

Working in local government

A guide for public health staff



Welcome

This guide is about welcoming you as a public health specialist to the local government family as a member of the new public health team. There is a real enthusiasm in local government for taking a leading role in public health provision and your skills and experience will be valued as you deliver services to your communities.

Local government has a proud record of running public health services in the past and this new era brings a tremendous opportunity for a whole range of services to work together in fruitful ways to improve the well-being of communities. Together, we can look forward to opportunities to innovate and make real change. The record of public health achievement in the NHS is a proud one and it will continue under the new arrangements but the opportunity to bring the unique democratic role of councils in relation to their communities into the public health arena is a really important one for all of us.

Many public health staff are already co-located with new local government colleagues and are already involved in building new ways of working. We hope that this guide as a national statement will be of interest to everyone involved but it is aimed mainly at people who are just about to learn that they will be moving to local government. Naturally, we cannot suggest that this guide could supersede anything already prepared locally but we hope that a common statement of the shared values and some general facts about local government will be useful.

As with all other parts of the public sector, local government is learning to live with some very challenging reductions in budgets, which have led to some painful decisions and significant changes in the way services are delivered. Nevertheless, the opportunity of working to make public health even better is being welcomed and all councils are determined to develop positive approaches.

Introduction

This guide is designed to introduce you to some key facts and figures about local government and to give you an insight in to how it works. The guide cannot provide every detail of the contractual and other arrangements that will be made for you when you join a council – these will be available in other documents you will receive on taking up your employment. Local government is very different from other parts of the public sector as each council forms an individual local employer and so whilst there will be some similarities between different councils, there will be differences unique to your new employer.

Distinctive organisations, common values

The councils that you as public health staff will be joining all have their own distinctive cultures and ways of working – this is one of the great strengths of the sector. Much of the distinct ethos in each council is based on the vitally important role of local councillors (elected members), who will provide a hugely important democratic link between public health services and the communities they serve.

Although there are core minimum national terms and conditions of employment set out in a national agreement called the 'Green Book', some terms and conditions are negotiated locally, with basic pay increases being negotiated nationally. Around 46 councils, mainly in the south and east of England are not part of the national agreement.

One thing that all councils have in common is a commitment to being fair employers with a very clear offer to employees, and this is evidenced by their values and mission statements. The way that this offer is developed is of course changing because of the financial realities of the current economic situation but any changes will be negotiated and communicated clearly by the council.



Key facts and figures

Local government is a huge service provider and is responsible, for example, for significant aspects of:

- education
- environmental health
- housing
- economic development
- fire and rescue
- policing
- social care
- community safety
- culture
- leisure
- emergency planning.

Local councils either provide services directly to the public or commission other organisations to provide them.

The responsibility for the overall economic, social and environmental well-being of an area is fundamental to the role of local government.

Local councils consist of councillors (elected members) who are voted for by the public in local elections and paid council staff (officers) who deliver services. Councillors from different political parties make up the full council. The number of councillors is determined by the size of the population it serves. The council is divided into committees and an executive. Committees exist for some functions, largely the quasi-judicial planning and licensing ones. The more fundamental allocation of responsibilities is:

- full Council, which debates and agrees major policies and a budgets
- Cabinet, which takes executive decisions for the delivery of services and functions
- Overview and Scrutiny, which can investigate key issues as well as scrutinise Cabinet decision making.

After decisions have been made by the elected members of the council, officers who work to deliver services on a daily basis, implement the policies. They also provide information for council committees recommending possible future policy. Many of the functions carried out are the responsibility of local government because the national government has set them out as statutory requirements and this means that there is a great deal of discussion between central and local government about how these responsibilities are best discharged.

In total there are 353 councils in England. All councils have a range of responsibilities. Altogether there are five different types of council:

- county
- district
- London borough
- metropolitan
- English unitary.

In primarily urban areas, the London boroughs, metropolitan and unitary councils provide all local council services. In other, mostly rural, areas, responsibilities for service provision are split between county councils and district councils. These are often referred to as 'upper tier' and 'lower tier' authorities respectively and local functions are split between them. As a member of a public health team, you will join an upper tier or unitary council, which are responsible for social services and children's services amongst other things. Lower tier districts tend to be responsible for local utility services like housing, refuse collection and leisure.

There are around 1.7 million local government employees in local government across England and Wales. Councils are often the largest employer in a local area. There are more than 20,000 democratically-elected councillors.

Local government in England and Wales is funded by grants from central government (about 48 per cent), business rates (charged to local companies – about 25 per cent) and council tax (charged to local people – also about 25 per cent). The rest comes from sources such as car parks, parking permits and the hire of sports facilities.

There are over 600 occupational groups in local government in a wide range of different service areas from social workers and environmental health officers to cleaners and caterers. No other sector of the national economy has such a wide range of occupations and a number of the occupational groups are parts of national professions such as lawyers, planners, engineers and environmental health officers.

The local government workforce has to deliver services on a very tight budget, and the way council money is spent is closely accounted for and held up for public scrutiny.



Working in local government

The National Agreement and pay

The pay and terms of conditions of employment for over 1.4 million local government services' workers is determined by the National Joint Council (NJC) for Local Government Services. The NJC for Local Government Services has 70 members: 12 on the employers' side and 58 on the trade union side.

In 1997, the NJC for Local Government Services established a national agreement with potential for specific local agreed modifications to suit local service requirements. Known as The Single Status Agreement, these pay and conditions of service agreements are published in the 'Green Book'.

This agreement covers the pay and conditions for all council employees ranging from architects to cleaners and lawyers to school meals staff. These agreements are also used to determine the pay and conditions of non-council staff.

It is important to recognise that the Green Book is quite different from Agenda for Change. There are no national grades and pay bands in local government. There is a national pay spine (which councils must adhere to) with 46 individual spinal column points, which currently covers jobs with salaries between £12,145 and £41,616 per annum.

There is a jointly agreed and recommended national job evaluation scheme for councils to use but individual local councils are free to design their own local grading structures depending on prevailing local market conditions and organisation requirements however the basic pay of each employee must consist of either a point or points on the local government pay spine. The positioning of individual jobs within these grades is dependent on local job evaluation exercises. Typically, the incremental points on the national spinal column are divided locally into pay bands of between four and six points, though there are many variations. Grading systems for different groups or families of jobs will use these local pay bands.

For more senior jobs, most councils will add additional local spinal column points to the top of the national structure. Chief Officer's pay is dealt with differently, with councils setting their own pay structures.

Any adjustments to basic pay are negotiated nationally as are changes to the core terms and conditions from time to time. Councils conduct their own local negotiations over non-core terms and conditions, such as premium payments.

There are currently 46 authorities that do not apply the NJC national agreement and are 'opted out'. Opting out is a purely local decision because the national agreement in local government is an entirely voluntary association with no statutory basis. Opted-

out councils set their own terms and conditions and salary scales through local negotiations with trade unions. All local authorities recognise the relevant unions (Unison, Unite and GMB for the bulk of local government staff) for local negotiations. The opted-out councils left the national agreement over 20 years ago when it was very different. No councils have left the agreement recently.

Other organisations representing health staff such as the RCN, BMA and MIP are not recognised for negotiating purposes in local government but have been fully involved in discussions at a national level about the transfer of public health functions. The Local Government Transition Guidance, issued to councils in January 2012 recommend the involvement of all these organisations in local working groups overseeing the transition and a lot of work is taking place to ensure the transition is conducted fairly, openly and transparently.

As part of the transitional process leading up to the transfer in 2013, your new employer will explain to you about conditions of service relating to your new workplace etc. as part of your general induction.

Core terms and conditions for local government staff

There are a range of core terms and conditions for employees of local councils under the national agreement or 'Green Book'.

The key provisions consist of pay and grading, health and safety and working arrangements, which define the working week as 37 hours a week (36 hours in London). Minimum annual leave is also set nationally and is currently 20 days with a further five days following five years of continuous service as well as leave for public holidays. There is also a sickness scheme, intended to supplement statutory sick pay and incapacity benefit, and a maternity leave scheme. National conditions also apply to paternity and adoption leave. The core conditions also cover grievance and disciplinary procedures, continuous service and the basic elements of a car allowance scheme.

Local councils have the discretion to vary some terms and conditions at a local level with agreement with the local trade unions. These include conditions such as premium payments and overtime.

In many councils other locally determined benefits could include childcare vouchers, travel loans, flexible working and additional annual leave entitlements. For part time staff, leave is calculated on a pro rata basis depending on the amount of hours they work and in other circumstances there is provision for staff to take time off work such as for maternity leave, caring, bereavement, study for career development or wider interests and community involvement.

Learning and development

Local government is a diverse employer that encourages the development of its staff who in turn deliver quality services that make a positive difference to the local community.

Local government has long been known as an employer that offers learning and development opportunities to its staff and although the type of training may vary from council to council, all councils consider this important.

Some councils run specific training programmes for particular groups of people, for example:

- leadership development programmes
- graduate training schemes
- management trainee schemes
- trainee schemes for professions such as law or accountancy, etc.
- apprenticeships
- positive action schemes.

The current financial situation does mean that in practice, many councils have had to cut back on the level of specific training and development schemes they provide. However, local government remains committed to staff development - you don't need to be on one of these schemes to benefit, as the commitment to training includes everybody.

As a new member of staff within a council, you will receive an induction telling you about the council and the job you will be doing. Throughout your career in local government, you'll have regular appraisals with your line manager enabling you both to identify your current and future development needs.

Discussions are underway about how best to manage the continuing learning and development of medical specialist staff, including suitable placements. As part of this, the Local Government Association has endorsed the development of a Public Health Workforce Strategy and co-signed the consultation document on the strategy. Local government is committed to ensuring the strong continued development of a cohesive public health workforce.

Working hours

Due to the broad range of occupations in local government, there have always been many different patterns of work. In addition there may be opportunities for flexi working or compressed hours as councils strive to deliver services in the most efficient and cost-effective manner, while enabling their employees to achieve a better balance between their work and their other priorities.

Equal opportunities

All councils are of course committed to being equal opportunities employers. The sector takes these issues very seriously with a growing use of equality impact assessments for all policy initiatives. The national pay agreement requires all councils to carry out regular equal pay audits to ensure that their pay structures are fit for purpose.

Transferring to local government

Opportunities for closer working arrangements for staff joining councils are being developed throughout 2012. Many are in place already and you are perhaps already involved. All new employers will be expected to provide you with a full induction programme covering services, ways of working and employment issues.

Your interests during the year before the full transfer in 2013 should be discussed at local joint transition working parties set up by councils, trade unions and PCT clusters. These local partnerships should be established in the spirit of the national HR Concordat that was published in November 2011. The key principles in the Concordat – of fairness, transparency and engagement – were adopted in the Local Government Transition Guidance, which was published in January 2012 by the LGA after extensive consultation with the Trade Unions, NHS Employers and involving the Department of Health. Links to both these documents are given at the end of this guide so that you can get a clear idea of what you have a right to expect from your current and new employers as the transition period gathers pace.

The most widely understood basis for staff transfers is the application of the Transfer of Undertaking (protection of employment) regulations, commonly known as TUPE. However, the question of whether or not TUPE actually applies can only be answered by reference to local circumstances. To ensure consistency and fairness, it was, however, agreed from the outset that transfers should happen according to the principles of TUPE.

Transfer Schemes or Orders will be drafted to support the transfer process. These will explicitly set out the terms of transfer including that the current terms and conditions of employment and continuity of service of the transferring staff are to be protected. The local aspects of the transfer process and basis for the transfer will need to be discussed and agreed with trade unions, PCTs and local authorities.

Pensions

Following extensive discussions it has been agreed that current members of staff who have access to the NHS pension scheme will retain those pension rights when they join local government. Discussions are ongoing about the pension provision for new public health staff joining after 1 April 2013 and for transferring staff who are subsequently promoted or move posts. You will be informed of these decisions as soon as possible.'

Conclusion

Local government is in an exciting phase in its history. There is a substantial change agenda. Communities are evolving and there is now an even greater need to engage with and provide tailored services for an increasingly diverse population. This work encompasses a wide range of areas and issues, including: children and young people; the environment; health and social care; housing; leisure; and community safety. Every day is challenging, and extremely rewarding.

Councils are looking forward to welcoming you as skilled, experienced and resourceful employees who will embrace and effect change. You can expect to share information and liaise with many different groups – from consulting with local residents to working in partnership with other organisations. Councils have shown that they have a strong commitment to diversity and as a new employee you will be able to develop your career and be supported in an ever changing and exciting environment.

Useful documents

Here are some links to some other documents that you may find of interest:

'The local government transition guidance'
<http://tinyurl.com/6w6l8yq>

'People transition for people in the health and care system'
<http://www.hrtransition.co.uk>





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