



Doncaster Council

Report

Date: 2 March 2018

To the
CABINET MEMBER FOR PUBLIC HEALTH, LEISURE AND CULTURE

Extension of employment contract from 1 April 2018 to 31 March 2020 of Well North Doncaster Project Team staff

Relevant Cabinet Member(s)	Wards Affected	Key Decision
Councillor Nigel Ball		Yes

EXECUTIVE SUMMARY

1. Well Doncaster is part of Well North Programme aimed at addressing health inequalities. The vision of Well North in Doncaster is to support people in the local communities to improve their health and wellbeing. The work is initially focused in Denaby Main, and it is part of a growing Well North community: <http://www.wellnorth.co.uk/>.
2. The Well North Denaby team has been funded from Better Care Fund (BCF) since its introduction in 2015. Well Doncaster Project is still continuing. Staff were offered fixed –term contract and this is due to expire by 31 March 2018. This proposal seeks to extend the employment contract by 2 years from 1 April 2018 to 31 March 2020. The Better Care Fund allocation of £500k over financial years 2015/16, 2016/17 & 2017/18 has now been committed. To fund this proposal and to continue with the programme from the 1st April 2018 for a further 2 years, £600k contribution from Public Health England & Manchester University will be used.

EXEMPT REPORT

3. Whilst the report is not exempt, a confidential Appendix will be considered in making the decision as exempt under Paragraph 6 and Paragraph 2 of Schedule 12a. The appendix details the job titles and salary grades information that are considered to be exempt under Para 2 of Schedule 12a: “information which is likely to reveal the identity of an individual.”

RECOMMENDATIONS

4. To extend the employment contracts of staff of Well North Doncaster from 1 April 2018 to 31 March 2020.

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

5. Well Doncaster will help community to improve their health and wellbeing and reduce health inequalities; embedding the good work in Denaby and expanding elsewhere in other most deprived part of Doncaster e.g. Bentley, Edlington, and Stainforth.

BACKGROUND

6. Well Doncaster is part of Well North Programme aimed at addressing health inequalities. Our vision of Well North in Doncaster is to support people in our communities to improve their health and wellbeing. Our work is initially focused in Denaby Main, and it is part of a growing Well North community: <http://www.wellnorth.co.uk/>
7. Well Denaby Project is still continuing. Staff were offered fixed –term contract and this is due to expire by 31 March 2018. This ODR seeks to extend the employment contract by 2 years from 1 April 2018 to 31 March 2020.
8. From the very beginning Well Doncaster has been about people. The community have been involved in every aspect of our journey, telling us what will make the greatest impact on their lives
9. We have had hundreds of conversations over the last year which have led to practical actions and shaped the vision for Well Doncaster which is for **‘Everyday is a good day’** – for a vibrant connected community where people have purpose, diverse friendships and high expectations for themselves and the area.
10. Our work is initially focused in a Denaby Main, an ex-mining area which has struggled to find its feet since the closure of the mines some 30 years ago.
11. We want to put Denaby on the map and create **Destination Denaby** - a place where people want to live, work and play – reversing the negative perception that has crept in since the mine closure.
12. We will achieve this through a number of key themes set out by the community:
 - Take advantage of our natural assets & green space and build community pride
 - Creating a culture of enterprise and resourcefulness
 - Enhancing our assets with an active network of people, groups, services & buildings
 - Celebrating the arts, culture and local heritage; using these to connect with people

- Creating local leadership and supporting people who connect up their community
- Also ensuring services are there for people when they need them

We have made a good start and are excited to see what the future holds for Doncaster, and its people.

OPTIONS CONSIDERED

13. Not extending the contract for the Project Team will undermine the exciting and considerable work that has gone into addressing health inequalities in Denaby, with potential to roll it elsewhere in Doncaster. Addressing health inequalities is a long-term goal. The current extension fits within the broader Well North Programme. The long-term status of Well Denaby after the 2 years will be part of the discussion of the wider Well North Programme.

REASONS FOR RECOMMENDED OPTION

14. Extending the contract of the Project Team will enable continuation of successful work begun to embed in Denaby, while efforts to roll it out elsewhere will commence e.g. Bentley, Edlington, and Stainforth. It will help to improve health and wellbeing in these areas as well as address health inequalities in Doncaster.

IMPACT ON THE COUNCIL'S KEY OUTCOMES

8.

	Outcomes	Implications
	<p>Doncaster Working: Our vision is for more people to be able to pursue their ambitions through work that gives them and Doncaster a brighter and prosperous future;</p> <ul style="list-style-type: none"> • Better access to good fulfilling work • Doncaster businesses are supported to flourish • Inward Investment 	<p>Well Doncaster is working towards creating a culture of enterprise and resourcefulness, thus creating opportunities for job in the local community.</p>
	<p>Doncaster Living: Our vision is for Doncaster's people to live in a borough that is vibrant and full of opportunity, where people enjoy spending time;</p> <ul style="list-style-type: none"> • The town centres are the beating heart of Doncaster • More people can live in a good quality, affordable home • Healthy and Vibrant Communities through Physical Activity and Sport 	<p>Celebrating the arts, culture and local heritage; using these to connect with people</p> <p>Take advantage of our natural assets & green space and build community pride</p>

	<ul style="list-style-type: none"> • Everyone takes responsibility for keeping Doncaster Clean • Building on our cultural, artistic and sporting heritage 	
	<p>Doncaster Learning: Our vision is for learning that prepares all children, young people and adults for a life that is fulfilling;</p> <ul style="list-style-type: none"> • Every child has life-changing learning experiences within and beyond school • Many more great teachers work in Doncaster Schools that are good or better • Learning in Doncaster prepares young people for the world of work 	<p>The Project has helped to promote reading among the community, utilising the local community library as a resource.</p>
	<p>Doncaster Caring: Our vision is for a borough that cares together for its most vulnerable residents;</p> <ul style="list-style-type: none"> • Children have the best start in life • Vulnerable families and individuals have support from someone they trust • Older people can live well and independently in their own homes 	<p>A vibrant connected community where people have purpose, diverse friendships and high expectations for themselves and the area.</p> <p>The project helps to connect the community, including most vulnerable to health and social care services.</p>
	<p>Connected Council:</p> <ul style="list-style-type: none"> • A modern, efficient and flexible workforce • Modern, accessible customer interactions • Operating within our resources and delivering value for money • A co-ordinated, whole person, whole life focus on the needs and aspirations of residents • Building community resilience and self-reliance by connecting community assets and strengths • Working with our partners and residents to provide effective leadership and governance 	<p>Creating local leadership and supporting people who connect up their community</p>

RISKS AND ASSUMPTIONS

- 15.** One of the duties of Public Health is to improve health and reduce health inequalities in our local population. The Well Doncaster Project work is one such a project that advances local efforts by the Council and partners to reduce health inequalities in Doncaster. Not extending the employment contract for the Well Doncaster Project Team risks undermining the efforts of improving health and reducing health inequalities in Doncaster.

LEGAL IMPLICATIONS [Helen Wilson; Date: 12/01/2018]

- 16.** S112 of the Local Government Act 1972 allows a local authority to appoint such officers as are necessary for the proper discharge of its functions, on such reasonable terms and conditions as it thinks fit. The grading of any posts is subject to the outcome of a job evaluation exercise.
- 17.** It appears that the post was initially set up as temporary contracts and so it is advised to agree a variation to the contracts keeping them as temporary appointments. Any employee regardless as to whether or not they are employed for a fixed term, part time or otherwise obtain certain employment protection, which includes protection from unfair dismissal after 2 year's employment service. In order for liability in relation to, inter alia, unfair dismissal, to be limited there must be a legitimate reason for a fixed term contract and the employee must be made aware of this reason and of the anticipated length of the contract at the commencement of the contract. After the 4th year of renewal the Employee may be entitled to the position on a permanent basis. The Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002 confirm that employees should not be treated less favourably on the ground they are fixed term unless this is objectively justified. Less favourable treatment means, but is not limited to pay and terms and conditions. The extension of the role would be regarded as a renewal
- 18.** If the total length of the contracts exceed 1 year the Employee will be entitled to be placed on the redeployment register and after 2 years may be entitled to a redundancy payment.
- 19.** If the Council terminates the contract early, then there may be some liability for payment of the outstanding salary to the employee unless a suitable break clause is included. Therefore terms of the contract must therefore be carefully considered to avoid additional liability and/or financial loss.
- 20.** It is important that sight is not lost of the Council's recruitment and retention and vacancy management policies which should be followed.

FINANCIAL IMPLICATIONS [Nick Cameron; Date: 10/01/2018]

21. This proposal is to extend the employment contracts for staff in the Well North Denaby team from 1 April 2018 to 31 March 2020 a period of 2 years.
22. The Well North Denaby team has been funded from Better Care Fund (BCF) since its introduction in 2015.
23. Each Accountable Body agreed to contribute to the Programme match funding of £1m, which comprised £500k in cash, and the remaining £600k as an in-kind contribution received from the University of Manchester.
24. Manchester University will transfer to each Accountable Body a maximum sum of £200k inclusive of any value added tax, as the PHE matched funding. A further maximum sum of £400k inclusive of any value added tax will be transferred in instalments on dates to be agreed by the Well North Executive.
25. The Better Care Fund allocation of £500k over financial years 2015/16, 2016/17 & 2017/18 has now been committed. To fund this ODR and to continue with the programme from the 1st April 2018 for a further 2 years the £600k contribution from Public Health England & Manchester university will be used. £200k has been received to date and a further £200k will be received in January 2018. A final £200k will be received approximately in January 2019. This £600k will be added as a specific ear marked reserve and drawn down as required.
26. This additional £600,000 will extend the Well North Denaby team at least up to the 31st March 2020.

HUMAN RESOURCES IMPLICATIONS [Bill Thompson; Date: 15/01/2018]

27. Human Resources will continue to support the extension of these 3 Well North Project posts within Public Health for a further 2 years only, however it is essential that any further extension beyond 31st March 2020 should be firstly discussed with the HR&OD Business Manager – Adults, Health & Wellbeing.
28. Employees who were employed before 6 April 2012 and have 1 year's continuous service, or after 6 April 2012 and have at least two years continuous service, accrue employment rights. Employees who complete 2 years continuous service accrue rights to a redundancy payment.
29. Fixed-term employees have the right not to be treated less favourably than comparable permanent employees because they are on a fixed-term contract. This means you must treat fixed-term employees the same as comparable permanent employees unless there are 'objectively justifiable' circumstances for not doing so (ie there is a genuine, necessary and appropriate business reason). This means the same or equivalent (pro-rata) pay and conditions, benefits, pension rights and opportunity to apply for permanent positions within the business.
30. Under the Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002, employees who have been on a fixed-term

contract for four years or longer will usually be legally classed as permanent if their contract is renewed or if they are re-engaged on a new fixed-term contract.

31. The only exemptions are when employment on a further fixed-term contract is objectively justified to achieve a legitimate business aim or when the period of four years has been lengthened under a collective or workplace agreement.

TECHNOLOGY IMPLICATIONS [Peter Ward; Date: 10/01/2018]

32. There are no direct ICT implications in relation to this decision. The line manager must ensure that the changes to the contract end dates are updated on the HR Portal at the appropriate time.
33. At the expiry of the extended contracts and in line with the leavers checklist, the line manager is responsible for ensuring that email and system access is removed (by completing the 'Request to remove user' form available via i-Serve) and that any allocated ICT equipment is returned.

HEALTH IMPLICATIONS [Dr Victor Joseph; Date: 01/02/2018]

34. Extending the contract of the Project Team will help to improve health and wellbeing in these areas as well as address health inequalities in Doncaster.
35. The health impact of this project will need to be evaluated in the course of the implementation of the project.

EQUALITY IMPLICATIONS [Dr Victor Joseph; Date: 01/02/2018]

36. The project will impact positively on equality dimension in terms of empowering people in one of the deprived areas in Doncaster, most of whom are likely to include children, older people and other protected characteristics to realise their potentials and engage in efforts to realise those potentials.

CONSULTATION

37. The extensions of this contact for the Project Team had been discussed with the staff involved and Director of Public Health as well as HR officers.

BACKGROUND PAPERS

38. Well North Staffing 2018-2020 Report (Exempt Report), see Appendix 1.

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