

EMPLOYMENT COMMITTEE

WEDNESDAY, 10 SEPTEMBER 2025 -
3.00 PM



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

APOLOGIES: Councillor A Gowler

OFFICERS IN ATTENDANCE: Sam Anthony (Head of HR and OD), Phil Hughes (Head of Leisure Services/SRO March Future High Street Project) and Jo Goodrum (Member Services & Governance Officer)

EC7/25 PREVIOUS MINUTES

The minutes of the previous meeting held on 18 July were agreed and signed.

EC8/25 OVERVIEW OF FORTHCOMING EMPLOYMENT RIGHTS BILL

Members considered an overview of the forthcoming Employment Rights Bill presented by Sam Anthony.

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

- Councillor Nawaz asked for clarification with regards to the Public Outsourcing Two Tier Code. Sam Anthony stated that the new measures are expected for public sector outsourcing, and the last outsourcing exercise that the Council undertook was with regards to the leisure service. Sam Anthony explained that when the Council's leisure function was outsourced it produced two tiers of pay, with anybody who was TUPE'd (Transfer of Undertakings (Protection of Employment) Regulations) over from the Local Authority being in receipt of local authority pay and conditions and anybody employed by the other organisation had different terms and conditions; the new two-tier code will eliminate that.
- Councillor Nawaz stated that he appreciates that the report is only for noting and there is nothing that the committee can do to influence the outcomes. He said it useful to be made aware of the changes, and there are some good changes, but he also has reservations about some of the proposals. Councillor Nawaz said he welcomes the change being proposed relating to sexual harassment given the percentage of female employees there generally are, and welcomes closing the gender pay gap. With regards to the Trade Unions and the regulations this will have an impact on businesses by making things more difficult and expensive and he is unsure as to what the long-term impact will be, but he believes it will be of a negative nature.
- Councillor Benney asked how many extra hours and resources the HR team are going to require implementing the required changes. Sam Anthony explained that it is a difficult question to answer and the reason she is bringing it forward to the committee now is so that it can be factored into the team's work programme now so the work can be spread over the next couple of years. Some of the proposed changes may not come to fruition and some will not impact the Council at all. She further explained that whilst the Council has trade union recognition and works very effectively with them already, some of the proposals and changes are quite significant and will need to be managed going forward. She will not be looking for an additional resource for her department due to the financial situation of the Council.

- Councillor Clark asked if there was a cost estimate that the changes will mean for the Council. Sam Anthony said it would be impossible to provide a figure currently; the changes are quite significant and there will be a greater amount of time spent negotiating changes to contracts, but she cannot provide any sort of cost implication.
- Councillor Clark made the point that it is going to be a negative rather than a positive cost. Sam Anthony agreed as it is going to cause more work.
- Councillor Mrs Davis referred to the day one rights and the litigation risks the Council could encounter and, therefore, it is imperative that to ensure that the Council is protected. Sam Anthony stated that is correct and is why the Council has just commenced an updated management development programme. She explained that there will be an element of employment law included so that officers can be upskilled much earlier and it will include day one rights along with the six-month deadline for an individual to bring forward an employment tribunal.
- Councillor Mrs Davis referred to the issue of harassment and asked what work needs to be undertaken in 2026 to be ready for the implementation of the changes. Sam Anthony explained that the work can commence now as the Council already has a very robust policy in place for harassment and work will take place to include management development, upskilling managers and ensuring that it is promoted within the management team so that they have an awareness on what to recognise as an issue. She added that a great deal of the preliminary work is being undertaken now.
- Councillor Benney stated that the changes are being imposed on the Council by Central Government, and he feels that the changes are excessive and could cause significant issues for businesses. Several of the changes appears to be anti-business, and circumstances will mean that people will decide to give up working and employers will scale back and choose to stop employing people. Councillor Benney referred to the issues that strike action is having in other parts of the country and added that everybody suffers when people choose to go on strike. He appreciates that legislation must be implemented to safeguard people and if he worked for the Council, he would join a union to ensure he had the protection that a union brings but the changes need to be within a framework which is workable for the employer as well because without employers there are no employees. He has looked at some of the extensions of time regarding unfair dismissals where the allocated time is 12 weeks which he feels is excessive. There is uncertainty over what will happen in the future, and he feels that some of the proposals may never come to fruition. There is already legislation in place concerning sexual harassment and he questioned why there needs to be additional legislation in place to protect against one aspect. Some of the changes will not affect the Council because it is already a good employer, but the burden of work which the changes will bring as well as the costs and time off for trade union representatives in paid working time will all add costs to the Council; procedures already work and are in place.
- Councillor Imafidon stated that with regards to unfair dismissal rights from day one, that is going to prove to be incredibly difficult for employers. There always used to be a probation period when employees commenced a role which worked well for both the employer and employee. It appears that when the changes are implemented an employee can take out an unfair dismissal case if their employment is terminated, which will create a great deal of work and make it increasingly difficult for everyone. Sam Anthony stated that with regards to the unfair dismissal day one rights, there is much discussion taking place in the House of Lords which include some potential transition arrangements for probationary periods. She explained that if there is a problem then a full process will need to take place and currently at the Council that does not happen for the first six months because there is no requirement to do so.
- Councillor Mrs Davis asked how the Council will respond to stronger Union rights, and how assurances can be met to ensure that relationships do not turn adversarial at times. Sam Anthony responded that the current Union membership is 28% and is not a majority, however there is a close and collaborative working relationship with the Union which includes a monthly meeting which she hopes will continue. She added that the historic strike

situations which have been seen in Local Government have been few but there does need to be a careful overview to see how things progress.

- Councillor Mrs Davis stated that the changes may not go ahead but questioned whether consideration has been given to the additional costs in accordance with Local Government Reorganisation to a Unitary Authority. There are people on different pay scales and those working four-day weeks, and in her view, it will be a minefield to navigate.
- Councillor Benney asked how many staff are employed on zero hours contracts, recognising that zero hours do suit some people's lifestyles and business needs and not all employees want to work permanent hours. Sam Anthony confirmed that there are more than 30 staff employed on casual contracts, each of whom have value and their hours suit both them and the Council. She added that because of the proposal that will have to change and there will be the requirement to have a minimum of guaranteed hours.
- Councillor Nawaz asked for clarification as to how many trade unions are engaged with council staff. Sam Anthony advised that the Council recognises Unison and the GMB; 28% of staff belong to Unison but GMB membership is unknown as there is no obligation of the GMB to declare who their members are. Sam Anthony added that if staff pay for their union membership through their payslip, then the Council will know but staff can pay for their union fees separately.

Proposed by Councillor Nawaz, seconded by Councillor Imafidon and AGREED to note the report.

**EC9/25 CULTURE AND CREATIVITY DEVELOPMENT OFFICER REVIEW -
CONFIDENTIAL**

Members considered the Culture and Creativity Development Officer Review report presented by Phil Hughes.

Members made comments, asked questions and received responses from officers.

Proposed by Councillor Nawaz, seconded by Councillor Imafidon and AGREED to Option 2 of 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 and 4 of Part 1 of Schedule 12A of the Local Government Act 1972).

EC10/25 CONFIDENTIAL MINUTES

The confidential minutes of the meeting held on 18 July 25 were agreed and signed.

3.52 pm

Chairman