

EAST AYRSHIRE COUNCIL

CORPORATE GOVERNANCE COMMITTEE 10 FEBRUARY 2004

RECOGNITION OF CONTINUOUS SERVICE – NHS AYRSHIRE AND ARRAN

Report by the Depute Chief Executive/Director of Corporate Resources

1. PURPOSE OF REPORT

- 1.1 To seek the approval for recognition of NHS (Ayrshire and Arran Health Board) service applicable to certain employment conditions within East Ayrshire Council.

2. BACKGROUND

- 2.1 In recent years partnership working has become an increasing factor in the public sector environment. It has since proved to be an effective method for ensuring quality in service delivery while retaining economic value.
- 2.2 Specifically, the Scottish Executive's Joint Future Agenda is aimed at improving access by individuals in the community to health and community care. The agenda requires NHS bodies and local authorities to provide jointly delivered and jointly managed services. Equally, employment opportunities are emerging which are of interest to employees in both sectors.
- 2.3 Within Ayrshire there are six partner organisations, namely the three Ayrshire Councils, the Ayrshire and Arran Health Board, the Ayrshire and Arran NHS Primary Care Trust and the Ayrshire and Arran Acute NHS Hospitals Trust. This can involve employees from either of the six partner organisations being transferred to the designated lead organisation where joint management arrangements are put in place.
- 2.4 Schedules I and 2 to The Redundancy Payments (Local Government) (Modifications) Order 1983 (as amended) lists organisations that an employee transferring to East Ayrshire Council can count as a continuous period of employment if the employee was employed in one of these organizations immediately prior to joining the Council. The other two Ayrshire Councils are included in the Order but not NHS. The list of organisations can be added to subject to Council approval.
- 2.5 The service related entitlements are conditions of service (i.e annual leave, sick pay, maternity/paternity/adoption leave/pay) but not statutory matters (i.e. periods of notice and redundancy payments).
- 2.6 Ayrshire and Arran NHS Health Board and NHS Trusts are not included in the list of designated organisations and, therefore, should one of their employees transfer to the Council's employment, they will not be entitled to

have this service credited for the purposes of service related entitlements. Employees of the Council transferring to the NHS bodies equally do not have their employment recognised for the purpose of service related entitlements.

- 2.7** Recent experience has shown that the inability to transfer service for the employment purposes described in paragraph 2.5 has served as a deterrent in attracting applicants. It would serve to enhance the Council's Recruitment and Selection strategy to allow for service to transfer.

3. PROPOSAL

- 3.1** Following discussion between the three Ayrshire councils and the three Ayrshire and Arran NHS bodies, it was agreed that each of the three local authorities would recognise local NHS employment as continuous employment for service related entitlements of annual leave, sick pay, maternity/paternity/adoption leave/pay.

- 3.2** The three NHS organisations have confirmed reciprocal arrangements have been put in place for Local Government employees.

- 3.3** Recognition of service would apply to new applicants only and not implemented on a retrospective basis.

4. POLICY/LEGAL/FINANCIAL IMPLICATIONS

- 4.1** There are no immediate implications to the Council. The potential costs are believed to be outweighed by the potential benefits for the Joint Future arrangements by ensuring the transfer of the employee.

- 4.2** It is anticipated that the proposed change would also assist recruitment to permanent Council posts with a joint health and local government interest that are outwith the Joint Future framework.

5. TRADE UNION CONSULTATION

- 5.1** UNISON has already made final representations to the six organisations in support of this change. The joint Local Government and Health Board unions were consulted through the Joint Future Joint Staff Forum on 22 January, 2004 and are in agreement with the proposal.

6. CONCLUSION

- 6.1** It is considered that the proposal will facilitate the joint working and joint management arrangements to deliver the Joint Future agenda. In addition, the proposals will further facilitate recruitment to other Council posts outwith the Joint Future agenda.

7. RECOMMENDATIONS

7.1 The Committee is asked to:-

- (a)** Approve the proposal that East Ayrshire Council recognise previous continuous service with NHS (Ayrshire and Arran Health Board) for certain employment conditions within East Ayrshire Council effective from 10 February 2004;
- (b)** otherwise note the content of this report.

Fiona Lees
Director of Corporate Resources/Depute Chief Executive
GH/EG
21 January 2004

LIST OF BACKGROUND PAPERS

1. The Redundancy Payments (Local Government) (Modifications) Order 1983 (as amended);
2. Terms and Conditions of Employment for all East Ayrshire Council Employees (except Teaching Staff).

Anyone wishing further information concerning this report should contact Graham Haugh, Head of Personnel, telephone (01563) 576092