

HIF Board Meeting 27 April 2021

Review of Terms and Conditions of Employment

Agenda Item Number:		11.1
Presented for:	Discussion and Approval	
Report of:	Interim Chief Executive	
Author (s):	Project Group Assistant HRBP	
Report History:	This paper has been reviewed at the April 2021 HIF People and Culture Committee	
Publication Under Freedom of Information Act:	This paper can be made available under the Freedom of Information Act 2000 if requested.	
Links to HIF's Objectives		
Deliver an efficient and effective service offering to Harrogate and District Foundation Trust		√
Create strong sustainable partnerships		
Develop sustainable organisational systems		
Develop and maintain a strong, efficient and agile workforce		√
Strengthen the local community through collaboration		

Recommendation:

The HIF Board is asked to discuss and agreed the recommendations from the People and Culture Committee.

1.0 Introduction

- 1.1 In December 2019, the Trust contracted [REDACTED] to look at the culture within both the Trust and its wholly owned subsidiary HIF. As part of this review [REDACTED]. This issue was also raised with Jonathan Coulter – Interim Chief Executive and Jill Foster – NED in open staff engagement sessions in the summer of 2020.
- 1.2 Following the open engagement sessions, a project group formed to look at the two sets of terms and conditions for employees of the Company (HIF). Employees who TUPED over from the Trust to HIF retained their A4C terms and conditions of employment, whilst new employees were appointed to the Company’s terms and conditions which were agreed by the Board in March 2018.
- 1.3 At the January 2021 Board Meeting, the Board were asked to discuss and approve a number of proposals to the Terms and Conditions of Employment for staff employed on the HIF contracts of employment.
- 1.4 The proposals were approved as detailed in the table below and a 30 day consultation process with staff commenced. The consultation consisted of departmental meetings, individual 1-2-1’s and a survey monkey to ensure we received a fair representation of employee views.
- 1.5 Following the feedback from staff, some of the initial proposals require further consideration and review, in particular the 3 day waiting period to qualify for sick pay and the proposed bonus scheme.
- 1.6 The purpose of the review and proposals were to create a fairer set of terms and conditions of employment between the staff who TUPE’d into the company and those who are direct hires.
- 1.7 The following tables show the current terms and conditions of employment, the February proposals which were consulted on and further proposals following consultation.

2.0 Consultation – February Proposals and Revised Proposals following consultation

Subject	Current T&Cs			February Proposal	Proposal Following Consultation			
Pay	Basic Salary - Aligned to private industry by using a shadow salary scale with higher basic to uplift by reduced pension contribution. This will be uplifted by 3% from AfC scales with the option to provide market supplements for key roles.			Agreed to continue	As per February Proposal			
Pension	6% contribution into stakeholder pension (employees 4% with option to increase)			Agreed to continue	As per February Proposal and to add as part of the pension Death in Service equal to Agenda for Change Contracts. Subject to Board Approval			
Overtime Payments	1.5 x basic only after 37.5 hours is worked in a week, 2 x on Sunday and Bank Holidays.			Agreed to continue	As per February Proposal			
Unsocial Hours	Band	All time on Saturday (midnight to midnight) and any weekday after 8pm and before 6am	All time on Sunday (midnight to midnight) and public holidays	To bring back in line with A4C payments. Rates have drifted due to administrative error. <table border="1" data-bbox="981 1094 1536 1396"> <tr> <td data-bbox="981 1094 1099 1396">Pay Band</td> <td data-bbox="1099 1094 1346 1396">All time on Saturday (midnight to midnight) and any weekday after 8pm and before 6am</td> <td data-bbox="1346 1094 1536 1396">All time on Sunday (midnight to midnight) and public holidays</td> </tr> </table>		Pay Band	All time on Saturday (midnight to midnight) and any weekday after 8pm and before 6am	All time on Sunday (midnight to midnight) and public holidays
Pay Band	All time on Saturday (midnight to midnight) and any weekday after 8pm and before 6am	All time on Sunday (midnight to midnight) and public holidays						
2	40%	82%						
3	33%	69%						

4 to 9	26%	55%
--------	-----	-----

1	49%	97%
2	43%	85%
3	36%	72%
4 to 9	30%	60%

Living Wage	- Implement in line with until November 2018 with annual review of living wage similarly to HDFT	HIF is a Living Wage Employer and is committed to matching the Living Wage	As Per February Proposal
Increments	Increments still apply under shadow AfC will need to apply under progression policy -	To continue shadowing A4C salary scales including incremental points.	As Per February Proposal

Subject	Current T&Cs	February Proposal	Proposal Following Consultation
SICKNESS	Standard 3 waiting days First year of employment - 4 weeks sick pay after first year of employment - 3 months full pay, 3 months half pay - SSP after that if not exhausted.	To maintain current sickness absence payments. All money not paid out during the first 3 days of sickness absence to be reserved, and paid for all HIF contracted staff. Staff will receive an equal share..	Following feedback from the consultation we are now proposing: To pay the first 3 days sickness absence and review the current Managing Absence and Promoting Wellbeing Policy. Subject to Board Approval.

Subject	Current T&Cs	February Proposal	Proposal Following Consultation
ANNUAL LEAVE	25 days plus statutory = 33 days no service days	To match A4C. 27 days on commencement 5+ years 29 days 10+ years 33 days + 8 days public holidays	As Per February Proposal
Annual Leave Payment	Legal requirement to be no less than a normal weeks wage. Includes where applicable rostered overtime	Legal requirement to continue	As Per February Proposal

Subject	Current T&Cs	February Proposal	Proposal Following Consultation
TERMS & CONDITIONS OF PROMOTION	<p>Promoted have to end A4C contract and transfer as new employee to HIF terms and conditions of employment, although continuous service is retained.</p> <p>Pension - If they are NOT in the NHS scheme - to transfer to new scheme on appointment (no different to non TUPE new starters)</p>	<p>Staff will be able to be promoted without losing their A4C terms and conditions of employment including their NHS Pension.</p> <p>Staff will have the option to choose to move to HIF Terms and Conditions if they so wish.</p> <p>Individual staff who have already moved to HIF terms and conditions of employment on promotion are unfortunately not able to return to A4C terms and conditions of employment.</p>	<p>As Per February Proposal</p>

3.0 Recommendations

- 3.1 We are asking the Board to discuss and agree the recommendations from the people committee.