

READING BOROUGH COUNCIL  
REPORT BY DIRECTOR OF RESOURCES

TO:	PERSONNEL COMMITTEE		
DATE:	12 JULY 2018	AGENDA ITEM:	4
TITLE:	CHRISTMAS PERIOD CLOSURE OF NON - ESSENTIAL SERVICES		
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## 1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report presents the results of the staff consultation on the proposed move to compulsory annual 4 day closure over the Christmas and New Year period. This followed a pilot closure over the Christmas period in December 2017 which introduced the offer of up to two days of concessionary annual leave to match purchase of up to two days of annual leave. 421 staff took up the purchase of annual leave achieving a salary saving of £97,000.
- 1.2 Following this pilot it was proposed and agreed as part of the budget setting process in February 2018 that subject to a formal staff consultation that the Council would close over the Christmas period in future years.
- 1.3 The consultation ran for 30 days from 18/04/2018 until 17/05/2018 inclusive. 330 responses were received with 64% in favour of the proposal and 34% not in favour.
- 1.4 360 responses were made on potential impacts of the proposal and considerations for implementation.
- 1.5 Appendix 1 - Consultation Report  
Appendix 2 - Equality Impact Assessment  
Appendix 3 - Management Response
- 1.6 This report recommends that the Council proceeds with the closure of non-essential services over the Christmas and New Year period in future years with the requirement for staff deemed non -essential to take annual leave for the period.
- 1.7 This recommendation includes the continuation of the offer of up to two days of concessionary leave to match the purchase of annual leave which is available through existing Council policy.

## **2. RECOMMENDED ACTION**

- 2.1** That the recommendation that the Council proceed to close over the Christmas and New Year period in future years ensuring that essential services are provided be approved;
- 2.2** That the Council continue with the offer of up to two days leave to match the purchase of annual leave which is available through existing policy.

## **3. POLICY CONTEXT**

- 3.1** An annual saving of £200,000 was included in the budget proposals agreed at Policy Committee on 19 February 2018 which is estimated from further uptake of purchase of up to 2 days of annual leave (based on Council policy relating to purchase of annual leave) with the continuation of concessional leave to match of up to 2 days. This is an estimate based on positive uptake from the pilot scheme in December 2017.
- 3.2** The purchase of annual leave and the match of concessional leave provide a voluntary option for staff for the 4 days of annual leave required for introducing compulsory Christmas to New Year closure of council services for 4 working days each year (specific days to be determined each year, other than for those services deemed essential. All non - essential services during that period would close and operate as on a public holiday for those days).
- 3.3** Therefore all staff other than those who work to provide essential services would be required to take 4 days annual leave, with the option to purchase up to 2 days annual leave and receive up to 2 days concessional leave in return, to make up the 4 days or the amount required to cover this leave period.
- 3.4** Staff identified as essential would be able to take up the offer of additional purchase of leave and concessional leave at another time of the year but within the financial year, in agreement with their manager. For part-time staff the purchase of leave and concessional leave would be pro-rata.
- 3.5** Managers would be required to identify what is essential and plan accordingly using the following criteria:
  - 'Life and limb' emergency cover - e.g. Safeguarding
  - Income generating services - e.g. Reading Arts
  - Health protection e.g. waste collection
- 3.6** Policy Committee on 19 February gave officers delegated authority to deliver the saving subject to taking account of a formal staff consultation on the proposal.

## **4. THE PROPOSAL**

### **4.1 BACKGROUND:**

- 4.1.1** This proposal follows a pilot closure of non - essential services over the Christmas and New Year period in December 2017. This included the introduction of the offer of up to 2 days concessional leave where a member of staff bought up to do 2 days annual leave. The take up for the pilot closure in December 2017 was very positive with 420 staff (21%) purchasing leave and achieving £97,000 savings.

- 4.1.2 All directorates were asked to identify and plan for essential services which needed to continue for the period both to ensure continuous cover for customers and residents and to identify which staff would be required to work over the period. It was arranged with the existing out of hours telephone service providers to provide extended cover for the closure. All services were asked to update their out of hours procedure notes to ensure that the providers would be clear about Council staff contacts during the period.
- 4.1.3 The trial was communicated to staff and the public in the run up to the closure via the website, notifications in reception and other buildings and press release. A number of notifications were done to staff via email briefings to managers and the trade unions. An FAQ document was created to respond to queries.
- 4.1.4 Essential customer services were retained for both the call centre and reception in the civic offices. This went well including providing a service for parental contact for children and providing cash to an identified list of vulnerable customers (deputies service).
- 4.1.5 Overall the closure of non-essential services went well with minimal issues. However for children's and adults social care there was an under estimation of the numbers of staff required to cover and this will require careful planning should we proceed in future years.
- 4.1.6 The Out of Hours(OOH) service which is provided by two organisations went reasonably well with relatively low numbers of calls. There was some confusion about routing of calls where the 'Telephone Answering Service' (TAS) referred some homelessness calls to Bracknell EDS(Emergency Duty Service) when in fact there were officers available as part of essential services provision available to take the calls. This was rectified during the closure.

## 4.2 STAFF CONSULTATION FEEDBACK:

- 4.2.1 The formal staff consultation on the proposal ran for 30 days from 18/04/2018 until 17/05/2018 inclusive.
- 4.2.2 The consultation was communicated to staff and the trades unions via email providing a hyperlink to the on-line consultation <http://www.reading.gov.uk/christmasclosure>. Hardcopy leaflets were provided for staff who did not have access to computers. The information was on the noticeboards at Bennet Road and copies of the consultation documents and response questionnaire were given to managers to disseminate between teams. Building cleaners were provided with the hardcopy of the consultation leaflet at staff meetings. 15 hardcopy responses were received.
- 4.2.3 A report on the consultation is provided at Appendix 1
- 4.2.4 330 responses were received, including a submission from Unison.
- 4.2.5 3 questions were asked in the consultation:

**Question 1: Are you in favour of the proposal to introduce compulsory Christmas to New Year closure of council services each year? (There were 324 responses to this question)**

**Question 2: What do you think we should be aware of in terms of how this proposal might impact people? (There were 224 responses to this part of the question)**

**Question 3: If you would like to make any other comment, please write below**  
(There were 136 responses to this question)

- 4.2.6 The response to Question 1 showed that 212 (64.24%) were in favour and 112 (33.94)% were not in favour. 6 (1.82%) did not answer the question.
- 4.2.7 Responses to Questions 2 and 3 covered similar points so these were amalgamated in the analysis. However, responses were separated into those who were in favour and those who were not in favour of the proposal so that we could gain a better understanding of the reasons for a response and the potential impacts.
- 4.2.8 The responses are summarised as follows:

Those in favour supported the proposal because they saw it as saving money and safeguarding jobs and that it would have little financial impact on them. They saw it as having a positive impact on work/home life, helping staff who struggle to find childcare over Christmas and avoiding the tensions of whose turn is it to take time off during this period. They also cited examples of how the closure had worked well during the pilot or having had similar positive experience elsewhere. They pointed out that there was low demand at this period and other providers close over this period. Also, that essential services are already provided over the weekends in any event and therefore the closure at Christmas for additional days would not affect residents.

While in favour of the proposal they also raised a number of points regarding potential negative impacts and how implementation should be managed. These are picked up later in the report.

Those not in favour raised a number of concerns and are set out below. The points marked \* were also raised by those in favour of the proposal:

**Financial**

Insufficient information provided on cost to individual\*/on likely saving to Council/Saving is minimal/not justified  
Affordability for lower income staff\*

**Term and Conditions**

Represents a pay cut\*  
Changes entitlements under T&Cs of employment  
Should remain voluntary not enforced\*  
Request for flexibility on the offer\*  
Need plenty of notice for staff\*  
Effect on staff morale and wellbeing\*

**Equality implications**

**Religion:**

Unfair for those who don't celebrate Christmas who may want to take holiday at other times of year\*

**Women:**

Disproportionate impact on women, many of whom are lower paid and therefore less likely to be able to afford to purchase additional leave.  
Part time workers are discriminated against and adversely  
Women are likely to be hit with childcare costs if they are part of essential services

### ***Disabled/Elderly***

Impact on residents who require assistance/support/care over the holiday period  
Impact on loneliness and mental health for residents when services aren't open.

### **Impact on those with children**

Might need to use leave at other times of the year  
Parents who are working as part of an essential service might be adversely effected if they usually rely on council childcare facilities which would be closed at this time\*

### **Service implications**

Essential services eg Emergency Planning and Childrens safeguarding rely on a range of other 'non essential' services\*  
Staff in essential services needing childcare if council facilities are not available.  
Need plenty of notice for customers\*

### **Essential roles**

No clarification provided/More information required\*  
Availability of linked 'non-essential' services

### **Workload**

Christmas period is an opportunity to catch up on work\*  
Demand and tasks do not stop because workers are on forced annual leave\*  
Team will need to play catch up throughout the year

### **Previous Experience**

Confusion  
Lack of cover  
Reduction of service in key areas.  
Phonelines being down to the public  
Could not liaise with colleagues  
Lack of communication.

### **Additional points raised by those in favour were:**

Affordability for those on lower annual leave entitlement  
Reduces remaining leave entitlement considerably for staff who want to go on holiday outside of school holidays  
The proposal doesn't work well for Saturday workers or part-time staff  
Buildings are left unoccupied for a week meaning compliance testing/checks can't be done.  
If libraries close there are no other alternative free places for people without internet access/smart phones etc to access online services.

## **4.3 Options Proposed**

- 4.3.1 In line with the delegation given by Policy Committee, officers have considered the outcome of the consultation and noted that the majority of staff (64.24%) are in favour of the proposal for a compulsory 4 day closure over Christmas, compared to 33.94% of staff who are not in favour. Officers have also reviewed the comments put forward by staff in response to questions 2 and 3 and consider that all of these issues have been taken into account or will be addressed through further communication with staff and through careful planning to prepare for the Christmas closure.
- 4.3.2 It is therefore recommended to Personnel Committee that the Council proceed to a compulsory annual 4 day closure over the Christmas and New Year period in future years in the light of the overwhelming staff response in favour.

- 4.3.3 The Buying Annual Leave policy has been reviewed and updated to take on board comments from the Joint Trade Unions, this has been supported at JTUC and was approved at Personnel Committee on 15 March 2018.
- 4.3.4 It is proposed that we close for 4 working days each year (specific days to be determined each year) meaning all non - essential services during that period would close and operate as we would on a public holiday on those days. For the coming year, all managers and staff were advised in January 2018 that this proposal was being considered so that annual leave for the period could be planned for well in advance.
- 4.3.5 Directorates will identify essential services and those which generate income which will continue to operate.
- 4.3.6 That management have provided a response to the issues raised in the responses to the consultation (Appendix 3).

#### 4.4 Other Options Considered

No other options have been considered bearing in mind the majority voted in favour of the proposal.

### 5. CONTRIBUTION TO STRATEGIC AIMS

- 5.1 The proposal to move to compulsory annual 4 day closure over the Christmas and New Year period contributes to the Council priority to remain financially sustainable.

### 6. COMMUNITY ENGAGEMENT AND INFORMATION

- 6.1 Formal consultation with staff has been undertaken as described above.

### 7. EQUALITY IMPACT ASSESSMENT

- 7.1 Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to—
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 7.2 An Equality Impact Assessment (EIA) is relevant to the decision, and is attached at Appendix 2.
- 7.3 Potential negative equality impacts were raised through the consultation as described in 4.2.8 However analysis of the responses by different equality characteristics does not show a significant differential between groups in relation to those in favour and not in favour. Neither are concerns about the equality impact reflected in the comments by those respondents from the groups over whom concern is raised.

### 8. LEGAL IMPLICATIONS

- 8.1 The Personnel Committee has been set up under Sections 101 and 102 of the Local Government Act 1972, to be responsible for functions exercised under Section 112 of the Local Government Act 1972 concerning the appointment and dismissal of staff, and the terms and conditions on which they hold office.

## 9. FINANCIAL IMPLICATIONS

- 9.1 The pilot closure over Christmas and New Year holiday period December 2017 achieved a saving of £97,000 with a 21% take up of purchase of annual leave. The Council's budget set in February 2018 included a saving of £200,000 from further uptake of purchase of annual leave with the continuation of concessional leave to match of up to 2 days.
- 9.2 Because of the energy efficiencies we have introduced across the Council's estate and particularly moving into the new civic offices, the running of building savings are small, for example for the civic centre, the utility saving is estimated to be £500 and £1000 for a four day closure period.
- 9.3 The Out of Hours (OOH) service which is provided by two organisations went reasonably well over the extended closure period with relatively low numbers of calls. There was some confusion about routing of calls where the 'Telephone Answering Service' (TAS) referred some homelessness calls to Bracknell EDS(Emergency Duty Service) when in fact there were officers available as part of essential services provision available to take the calls. This was rectified during the closure.
- 9.4 The additional cost for the OOH TAS was £420 per day  
Any additional cost for the OOH EDS to be confirmed as the call centre provided cover for social care calls.

## 10. BACKGROUND PAPERS

- 10.1 Budget 2018/19 and Medium Term Financial Strategy report to Policy Committee on 19 February 2018 <http://www.reading.gov.uk/article/10609/Policy-Committee-19-Feb-2018> and Council on 28 February 2018  
<http://www.reading.gov.uk/media/8369/item7-Budget-Report/pdf/item7-Budget-Report.pdf>

## Christmas Closure Consultation Report

**INTRODUCTION**

Following the pilot Christmas closure in December 2017, a recommendation to consult on closing over the Christmas period in future years was agreed at the Terms and Conditions Sub-Group.

The consultation included compulsory closure for 4 days between Christmas and New Year other than essential services with annual leave to be taken. The offer of purchase of up to 2 days of annual leave with up to 2 days of gifted leave was also included. The consultation on the proposal ran for 30 days from 18/04/2018 until 17/05/2018 inclusive.

The consultation documentation included:

The full consultation document

Appendix 1: Evaluation of the pilot

Appendix 2: Information on public building closures 2017

Appendix 3: Equality Impact Assessment

Appendix 4: FAQs

The consultation was communicated to staff and the trades unions via email providing a hyperlink to the on-line consultation <http://www.reading.gov.uk/christmasclosure>. Hardcopy leaflets were provided for staff who did not have access to computers. The information was on the noticeboards at Bennet Road and copies of the consultation documents and response questionnaire were given to managers to disseminate between teams. Building cleaners were provided with the hardcopy of the consultation leaflet at staff meetings. 15 hardcopy responses were received.

Staff were invited to comment in one of the following ways:

- Provide comments online
- Via their trade union,
- Alternative arrangement on request to line manager

330 responses were received:

3 questions were asked in the consultation

**Question 1: Are you in favour of the proposal to introduce compulsory Christmas to New Year closure of council services each year?**

There were 324 responses to this question

**Question 2: What do you think we should be aware of in terms of how this proposal might impact people?**

There were 224 responses to this part of the question.

**Question 3: If you would like to make any other comment, please write below**

There were 136 responses to this question

Responses were anonymous but respondents were invited to provide their details in relation to equality characteristics to assist the analysis of equality impact.

Christmas Closure Consultation Report

**RESPONSES**

**Question 1: Are you in favour of the proposal to introduce compulsory Christmas to New Year closure of council services each year?**

212 (64.24%) in favour  
112 (33.94%) not in favour  
6 (1.82%) did not answer

**Question 2: What do you think we should be aware of in terms of how this proposal might impact people?**

**Question 3: If you would like to make any other comment, please write below**

Responses to Q2 and Q3 covered similar points so these have been amalgamated in the analysis. However responses have been separated into those who were in favour and those who were not in favour of the proposal so that we can gain a better understanding of the reasons for a response.

## Christmas Closure Consultation Report

**SUMMARY OF COMMENTS MADE BY THOSE WHO WERE IN FAVOUR****Financial**

Saves money/safeguard jobs

Little financial impact

Clearer information on cost to individual/effect on pension entitlement

Clear information as to how the two days paid leave endorsed by the staff member will be covered, and to ensure especially for low earners it does not cause increased financial distress. It would be useful to have a list (like the salary structure) of the costs to buy the 2 days as depending on how it is taken this could impact on personal budgeted outgoings and will enable staff to pre plan.

Affordability for lower income staff, part-time and those on 24 leaves a year

Loss of earnings

Reduces remaining leave entitlement considerably for staff who want to go on holiday outside of school holidays (as its much cheaper).

**Term and Conditions**

Should remain voluntary not enforced

Reminder to staff towards the end of the year to remind them to save leave if they wish to take up the offer.

**Flexibility**

Allow the purchase of 1 day at buy one get one free. It's not fair on part timers or people who only want to purchase some additional leave. Allowing this would mean I could buy one day and use 3 days normal annual leave.

Concessionary day for all staff as part of the 'Reading Offer' because for many on lower incomes or with childcare costs, purchasing additional days would not be a suitable/ viable option. You would need to be careful that it is not set up in a progressive way to benefit only those above a certain pay salary. It may also be worth asking in a survey if staff would be keen to take up the option to purchase extra days (and at what cost) in order to ascertain where there is demand and whether it is cost effective (as I'd imagine it would be an extra cost to administer) before implementation.

An alternative, as last time, for those that want to work to base themselves in civic, especially if they normally work in other offices. That would mean only one building being used during the break.

Be able to work at home

Colleagues who live alone can struggle a bit over Christmas and an imposed 4 days and longer taking into account the weekends, could be quite isolating.

**Equality implications**

## Christmas Closure Consultation Report

**Religion:**

Alternative arrangement for I think that staff from different religions

I've worked in places before where particular groups, such as Muslims and Hindus, who do not celebrate Christian festivals, like Christmas, would prefer to work over that period, which I think creates difficulties when inflicting compulsory leave and maybe some extra consultation around that is also necessary.

**Impact on those with children**

Workplace Nursery was closed last year, which meant no choice but to purchase extra leave to cover the time off.

Will help many people who often struggle to find childcare over Christmas

**Service implications**

Majority of Housing providers, close over this period.

Essential services are provided over the weekends; therefore the close at Christmas would not affect residents.

Low demand at this period

Emergency events over this time that the public might need support for children's social care, safeguarding, homelessness etc.

Clarify Out of Hours EDT coverage

The proposal works for Mon-Fri, 9-5 staff or staff who work the same hours every day of the week. I've civic staff. It doesn't work well for Saturday workers or part-time staff.

Buildings are left unoccupied for a week meaning compliance testing/checks can't be done.

If libraries close there are no other alternative free places for people without internet access/smart phones etc. to access online services.

Needs to be well publicised so public are aware and can plan for this ahead of time.

Manage customers' expectations so closure does have an impact upon work load/turnaround time.

**Essential roles**

Identify essential services in a consistent way. Further guidance

Social Services will need staff to cover emergency enquiries over this period.

## Christmas Closure Consultation Report

1. We have a Service Level Agreement with Bereavement Services which requires us to provide 2 members of the grounds maintenance/grave digging team to cover the Henley Rd Cemetery site. This is a busy period for the cemetery and there is a requirement for staff to be available to react to concerns of relatives who have come to visit graves of family members/friends.
2. My team includes the Council's Arborist Unit which deals with tree emergencies including during severe weather events. Last year we decided to retain some of the team on standby, which was called out during the period even though weather conditions were not bad.
3. We employ a small team to undertake regular safety inspections of children's playgrounds, including removal of dangerous litter i.e. sharps, broken glass. These sites are often quite well used during the Christmas holidays. Staff who preferred to work last year were used to carry out these inspections and remove litter from parks. It would be helpful to have a very small core of staff available to do some inspections during the period.
4. We normally have an out of hours duty supervisor on call all year round. We will need to retain this service over the period to field calls and co-ordinate emergency response. There should be a pool of people (managers and social workers) who always offer to work over Christmas - like an EDT.

**Workload**

Christmas period is an opportunity to catch up on work  
 The work still has to be done at some point  
 Positive impact on work/home life.

**Team working**

Avoids whose turn is it to take time off over Xmas  
 People may want to have longer than the 4 days off and this not be possible due to the number of people in their office also wanting it off  
 May have an adverse effect on morale for those people who are deemed to work for those services which have to be supplied over that period.

**Past experience**

It appears to have been well received by the residents where I (and I am sure my colleagues) were expecting there to be excessive to the point of a chaotic volume of calls on the first day back (I work in the contact centre) that didn't happen.

In general, the trial worked well in Transport and Streetcare. Essential services were covered throughout the closure period with no reported issues. Staff welcomed the option to buy extra leave if they needed to and were grateful for the opportunity to spend extra time with their families.

Working in the housing benefits department we have to ensure that people get their HB payments in time to pay rent and we managed this perfectly last year by paying in advance up to the first week in January, which we will obviously repeat in future years.

Christmas Closure Consultation Report

We implemented similar at Cheshire West & Chester where I previously worked and after the first couple of years, when people did complain about having to use leave at a time when they didn't necessarily want to, people became used to saving leave for this. We did not offer the option to buy extra leave to cover it.

I've worked in places before where they closed a week over Christmas. Annual leave over that period was given as an additional concession and seen as a good benefit for working there.

## Christmas Closure Consultation Report

**SUMMARY OF COMMENTS MADE BY THOSE WHO WERE NOT IN FAVOUR****Financial**

Insufficient information on cost to individual/ on likely saving to Council/Saving is minimal/not justified  
Affordability for lower income staff

**Term and Conditions**

Should remain voluntary not enforced  
Request for flexibility on the offer  
Represents a pay cut  
Changes entitlements under T&Cs of employment  
Need plenty of notice for staff  
Effect on staff morale and wellbeing

**Equality implications*****Religion:***

Unfair for those who don't celebrate Christmas who may want to take holiday at other times of year

***Women:***

Disproportionate impact on women, many of whom are lower paid and therefore less likely to be able to afford to purchase additional leave.  
Part time workers are discriminated against and adversely  
Women are likely to be hit childcare costs if they are part of essential services

***Disabled/Elderly***

Impact on residents who require assistance/support/care over the holiday period  
Impact on loneliness and mental health for residents services where aren't open.

**Impact on those with children**

Might need to use leave during the year to achieve a work life balance  
Parents who are working as part of an essential service might be adversely effected if they usually rely on council childcare facilities which would be closed at this time.  
Takes a week out of their annual leave giving very little time to take during the year and will impact with people with children.  
Impact on the holidays that are taken to cover the school holidays / child care especially in the summer

**Service implications**

Essential services such as rely on a range of other 'non-essential' services e.g. Emergency Planning Officers need support on 'non-essential' staff volunteers/Safeguarding children's planning effect of not having people to attend court, not having staff available to go and collect children and/or take children to care etc. was extremely disruptive.  
Staff in essential services needing childcare if council facilities are not available.  
Need plenty of notice for customers

**Essential roles**

No clarification/More information required  
Availability of linked 'non-essential' services

## Christmas Closure Consultation Report

**Workload**

Christmas period is an opportunity to catch up on work

Demand and tasks do not stop because workers are on forced annual leave

Team will need to play catch up throughout the year

**Previous Experience**

Confusion

lack of cover

reduction of service in key areas.

Phone lines being down to the public

Could not liaise with colleagues

lack of communication

**BREAKDOWN BY EQUALITY CHARACTERISTIC**

<b>Ethnicity</b>	Total Baseline 330	In favour	Not In favour
White British	217 (66%)	154 (71%)	60 (28%)
Not White British	46 (14%)	34 (74%)	12 (26%)

<b>Religion</b>	Total Baseline 330	In favour	Not In favour
Christian	99 (30%)	75 (76%)	23 (23%)
No Religion	125 (38%)	89 (71%)	36 (29%)
Minority religions	8 (2%)	5 (63%)	3 (38%)

<b>Disability</b>	Total Baseline 330	In favour	Not In favour
Yes	21 (6%)	13 (62%)	7 (33%)
No	243 (74%)	171 (70%)	69 (28%)

<b>Sex</b>	Total Baseline 330	In favour	Not In favour
Female	208 (63%)	138 (66%)	66 (32%)
Male	76 (23%)	54 (71%)	22 (29%)

The proportions of those in favour or not in favour of the proposal show little differential across equality groups. The gap between those in favour and those not in favour of the proposal is closer for those who belong to minority religions. However analysis of the comments does not show any concerns in relation to religious discrimination.

Provide basic details

**Name of proposal/activity/policy to be assessed**

Compulsory annual 4 day closure over the Christmas and New Year holiday period

Directorate: Resources

Service: Applies to all services

**Name and job title of person doing the assessment**

Name: Zoe Hanim

Job Title: Head of Customer Care and Transformation

Date of assessment: 6 April 2018/updated 6 June 2018 and 29 June 2018

Scope your proposal

**What is the aim of your policy or new service/what changes are you proposing?**

Following the recent pilot closure of non - essential services over the Christmas and New Year period (December 2017) it is proposed that we move to compulsory closure in future years for all non-essential services subject to a formal staff consultation period. This proposal would require all staff deemed non-essential to take annual leave with the choice of taking up the offer of purchase of up to 2 days of annual leave and receiving up to 2 days concessional leave in return.

**Who will benefit from this proposal and how?**

This is generally a period of low demand and will provide staff the opportunity for a break for family or other reasons during a time when many staff already take leave. This is also an opportunity to make ongoing savings on the salary budget through voluntary additional purchase of leave for which there is already a well - established process.

**What outcomes does the change aim to achieve and for whom?**

The proposal aims to contribute to the overall savings the Council is required to make over the medium term to return to a financially sustainable position. This enables staff to participate in this via the purchase of annual leave which will in turn create savings to the Council's salary budget.

**Who are the main stakeholders and what do they want?**

This proposal will impact on members of the public, though based on the evaluation of footfall during the pilot, the general low demand and the availability of essential services, the impact overall is expected to be limited and will not impact on any groups within those with protected characteristics. Cover for essential services will be in place as it would be for weekend and all designated public holidays.

The proposal will impact on employees who are undertaking "non-essential" activities and who therefore will be required to take annual leave. Some may find this beneficial as they will have time off at a popular period. Others may have wanted to take leave at other times of the year and will feel that they have less flexibility as a result. The offer of purchase of annual leave and the concessional leave mitigates this to a degree. Staff have been given significant notice of the requirement to take leave at this period.

Staff who have to work will be able to take up the purchase of leave and concessional leave at another time in agreement with their manager.

A pilot of the closure was undertaken in December 2017. 420 (approximately 21%) staff took up the offer to purchase of annual leave.

**Assess whether an EqIA is Relevant**

How does your proposal relate to eliminating discrimination; promoting equality of opportunity; promoting good community relations?

Do you have evidence or reason to believe that some (racial, disability, gender, sexuality, age and religious belief) groups may be affected differently than others? (Think about your monitoring information, research, national data/reports etc.)

*Staff (not sure):*

*Since Christmas Day is a Christian festival there may be an impact on those who are of other faiths who would prefer to work over this closure period and take leave at other times which are significant to their faith.*

*Public (no):*

*Essential services will be in place as they would on any public holiday where there may be an impact on members of the public within the protected groups:*

*Vulnerable customers requiring care: Disabled, elderly*

Is there already public concern about potentially discriminatory practices/impact or could there be? Think about your complaints, consultation, and feedback.

No *(delete as appropriate)*

If the answer is Yes to any of the above you need to do an Equality Impact Assessment.

If No you **MUST** complete this statement

An Equality Impact Assessment is not relevant because:

Signed (completing officer)

Date

Signed (Lead Officer)

Date

Assess the Impact of the Proposal

Your assessment must include:

- Consultation
- Collection and Assessment of Data
- Judgement about whether the impact is negative or positive

Think about who does and doesn't use the service? Is the take up representative of the community? What do different minority groups think? (You might think your policy, project or service is accessible and addressing the needs of these groups, but asking them might give you a totally different view). Does it really meet their varied needs? Are some groups less likely to get a good service?

How do your proposals relate to other services - will your proposals have knock on effects on other services elsewhere? Are there proposals being made for other services that relate to yours and could lead to a cumulative impact?

**Example:** A local authority takes separate decisions to limit the eligibility criteria for community care services; increase charges for respite services; scale back its accessible housing programme; and cut concessionary travel.

Each separate decision may have a significant effect on the lives of disabled residents, and the cumulative impact of these decisions may be considerable.

This combined impact would not be apparent if decisions are considered in isolation.

**Consultation**

How have you consulted with or do you plan to consult with relevant groups and experts. If you haven't already completed a Consultation form do it now. The checklist helps you make sure you follow good consultation practice.

[My Home > Info Pods > Community Involvement Pod - Inside Reading Borough Council](#)

Relevant groups/experts	How were/will the views of these groups be obtained	Date when contacted
Staff	30 day formal consultation Online Consultation report provided (Appendix 1)	18/04/2018 until 17/05/2018 inclusive.

**Collect and Assess your Data**

Using information from Census, residents survey data, service monitoring data, satisfaction or complaints, feedback, consultation, research, your knowledge and the knowledge of people in your team, staff groups etc. describe how the proposal could impact on each group. Include both positive and negative impacts.

(Please delete relevant ticks)

**BREAKDOWN OF CONSULTATION RESPONSES BY EQUALITY CHARACTERISTIC**

<b>Ethnicity</b>	Total Baseline 330	In favour	Not In favour
White British	217 (66%)	154 (71%)	60 (28%)
Not White British	46 (14%)	34 (74%)	12 (26%)

<b>Religion</b>	Total Baseline 330	In favour	Not In favour
Christian	99 (30%)	75 (76%)	23 (23%)
No Religion	125 (38%)	89 (71%)	36 (29%)
Minority religions	8 (2%)	5 (63%)	3 (38%)

<b>Disability</b>	Total Baseline 330	In favour	Not In favour
Yes	21 (6%)	13 (62%)	7 (33%)
No	243 (74%)	171 (70%)	69 (28%)

<b>Sex</b>	Total Baseline 328	In favour	Not In favour
Female	208 (63%)	138 (66%)	66 (32%)
Male	76 (23%)	54 (71%)	22 (29%)

**Describe how this proposal could impact on Racial groups**

The proportions of those in favour or not in favour of the proposal show little differential across those who were in the majority group of White British and those from minority ethnic groups. Analysis of the comments does not show any concerns in relation to race discrimination.

Is there a negative impact?

No

**Describe how this proposal could impact on Gender/transgender (cover pregnancy and maternity, marriage)**

Comments submitted in response to the consultation highlighted the potential disproportionate impact on women, many of whom are lower paid and therefore less likely to be able to afford to purchase additional leave. Women as part time workers could be adversely affected. Women could be hit by childcare costs if they are part of essential services.

However the proportions of those in favour or not in favour of the proposal show little differential across females and males

Is there a negative impact?

Unsure

**Describe how this proposal could impact on Disability**

Comments submitted in response to the consultation highlighted the potential negative impact on residents who require assistance/support/care over the holiday period and an impact on loneliness and mental health for residents where services aren't open.

Is there a negative impact?

Unsure

**Describe how this proposal could impact on Sexual orientation (cover civil partnership)**

Responses to the consultation did not raise any negative impacts for this group

Is there a negative impact?

No

**Describe how this proposal could impact on Age**

Responses to the consultation did not raise any negative impacts for this group

Is there a negative impact?

No

**Describe how this proposal could impact on Religious belief?**

Since Christmas Day is a Christian festival there may be an impact on those who are of other faiths who would prefer to work over this closure period and take leave at other times which are significant to their faith. Some respondents to the consultation felt that it was unfair for those who don't celebrate Christmas who may want to take holiday at other times of year.

The gap between those in favour and those not in favour of the proposal is closer for those who belong to minority religions. However analysis of the comments does not show any concerns in relation to religions discrimination.

**Is there a negative impact?**

Unsure

Make a Decision

If the impact is negative then you must consider whether you can legally justify it. If not you must set out how you will reduce or eliminate the impact. If you are not sure what the impact will be you MUST assume that there could be a negative impact. You may have to do further consultation or test out your proposal and monitor the impact before full implementation.

Tick which applies (Please delete relevant ticks)

1. **No negative impact identified**      Go to sign off

2. **Negative impact identified but there is a justifiable reason**

You must give due regard or weight but this does not necessarily mean that the equality duty overrides other clearly conflicting statutory duties that you must comply with.

**Reason**

3. **Negative impact identified or uncertain**

**What action will you take to eliminate or reduce the impact? Set out your actions and timescale?**

We will address the concerns raised in our Management Response and in implementation plans

**How will you monitor for adverse impact in the future?**

Signed (completing officer) Clare Muir

Date 060618

Signed (Lead Officer)

Zoe G Hanim

Date 290618

Proposed move to compulsory annual 4 day closure over the Christmas and New Year holiday period, to enable ongoing savings on the salary budget

Staff and Trade Union Summary Feedback to Consultation, with Management Responses

Issue Raised	Management Response
<p><b>1. Financial</b>            Insufficient information provided on cost to individual*/on likely saving to Council/Saving is minimal/not justified            Affordability for those on lower annual leave entitlement</p>	<p>The take up for the pilot closure in December 2017 was very positive with 420 staff (21%) purchasing leave and providing £97k of savings.</p> <p>The offer of purchase of annual leave with matched concessional leave is optional to staff who can opt to use existing leave to cover the requirement to take leave over the holiday period.</p> <p>Each member of staff will be able to make their own decision about purchasing leave and all staff were given notice of this proposal in January so that they could allow for taking existing annual leave over the period in the event we proceed in December 2018.</p>
<p><b>2. Term and Conditions</b>            Represents a pay cut            Changes entitlements under T&amp;Cs of employment            Should remain voluntary not enforced            Request for flexibility on the offer            Reduces remaining leave entitlement considerably for staff who want to go on holiday outside of school holidays            The proposal doesn't work well for Saturday workers or part-time staff            Need plenty of notice for staff            Effect on staff morale and wellbeing</p>	<p>The option to buy 2 days' annual leave (and be gifted 2 concessional days) is purely optional and is objectively justifiable, given the savings that it would generate to the Council. Any perceived 'pay cut' is therefore voluntary.</p> <p>Whilst there has previously been total flexibility in when staff can take their leave, this is not an explicit contractual entitlement. All staff have already been informed (January 2018) that this proposal was under consideration and were instructed to hold back 4 days' annual leave from the current year's entitlement for this purpose.</p> <p>Regulation 15(5) of the Working Time Regulations 1998 (SI 1998/1833) provides that the procedures that must be complied with regarding requests for, or refusal of, annual leave may be set</p>

	<p>out in a relevant agreement. A relevant agreement is a collective or workforce agreement, or any other written individual agreement that is legally enforceable between the worker and the employer, for example a contract of employment.</p> <p><b>In the absence of a relevant agreement as is the case at Reading Borough Council</b>, reg.15(2) states that a worker's employer may require him or her to take annual leave on particular days by giving the appropriate notice. Such notice should specify the day or days on which leave is required to be taken and must be given twice as many days in advance of the earliest day specified in the notice as the number of days to which the notice relates, ie the length of notice must be at least twice the period of leave it requires the worker to take (reg.15(3) and (4)). For example, if the employer requires the worker to take one week's annual leave at a particular time, it must give the worker at least two weeks' advance notice.</p> <p>Part time staff will benefit from the arrangement on a pro-rata basis.</p> <p>It is recognised that this will lead to less flexibility for staff who may wish to take their annual leave at another time but it is considered that the financial benefits to the Council are a significant factor and avoid the need for more direct cuts in other areas.</p> <p>As almost two thirds of staff responding to the consultation voted in favour of the proposal, it is clear that staff are supportive of the proposal which will lead to an extended Christmas break and improved wellbeing and morale as a result.</p>
<p><b>3. Equality implications</b>  <b>Religion:</b>  Unfair for those who don't celebrate Christmas who may want to take holiday at other times of year</p> <p><b>Women:</b>  Disproportionate impact on women,</p>	<p>Analysis of the responses in the consultation by different equality characteristics does not show a significant differential between groups in relation to those in favour and not in favour. Neither are concerns about the equality impact reflected in the comments by those respondents from</p>

<p>many of whom are lower paid and therefore less likely to be able to afford to purchase additional leave. Part time workers are discriminated against and adversely Women are likely to be hit with childcare costs if they are part of essential services</p> <p><b>Disabled/Elderly</b> Impact on residents who require assistance/support/care over the holiday period Impact on loneliness and mental health for residents when services aren't open.</p>	<p>the groups over whom concern is raised.</p> <p>Services will be in place for those residents who require care over the period in the same way that they are over public holidays.</p> <p>Will discuss further with adult social care services about options to mitigate the impact of closure.</p>
<p><b>4. Impact on those with children</b> Might need to use leave at other times of the year Parents who are working as part of an essential service might be adversely effected if they usually rely on council childcare facilities which would be closed at this time</p>	<p>Staff will need to plan for the period of closure and notice of the potential closure was given in January to provide time to prepare for this change and make arrangements.</p> <p>Will include discussions with managers and staff are required for essential services in the preparation to consider options for parents who normally rely on the nursery.</p>
<p><b>5. Service implications</b> Essential services eg Emergency Planning and Childrens safeguarding rely on a range of other 'non essential' services Staff in essential services needing childcare if council facilities are not available. Need plenty of notice for customers Buildings are left unoccupied for a week meaning compliance testing/checks can't be done. If libraries close there are no other alternative free places for people without internet access/smart phones etc to access online services</p>	<p>Taking into account the comments made and the experience of the pilot, should we proceed with the proposal planning will begin as soon as possible with a steering group set up to manage the change and ensure effective arrangements are put in place.</p>
<p><b>6. Essential roles</b> No clarification provided/More information required Availability of linked 'non-essential' services</p>	<p>Work will be done as part of the planning to ensure essential services are in place for the period and to look at how links to non-essential services are managed.</p>
<p><b>7. Workload</b> Christmas period is an opportunity to catch up on work</p>	<p>Staff will need to plan for their workload as they would for any other period of annual leave.</p>

<p>Demand and tasks do not stop because workers are on forced annual leave Team will need to play catch up throughout the year</p>	
<p><b>8. Previous Experience</b> Confusion Lack of cover Reduction of service in key areas. Phonelines being down to the public Could not liaise with colleagues Lack of communication</p>	<p>The purpose of the pilot was to assess the impact of the closure and to ensure lessons are learned and taken account of in future years. This includes ensuring adequate communication is done for staff and customers and ensuring appropriate cover is in place.</p>