



**Policy, Finance and
Development
Committee**

**Tuesday, 01 May
2018**

**Matter for
Information**

Title: The Real Living Wage under TUPE Arrangements

Author(s): Karen Pollard (Head of People & Performance)

1. Introduction

This report is in response to an action raised at the Full Council meeting held on 22 February 2018. It is to assess the viability of requiring employers to honour the Council's commitment to pay the Real Living Wage (RLW) when services are contracted out and staff transferred under the Transfer of Undertaking (Protection of Employment) Regulations 2006 (as amended) (TUPE) arrangements.

2. Recommendation(s)

- 2.1. That Members note the contents of the report; and
- 2.2. That Members note that the decision about the implementation and payment of the Real Living Wage forms part of the Pay Policy Statement which is agreed annually.

3. Information

- 3.1. On 15 March 2013, Members resolved to implement the RLW and have continued to do so every year since. The decision to pay the RLW is part of the annual Pay Policy Statement which is presented to Council before the end of each financial year and is not included in permanent terms and conditions for employees. This therefore offers no protection for staff when they transfer out to other organisations under TUPE.
- 3.2. The annual option to approve the implementation and pay of the RLW gives the Council the flexibility around the budget-making process and budget-setting.
- 3.3. The RLW is currently £8.75 per hour. This figure is reviewed every November and is applied the following April. The pay settlement for 2018/19 takes the minimum hourly rate for Council employees to £8.82. This is in excess of the RLW. Any employees subject to a TUPE transfer now would be protected at a higher rate than the RLW.

Background Documents:

Report to Council on 22 February 2018

E-mail: karen.pollard@oadby-wigston.gov.uk

Tel: (0116) 257 2727

Implications The Real Living Wage under TUPE Arrangements	
Finance	The implications are as set out in the report.
Chris Raymakers (Head of Finance, Revenues & Benefits)	
Legal	The report is satisfactory.
David Gill (Head of Law & Governance / Monitoring Officer)	
Corporate Risk(s) (CR)	<input checked="" type="checkbox"/> No Corporate Risk(s) Identified
Karen Pollard (Head of People & Performance)	
Corporate Priorities (CP)	<input checked="" type="checkbox"/> Not Applicable
Karen Pollard (Head of People & Performance)	
Vision & Values (V)	<input checked="" type="checkbox"/> Not Applicable
Karen Pollard (Head of People & Performance)	
Equalities & Equality Assessment(s) (EA)	There are no implications arising from this report.
Karen Pollard (Head of People & Performance)	<input checked="" type="checkbox"/> Not Applicable (EA)