorisation required for special leave is as follows:

- 6 days or less in 12 months (unpaid) – Line manager
- 6 days or less in 12 months (paid) - Head of Service or Nominated Approving Senior Manager
- More than 6 days in 12 months (unpaid or paid) - Head of Service or Nominated Approving Senior manager

Consideration of Request

- 6.1 Special Leave will normally be unpaid, however there are circumstances where paid special leave can be granted as described below.
- 6.2 Each application will be considered on a case by case basis, taking into account all of the individual employee's circumstances.
- 6.3 Normally documentary evidence should be provided in support of every application except where, in the judgement of the manager, this would be inappropriate or insensitive. Documentary evidence should not be requested in circumstances where it is impractical for the employee to provide it, such as for urgent caring responsibilities.
- 6.4 Any charges made to the employee in order to provide medical documentation will be fully reimbursed.

Circumstances Where Special Leave May Be Granted

7.1 Leave to attend medical appointments

7.1.1 All prearranged hospital, doctor, dental and other similar appointments should be attended in the employee's own time, or arranged at such a time that it will cause the minimum amount of absence from work, e.g. at the start or end of the day. It is acknowledged that it is not always possible to arrange appointments at specific times, and the manager may allow reasonable time off from work if this is the case. Time off to attend an appointment will normally require:

1. The production of a relevant appointment card or other documentary evidence, and
2. attendance at work prior to and/or after the appointment if practical.

7.1.2 An agreement should be reached in advance with the employee as to how the time off will be accounted for. The line manager must be reasonable and flexible, whilst also ensuring that service delivery is not compromised.

7.1.3 The employee should be given the option of using flexitime, TOIL, or working from home where appropriate. If the appointment is equivalent to taking half a day or more then flex leave, annual leave or unpaid special leave should be considered.

N.B. Paid special leave may be authorised for the following:

- appointments in relation to a pregnancy-related illness;
- appointments for a disability related reason; or
- appointments where the employee can demonstrate that the appointment cannot be arranged outside of normal working hours.

7.1.4 These arrangements and criteria also apply to situations where the employee needs to accompany a sick dependant on visits to the hospital, dentist, doctor, or other similar appointment.

7.2 Carers

7.2.1 Managers should recognise and be sympathetic to the position of employees who need time off to care for dependants.

7.2.2 Examples of situations where a carer could be entitled to take time off include:

- a dependant falling ill
- a dependant being injured or assaulted
- a dependant having a baby
- issues around a dependant's care arrangements
- supporting a dependant during a medical appointment

- 7.2.3** When a carer urgently requires time off work to support a dependant in a situation that is beyond their control, and normal caring arrangements are insufficient, then paid special leave may be granted.
- 7.2.4** For other caring situations, such as pre-arranged appointments, special leave will normally be unpaid (see criteria in 7.1).
- 7.2.5** In cases where a dependant is looked after by more than one carer who works for Manchester City Council, only one employee will be granted leave except in circumstances of a serious operation, terminal illness or death of a dependant.
- 7.2.6** Where an employee needs to take time off to care for a sick dependant it is not acceptable for the employee to take sick leave, they must in the first instance consider using annual, flex-leave or toil before applying for special leave.
- 7.3 Foster Carers**
- 7.3.1** The Council is supportive of Looked After Children and the foster carers who look after them.
- 7.3.2** Paid special leave may be authorised to support employees who are going through the application process to become a foster carer, as part of the fostering assessment process.
- 7.3.3** Paid special leave may be authorised to support employees who are foster carers in order to attend training related to their position as foster carers and/or to attend meetings, panels, hearings or any other key events or activities in support of foster children and young people in their care.
- 7.3.4** Any reasonable request for unpaid special leave from foster carers and prospective foster carers in relation to their care of a looked after child, or during the process to become foster carers, should normally be authorised.
- 7.4 Bereavement**
- 7.4.1** Managers should grant paid special leave to employees who require time off on the death of a close family member, partner or dependant to make funeral arrangements, including attendance at the funeral and to attend to probate matters. The number of days approved will depend on the context, for example, the location of the funeral and the extent to which the employee is responsible for funeral arrangements.
- 7.5 Disability Related Special Leave (DRSL)**
- 7.5.1** Managers must recognise the need to support disabled employees who are not sick, but need to be absent during working hours for rehabilitation, assessment or treatment. DRSL is a reasonable adjustment under the provisions of the Equality Act 2010, and is aimed at enabling disabled employees to attend work and sustain long term employment.

7.5.2 DRSL is paid leave. As with any paid special leave, it must be authorised by head of service or a nominated approver. However, if DRSL is required as a supportive measure in line with the circumstances outlined in 11.1, then any reasonable request should not be refused.

7.5.3 A manager receiving an application for DRSL will pay due regard to confidentiality and sensitivity in relation to the employee's self-declaration of a disability or impairment. Where appropriate, the manager can request evidence of an appointment or treatment as part of the application process.

7.5.4 Wherever possible, agreement will be reached in advance in respect of the amount of DRSL to be granted, for example to attend future planned appointments. However, there will be circumstances where DRSL can be retrospectively awarded when it should have been used instead of sick or annual leave absences.

7.5.5 Where practical, managers should minimise the number of DRSL applications that need to be submitted. For example, where an employee needs to attend a number of appointments over time, an 'allowance' of DRSL may be mutually agreed in advance by the employee and the manager. This can then be drawn upon as and when is required, as an alternative to individually applying for DRSL for each appointment.

7.5.6 DRSL, unlike standard special leave, includes the provision where it can be granted in hours as well as half days and full days. This also applies to allowances of DRSL that are agreed in advance, as in 11.5.

7.5.7 Some examples of reasons for granting DRSL include (but are not limited to):

- Hospital or doctor appointments.
- Hospital treatment as an outpatient.
- Assessment (i.e. a professional assessment by a medical practitioner or recognised body, to determine an appropriate course of action, equipment or other appropriate aids).
- Counselling.
- Therapeutic treatment.
- Physiotherapy.
- Rehabilitation.
- Adjustment to new medication.

7.5.8 Decisions on approving DRSL should be based on careful consideration of the individual's circumstances, any medical advice received, legal duties under the Equality Act 2010, and the impact of the absence on operational requirements and service delivery. In making decisions about DRSL managers should also consider what approach would be most likely to enable an individual to sustain their employment and attendance.

7.6 Visits Abroad – Extended Leave

7.6.1 Employees may be granted up to three months unpaid special leave in order to visit relatives or friends in other countries, but not to undertake paid work. Approval is subject to maintaining service provision without need for a temporary replacement.

7.6.2 Where an employee submits a request for special leave for the purposes of visiting relatives or friends abroad, services should agree to such requests where operational needs permit. This is subject to the service not incurring an additional cost in requiring a temporary replacement. The employee must state clearly in writing the date on which they will return to work.

7.6.3 If more than three months leave is required then the Council's Career Break Policy, which normally allows for breaks between 6 months and 2 years in duration, may be applicable.

7.7 In Vitro Fertilisation (IVF) treatment

7.7.1 Whilst undertaking IVF treatment, employees and their partners will need to attend consultation with medical professionals and attend the hospital and clinic at various stages. They may also have counselling during and after the process. Unpaid special leave can be granted for IVF related appointments, which should be treated in the same way as any other medical appointment, with consideration given to use of annual leave, flex leave and time off in lieu in the first instance.

7.7.2 If an employee requires time off to support their partner for a planned IVF appointment that is known about in advance, then unpaid special leave will be considered.

7.8 Gender Reassignment

7.8.1 In the UK a person is allowed to change their personal details and to live as the opposite sex to that recorded at birth. The Gender Reassignment process is commonly referred to as 'transitioning.' Transgender people may also undergo medical treatment, which can include hormone therapy and surgery. This is only provided following careful assessment by medical professionals, and the process may take some time.

7.8.2 Unpaid special leave may be granted for medical appointments and counselling before and/or after medical treatment. Applications should be treated in line with any other reason for special leave i.e. with consideration of annual leave, unpaid leave, flexitime etc. In keeping with special leave criteria all pre-arranged hospital and doctor's appointments should, wherever possible, be attended in the employee's own time.

7.8.3 Each case will be considered on an individual basis and will clearly demonstrate to all involved the Council's support for employees undergoing gender reassignment. Managers must seek to support the wishes of the employee so far as is reasonably practicable. In the event that an employee makes their manager aware that they are contemplating gender reassignment the manager must deal with the issue in a confidential and sensitive manner.

7.8.4 Managers are advised to have a conversation with the employee in order to establish a potential timetable of events, this will help determine the amount of time off the employee may need. Occupational Health and the Employee Assistance Programme are available to provide confidential advice to both the employee and manager to support the process.

Applications for Special Leave

- 8.1** Special Leave must be authorised in line with 5.1 and 5.2.
- 8.2** It is recognised that in many cases the completion of documentation often follows the absence. In such circumstances the absence should initially be recorded as annual or flex leave and subsequently amended as appropriate. Where there is concern about veracity of a request the manager should ask for documentary evidence, but act with due sensitivity according to the employee's circumstances.
- 8.3** Where Special Leave is taken for purposes other than those stated within the application, or circumstances relating to the application change during the period of Special Leave and are not notified to the line manager immediately, disciplinary action may be taken which, dependent upon the circumstances, could result in summary dismissal.

Monitoring

- 9.1** It is essential that special leave is accurately recorded in all situations where paid or unpaid leave is granted. Heads of Service should work to be aware of the circumstances of how special leave taken within the service for monitoring purposes.

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Flexible Working Policy

HROD Policy Team

HROD

February 2019



MANCHESTER
CITY COUNCIL

Contents

Introduction.....	1
Scope	1
Legal Provision.....	2
Balancing Business and Individual Needs.....	2
Employer Led Initiatives	2
Flexible Working Options	3
Flexible Working Application Process.....	6

Document Control

Date effective from	20 February 2019	Owner	HROD Policy Team
Approval Date	13 February 2019	Approval By	Personnel Committee
Review date	Three years from the date of approval (or earlier where there is a change in the applicable law)		

Introduction

- 1.1** Manchester City Council is committed to attracting, developing and retaining a world class workforce. It aims to deploy all the talent and experience available in the most flexible and efficient manner.
- 1.2** Flexible working is the adaptation of standard working arrangements with the aim of balancing the needs of both employer and individual. The Children and Families Act 2014 extends the right to request flexible working to all employees. In developing a flexible workforce the Council recognises the importance of supporting employees to balance their work and home life.
- 1.3** Providing that service delivery can be maintained, flexible working, when used effectively, delivers benefits to both employer and employees including:

Employer benefits:

- Improved productivity and overall efficiency
- Reduced absenteeism
- Effective use of office space with associated reduction in costs
- Lower carbon footprint due to reduced fuel and travel costs.

Employee benefits:

- Increased job satisfaction
- A better work-life balance, enabling people to better manage their personal commitments with work easier
- Allows employees to fulfil their caring responsibilities and be confident that support is available to work in different ways if needed
- Improved productivity
- Improved morale and motivation.

- 1.4** Flexible working can benefit services by matching their business needs with the way their employees may want to work. This may help employees achieve a better balance between work and home life.

Scope

- 2.1** These arrangements cover employees of Manchester City Council excluding staff directly employed by schools, who make a request for Flexible Working. This document supersedes the Flexible Working Policy 2014.

Legal Provision

- 3.1** All employees have a statutory right to ask their employer for a change to their contractual terms and conditions of employment to work flexibly, provided they have worked for their employer for 26 weeks continuously at the date the application is made. An employee can make one statutory request in a 12 month period. Office holders, agency workers, and employees who have been employed for less than 26 weeks do not have a statutory right to request flexible working.

Balancing Business and Individual Needs

- 4.1** In considering requests for flexible working managers must take account of individual needs and treat such requests reasonably, fairly and in accordance with relevant legislation and Council policies. However, both management and employees will need to be realistic, recognising that some flexible working options may not be appropriate for all roles.

Employer Led Initiatives

- 5.1** Where a flexible working arrangement is proposed, the Council will need to take into account a number of criteria including (but not limited to) the following:
- the benefits of the proposed arrangement on service delivery
 - the cost of the proposed arrangement
 - the effect of the proposed arrangement on other staff
 - the level of supervision/management required
 - the structure of the service area and staff resources
 - other issues specific to the service area
 - resourcing implications
 - health and safety implications
 - impact on individuals
 - consideration of individual circumstances
 - consideration of the timeline for implementation
 - evaluation methods of the arrangements.
- 5.2** Where proposed arrangements are service wide, for example varying the provisions of the Flexible Working Hours Scheme, consultation with staff and the trade unions will need to take place and Equality Impact Assessments must be carried out on proposed changes.

Flexible Working Options

The policy includes the following options, but recognises that there may be other arrangements that can be accommodated:

6.1 Part-time working

Contracted to work fewer hours per week than full time, receiving a pro rata salary.

6.2 Job sharing

Job sharing is a form of part-time working where two employees share the responsibilities of one full-time position.

Typically, job-sharing works on a shared responsibility basis where the individuals both carry out all the duties of the job, simply picking up the work where the other one left off. The duties of the position are divided between the two individuals, with each being able to provide cover for the other where necessary.

6.3 Flexitime (Flexible Working Hours Scheme)

Flexitime enables employees to choose when they can start and finish work between set times during the working day. In line with the standard Corporate Flexitime Scheme, they are required to work during the agreed core hours unless otherwise agreed by their line manager in advance and must work the agreed number of hours during each 4 week accounting period.

Employees can carry over additional time accrued after every four week period. Any additional hours accrued over the normal limit, due to operational requirements/peak workloads, must be agreed in advance by management.

Generally, within the Council the majority of services operate a flexitime system whereby 7 hours may be carried over every 4 weeks. Provision of flexitime will be set out as per the corporate Flexible Hours Scheme, or by service specific arrangements where an agreed variation has been implemented.

6.4 Staggered working hours

Staggered working hours allow for start and finish times other than the normal business hours. The standard working day remains seven hours for full time employees.

6.5 Compressed hours

Compressed working hours permit employees to work their total number of contractual hours over fewer working days by working longer individual days. Where more than one employee within a team wishes to work compressed hours, a rota may be necessary to ensure fairness as some days (usually Monday and Friday) will be more popular choices for time off.

An employee would have a usual half day or day off, subject to the needs of the service area.

Consideration will need to be given to the length of the working day which must not become too onerous and the employee will need to have adequate rest breaks.

Where the compressed hours arrangement enables the employee to have a day or half a day off per week, there will be no further right to a further day off under the Council's flexitime scheme.

6.6 Voluntary reduced working time

Voluntary reduced working time is a system whereby it is agreed that the employee will work reduced hours for a certain period of time, with a return to full time hours on an agreed date.

6.7 Occasional working from home

Occasional working at home is a provision where the employee carries out some or all of their duties at home on an occasional basis. This is an ad hoc arrangement and needs to be agreed beforehand with the line manager, employees must make themselves available if they are required in work (even if they have planned to work from home).

6.8 Home Working (Permanent)

Where appropriate managers may consider that an employee can work from home for all or part of their contracted working hours. Factors detailed in respect of occasional working at home must also be considered.

The nature of working regularly from home means that often employees are unseen and work non-standard hours. Consequently the emphasis must be on task-oriented working, defining outputs and jobs to be done. Clear and effective communication channels are essential, as is the need to keep in touch with employees to avoid isolation. Managers must also satisfy themselves that the employee has the necessary time management skills, the ability to work without close supervision, self-motivation and flexibility.

Before agreeing to home working, managers must undertake risk assessments associated with any tasks that the employee is asked to undertake and consider the requirement to meet health and safety legislation. Regular supervision and review of the arrangement must be agreed in advance and failure to meet any agreed targets/deadlines/quality of work may result in the home working provision being withdrawn.

6.9 Career breaks/Sabbaticals

Career breaks/sabbaticals allow an employee an extended period of time away from paid work. A career break/sabbatical will be considered if there is clear rationale in terms of benefits for both the employer and employee which supports learning, expertise and skill development that the employee will bring back to the workplace and if adequate cover arrangements can be made. In addition, it is recognised that a career break can also support employees where time out is needed for caring responsibilities, or for health reasons.

During the period of the break there will be no pay, pension or National Insurance contributions. The period of break will count as leave of absence and an employee's service prior to the break will be protected. Annual leave will not accrue during the period of absence covered by the career break. Pension implications should be discussed with the Pensions Officer. Continuity of service will be preserved during the break providing that the employee returns to Council employment after the break.

An employee on a career break may be required to fulfill certain reasonable conditions intended to enable the employee to keep up to date on work issues. These will be specified in the career break agreement.

All career breaks should be agreed in conjunction with the Council's Career Break Policy.

6.10 Flexible Retirement

Employees from age 55, who are active members of the pension scheme with 2 years pensionable service or more, may wish to consider flexible retirement whereby they can reduce their hours or move to a lower grade, and access their pension.

Each request for flexible retirement will be considered on its individual merits and will only be agreed if it is in the interests of the service to do so. All requests should be discussed initially with the employee's line manager before a written request is submitted to the Head of Service.

All applications will be considered through the flexible retirement approval process detailed within the Flexible Retirement Policy, which will include consideration of the costs of release.

6.11 Annualised/Seasonal Working

In this arrangement there is an agreed number of guaranteed hours the employee is contracted to work through a twelve month period, but the hours of work may vary in each accounting period. The organisation may increase or reduce, in advance, the required numbers of hours to be worked at a given time to match the service delivery needs. Annualised hours and seasonal working may be suited to jobs where there is seasonal demand, peaks and troughs in workload, or where there is a need to respond rapidly to unpredictable demands.

6.12 Term Time Working

Employees working pattern follows school term patterns. They work as normal during term time. During school holidays, they do not attend work but are still employed. Non-working time during school holidays are accounted for by a combination of annual leave and unpaid leave.

6.13 Informal arrangements

Other arrangements that suit both the service and employee can be agreed. For example structured time off in lieu could be approved where employees work longer hours during busy periods. This would allow an employee to take an equivalent amount of time off (with pay) during a quieter period without having to change contracts to a seasonal/annualised contract.

Flexible Working Application Process

7.1 The Request

Any request to vary an employees working pattern must be put in writing using the 'application for flexible working' form and submitted to their line manager. The request will need to detail the relevant issues including:

- the regular working pattern they require;
- the reason for the request; e.g. caring responsibilities
- how they believe this working pattern could be accommodated within their workplace
- what effect the employee thinks the requested change would have on service delivery and how such effects might be dealt with
- any proposed period of review
- date of the application and the date the employee proposes the request to start

7.2 Considering Requests

Whilst there is no automatic right for an employee to be allowed to work flexibly or at different times to their colleagues, the manager has a duty to deal with requests in a reasonable manner and within a reasonable timeframe.

All flexible working requests submitted should be received with the view that they will be granted, unless there is a genuine business reason to.

Where a request is to be declined, it must be for one or more of the following prescribed business reasons:

- any additional costs to the business/service;
- the ability to meet customer demands;
- the ability to organise work within available staffing;
- the impact on work colleagues;

- the impact on service quality;
- the impact on performance;
- the ability to recruit additional staff, where appropriate
- insufficient work for periods the employee proposes to work
- planned structural changes

The manager will consider the proposed flexible working arrangement carefully, weighing up the potential benefits to the employee and the organisation against any adverse impact, the logistical implications and the cost of implementing the changes.

Each case will be considered on a case by case basis: agreeing to one request will not set a precedent or create the right for another employee to be granted a similar request. Requests should be considered in the order they are received. Each case must be considered on its own merits taking into account the business context including those who already work flexibly. Managers must always operate within the legal framework of the Equality Act, and ensure that no employee faces discrimination on the basis of a protected characteristic.

The manager will arrange a meeting with the employee as soon as possible after receiving the request, normally within 28 days, to establish details of the proposed working arrangement, how it can be of benefit to the employee and service and how it may be accommodated. The employee may be accompanied at this meeting by a friend or representative if they wish.

There may be some circumstances in which a request may be agreed without a meeting, if the request is easily workable, but no request should be rejected without first holding a meeting.

7.3 The Decision

After giving consideration to the request, the Head of Service should respond to the employee in writing as soon as possible, normally within 14 days of the meeting, either:

- accepting the request in full. The start date and any other action should be agreed.
- accepting the request in part (a compromise) such as it may be agreed on a temporary basis or with a trial period, and agree a start date. The employee should be informed of their right of appeal and the name of the Appeal Officer.
- rejecting the request and giving an explanation of the prescribed business reasons for doing so and how these relate to the application. The employee should be informed of their right of appeal and the name of the Appeal Officer.

Where the request is accepted, or a compromise is accepted, the manager should discuss with the employee how and when the changes might best be implemented.

Where a variation to the original working pattern is agreed, the line manager must complete the relevant forms to implement any contractual changes to pay where necessary.

7.4 Appeal

If the employee is dissatisfied with the outcome, the employee has a right of appeal to a nominated senior manager as detailed in the outcome letter. Detailed grounds for appeal should be submitted in writing by the employee within 10 working days of receipt of the outcome letter. An appeal meeting should preferably take place to consider the appeal, but a paper review may be appropriate if agreed with the employee.

7.5 Withdrawn Application

If an employee has failed to attend a meeting to discuss application, including an appeal meeting, without unreasonable cause, managers may treat the application as having been withdrawn. This will be confirmed in writing to the employee.

7.6 Timescales

The law requires that all requests, including any appeals, must be considered and decided on within a period of three months from first receipt, unless you agree to extend this period with the employee.

7.7 Record Keeping

The information requested as part of the flexible working policy is required in order for the Council to process your request for flexible working. This information is not used for any other purpose. Any personal data provided will be stored securely in line with data protection legislation, the Council's data protection policy and the Council's retention schedule.

Appendix C - Working from home - Guidance

Occasional working at home is a provision which allows employees in some areas and roles to carry out some or all of their duties at home on an occasional basis - it does not replace any other flexible working arrangement or reasonable adjustments that have been agreed.

This guidance should be read in conjunction, and as an addition, to the Council's Flexible Working Policy. The content will help managers to clarify expectations with their team where occasional working at home forms part of the flexible working offer.

Working from home (where the work/role allows) is encouraged across the Council. However, occasional home working is discretionary. Employees do not have the "right" to work from home and, if needed, are expected to attend on any given day - even if they had planned to work from home. Likewise the organisation cannot "require" an employee to work from home unless they are a contractual home-worker.

Working from home will always meet the 'Three Ps' criteria below, it must be:

- Planned
- Present
- Productive

What the Three Ps mean in practice:

Planned	Present	Productive
<ul style="list-style-type: none"> • Working away from office should be planned in advance with managers' approval. • Employees need to be flexible about when they work away and avoid following a pattern. Individual circumstances should be looked at on a case by case basis, however employees must attend work at the office if required. • Working from home days recorded in a google team calendar. 	<ul style="list-style-type: none"> • Use dial in / google hangouts to join meetings. • Be contactable during your working day. There should be a clear understanding of when the employee should work and be contactable. • Work phones should be forwarded to mobile where possible. 	<ul style="list-style-type: none"> • Expected outcomes of work agreed with manager beforehand. • Should not be used as an alternative to other commitments, such as childcare. Can be used to work around commitments, such as picking up children from school. • Individual arrangements for Working from home may be reviewed if productivity reduces.

Good practice when adopting ad-hoc/occasional working from home

Managing employees when working from home compared to when they are in the office will inevitably be different but should not be more difficult. The role of the manager is to be clear on expectations, which includes the work that should be completed. Staff working from home should be contactable, for example, but they should not be expected to respond immediately to every email as this would not be expected in the office.

When working from home employees are trusted to work on their own initiative, plan and manage their own workload, and take responsibility for their health, safety and welfare.

Regular 'check ins' through About You, and raising concerns immediately with staff, will help managers to assess performance and productivity. As working from home (and working from other sites) becomes a regular part of how some areas work, managers will need to continue to focus on adopting measures of performance led by outcomes, rather than presence.

Managing employees who are not physically present in the office may seem daunting at first. Some key points for both staff and managers to bear in mind are as follows:

- Ensure that employees working from home are still included in all team announcements.
- Communicate effectively.
- Agree how work performance will be supervised and measured.
- Homeworking is, in part, intended to optimise the work/life balance of staff. This can only be attained when employees are trusted to manage their own time.
- Employees must confirm that they have a suitable work space and ICT equipment at the address they intend to work from. Any work taken home (e.g. paper documents) must be kept safe and secure.
- Employees must have appropriate antivirus and firewall software installed on any personal devices, and adhere to Internal and Email Policy as well as GDPR policies and guidance.

Data Storage

Employees are often expected to work with confidential and sometimes sensitive personal data. This means that employees must provide assurance that their working environment does not compromise data security.

Employees must read Secure Handling and Transit of Paper Records Policy before taking any physical documents home to work with. This policy sets out the security measures that need to be adopted when transporting or storing papers off-site.

Employees must also read Use and Control of Portable Devices Policy which covers data held on portable devices and removable media.

Sensitive documents should not be printed from home, except in exceptional circumstances with prior permission from the line manager.

Withdrawal of Working from Home

As mentioned previously working from home is not an entitlement. As such, where there are concerns surrounding performance, productivity, attendance or behaviour the arrangement to facilitate working from home can be withdrawn immediately.

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Appendix D - Proposed Flexitime Scheme Wording Refresh

The below principles will form the plain English version of the current policy:

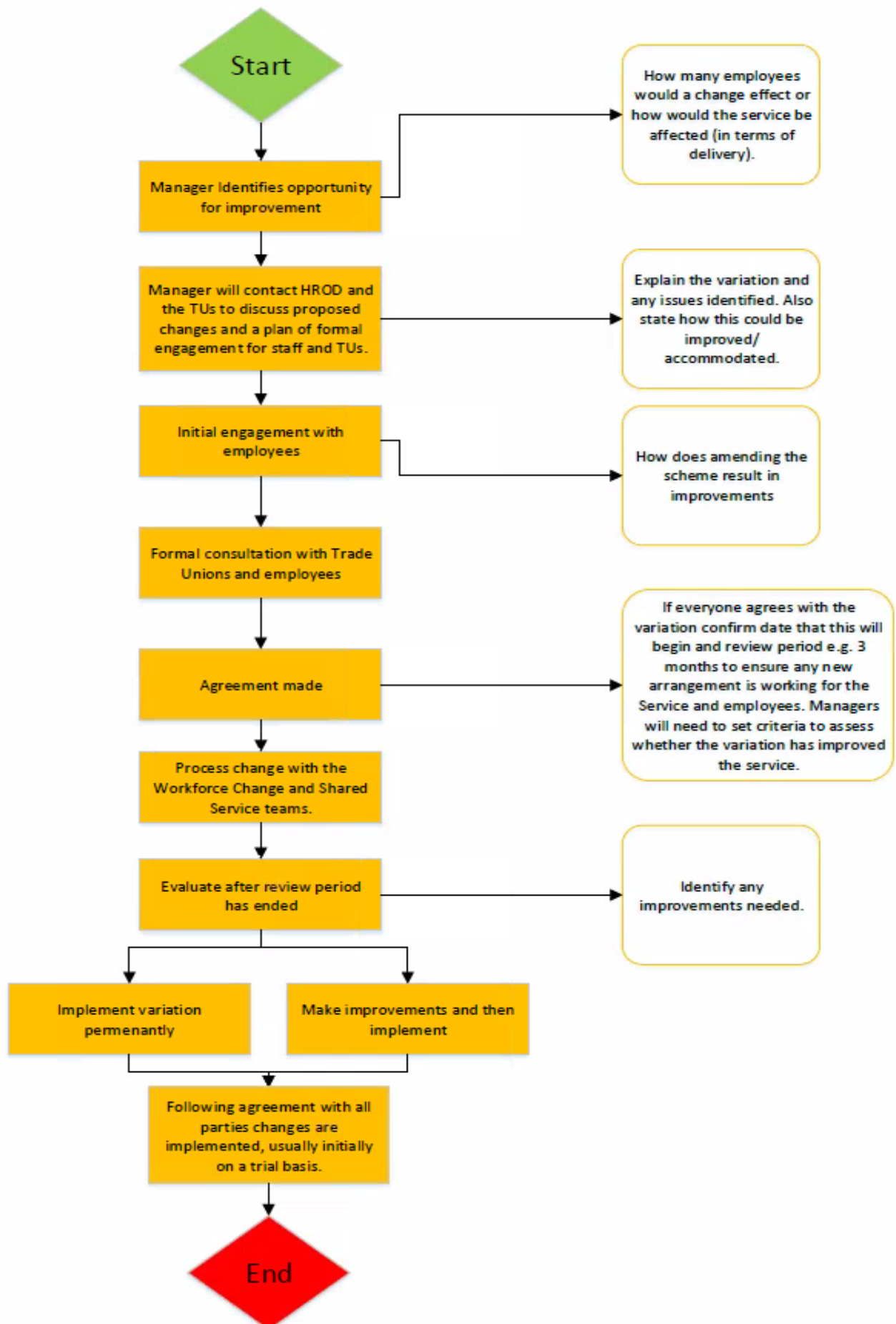
Flexitime is one of the most common forms of flexible working. The Council's Flexible Hours Working Scheme provides those staff whose hours of work are not fixed by the nature of their role some level of flexibility as to when they work. This guidance summarises the provisions for Flexitime in areas where working arrangements -and the needs of the Service - enable this to be applied.

At Manchester City Council:

- The work we do is driven by the needs of our residents. As such, how Flexitime is applied within a Service and when all leave (including accrued flexitime) is taken will be driven by the requirement to maintain service delivery.
- Where possible, and in line with the above, staff can work more or less hours over a four week period than the standard 140 hours. Additional time worked can be 'accrued' and used to request up to one day of additional leave (to be taken in the future i.e. not in the same four week period it has been built up) where the equivalent additional time has been accrued (i.e. 7 hours). - Working time must be recorded and any time built up should reflect the actual time worked.
- Time can be worked and built up between the hours of 7:45 a.m. to 6:30 p.m. Core time (where employees are required to be present) will be 10:00 am to 4:00 pm. For part time roles and job sharers whose working day is less than 7 hours, core time will be either 10:00 am to 12:30 pm or 1:30 pm to 4:00 pm.
- Where the working arrangements provide for a lunch break this will be a minimum of half an hour or a maximum of 1.5 hours to be taken between 12:00 pm and 2:30 pm.
- Hours 'made' can be taken either as a full day or up to two half days, approval of which will be in line with same criteria for annual leave.
- Where a service needs cover for specific hours the necessary level of service will be provided by the employees in that service area (e.g. by arranging informal rotas to cover the time of operation).
- Each day's sickness, holiday (including Public Holidays) or authorised special leave will be counted as the contractual hours for that day.
- It is the responsibility of each employee to make sure they work the required number of hours in the accounting period.
- Services can agree variations and implement local arrangements which will be tailored to their specific needs. Agreement should be reached, in consultation with staff and the Trade Unions and formally logged with HROD.

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Appendix E - Variation to Flexitime Process Flow



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