

TUB 15

Bil yr Undebau Llafur (Cymru)

Trade Union (Wales) Bill

Ymateb gan: Cymdeithas Prif Weithredwyr

ac Uwch Reolwyr Awdurdodau Lleol

Response from: Association of Local Authority

Chief Executive and Senior Managers (ALACE)



TRADE UNION (WALES) BILL

1 The Association of Local Authority Chief Executives and Senior Managers (ALACE) welcomes the opportunity to submit written evidence about this Bill.

2 ALACE is the only union that represents exclusively local authority chief executives and senior managers including monitoring officers, chief financial officers and, in Wales, the head of democratic services. ALACE provides the staff side of the Joint Negotiating Committee for Chief Executives of Local Authorities.

3 Following the positive discussions in the Workforce Partnership Council, ALACE supports the content of the Trade Union (Wales) Bill as drafted.

4 However we wish to encourage consideration of what steps could be taken in this Bill or otherwise to protect the continued and effective delivery of public services in Wales from the effect of changes to public sector terms and conditions that are being introduced by the UK Government.

5 An example is the £95k cap under section 153A of the Small Business, Enterprise and Employment Act 2015, as inserted by section 41 of the Enterprise Act 2016. The definition of “relevant Welsh exit payments” in section 153B(6) does not extend to exit payments made to staff of devolved Welsh authorities. Thus the Treasury will be able to make whatever regulations it wishes to limit payments to such staff. ALACE believes that these regulations could have adverse effects on recruitment and, in particular, retention in the public services – for example, if it prompted a sudden exodus of staff to avoid the cap or if made it more difficult for public services to attract staff because exit terms might be worse than those available in other sectors. Welsh Ministers will have the power to relax any restrictions imposed by the Treasury’s regulations, by virtue of section 153B(8).

6 ALACE welcomes the discussions that have taken place on this matter in the Workforce Partnership Council and the technical briefing note which was issued by the Cabinet Secretary for Finance and Local Government on 24 January. ALACE representatives in Wales will continue to play a positive part in discussions about these changes.

7 We are concerned about proposals that the UK Government is proposing to make following HM Treasury’s document “Reforms to public sector exit payments: response to the consultation” (September 2016). We recognise that “public sector compensation” is a reserved matter under paragraphs 135 and 136 of the new Schedule 7A to the Government of Wales Act 2006, as inserted by section 3 of and Schedule 1 to the Wales Act 2017. However it strikes us as anomalous that the National Assembly can, for example, prevent changes to trade union law about

strikes in the public services but cannot prevent or mitigate changes to exit payments, even though their cost ultimately falls to the Assembly and devolved Welsh authorities and any adverse impact of such changes will be felt by public services in Wales.

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