

Pecyn Dogfennau



Mark James LLM, DPA, DCA
Prif Weithredwr,
Chief Executive,
Neuadd y Sir, Caerfyrddin. SA31 1JP
County Hall, Carmarthen. SA31 1JP

DYDD MAWRTH, 24 HYDREF 2017

AT: YR AELOD O'R BWRDD GWEITHREDOL DROS - DIRPRWY ARWEINYDD

YR WYF DRWY HYN YN EICH GALW I FYNYCHU CYFARFOD O'R CYFARFOD PENDERFYNIADAU DIRPRWY ARWEINYDD Y CYNGOR A GYNHELIR YN YSTAFELL 61 NEUADD Y SIR CAERFYRDDIN AM 9.00 AM, AR DYDD LLUN, 30AIN HYDREF, 2017 ER MWYN CYFLAWNIR MATERION A AMLINELLIR AR YR AGENDA ATODEDIG.

Mark James DYB

PRIF WEITHREDWR



AILGYLCHWCH OS GWELWCH YN DDA

Swyddog Democraidd:	Kevin Thomas
Ffôn (Ilinell uniongyrchol):	01267 224027
E-bost:	kjthomas@sirgar.gov.uk
Cyf:	AD016-001



EICH CYNGOR arleinamdanî

www.sirgar.llyw.cymru

YOUR COUNCIL doitononline

www.carmarthenshire.gov.wales

A G E N D A

- 1. DATGANIADAU O FUDDIANNAU PERSONOL**
- 2. CYMERADWYO A LLOFNODI HYSBYSIAD PENDERFYNIAD Y CYFARFOD A GYNHALIWYD AR YR 5ED GORFFENNAF 2017** 3 - 6
- 3. NODYN ARWEINIOL YNGHYLCH AROS GALWAD** 7 - 18

CYFARFOD PENDERFYNIADAU DIRPRWY ARWEINYDD Y CYNGOR

DYDD MERCHER, 5 GORFFENNAF 2017

YN BRESENNOL: Y Cynghorydd: L.M. Stephens (Aelod o'r Bwrdd Gweithredol).

Roedd y swyddogion canlynol yn bresennol:

P.R. Thomas - Prif Weithredwr Cynorthwyol (Rheoli Pobl a Pherfformiad)

J. Stuart - Uwch-Bartner Busnes (Adnoddau Dynol)

C. Gadd - Swyddog Gwasanaethau Democrataidd

1. DATGANIADAU O FUDDIANNAU PERSONOL

Ni chafwyd dim datganiadau o fuddiant personol.

2. TREFN PERTHNASAU / CYSYLLTIADAU AGOS YN Y GWEITHLE AR GYFER YSGOLION

Rhoddodd yr Aelod o'r Bwrdd Gweithredol ystyriaeth i Ganllawiau Cysylltiadau Personol Agos/Perthnasoedd yn y Gwaith ar gyfer Ysgolion. Eglurwyd bod y canllawiau wedi cael eu diweddar i fodloni anghenion ysgolion. Byddai'n cynorthwyo Rheolwyr, Penaethiaid, Llywodraethwyr ac Ymgynghorwyr Adnoddau Dynol i ddelio'n sensitif, ond yn effeithiol, â sefyllfaedd lle mae cysylltiad neu berthynas bersonol agos yn bodoli, neu wedi datblygu, rhwng gweithwyr â'i gilydd.

Ymatebodd y Prif Weithredwr Cynorthwyol (Rheoli Pobl a Pherfformiad) a'r Uwch-bartner Busnes i gwestiynau gan yr Aelod o'r Bwrdd Gweithredol a nododd nifer o newidiadau awgrymedig pellach i'r canllawiau. Pwysleisiwyd bod canllawiau ychwanegol sydd wedi'u diweddar yn cael eu llunio a fyddai'n cefnogi'r gwaith o weithredu'r canllawiau hyn.

PENDERFYNWYD, yn amodol ar gynnwys y newidiadau a nodwyd, gymeradwyo canllawiau Cysylltiadau Personol Agos/Perthnasoedd yn y Gwaith ar gyfer Ysgolion.

3. POLISI A GWEITHDREFN ACHWYNIADAU ENGHREIFFTIOL AR GYFER YSGOLION

Rhoddodd yr Aelod o'r Bwrdd Gweithredol ystyriaeth i Bolisi a Gweithdrefn Achwyniadau Enghreifftiol ar gyfer Ysgolion. Eglurwyd bod y Polisi a'r Canllawiau wedi cael eu datblygu er mwyn sicrhau bod gweithwyr, rheolwyr a chymdeithion yn glir ynghylch eu rolau a'u cyfrifoldebau unigol o ran cyflwyno a datrys achwyniadau yn y gweithle. Cafodd ei ddatblygu yn unol â Chôd Ymarfer 1 y Gwasanaeth Cynghori, Cymodi a Chyflafareddu (ACAS) – Gweithdrefnau Disgyblu ac Achwyniadau a ddaeth i rym ym mis Mawrth 2015.

Ymatebodd y Prif Weithredwr Cynorthwyol (Rheoli Pobl a Pherfformiad) a'r Uwch-bartner Busnes i gwestiynau gan yr Aelod o'r Bwrdd Gweithredol a nodi nifer o newidiadau awgrymedig pellach i'r polisi. Mewn ymateb i ymholaed gan yr Aelod o'r

Bwrdd Gweithredol, pwysleisiodd Swyddogion fod hyfforddiant yn cael ei drefnu ar gyfer Penaethiaid Ysgol ynghylch y polisiau newydd a oedd yn cael eu cyflwyno.

PENDERFYNWYD, yn amodol ar gynnwys y newidiadau a nodwyd, gymeradwyo'r Polisi a'r Weithdrefn Achwyniadau Enghreifftiol ar gyfer Ysgolion.

4. Y POLISI DILEU SWYDDI / STAFF GORMODOL (ENGHREIFFTIOL) AR GYFER YSGOLION

Rhoddodd yr Aelod o'r Bwrdd Gweithredol ystyriaeth i Bolisi Dileu Swyddi / Staff Gormodol Enghreifftiol ar gyfer Ysgolion. Pwysleisiwyd bod y polisi blaenorol bellach yn hen ac nad oedd yn adlewyrchu arferion cyfredol yr ysgolion. Cafodd y polisi newydd ei ddatblygu er mwyn darparu dull cam wrth gam rhesymegol i Benaethiaid a Chyrrf Llywodraethu o ran rheoli sefyllfaoedd dileu swyddi yn eu hysgolion ac roedd yn cynnwys ystod o ddogfennau a thempled defnyddiol y gellir cyfeirio atyt drwy gydol y broses. Nodwyd bod y polisi wedi cael ei ddatblygu drwy ymgynghori â chydweithwyr o Undebau Llafur a Phenaethiaid Ysgolion o groestoriad o Ysgolion Sir Gaerfyrddin.

Ymatebodd y Prif Weithredwr Cynorthwyol (Rheoli Pobl a Pherfformiad) a'r Uwch-bartner Busnes i gwestiynau gan yr Aelod o'r Bwrdd Gweithredol a nododd nifer o newidiadau awgrymedig pellach i'r polisi.

PENDERFYNWYD, yn amodol ar gynnwys y newidiadau a nodwyd, gymeradwyo'r Polisi Dileu Swyddi/Staff Gormodol Enghreifftiol ar gyfer Ysgolion.

5. PROTOCOL ATAL GWEITHWYR AR GYFER YSGOLION

Rhoddodd yr Aelod o'r Bwrdd Gweithredol ystyriaeth i'r Protocol Atal ar gyfer Ysgolion. Pwysleisiwyd y byddai'r canllawiau yn cynorthwyo Penaethiaid i ddelio'n sensitif, ond yn effeithiol, â sefyllfaoedd lle'r oedd yn rhaid atal aelod o staff o'r ysgol dros dro, â thâl, wrth i archwiliadau gael eu cynnal.

Ymatebodd y Prif Weithredwr Cynorthwyol (Rheoli Pobl a Pherfformiad) a'r Uwch-bartner Busnes i gwestiynau gan yr Aelod o'r Bwrdd Gweithredol a nododd nifer o newidiadau awgrymedig pellach i'r protocol.

Pwysleisiodd yr Aelod o'r Bwrdd Gweithredol fod angen i ysgolion fabwysiadu a gweithredu nifer o bolisiau newydd ac awgrymodd y dylid dosbarthu rhestr wedi'i diweddu i ysgolion a chyrrf Llywodraethu. Nododd yr Uwch-bartner Busnes y byddai cylchlythyr ar gyfer ysgolion yn cael ei ddosbarthu i bob ysgol a fyddai'n cynnwys y wybodaeth hon. Awgrymwyd hefyd bod yna restr o ysgolion a oedd wedi mabwysiadu'r Polisiau.

PENDERFYNWYD, yn amodol ar gynnwys y newidiadau a nodwyd, gymeradwyo Protocol Atal y Cyngor ar gyfer Ysgolion.

Mae'r dudalen hon yn wag yn fwriadol

YR AELOD O'R BWRDD GWEITHREDOL – DIRPRWY ARWEINYDD

30 HYDREF 2017

Yr Aelod o'r Bwrdd Gweithredol: Y Cyng. Mair Stephens	Y Portffolio: Dirprwy Arweinydd
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Pwnc: Nodyn arweiniol ynghylch Aros Galwad.

Yr Argymhellion / Penderfyniadau Allweddol Sydd Eu Hangen:

I roi eglurder ar y trefniadau a ddefnyddir gan yr awdurdod ynghylch Aros Galwad

Y Rhesymau:

I gefnogi mabwysiadu'r nodyn arweiniol ar Aros Galwad.

Y Gyfarwyddiaeth: Prif Weithredwr / Rheoli Pobl a Pherformiad	Swydd: Prif Weithredwr Cynorthwyol (Rheoli Pobl)	Rhifau ffôn: Cyfeiriadau E-bost: 01267 246123 PRThomas@sirgar.gov.uk
Enw Pennaeth y Gwasanaeth: Paul R Thomas		
Awdur yr Adroddiad: Paul Thomas		

Declaration of Personal Interest (if any):

None

Dispensation Granted to Make Decision (if any):

N/A

DECISION MADE:

Signed:

DATE: _____

EXECUTIVE BOARD MEMBER

The following section will be completed by the Democratic Services Officer in attendance at the meeting

Recommendation of Officer adopted	YES / NO
Recommendation of the Officer was adopted subject to the amendment(s) and reason(s) specified :	
Reason(s) why the Officer's recommendation was not adopted :	

EXECUTIVE SUMMARY

EXECUTIVE BOARD MEMBER DECISION MEETING DEPUTY LEADER

30TH OCTOBER 2017

Background

The Authority has been in consultation with the Trade Unions over the last 12 months in relation to both the application and rate of Standby. This consultation has been informed by the work of the TIC team, and also by a comparative exercise undertaken on an all-Wales basis in relation to the actual sessional rate applied to Standby, which indicated that Carmarthenshire was actually the highest payer in relation to Standby. A final proposal has recently been presented to the Trade Unions and discussion took place at the Corporate Employee Relations Forum held on 19th October 2017. The Trade Unions responded by stating that they could not proceed to ballot their members without there being clear guidance from the Authority on what is expected of those employees who undertake Standby.

As a result of this request, the enclosed guidance note has been developed which will now be issued to our Trade Union colleagues. This guidance has been developed from the existing guidance that currently sits on the Authority's Intranet Site, and has been applicable since the implementation of Single Status in 2012.

DETAILED REPORT ATTACHED?	YES
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IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Paul Thomas

Assistant Chief Executive (People Management)

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
YES	YES	YES	NONE	NONE	YES	NONE

1. Policy, Crime & Disorder and Equalities

In accordance with the Authority's agreed terms and Conditions.

2. Legal

As above.

Finance

The reduction in the Standby rate to £40 per session will contribute to the target of £400k already agreed by the Authority.

Staffing Implications

In the event of a collective agreement, a revised rate of Standby will be effective from the 1st December 2017. Should this not be agreed, the Authority will implement the NJC rate of £27.90 per session.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: : Paul Thomas **Assistant Chief Executive (People Management)**

1. Scrutiny Committee

N/A

2. Local Member(s)

N/A

3. Community / Town Council

N/A

4. Relevant Partners

N/A

5. Staff Side Representatives and other Organisations

This proposal has been formally consulted upon for the last 12 months with the recognised trade Unions through the Corporate Employee Relations Forum

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THERE ARE NONE

Mae'r dudalen hon yn wag yn fwriadol

Carmarthenshire County Council

Standby Guidance Document

October 2017



1. Introduction

As a direct service provider to the Community, it is necessary from time to time for Council employees to respond to urgent and emergency situations. This document is designed to provide a clear guide to the arrangements, terms and conditions of employment and general procedures applicable to employees who participate in standby arrangements within the Council.

For some of the Council's services it is necessary to ensure that the capacity exists to deal with emergencies for example:-

- Situations which must be dealt with at short notice due to significant and immediate health and safety considerations,
- Responding to a civil emergency when the Council's Emergency Plan is activated.

There are other requirements where the Council needs to respond to situations and events outside of normal hours. The Council recognises that a structured standby and call out arrangement must be in place in order to respond as part of the Council's statutory duties, and for the Council to respond effectively in dealing with emergencies that arise within the County

2. Scope

These procedures apply to all County Council employees except those employed locally by schools.

These procedures cover those periods when an employee, either as part of their contract of employment, or because they have volunteered to be available, attend work outside of normal working hours. It also covers employees who within the key tasks of their job description are required to assist with the implementation of the Council's Emergency Plan.

There are 2 categories of standby arrangements:-

- **Regular Standby** – for providing cover outside of normal working hours to meet the Council's legislative requirements within specific Directorates.
- **Ad Hoc Standby** – to provide cover at specific times, for example supporting a Council event, additional cover during Bank Holidays etc.

The standby sessional rate is payable to those employees who:-

- a) out of normal working hours, will form part of a formal standby rota to act as the "Duty Officer" for a service to respond to calls received outside of normal working hours. There may be occasions when the Duty Officer will be required to leave his/her home to undertake duties commensurate with his/her substantive job role
- b) out of normal working hours, will form part of a formal standby rota to provide an emergency unplanned operational response by being "*called out*" to attend to unplanned and unforeseen incidents/occurrences.

As part of a rota employees receiving a standby sessional rate payment are responsible for providing advice and/or an operational response out of normal working hours. All employees receiving a standby sessional payment are required to remain available for contact and/or call out for the duration of the standby period.

3. Payment Arrangements for Standby and Callout

Claims for standby and call out should be made via Resource link My View self-service facility clearly indicating that the payment(s) relate specifically to standby and/or call out rather than normal overtime arrangements. Staff that do not currently have access should claim on either an overtime claim form or time sheet as appropriate and forward to the line manager for authorisation. Claims for payment cannot be processed without the necessary approval.

It should be clearly indicated on the form that the payment(s) relate specifically to standby and/or call out rather than normal overtime arrangements. Claims for payment cannot be processed without the necessary approval.

The same rate will apply to all employees required to be on formal standby. This will be £40 for the full out of hours period or £25 for a part period. A part period would be a session undertaken up to midnight or undertaken after midnight

Employees will not be able to claim for the first 30 minutes spent dealing with telephone calls at home, however the exception to this will be if multiple calls are received between midnight and 6.00 a.m. when actual time spent can be claimed for all calls received during this period.

Certain post holders within the Authority will be required to participate on a standby rota where the nature of the work requires the undertaking of their duties outside normal working hours. In such circumstances standby will be a contractual requirement of the post and confirmed within the statement of main terms and conditions

There may be service areas within the Authority where participation on a standby rota will be voluntary and on an ad hoc basis subject to the needs of the service. In such circumstances standby will be non-contractual.

If an employee is scheduled to work a standby session but does not attend due to sickness or any other reason, s/he will not be eligible for the sessional payment.

If '*called out*' an employee is expected to undertake duties which are commensurate with his/her substantive post. Employees should not be "*called out*" to undertake duties which could reasonably have been expected to have been planned as part of the normal working week. When '*called out*' the employee will be paid at their normal contractual rate of pay from the time of the call to the end of the call out duties.

Should the employee be called out and the hours worked exceed 37 hours per week then the overtime rate of pay would apply.

4. Employee Responsibilities

Whilst on standby, the Council's various employment policies would normally apply. You are reminded not to consume alcohol or take medication/drugs which could impact on your ability to respond to a callout or perform your work in the event of a call out.

A condition of accepting a standby payment is that you may leave your home but must still remain contactable and have transport available to return to work within the prescribed period.

If you become unwell or are unable to comply with your responsibilities during a period of standby for example due to an unexpected change in personal circumstances you must contact your manager as soon as possible so that alternative arrangements can be made. Any standby payment made would not apply from the time you become unavailable.

If you are on standby you do so on the basis that you will be expected to deal with incidents that may arise.

5. Manager Responsibilities

As a line manager you must ensure that standby rotas are covered by employees at the appropriate level and with the appropriate skills and knowledge to respond to the situation. You should ensure that:-

- The necessary senior management approval has been given,
- Standby rotas are drawn up as appropriate in advance of any period of standby,
- The necessary contact details are available,
- Standby claims and payments are authorised in accordance with this procedure.
- Other than in exceptional circumstances hours worked are in accordance with the Working Time Directive.

- Risk assessments for the duties being covered are up to date and available for inspection.

6. Standby Sessions

There are nine standby sessions per week; the times are defined as follows although these may differ subject to the normal working hours within the service area concerned:

1. Monday 5pm - Tuesday 9am
2. Tuesday 5pm - Wednesday 9am
3. Wednesday 5pm - Thursday 9am
4. Thursday 5pm - Friday 9am
5. Friday 5pm - Saturday 9am
6. Saturday 9am - Saturday 9pm
7. Saturday 9pm - Sunday 9am
8. Sunday 9am - Sunday 9pm
9. Sunday 9pm - Monday 9am

7. Ensuring Equality of Treatment

This guidance must be applied consistently to all employees irrespective of race (including national or ethnic origins, age, disability, sex, gender identity, sexual orientation, marriage and civil partnership, pregnancy and maternity, race, religion or belief).

If you have any concerns in relation to the application of this guidance, please contact a member of the HR Team.

If you require this publication in an alternative format please contact People Management on 01267 246184 or email PMBusinessSupportUnit@carmarthenshire.gov.uk.

Mae'r dudalen hon yn wag yn fwriadol