

Appendix 1 - Belfast City Council's Consultation Response to the DOE's review of the Local Government Staff Commission

Q	Question	Response
1	During the last 10 years has your organisation benefitted from any of the statutory responsibilities listed above?	Yes
2	If you answered YES to Q1 , how has your organisation benefited?	<p data-bbox="734 512 1989 544">Statutory Function (a) Advisory Appointment Panels – <u>CHIEF EXECUTIVE RECRUITMENT</u></p> <hr/> <p data-bbox="734 635 1720 667">No chief executive or other prescribed posts recruited in the 10 year period.</p> <p data-bbox="734 831 1720 863">Statutory Function (bb) <u>MONITORING FAIR EMPLOYMENT PRACTICES</u></p> <p data-bbox="734 954 1921 1018">BCC has participated in and benefited from the following Commission sponsored initiatives, networks and policy developments</p> <hr/> <p data-bbox="734 1166 1093 1198"><u>Women in Local Councils</u></p> <p data-bbox="734 1230 1966 1262">Assistance was provided with the drafting of the Council's Gender Action Plan and Framework.</p> <p data-bbox="734 1294 1854 1358">Council members and officers have attended the following seminars facilitated by the Commission:</p>

Mentoring Skills	2006
Development Centres	2006/07
Surviving and Thriving at the Top	2008
Flexible Working Seminar	2010
CEDAW Discussion Seminar	2010

Disability in Local Councils (Champions 1 Elected Member and 1 Officer Champion)

Training was provided for the Disability Champions in the areas of:

- Disability Equality Training
- Effective Consultation with People with Disabilities
- Training on the Role of Disability Champion
- Managing Disability in the Workplace

Equality and Diversity (Champions 1 elected member and 1 officer champion)

Equality Network

Council officers attended the following seminars facilitated by the Commission:

	Achieving a Healthy Workplace	2002
	Case Law Update	2002
	Racial Equality in Housing and Accommodation	
	A Code of Practice Seminar	2002
	The Data Protection Employment Code of Practice	2004
	Recruitment and Selection in Practice	2004
	Recruitment and Selection in Practice	2004
	“A Right to Protection” Review of Vetting	2005
	Employing the Migrant Workers	2006
	Preparing for Age Discrimination Legislation	2006
	Roundtable on Recruitment Issues for Migrant Workers	2006
	Case Law and Employment Legislation Update	2007
	Case Law and Employment Legislation Update	2010
	Recruitment and Employment Best Practice	2010
	Case Law and Employment Legislation Update	2011
	<u>Statutory Duty Network</u>	
	Officers from the Council attended a total of 19 Statutory Duty Network meetings in addition to the following seminars:	
	Statutory Duty Awareness for Elected Members	2002

Implementing EU Obligations in Northern Ireland	2003
Good Relations: Best Practice	2003
A Shared Future	2004
Section 75 Progress Report Feedback	2004
Local Government Taking Action	2005
Disability Equality Duty Consultation	2006
Equality & Human Rights Training	2006
Skill Boosters Presentation	2008
Audit of Inequalities	2010

The following policies were developed and issued by the Commission:

- Equal Opportunities Policy and Procedure
- Model Policies and Procedures for Dealing with Harassment
- Disability Policy and Action Plan
- Guidance Note on Employing Migrant Workers
- Guidance Note on Section 75 Monitoring

Statutory Function (c) Assessing the PROBABLE FUTURE REQUIREMENTS OF COUNCILS

(cc) establishing a CODE OF CONDUCT FOR OFFICERS

(c) Assessing the Probable Future Requirements

Commission officers have given specific advice and assistance on organisation review and development issues as follows:

- | | |
|---------|--|
| 2002/03 | Advice following a structural/best value review of the Human Resources Section |
| 2006 | Advice re appeals following categorisation processes |
| 2009 | Advice to BIS following a restructuring and categorisation exercise including observing at recruitment exercises for ring-fenced posts |

(cc) Code of Conduct

The Commission issued a statutory Code of Conduct for Employees in 2002. A formal review and an Equality Impact Assessment were undertaken and a revised Code was issued in 2004. The provisions of the Code have been kept under review and advice and assistance has been given to councils on issues arising from the ethical standards detailed in the Code on an ongoing basis.

Statutory Function (d) PROMOTING CO-OPERATION within local government

The LGSC developed the The People and Organisation Development Strategic Framework in partnership with stakeholders across local government.

- **Two HR representatives from BCC were invited to participate in the Talent Management Pillar Working Group.**

The Commission provides administrative, professional and programme management support for the Framework and for any council representatives engaged in work in support of it.

Belfast City Council delegates attended the following conferences organised by the Commission:

No. of Delegates	Conference Title	Year
9	People – The Future of Public Services	2003
2	People Making Change Happen	2006
1	Putting Communication on the RPA Agenda	2006
4	Shaping the Future of HR	2007
2	People Making Change Happen	2009
4	Building Collaborative Learning Organisations – <i>Creating a People Strategy for Local Government</i>	2010
2	Developing a Change Culture in Local Government	2011

HR Standards

Belfast City Council were invited to participate in in the HR Standards Steering Group (two

officers) and participated in the Employee Relations, Equality of Opportunity and Training Development Working Groups. The council also participated in the pre-assessment pilots.

Statutory Function (e) Promoting or assisting the development of, or providing, facilities for the TRAINING OF OFFICERS

The Council has participated in the LGTG structures established by the Commission to deliver this statutory function and has benefitted from the shared service provision of training for the sector and the learning and development initiatives provided by LGTG over the last 10 years.

Please see Question 21 (figures for last 5 years only)

Statutory Function (f) Promoting or assisting the establishment of, or establishing, procedures for the NEGOTIATION between councils and employees, etc.

The Council has received advice on single status, pay and grading, the updating of the Council's disciplinary procedures and the implementation of LGRJF agreements such as the Vacancy

		<p>Control System etc.</p> <p><u>Wellbeing and Stress Management</u></p> <p>The Council participated in the Working Group established to oversee development of the Stress Management Toolkit which was developed by the Commission in partnership with the Health and Safety Executive.</p> <p>The Council participated in the following events which the Commission facilitated to create awareness of wellbeing and stress management:</p> <ul style="list-style-type: none"> • Healthy Workplace Solutions • Promoting Equality for People with Mental Health Disabilities
3	On the scale rating from “None” to “Major” what impact would a smaller number of councils have on the Staff Commission ?	Should have significant impact as larger councils should have greater internal capacity.
4	Using the same rating scale what impact would a smaller number of councils have on the service you receive from the staff commission	Minor impact
5	What difference would it make to your organisation if the staff Commission was not available in the first place?	<p>The amount of advice sought by BCC from the Commission over the years has diminished in some areas. Evolving employment legislation has required Councils to develop and maintain robust employment policies and procedures. Internal capacity and best practice in these areas has grown over the years which has meant that BCC has had less need to call on the Commission for some types of advice .</p> <p>The council has however benefitted from and continues to benefit from the Local Government Training Group’s training programme, from the training courses provided as well as access to the Group’s select list of external providers. It has advanced the equality and diversity agenda across Local Government. It promotes good practice, learning and collaboration, a culture of continuous improvement and seeks to build HR capacity across the sector. The Commission provides an assurance to central government</p>

		<p>that Local Government operates within a consistent framework of continuous improvement in relation to the highest standards in HR management</p> <p>Adherence to the Commission's codes of practice can also acts as a safeguard against accusations of unfairness or mal practice in relation to appointments and employee relations procedures and practice.</p> <p>Its existence demonstrates local government and councils' commitment to create an environment free from potential unlawful discrimination and unfairness as well as its commitment to ensure consistency and equality of opportunity in employment matters regardless of council control or boundaries.</p>
6	<p>Is the statutory remit of the Staff Commission still valid or necessary?</p>	<p>The statutory remit to provide some functions should be reviewed. In particular:</p> <ul style="list-style-type: none"> • Establishing panels for providing advice on the suitability of candidates for senior positions • Participation in the short listing process • Monitoring the application of codes of procedures • Monitoring the fair employment practice of the councils • Assessing future staff requirements for councils
7	<p>If you responded to Q6, what evidence of reasons led you to your conclusion?</p>	<p>Since 1972 there have been a number of developments in relation the promotion of fairness and equality of opportunity in employment in local government, a raft of protective equality and employment legislation. In addition the Equality Commission now has powers of investigation and enforcement in these areas.</p> <p>More and more councils, especially the larger ones now have well established HR and training functions. While it is acknowledged that the smaller councils currently have less capacity to provide these functions internally, this situation will change post RPA.</p> <p>A collective central body could bring many benefits to the sector (as listed in Q5) and a central body to maintain this connection and collaboration can be useful but must be considered in the current economic context. Value for money and quality and scrutiny are important issues for consideration, especially post RPA. Any such body, should it exist must be able to demonstrate that it is providing a</p>

		<p>value for money effective and efficient service that has a tangible positive impact on citizens through enabling improved council performance through their people. . The Commission will have an important role to play in the preparation for local government reform in terms of the HR aspects, in the transition and then in embedding and consolidating the change.</p> <p>It will need to continue delivery of its statutory remit with existing clients, develop leadership and HR capacity across the councils, assist councils to build capacity for change in general, support the Joint Forum and advise on the implementation of its agreements etc.</p> <p>During the transition it will need to assist with the establishment of new councils, provide independent administration and advice to recruitment panels for senior posts, ensuring the consistent application of transfer procedures for the appointment of staff to new structures and ensure equality of opportunity throughout the process etc</p> <p>Beyond reform, in the short term it will be required to assist in consolidating new councils and provide advice and assistance on staffing issues, ensuring consistent application of the Joint Forum agreements, providing advice and assistance on restructuring, etc.</p> <p>To enable the Commission to adapt and be responsive to the needs of the new councils and add real value its statutory remit should be reviewed.</p>
8	On a scale of 1 to 10 with 1 being the poorest rating and 10 the best rating, how well has the Staff Commission met your needs during the last 10 years?	Belfast City Council's needs vary across the council and "experiences" or "levels of customer satisfaction" will vary from one stakeholder to another, dependent upon their individual need. It is not therefore possible to provide a single, meaningful one rating.
9	Why have you given the rating you have chosen in response to Q8?	n/a
10	Paragraph 28 from the DOE consultation document (Q 10, 11, 12 refer). "Based on the Statement of Purpose and Strategic Objectives it would appear that today,	<p>Employment related advice sought from the Commission is credible and trusted.</p> <p>The Commission is, on many issues a trusted expert adviser but BCC would not view the Commission as a facilitator of Strategic change.</p>

	<p>the Staff Commission regards itself as and aims to operate as a credible and trusted expert adviser and facilitator of strategic change”.</p> <p>Based on experience do you think the above description of the Staff Commission accurately reflects its role in 12/13?</p>	
11	Do you feel the Staff Commission has a sustainable future operating in the role described?	Not without review and change
12	If you answered Q10 or Q11 what are the reasons for the answers you have given?	The need for the Commission’s advisory role will diminish as HR capacity in the new councils grows. VFM and the unprecedented economic climate must be considered.
13	If your organisation is a council or the NIHE does it have an opportunity to influence the range and nature of staff commission business activities and strategic objectives and how?	BCC does not have any current representation on the Commission but inputs through representation on the Local Government Training Group and the PPMA and was consulted in the development of the People and OD Strategic Framework.
14	Are the Commission’s strategic objections and actions (Talent and Development , Recruitment and Diversity and People Strategies) relevant to	Largely

	your organisations needs?	
15	Could Staff Commission functions and responsibilities be absorbed and delivered effectively by another public sector organisation and if so which?	<p>The need for a scrutiny role in terms of fair and equal treatment in employment needs to be examined and compared to the current role of the Equality Commission for NI.</p> <p>As new councils become established and internal HR capacity in these new councils grows it is likely that the demand for HR advice will diminish. Much of the work could be done by the post reform councils. However, as already mentioned in this response, the Commission will have an important role in the consolidation of the new councils in the short term at least.</p> <p>The need for better collaboration and the sharing of effort and resources to create efficiencies across the sector will continue to be relevant and a central body to promote and co-ordinate this may be beneficial.</p> <p>The “codes of practice - R&S, conduct etc could be absorbed elsewhere. This question must be considered in the context of the future roles of other bodies.</p> <p>A review of the future role of the Local Government Staff Commission should therefore also consider the roles of other bodies (such as the Public Services Commission)</p>
16	Could the Staff Commission functions and responsibilities be out sourced more cheaply without loss of standards?	Possibly, but clearly this would have to be tested and should be tested on the basis of future requirements rather than existing role.
17	Do the priorities identified by the Training Group align with your organisation’s needs?	Yes in that priorities are identified but translating strategic plans into actions can be very slow , if it happens at all.
18	On a scale of 1-10 (with 1 being the poorest rating and 10 the best) how well has the training group met your needs over the last 10 years?	Belfast City Council’s needs vary across the council and “experiences” or “ levels of customer satisfaction” will vary from one stakeholder to another, dependent upon their individual need. It is not therefore possible to give a single meaningful rating.

19	Could the services the training group offers be obtained from another provider more cheaply without loss of standards?	Possibly but again this would have to be tested. The Training Group rates offer good value for money, often achieved by the economies of scale achieved by the group procuring for the sector. The LGTG operating model, (a Service Level Agreement with the Commission) at a cost of £22 000 per annum (or £169 per course) is a competitive administration charge for the services provided by the Group.
20	If you answered YES to question 19, which provider or providers do you have in mind.	There might be potential for all councils (post RPA) to be responsible for their own training or to provide training to each other or to procure training and development providers across the sector to achieve economies of scale.
21	How often has your organisation used the Training Group in each of the last 10 years?	552 council officers have attended a LGTG short course over the period 2007/8 to 2011/12. The council has received £57826 as support for in-house training over the same period.
22	Does your organisation buy training services in from a provider other than the training group and what portion?	Yes . In cases where the training needed is not covered by the Group's remit, where a particular need cannot be provided by the Group or where a very particular or specialist expertise is required. In recent years Belfast City Council been moving towards the use of more "internal expertise" within the council to design and deliver training.
23	Is the training group sustainable long term?	Yes potentially, though it would benefit from review and improvement.
24	Could the Training Group function effectively without staff commission involvement?	Such a group could potentially function effectively without the Staff Commission.
25	If you answered yes to Q 24 or Q24 please explain your thinking including the alternatives.	The Group would be sustainable in the long term based on the current operating model (i.e SLA) . It facilitates central procurement leading to economies of scale, ensures consistency and quality assured provision and can directly support sectoral initiatives such as Reform implementation and ICE. The Group could possibly function effectively without the Staff Commission but running costs would be much higher and the benefit of the links and relationships with councils established under the wider Commission would be lost. Effective governance and accountability is also assured through the Commission and its reporting structures.

26	Do you think Councils / NIHE receive value for money for the money they pay towards the Staff Commission?	Other councils might but Belfast City Council does not.
27	Do you think Councils receive value for money for the money they pay towards the Local Government Training Group?	Other councils might but Belfast City Council does not.
28	If you answered NO to questions 26 or 27 what are your reasons?	Many councils may be content with value for money because of their contribution however ,because the formula currently used to calculate councils' contribution is based on net rateable value of the district councils and not based on historic or estimated usage, BCC is unlikely to ever recoup the full benefit of its contribution.
29	If you answered YES to questions 26 or 27 what are your reasons?	Many councils may be content with value for money because of their contribution however, because the formula currently used to calculate councils' contribution is based on net rateable value of the district councils and not based on historic or estimated usage, BCC is unlikely to ever recoup the full benefit of its contribution.
30	Do you think the current compulsory funding arrangements for the Staff Commission are valid and appropriate?	No
31	Do you think the current compulsory funding arrangements for the Local Government Training Group Staff Commission are valid and appropriate?	No
32	If you have answered NO to questions 30 and 31 what are	The net rateable value of Belfast has no direct correlation to the councils demand for service provision from the Staff Commission or the Training Group . In fact the larger the Council the more chance of

	your reasons?	better internal capacity and thus reliance on such a body is likely to be less than smaller Councils.
33	If you answered no to Q 30 and Q31 -how do you think funding for the Staff Commission should be determined or calculated?	Funding should be determined on usage.
34	Do you feel the Staff Commission has a viable and long term role as an Executive NDPB?	This will depend on how it is revised or reformed and the applicability of that role after RPA is embedded.
35	If you answered question 34 why have you given the answer you have?	The sustainability of the Staff Commission in the long term must be reassessed post RPA.
36	Do you think the staff commission has a worthwhile role to play in the reform of local government in the short term?	Yes
37	Please explain your answer to Q 36 including an outline of any role you have in mind.	<ul style="list-style-type: none"> • The out-workings of the Reform of Local Government will continue well beyond the implementation date – it is not “short term”. • There will be a continuing requirement in forming and bringing together new structures e.g. Finance, HR, IT, etc. Experience in other sectors, such as Health, has shown that this can continue for some years after implementation. • Councils will require on-going support in order to integrate staff transferring in from Civil Service departments. • The agreed staff severance scheme is planned (under the auspices of the Joint Forum) to be in place until around 2019. The role which the Commission has carried out in terms of independent professional advice in respect of matters such as organisation reviews will continue to be required

to support this.

- Support may be necessary to carry forward the work from policy development panels regarding Capacity Building, Human Resources and Shared Services.
- Implementation and subsequent bedding in of reform will be supported by the development, for the first time, of an overall workforce profile across the sector. This will require ongoing updating and analysis at a sector wide level to ensure effective and efficient workforce planning which will be allied to the long term objectives of the People and Organisation Development Strategic Framework, which is a shared vision across Local Government.
- As noted, the Commission is responsible for supporting and giving effect to agreements reached by the Local Government Reform Joint Forum – and will be closely involved in the delivery of the workplan, which is summarised below:
 - Vacancy Controls System
 - Consultation and Negotiation Arrangements for Transition Committee
 - Severance Scheme
 - Staff Transfer Scheme and Guidance, System for Filling Posts in the New Organisations including appointment of Senior Staff by Transition Committees
 - Transfer Arrangements for Civil Servants to Local Government
 - Location, relocation and expenses
 - Collation of information on transferring staff
 - Code of Conduct for Local Government Employees
 - Harmonisation of Terms and Conditions
 - Capacity Building.
- Commission representatives also participate in the work of the Public Service Commission, Human Resources Working Group and the Communications Working Group which are part of the reform implementation arrangements.

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