

SURREY<sup>jk</sup>

People, Performance and Development Committee  
25 July 2017

## Human Resource Policy update - Industrial Action Policy

### Purpose of the report:

For the People, Performance and Development Committee to note amendments to the Industrial Action Policy which have been made in response to recent legislative changes, and to approve additional minor changes to be made in order to align the Industrial Action Policy with other employment policies of the Council.

### Recommendations:

It is recommended that the People, Performance and Development Committee notes the amendments that have been made to Surrey County Council's Industrial Action Policy as a result of changes to relevant legislation and approves further amendments to the policy in order to ensure its alignment with management practice as well as other Surrey County Council employment policies.

### Introduction:

The Trade Union Act 2016 introduces changes that affect the Industrial Action policy. The Industrial Action Policy is a summary of the legal framework governing such action as well as policy decisions made by Surrey County Council (SCC). It provides guidance for heads of service and managers on the types of industrial action and guidance on the steps to take to help mitigate the operational impact of such action. The policy document is attached as Annex 1 to this report.

### Industrial Action Policy:

#### Key Issues and Amendments

1. The Trade Union Act 2016 has introduced a number of changes to the framework which sets out various procedural requirements that apply to balloting employees on proposals relating to industrial action and to providing employers with details/timetables of action that has been authorised.

2. These changes include increasing the validity of a ballot mandate from four weeks to six months, extending the notice required for action from one week to two and imposing a requirement for ballot papers to indicate likely periods and types of industrial action. This means that Trade Unions can take action for up to six months after their members have voted for it, and that they will need to notify the Council at least two weeks before the action starts.
4. The changes also allow employers discretion so that they can agree with unions to only receive seven days' notice of action and/or extend the validity of a ballot mandate by up to an additional three months (i.e. nine months in total).
5. The Industrial Action Policy of the Council has been revised to incorporate the above changes. Furthermore, the revised policy references business continuity arrangements as set out in the Corporate Incident Management Plan and includes links to the direct.gov website which contains information on the relevant legislation and codes of practice.
6. As part of the policy review, minor changes are also being proposed to the arrangements relating to bank holidays and sickness absence falling within/around a period of strike in order to ensure consistency with the relevant policies of the Council.

#### **Financial and value for money implications**

7. The introduction of the proposed policy changes will have no direct financial repercussions.

#### **Equalities and Diversity Implications**

8. There are no specific equality implications from the adoption of the proposed new policy.

#### **Risk Management Implications**

9. The proposed policy revisions introduce no material changes to the way in which risks to the Council are managed although their adoption will ensure continued legal compliance and contribute to mitigating the risk of any procedural disputes arising during periods of industrial action.

<b>Next steps:</b>
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10. Publish the revised policy on s-net.
11. Further engage with managers, employees, HR advisors and Trade Union representatives to disseminate the revised policy.

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**Annexes:** Annex 1 – Surrey County Council Industrial Action Policy

**Sources/background papers:**

The development of the proposed policy changes has been informed by reference to legislation and LGA guidance, discussions among HR professionals, engagement with managers through the CIPN HR group and with Trade Union representatives through the SCCTU/HRLT meeting.

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