

WEST DUNBARTONSHIRE COUNCIL**Report by Strategic Lead – People and Technology****Corporate Service Committee: 9th September 2020**

Subject: Agreement between West Dunbartonshire Leisure Trust (WDLT) and West Dunbartonshire Council (WDC) to support suitable employment with an associated employer.

1. Purpose

- 1.1** The committee are being asked to approve the attached agreement (Appendix 1) which outlines a reciprocal agreement between West Dunbartonshire Leisure Trust (WDLT) and West Dunbartonshire Council (WDC) to support suitable employment with an associated employer.

2. Recommendations

- 2.1** It is recommended that the committee approve the attached agreement noting the main considerations associated with it.

3. Background

- 3.1** WDC and WDLT are separate employers and accordingly, there is no legal obligation to redeploy across employers. However, it is recognised that some decisions made by WDC can have an impact on the service provision of WDLT and in some instances result in organisational change.
- 3.2** The attached agreement was developed in partnership with the relevant trade unions with the sole purpose of supporting security of employment across WDLT and WDC when there is an opportunity to do so.

4. Main Issues

- 4.1** Through discussions at the convenors meetings, managers, trade unions and HR were in agreement that it would be a welcome practice to support employees in WDLT or WDC to secure employment with the other associated employer where possible, reducing the potential risk of redundancy.
- 4.2** The attached process (appendix 1) was developed in partnership to ensure a fair and consistent approach to exploring employment as associated employers.
- 4.3** It is understood that, in the main, this process is likely to be supporting displaced WDLT employees to secure potential employment opportunities

within WDC, however there is also the potential for WDC employees to be supported into WDLT roles and therefore this is a reciprocal agreement.

- 4.4 WDC and WDLT have separate but similar Organisational Change and SWITCH procedures which are supported by HR connect and strategic HR. This framework allows for a joined up approach when extending this support to identify suitable employment with an associated employer.
- 4.5 In general terms the attached procedure sits alongside the current SWITCH process for both employers and supports employees to access vacant roles prior to them going out to open recruitment.
- 4.6 All displaced employees will initially be managed in line with their own Organisational Change and SWITCH processes. However when considering redeployment, employees will also be given access to the redeployment opportunities available within the partner organisation to enable other employment possibilities to be considered.
- 4.7 It is an explicit requirement of the proposed agreement that both WDC and WDLT will determine (and exhaust) any suitable redeployment opportunities within their own organisations before exploring suitable roles with the associated employer. Furthermore, employees will be given priority access to vacant roles within their substantive organisation i.e. employment to the council will only be offered to a WDLT employee in the event that no displaced WDC employee is available or eligible for the role.
- 4.7 If an offer of employment is supported, employment with one organisation will end and a new employment with the partner organisation will commence. In line with the Redundancy Payment (Local Government) (Modification) Order 1999 (as amended) in this instance there will be no entitlement to a redundancy payment. This is also the case where the new employment starts within four weeks of the end date of the previous employment.

Appendices

- 4.8 The proposed agreement between WDLT and WDC to support suitable employment with an associated employer is attached as Appendix 1.

5. People Implications

- 5.1 This agreement has no direct people implications.

6. Financial and Procurement Implications

- 6.1 By extending an employees access to potential job opportunities this agreement expands the potential for securing alternative roles and in doing so reduces the risk of redundancy and the associated costs.

7. Risk Analysis

7.1 Since WDLT was created in 2012, it has operated as a separate employer to WDC with its own management and government arrangements. As detailed throughout this report, this agreement is above and beyond any statutory obligations and could be seen as creating a far more direct link in terms of the status as employers. This agreement could be seen as essentially solidifying the associated employer status of WDC & WDLT.

8. Equalities Impact Assessment (EIA)

8.1 There is no equalities impact associated with the proposed agreement.

9. Consultation

9.1 The proposed agreement has been discussed and agreed through the Convenors meetings and will be presented to Corporate Services Committee and the WDLT Board for agreement and approval from both parties.

10. Strategic Assessment

10.1 At its meeting on 25 October 2017, the Council agreed that its five main strategic priorities for 2017 - 2022 are as follows:

- A Strong local economy and improved employment opportunities.
- Supported individuals, families and carers living independently and with dignity.
- Meaningful community engagement with active empowered and informed citizens who feel safe and engaged.
- Open, accountable and accessible local government.
- Efficient and effective frontline services that improve the everyday lives of residents.

10.2 The proposed agreement satisfies 2 of the strategic priorities identified above by providing improved employment opportunities and ensuring that the process for doing this is open, accountable and accessible.

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Date: 13th July 2020

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Appendices: Appendix 1 – Agreement between WDLT and WDC to support suitable employment with an associated employer.

Background Papers: WDLT and WDC – Organisational Change and SWITCH processes.

Wards Affected: N/A