

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Scrutiny and Overview Committee

3 July 2008

AUTHOR/S: Chief Executive / Democratic Services Manager

CALL-IN: SERVICE CONTINUITY ARRANGEMENTS FOR DECEMBER AND JANUARY HOLIDAY PERIOD

Purpose

1. To receive the call-in of the Staffing Portfolio Holder's decision on 17 June 2008 that: *for this year volunteers will be sought from service areas to provide a skeleton service during the Christmas period. The extra statutory days will be added to employee leave entitlement. The concessionary day will be used to close the office on Friday 2 January 2009. For future Christmas periods the office will be open as normal and application of the concessionary day will be decided annually by the Staffing Portfolio Holder.*

Background

2. Council decided in 1996 that the Council offices should close between Christmas and New Year. On 11 February 1997, following a report from the then Chief Executive on "the successful experience of the office closure over the recent Christmas holiday period" the Finance, Resources and Staffing Committee decided to continue this policy.

Report

3. This decision was revisited at a meeting of the Staffing Portfolio Holder on 17 June 2008. The report of the HR Manager to that meeting is at Appendix A.
4. Following the decision as at 1 above, the chairman of the local Unison branch asked the Chairman of the Scrutiny and Overview committee to consider calling in the decision. His request is at Appendix B.
5. This request was discussed at the Scrutiny and Overview Committee meeting of 19 June where Members agreed that the Chairman should "seek [constitutional] advice from senior officers and Members before deciding whether to call in this decision".
6. The chairman took the decision to call in the decision under Article 13 of the constitution, specifically, on the grounds that the decision was not made in accordance with the following principles of decision-making:
 - Due consultation and the taking of professional advice from officers
 - Presumption in favour of openness, helpfulness and consistency
 - Consideration of available options and giving reasons for decisions
7. The Committee may therefore examine the process by which the decision was made to establish whether it accorded with the principles laid out above. It may also consider the decision itself and whether the evidence supported the decision made, or an alternative course of action.

8. The Committee will have the opportunity to interview the Staffing Portfolio Holder, the Chief Executive, the Human Resources Manager and the Chairman of the local branch of Unison.
9. Further evidence will include:
 - Result of staff poll
 - List of feedback received from Unison members
 - Views of any staff who voted in favour of opening
 - Fuller list of neighbouring councils' opening hours
 - Costs of opening the building 29-31 December
 - Contact Centre manager report

Options

10. The Committee has three options following its review of the decision:
 - To confirm the decision of the portfolio holder, in which case it can be implemented immediately
 - To refer the decision back to the portfolio holder for re-consideration, with an alternative recommendation which addresses any departures from the agreed principles at paragraph 6 above. The portfolio holder may amend his original decision or not, before adopting a final decision.
 - To refer the matter to Council with a recommendation, unless the Portfolio Holder has indicated a preparedness to reconsider the matter. Council, having considered the matter, may allow the decision to be implemented immediately, or refer the matter back to the portfolio holder. The portfolio holder may amend his original decision or not, before adopting a final decision.

Implications

11. Financial	Costs associated with Christmas/New Year opening will be available at the meeting.
Legal	As at paragraph 6 above
Staffing	See original report
Risk Management	See original report
Equal Opportunities	Other authorities who open between Christmas and New Year have not been challenged under Equalities legislation

Effect on Corporate Objectives and Service Priorities

12.	Work in partnership to manage growth to benefit everyone in South Cambridgeshire now and in the future	<i>See original report (Appendix A)</i>
	Deliver high quality services that represent best value and are accessible to all our community	<i>See original report (Appendix A)</i>
	Enhance quality of life and build a sustainable South Cambridgeshire where everyone is proud to live and work	<i>See original report (Appendix A)</i>

Recommendation

13. That the Committee consider the call-in of the decision in respect of service continuity arrangements for the December and January holiday period and make a determination in accordance with paragraph 10 above.

Background Papers:

Appendix A: Original report to Staffing Portfolio Holder's meeting, 17 June 2008

Appendix B: Letter from Unison to Cllr Batchelor

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Staffing Portfolio Holder
AUTHOR/S: HR Manager

17th June 2008**SERVICE CONTINUITY ARRANGEMENTS FOR DECEMBER AND JANUARY HOLIDAY PERIOD****Purpose**

1. To provide information to the Portfolio holder in respect of proposals for public access and service continuity during the Christmas (December 2008) and New Year (January 2009) holiday period.

Executive Summary

2. South Cambridgeshire District Council has, for many years, adopted the practice of closing the main offices and depot for the duration of the Christmas holiday period and New Year. Emergency and statutory services have been provided through 'On Call and Standby' arrangements. The report contains background information about service arrangements, office closure practices and staff consultation.
3. Elected Members have considered service delivery arrangements following the Christmas and New Year period for the holiday 2007/8 and in particular, refuse collection arrangements. Elected Members have expressed a wish to provide an improved service coverage for the same holiday period 2008/9 including public access at the main offices at Cambourne.

Background

4. South Cambridgeshire District Council has, in the past, operated a practice of closing the main offices and depot for the period covering Christmas and New Years Day. This has meant that offices have been closed on Christmas Day, Boxing Day and New Years Day and, depending on how the public holiday dates fall in a working week, certain week days between 27th and 31st December are also days on which the offices were closed. In 2007 this arrangement meant that the offices were closed on 25th (Tuesday), 26th (Wednesday), 27th (Thursday), 28th (Friday) and 31st (Monday) and New Years Day 1st Jan (Tuesday). Staff returned to work on 2nd January.
5. To facilitate the additional closure days the Council has an agreement (stated in contracts of employment) that it will enforce the use of the two extra statutory holiday days to cover the Christmas closure. Employment contracts contain the following wording:
 - (ii) Statutory Holidays All statutory holidays are given:
 - (iii) Extra Statutory Holidays By national agreement there are two extra statutory days; which are taken during the Christmas holiday period.

(iv) Concessionary Holidays This Authority has granted one day as concessionary holiday to be taken on specified days during the Christmas holiday period.

Entitlement to these days is not contractual and this leave may be withdrawn by the Authority. If the Council needs to be closed for an extra day during this period then two concessionary days will be granted.

6. Although the main offices and depot buildings are closed, the contact centre provides telephone access and information to the public. Statutory services such as homelessness, building control, environmental health and enforcement are always provided through 'On call and standby' arrangements whereby employees are contacted and expected to respond in emergency situations. The Sheltered Housing service always provides visits and resident contact where required and emergency call out and contact arrangements are always in place including the out of hours contract with the PCT.
7. During the Christmas holiday period in 2007, a number of concerns were raised following complaints from the public, these were focussed on the refuse collection service. Some residents were unhappy that there had been a longer than normal period between collections. Elected Members have considered this feedback and expressed a desire that the Council provides greater continuity of service during the Christmas holiday period.
8. The Council is a public service provider and there is a need for more customer focussed approaches to service delivery to meet public expectations. The Council objectives and service priorities are driving service plans and ultimately service delivery to **"Deliver high quality services that represent best value and are accessible to all our community"**

County-wide practices

9. The HR Manager has contacted other local councils to ascertain policies and practices within the county.

County Council – Offices open and manned by skeleton staff. Statutory services (Childrens and Adult care) – full services are available but on reduced staffing.

East Cambs - Council offices are usually closed between Christmas and New Year are pm of 24th December, 25th & 26th and 1st January. The staff from the housing/homelessness section provide cover 24/7 - one of them is always contactable to try and sort out any problems after hours, weekends or bank holidays. With regard to refuse collection - this contract is outsourced. The contractors do not collect on Christmas day, Boxing Day or New Years Day, although recycling collections will stop for the week of 22nd - 26th December.

Huntingdonshire DC - main offices are closed for the whole Christmas and New Year period, although we continue to provide the "manual worker" functions, primarily refuse and recycling, on the days which are not public holidays, in which case the employees will add the extra-statutory days onto their leave entitlement.

Fenland and City Councils – open as per East Cambs arrangements

Consultation

10. SCDC staff have been advised of the proposed changes to normal Christmas holiday practices and consultation with both trade unions has taken place. The issue was also raised at the joint union/management meetings on 1 April and 13th May.
11. The feedback from local Unison representatives has indicated that there is a real strength of feeling from staff on this matter. 54 Unison members have sent a clear message that

this would be a very unpopular decision should the Council decide to change past practices. A resume of the feedback is attached at Appendix 1.

12. The corporate briefing to staff included an item covering the proposal. General responses from staff have been very negative with many comments against the decision to open the offices over the Christmas period.
13. One positive aspect of the proposal is in relation to those employees who follow other faiths. The option to work may enable this group of employees to utilise the extra statutory days to take time off to participate in their own special days and celebrations

Considerations

14. Historically, civil servants, central and local government employees have been entitled to all public and bank holidays plus four extra days (2 extra statutory days and 2 concessionary days). Over time some employers have reduced this benefit to three extra days. Some local government employers have added the three days to employee's leave entitlement and others have used it to enforce closure at specific times of the year i.e. Christmas.
15. As part of the 2004/2005 local pay discussions, the then Chief Executive negotiated an agreement with staff representatives to reduce the number of extra days to two by withdrawing a concessionary day. Details of the negotiated agreement is at Appendix 2.
16. Elected Members have indicated that they would like to see a 'skeleton' staffing at the Cambourne office over the Christmas period with volunteers from public facing/business critical service areas, these include:
 - **Homelessness**
 - **Housing inc Sheltered Housing**
 - **Reception**
 - **Benefits**
 - **Revenues**
 - **Environmental services**
 - **Planning & Building Control**

The services would need to be supported by appropriate levels of ICT, caretaking, communications and facilities support. Health and safety considerations include the need to have an identified fire warden in case of emergency.

There will be costs associated with opening/ running the building (heating, electricity, refreshments facilities) for a very low number of employees.

17. Refuse collection services and support services at Waterbeach will be maintained and arrangements have already been discussed and agreed by the Corporate Manager Health and Environmental Services.
18. In the event that the Council is open for business on 29th, 30th and 31st December 2008, there would need to be data gathered on the number of visitors, phone calls and transactions so that a review of service access and provision could take place. This would inform future service provision for the same period next year.
19. A further consideration is one of employee wellbeing in that many individuals become 'run down' and susceptible to illness in the period before/during Christmas. The normal Christmas close down does provide a few days when individuals either succumb to the illness and recover or rest sufficiently to avoid illness, thus limiting the sickness absence impact on the organisation. The Council could experience an increase in self-certificated sickness during December and January.

20. There is a possibility that insufficient volunteers will come forward which will mean that managers will need to agree a fair means of ensuring adequate staff attendance.

Options

21. There are three variations in relation to this decision.
- a). To change past practice and require volunteers from service areas to provide a skeleton service during the Christmas period. The extra statutory days would be added to employee leave entitlement (to be used at a later date). The concessionary day will be used to close the office on Friday 2nd January.
- b). To retain past practice of office closure using the extra statutory days and concessionary day. This would result in the offices being closed from 25th December to either Friday 2nd or Monday 5th January.
- c). To close the main Cambourne offices but to require refuse and recycling services to provide waste collection services.

Implications

22	Financial	Costs associated with opening the building
	Legal	Provision of statutory services to the public. Health & Safety of staff
	Staffing	See body of the report
	Risk Management	See body of the report
	Equal Opportunities	See body of the report

Effect on Corporate Objectives and Service Priorities

23.	Work in partnership to manage growth to benefit everyone in South Cambridgeshire now and in the future
	None
	Deliver high quality services that represent best value and are accessible to all our community
	Improved service continuity over the holiday period leading to increase customer satisfaction and public access to services and information.
	Enhance quality of life and build a sustainable South Cambridgeshire where everyone is proud to live and work
	None

Conclusions/ summary

24. The decision to change current custom and practice in this instance will be a very emotive one. Staff feeling is very strong on this issue and feedback from staff briefings, union consultation substantiates the staff morale and feelings of being undervalued. However, this needs to be balanced against the increasing expectation of the public in terms of accessing information and Council services.

Recommendations

The Portfolio Holder is recommended to;

- a) consider the content of the report and
- b) indicate which option the Council is to adopt for the 2008/2009 Christmas period

Background Papers: the following background papers were used in the preparation of this report:

None

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