

## AGENDA

### EMPLOYMENT COMMITTEE

**WEDNESDAY, 10 SEPTEMBER 2025**

**3.00 PM**

**COUNCIL CHAMBER, FENLAND HALL,  
MARCH**

Committee Officer: Linda Albon  
Tel: 01354 622424  
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- 1 To receive apologies for absence
- 2 Previous minutes (Pages 3 - 6)  
  
To confirm the public minutes of the meeting held on 18 July 2025
- 3 To report additional items for consideration which the Chairman deems urgent by virtue of the special circumstances to be now specified.
- 4 To receive members' declaration of any interests under the Local Code of Conduct or any interest under the Code of Conduct on Planning Matters in respect of any item to be discussed at the meeting
- 5 Overview of forthcoming Employment Rights Bill (Pages 7 - 12)  
  
To provide an overview of the forthcoming Employment Rights Bill.
- 6 Items which the Chairman has under Item 3 deemed urgent

### **CONFIDENTIAL - ITEMS COMPRISING EXEMPT INFORMATION**

*To exclude the public (including the press) from a meeting of a committee it is necessary for the following proposition to be moved and adopted: "that the public be excluded from the meeting for Items which involve the likely disclosure of exempt information as defined in the paragraphs 2, 3 and 4 of Part I of Schedule 12A of the Local Government Act 1972 (as amended) as indicated."*

- 7 Culture and Creativity Development Officer Review - Confidential (Pages 13 - 36)

To provide the Employment Committee with a proposal regarding the future of the Council's Culture and Creativity Development Officer role.

8 Confidential Minutes (Pages 37 - 38)

To approve the confidential minutes of the meeting held 18 July 2025.

Tuesday, 2 September 2025

Members: Councillor G Christy (Chairman), Councillor Dr H Nawaz (Vice-Chairman), Councillor I Benney, Councillor J Clark, Councillor Mrs M Davis, Councillor A Gowler and Councillor S Imafidon

## EMPLOYMENT COMMITTEE

FRIDAY, 18 JULY 2025 - 3.00 PM



**PRESENT:** Councillor Dr H Nawaz (Chairman), Councillor J Clark, Councillor Mrs M Davis and Councillor S Imafidon

**APOLOGIES:** Councillor I Benney and Councillor G Christy

**OFFICERS IN ATTENDANCE:** Sam Anthony (Head of HR and OD), Sarah Gove (Housing & Communities Manager), Anna Goodall (Assistant Director), Marie Harley (HR Business Partner), Aaron Locks (Shared Service CCTV Manager) and Linda Albon (Member Services & Governance Officer)

### **EC1/25**      **APPOINTMENT OF CHAIRMAN FOR THE MUNICIPAL YEAR**

It was proposed by Councillor Mrs Davis, seconded by Councillor Imafidon and resolved that Councillor Gary Christy be elected as the Chairman of the Employment Committee for the Municipal Year 2025/26.

### **EC2/25**      **APPOINTMENT OF VICE-CHAIRMAN FOR THE MUNICIPAL YEAR**

It was proposed by Councillor Imafidon, seconded by Councillor Mrs Davis and resolved that Councillor Nawaz be elected as the Vice-Chairman of the Employment Committee for the Municipal Year.

In the absence of Councillor Christy, Councillor Nawaz chaired the meeting.

### **EC3/25**      **PREVIOUS MINUTES**

The minutes of the previous meeting held 12 September 2024 were agreed and signed.

### **EC4/25**      **DOMESTIC ABUSE SUPPORT (EMPLOYEE) POLICY AND PROCEDURE**

Members considered the Domestic Abuse Support (employee) Policy and Procedure report presented by Sarah Gove.

Members made comments, asked questions and received responses as follows:

- Councillor Mrs Davis asked if there are any scenarios when protecting a victim may put the Council at risk. Sarah Gove replied that the team would work with HR to ensure the Council's interests are also protected.
- Councillor Mrs Davis asked how the Council's reputational risk would be managed if the person causing harm was an employee and the abuse became public. Sam Anthony advised that confidential information would not be shared, and the Council would work closely with the individual and victim.
- Councillor Mrs Davis asked how data protection is ensured when recording disclosures and how information is kept confidential. Sarah Gove responded that anyone who uses the Housing Service could be for any number of elements, not just housing advice. All information is confidential and secure to the department on their internal system. Sam Anthony added that if a disclosure is received, it will be recorded on file but kept under lock and key, however the

Council has a duty to act once they know, so it would be discussed with that individual.

- Councillor Mrs Davis asked what support is given beyond emergency situations, for example can a staff member be given extra leave or flexible working hours? Sam Anthony responded that there are several avenues of support such as compassionate leave, hybrid working, mental health support and the Employee Assistant Programme to name a few. Sarah Gove added that DAHA accreditation will give the team a comprehensive list of specialist organisations that they could work with, along with HR.
- Councillor Imafidon asked for clarification on who is referred to as customers. Sam Anthony said that anyone making an approach, including staff, would be classed as a client.
- Councillor Nawaz asked what the significance and advantage of DAHA accreditation would be. Sarah Gove replied that it is a positive national scheme, and accreditation would show that the Council takes domestic abuse seriously; it would also highlight that the authority is a creditable organisation, offering a very high standard of customer service.
- Councillor Imafidon asked how long the process will take, what the costs are and what impact would local government reorganisation have on the accreditation. Sarah Gove advised that accreditation lasts three years, which is timely in respect of LGR, but Peterborough are also seeking the accreditation. In terms of cost, it is being funded through a community safety partnership grant, which she believes is £3,000.
- Councillor Nawaz said he notes this is an in-house provision and asked if all staff would be trained and if any action could be taken to assist a Fenland resident or user of council services. Sarah Gove said there are two elements to the accreditation; this report covers all staff across the organisation, but accreditation is for the benefit of both internal and external customers. If the policy is agreed today and then at Cabinet next Monday, that information will be published on the Council's website. She added that unfortunately domestic abuse is one of the top three reasons that people contact the service.

**Proposed by Councillor Mrs Davis, seconded by Councillor Imafidon and AGREED the Domestic Abuse Support (employee) Policy and Procedure.**

## **EC5/25      HEALTH AND SAFETY ANNUAL REPORT 2024/25**

Members considered the Health and Safety Annual Report presented by Sam Anthony and Aarron Locks.

Aarron Locks explained that there is to be a review of the incident investigation process because there is evidence of inconsistency in how accidents have been investigated across the Council. The review will provide a clear structure to support managers more efficiently, but also with a view to inviting an external training provider to deliver managers with the tools they need to effectively investigate incidents concisely and accurately. Sam Anthony added that whilst the Council's health and safety performance is very good, this will enhance it even more.

Members made comments, asked questions and received responses as follows:

- Councillor Mrs Davis asked how the effectiveness of e-learning is measured beyond completion. Sam Anthony responded that completion is tracked for the workforce, and during accident investigations will make sure that those individuals have completed their mandatory training, what they have learned from it and recommendations going forward. Aarron Locks added that when an incident happens within a service area, the training for that team will be reviewed and see if there is a link with the number of incidents based on lack of training within that.
- Councillor Mrs Davis asked what governance controls are in place to ensure the audit and training programmes are in place and if tracking is the same across the board. Sam Anthony confirmed that the new system tracks who has completed the training and by when. This information is fed back to the Audit and Risk Management Committee.
- Councillor Imafidon noted that there are six first-aid trained staff at Fenland Hall and one at each of the business centres at South Fens and the Boat House. He asked what would happen

if either of the first aiders at the two business centres were absent, leaving them without any first aid cover. Sam Anthony responded that there is no legal obligation on the Council to provide a first aider at the business centres, but there will be someone on site with emergency first aid experience.

- Councillor Mrs Davis said she noted only one near miss recorded on the accident report and asked how the Council can get staff to take reporting near misses as seriously as accidents. Aaron Locks said that he would also expect to see a higher number of near misses reported across the authority and will be pushing this to become part of FDC's culture. In the meantime, the focus will be on encouraging staff working in high-risk areas to report such incidents.

**Proposed by Councillor Mrs Davis, seconded by Councillor Imafidon and AGREED to note the Council's Health and Safety performance for 2024/25.**

**EC6/25      ECONOMIC GROWTH SERVICE - CONFIDENTIAL**

Members considered the Economic Growth Service report presented by Anna Goodall.

**Proposed by Councillor Mrs Davis, seconded by Councillor Imafidon and AGREED the report recommendations.**

*(Members resolved to exclude the public for this item of business on the grounds that it involves the disclosure of exempt information as defined in Paragraphs 2, 3, 4 of Part 1 of Schedule 12A of the Local Government Act 1972).*

3.57 pm

Chairman

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<b>Agenda Item No:</b>	5	
<b>Committee:</b>	Employment Committee	
<b>Date:</b>	10 September 2025	
<b>Report Title:</b>	Overview of forthcoming Employment Rights Bill	

## 1.0 Purpose / Summary

- 1.1 This report provides the Employment Committee with an overview of the forthcoming Employment Rights Bill.
- 1.2 The Employment Rights Bill is expected to become law later in 2025.
- 1.3 This will mean important changes to employment law, and is likely to have a significant impact for all employers.

## 2.0 Key Issues

- 2.1 The Government has set out its timetable for the implementation of the Employment Rights Bill, which is currently progressing through Parliament. The implementation will be phased over the period from when the Bill is passed, which is expected to be in autumn this year, to 2027.
- 2.2 While some of the changes, such as those relating to industrial action notices and the repeal of public sector check off requirements, will take place on or shortly after the Bill being passed (expected to be in autumn this year) most of the changes will take place at a later date.
- 2.3 It will not be until April next year before the next set of changes, including those to industrial action ballot thresholds, and then the restrictions on 'fire and rehire' will come into place with other changes in the autumn of that year, followed by further changes in 2027, including the proposal for unfair dismissal becoming a day one right.
- 2.4 A few changes are expected to happen in 2025. Most changes will happen in 2026 and 2027. The Bill is currently going through Parliament; therefore it may have further changes added before becoming law.
- 2.5 When it becomes law, the Bill will introduce additions and amendments to existing legislation, including the Employment Rights Act 1996.
- 2.6 This report provides a summary and overview of what the changes are likely to be.

### 3 Recommendations

3.1 Employment Committee are requested to note the report for information.

Wards Affected	All
Forward Plan Reference	N/A
Portfolio Holder(s)	Cllr Chris Boden – Leader of the Council
Report Originator(s)	<b>Sam Anthony</b> - Head of HR, OD & Customer Services Email: <a href="mailto:santhony@fenland.gov.uk">santhony@fenland.gov.uk</a>  Tel: 01354 622268
Contact Officer(s)	<b>Sam Anthony</b> - Head of HR, OD & Customer Services Email: <a href="mailto:santhony@fenland.gov.uk">santhony@fenland.gov.uk</a> Tel: 01354 622268  <b>Peter Catchpole</b> – Corporate Director & Section 151 Officer Email: <a href="mailto:petercatchpole@fenland.gov.uk">petercatchpole@fenland.gov.uk</a> Tel: 01354 622201
Background Papers	N/A



## **4.0 Autumn 2025 changes**

To become law, the Bill needs 'Royal Assent'. This is when the King formally agrees to make the Bill into an Act of Parliament. At the time of writing this report, this had not happened, and is expected sometime in autumn 2025.

### **4.1 *Removing minimum service level rules for strikes***

It's expected that rules around 'minimum service levels' for strikes will be removed. Change expected as soon as the Bill becomes law.

### **4.2 *Increased dismissal protection for industrial action***

Dismissal for taking part in industrial action is expected to become 'automatically unfair'. This will remove the current 12-week limit for claiming unfair dismissal. Change expected 2 months after the Bill becomes law.

### **4.3 *Trade union activity***

These changes are expected 2 months after the Bill becomes law:

- the time needed to give notice of industrial action will reduce to 10 days, instead of 14 days
- unions will need a simple majority to vote for industrial action
- picket supervisors will no longer be required
- industrial action mandates will last for 12 months, instead of 6 months
- industrial action and ballot notices will be simplified
- political fund rules will change

## **5.0 April 2026 changes**

After the autumn 2025 changes, more employment law changes are expected in April 2026.

### **5.1 *Paternity leave and unpaid parental leave***

- paternity leave and ordinary parental leave are expected to become 'day one rights' – allowing someone to give notice to take leave from their first day in a new job
- the restriction on taking paternity leave after shared parental leave is likely to be removed

### **5.2 *Sick pay***

- statutory sick pay (SSP) will be paid from the first day of illness, instead of the fourth day
- the lower earnings limit will be removed – currently, workers must earn a minimum amount to be eligible for statutory sick pay

### **5.3 *Collective redundancy protective award***

- The maximum 'protective award' for failure to consult in collective redundancy is expected to double from 90 days' pay to 180 days' pay.

### **5.4 *Whistleblowing protections for sexual harassment***

- Sexual harassment is expected to become a 'qualifying disclosure' under whistleblowing law. This will mean protection from detriment and unfair dismissal for whistleblowers making a sexual harassment disclosure.

#### 5.5 *Gender pay gap and menopause action plans*

- It's expected that employers will need to create action plans around menopause and gender pay gaps. These are likely to be voluntary from April 2026. Although they're not expected to become mandatory until 2027.

#### 5.6 *More trade union changes*

- simplifying how a trade union can gain recognition in a workplace
- allowing trade union members to vote electronically

#### 5.7 *Fair Work Agency*

It's expected that the Fair Work Agency will be established in April 2026, to:

- bring together existing enforcement bodies
- take on enforcement of other employment rights, such as holiday pay and statutory sick pay

### 6.0 **October 2026 changes**

Many of these proposed changes are subject to government consultations, and therefore the details might change.

#### 6.1 *Dismissal and rehire*

Dismissing someone then rehiring them on worse terms and conditions is expected to become an automatically unfair dismissal in most cases. This is sometimes known as 'fire and rehire'.

#### 6.2 *Harassment*

- a new duty for employers to prevent harassment from third parties, for example customers or clients
- employers needing to take 'all reasonable steps' to prevent sexual harassment – current law says 'reasonable steps'
- A change to the law around non-disclosure agreements (NDAs) is also expected. This will void clauses that would prevent workers from alleging or disclosing work-related harassment or discrimination. The date of this change is not known yet.

#### 6.3 *Tipping*

Updates to tipping law are expected to say employers will need to consult with workers or their representatives before creating a tipping policy and update their tipping policy every 3 years.

#### 6.4 *Employment tribunal time limits*

Time limits for making a claim to an employment tribunal are expected to increase to 6 months for all claims. The current time limit for most claims is 3 months.

### 6.5 *More changes to trade union rules*

- a new duty for employers to inform workers of their right to join a trade union
- updated rules on a trade union's right of access to the workplace
- a new right to reasonable accommodation and facilities for trade union representatives carrying out their duties
- a new right to time off for union equality representatives to carry out their duties
- Increased protection against detriment for industrial action
- It's expected that workers taking part in industrial action will be protected against detriment, in addition to unfair dismissal. 'Detriment' is when someone is treated less favourably by their employer. Change expected in October 2026.

### 6.6 *Public sector outsourcing 'two-tier code'*

New measures are expected for public sector outsourcing. This is to avoid having different terms and conditions for ex-public sector employees and private sector employees. Expected in October 2026.

### 6.7 *New Adult Social Care Negotiating Body*

A new negotiating body is expected for adult social care.

## 7.0 **December 2026 change**

The only change expected in December 2026 is specific to the seafarer industry.

### 7.1 *Mandatory Seafarer's Charter*

A new mandatory charter is expected for seafarers, with higher standards around health and safety, pay, job security and rest breaks.

## 8.0 **2027 changes**

The government has not announced yet when in 2027 these changes are expected. Many of these proposed changes are subject to government consultations, and as such, the details might change.

### 8.1 *Unfair dismissal day one right*

It's expected that protection from unfair dismissal will become a right from the first day of employment. Currently, someone must have worked for their employer for 2 years before they can claim unfair dismissal.

### 8.2 *Increased pregnancy and maternity rights*

The Bill intends to strengthen protections against dismissal for pregnant workers and those returning from maternity leave.

### 8.3 *Bereavement leave*

A new right to statutory bereavement leave is expected. It's not known yet whether this will be paid or unpaid leave.

8.4 *Zero-hours contracts*

Workers on zero-hours contracts are likely to get the right to guaranteed working hours, if they want them.

8.5 *Compensation for cancelled shifts*

It's expected that workers will have the right to be paid if a shift is cancelled, moved to another date, or cut short by an employer.

8.6 *Flexible working*

An amendment to flexible working law is expected in 2027. An employer will not be able to refuse a flexible working request unless they:

- state the reasons
- explain why they believe their refusal is reasonable

8.7 *Further harassment change*

It's expected that the law will specify what 'reasonable steps' means when preventing sexual harassment, following earlier changes in October 2026.

8.8 *Mandatory gender pay gap and menopause action plans*

It's expected that action plans around menopause and gender pay gaps will become mandatory, following their voluntary introduction in April 2026..

8.9 *Collective redundancy*

- employers will need to consider the total number of redundancies across their whole organisation, not just individual workplaces – currently, collective redundancy rules only apply to individual workplaces
- increased collective redundancy protection for workers on ships that regularly operate from British ports but are registered outside Great Britain
- 2027 trade union changes

8.10 *Trade union changes*

- extending laws that protect trade union members from discrimination and being 'blacklisted'
- a new industrial relations framework, to modernise the legal framework that underpins trade unions

8.12 *Regulation of umbrella companies*

It's expected the definition of agencies will be expanded to include 'umbrella companies'. This will allow enforcement by the relevant bodies.

By virtue of paragraph(s) 2, 3, 4 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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