



NOTICE OF MEETING

EMPLOYMENT COMMITTEE

THURSDAY, 7 JULY 2022 AT 2.00 PM

COUNCIL CHAMBER - THE GUILDHALL, PORTSMOUTH

Telephone enquiries to James Harris on 023 9260 6065

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If any member of the public wishing to attend the meeting has access requirements, please notify the contact named above.

Membership

Councillor Cal Corkery (Chair)
Councillor Simon Boshier (Vice-Chair)
Councillor Dave Ashmore
Councillor Matthew Atkins
Councillor Darren Sanders
Councillor Gerald Vernon-Jackson CBE

Standing Deputies

Councillor Ryan Brent
Councillor Stuart Brown
Councillor Suzy Horton
Councillor Mark Jeffery
Councillor Terry Norton
Councillor Scott Payter-Harris
Councillor Asghar Shah

(NB This agenda should be retained for future reference with the Minutes of this meeting.)
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Deputations by members of the public may be made on any item where a decision is going to be taken. The request should be made in writing to the contact officer (above) by 12 noon of the working day before the meeting, and must include the purpose of the deputation (for example, for or against the recommendation/s). Email requests are accepted.

AGENDA

1 Apologies for Absence

2 Declarations of Members' Interests

3 Minutes of the meeting held on 9 March 2022 (Pages 5 - 10)

RECOMMENDED that the minutes of the meeting held on 9 March 2022 be confirmed and signed by the Chair as a correct record.

4 Real Living Wage (Pages 11 - 20)

At Employment Committee on 20th January 2022 Members were updated on progress made towards becoming an accredited Living Wage Employer. The purpose of this report is to provide Members with an update on current market conditions, the impact on PCC pay structure and staff and the benefits and challenges of accreditation. Members are asked to determine how they wish to progress towards becoming an accredited Living Wage Employer given the current economic pressures faced by the Council.

It is recommended that:

- (i) Group leaders nominate members from their group to form a task and finish group to investigate how Living Wage accreditation can be taken forward through the governance cycle and budget setting process and report back to the committee with recommendations at its next meeting in September.**
- (ii) For PCC staff currently in receipt of pay below the 2022/23 Real Living Wage (RLW) rate, to be paid an uplift to £9.90 to bring their rate in line with the current RLW rate pending the outcome of the national pay negotiations.**
- (iii) The Committee reiterates its commitment to the policy of paying PCC employees the Real Living Wage and resolves to report annually on the impact of this policy.**

5 Sickness Absence - Quarterly Report (Pages 21 - 30)

The purpose of this report is to update the Employment Committee about the levels and causes of sickness absence across the council and the actions being taken to improve attendance and promote employee health and wellbeing.

RECOMMENDED that the Employment Committee Notes:

- (i) the levels and causes of sickness absence over the last quarter;**
- (ii) the activities and interventions undertaken to support attendance; and**
- (iii) the change in absence levels across the organisation.**

6 Trade Union Facilities Time 2021/22 (Pages 31 - 42)

The purpose of the report is present the outcome of the Trade Union Facility

Time Report 2022 ensuring the Council can fulfil its statutory obligations in respect of the Trade Union (Facility Time Publication Requirements) 2017.

RECOMMENDED that the Employment Committee Notes:

- (i) the data in Appendix 1 and the fact that the Appendix will be the report published on the PCC website, and the Government maintained website; and**
- (ii) that the data will be included in any relevant Annual Report and Accounts that are published by PCC.**

7 Appointment to the Hampshire Pension Fund Panel and Board

The purpose of this item is to make an appointment to the Hampshire Pension Fund Panel and Board to serve as a full member with Southampton City Council's representative serving as the substitute member. This alternates at the end of each municipal year.

There is no remuneration for this role.

The future Panel and Board meeting dates are:

2022: 28 July, 30 September, 16 December.

2023: 24 March.

The meetings are held in Winchester at 10am.

RECOMMENDED that a Portsmouth Councillor be appointed to serve on the Hampshire Pension Fund Panel and Board for the rest of the municipal year, subject to that person remaining an elected member.

Members of the public are permitted to use both audio visual recording devices and social media during this meeting, on the understanding that it neither disrupts the meeting nor records those stating explicitly that they do not wish to be recorded. Guidance on the use of devices at meetings open to the public is available on the Council's website and posters on the wall of the meeting's venue.

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Agenda Item 3

EMPLOYMENT COMMITTEE

MINUTES OF THE MEETING of the Employment Committee held on Wednesday, 9 March 2022 at 1.00 pm at the Council Chamber - The Guildhall, Portsmouth

Present

Councillor Gerald Vernon-Jackson CBE (in the chair)
Councillor Simon Bosher (Vice-Chair)
Councillor Cal Corkery
Councillor Darren Sanders
Councillor Scott Payter-Harris
Councillor Jeanette Smith

Officers Present

Natasha Edmunds, Director of Corporate Services
Alison Forfar, Interim Assistant Director HR
Lynda Martin, Health & Safety Manager
Susan Page, Finance Manager
David Williams, Chief Executive

4. Apologies for Absence (AI 1)

Apologies were received from Councillor Lewis Gosling. Councillor Scott Payter-Harris was in attendance as Standing Deputy.

5. Declarations of Members' Interests (AI 2)

Councillor Cal Corkery declared a personal, non-prejudicial interest in all items as he was a member and paid official of a union.

Councillor Jeanette Smith declared a personal, non-prejudicial interest in all items as a paid official of Unison and a union.

6. Minutes of the meeting held on 23 November 2021 and the special meeting held on 20 January 2021 (AI 3)

The minutes of the previous meeting held on 21 September 2021 and the special meeting held on 20 January 2022 were confirmed and signed as accurate records.

7. Health & Safety Update Progress Report on 2021/22 Action Plan (AI 4)

(TAKE IN REPORT)

Lynda Martin, Health & Safety Manager, introduced the report which sought to provide assurance to the Employment Committee that Portsmouth City Council was complying with health and safety legislation and was ensuring the health, safety and wellbeing of those affected by the council's activities.

In response to questions the Health & Safety Manager confirmed that proportionate measures were being implemented to ensure a safe return to work post pandemic and that the actions detailed in the Health & Safety Action Plan 2021/22 were on target for completion by 31 March 2022.

The committee commended the comprehensive action plan and wished to record its gratitude to the Corporate Health & Safety Team.

RESOLVED that the committee noted the report.

8. Pay Policy Statement (AI 5)

(TAKE IN REPORT)

Natasha Edmunds, Director of Corporate Services, introduced the report and explained that the Council was required by section 38(1) of the Localism Act 2011 (openness and accountability in local pay) to prepare a Pay Policy Statement.

In response to questions the Director of Corporate Services confirmed that she would report back to the committee on whether the ratio of 1:8.45 pay ratio between the highest and lowest paid employees differed from the previous year, along with how the council compared with other comparator councils such as Hampshire County Council and Southampton City Council.

RESOLVED that the Employment Committee approves the Pay Policy Statement attached as Appendix 1, to go forward for approval by the Full Council prior to 31 March 2022.

9. Quarterly Sickness Absence Report (AI 6)

(TAKE IN REPORT)

Alison Forfar, Interim Assistant Director HR, introduced the report which updated the committee on the levels of sickness absence across the council and the actions being taken to manage absence and promote employee wellbeing.

She advised the committee that the level of sickness had increased from an average 9.03 to 10.11 average days per person per year, with long term sickness increasing from 6.04 to 6.20 days per person per year and short term sickness increasing from 1.70 to 2.16 days per person to year.

The committee was reminded that these figures covered the winter months.

Three areas had realised a decrease in sickness absence and it was believed that flexible working arrangements had a positive impact on these statistics.

The three most common reasons for sickness absence were:

Psychological;
Coronavirus; and
Muscular Skeletal

In response to questions the committee was advised that Health & Safety training was mandatory for all staff every three years and that DSE assessments of their workplace at home had been undertaken for all staff working from home. Equipment such as office chairs had been supplied where needed to ensure a safe workplace.

It was confirmed that future reports could contain a comparison with the previous quarter in addition to the previous 12 months to further assist the committee in identifying any trends.

The Director of Corporate Services explained that the 'Fusion' HR system gave managers an overview of sickness within their team which could be used alongside guidance and advice from HR and Health & Safety to address and local issues within teams.

RESOLVED that the committee NOTED:

- (i) the change in absence levels across the organisation; and**
- (ii) the wellbeing activities undertaken to support attendance and in response to the Covid-19 pandemic.**

10. Gender Pay Gap Report 2021/22 (AI 7)

(TAKE IN REPORT)

Alison Forfar, Interim Assistant Director HR introduced the report which ensured that the Council fulfilled its statutory obligations in respect of the Gender Pay Gap Information Regulations.

In comparison with 2019 the gender pay gap had reduced significantly from 15.5% to 9.21% and was predicted to continue to decrease in the coming year.

The committee felt the trajectory to be very positive and in response to a question about the differences reflected in the mean and median figures was advised that the information which needed to be published was set by statute. The Director of Corporate Services advised that additional information could be circulated to the committee.

RESOLVED that the Employment Committee NOTED:

- (i) the key findings of the Gender Pay Gap report 2021/22; and**
- (ii) the action plan as set out as item 8 in the Gender Pay Gap Report 2021/22**

11. Senior Management Structure - Regeneration (AI 8)

(TAKE IN REPORT)

David Williams, Chief Executive, introduced the report which advised the committee of the intention to review the structure of the Regeneration Directorate in the light of the resignation of two Assistant Directors (Assistant Director for Transport and the Assistant Director for Strategic Development), and the peer review of the Transport function.

He clarified that the report sought approval to undertake a review of the senior management structure in the Regeneration Directorate and for the necessary consultation to take place. The decision to implement any changes would be the subject of a further report to the Employment Committee.

The committee discussed the report and in response to questions was advised that the review would focus solely on the Regeneration Directorate rather than a wider review of senior management.

Some members queried the predicted cost savings of £100k if consideration was being given to creating an additional new post of Director of Transport. Some members also believed that the creation of such a post would both require, and present a good opportunity to, review the existing senior management posts within the Regeneration Directorate to reflect any changes to role responsibilities.

The committee was advised that any review would be undertaken by an external organisation and whilst the review would look across the whole directorate the committee's remit was in respect of director level staff.

Proposed by the Chairman, Councillor Vernon-Jackson, and seconded by Cllr Darren Sanders it was RESOLVED that the Employment Committee:

- (i) agreed to a review of the senior management structure in the Regeneration Directorate and, in such a review, give consideration to the creation of a new post of Director of Transport; and**
- (ii) On conclusion of the review a report be brought back to the Employment Committee for members to give due consideration to any recommendations arising; and such report to include recommendations on the relevant policies, procedures and processes relevant and necessary to progress the Committee's preferred option.**

The meeting concluded at 2.16 pm.

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Chair

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Agenda Item 4



Title of meeting:	Employment Committee
Date of meeting:	7 July 2022
Subject:	Real Living Wage
Report by:	Director of Corporate Services
Wards affected:	None
Key decision:	No
Full Council decision:	No

1. Purpose of report

At Employment Committee on 20th January 2022 Members were updated on progress made towards becoming an accredited Living Wage Employer. The purpose of this report is to provide Members with an update on current market conditions, the impact on PCC pay structure and staff and the benefits and challenges of accreditation. Members are asked to determine how they wish to progress towards becoming an accredited Living Wage Employer given the current economic pressures faced by the Council.

2. Recommendations

2.1. It is recommended:

- (i) Group leaders nominate members from their group to form a task and finish group to investigate how Living Wage accreditation can be taken forward through the governance cycle and budget setting process and report back to the committee with recommendations at its next meeting in September.
- (ii) For PCC staff currently in receipt of pay below the 2022/23 Real Living Wage (RLW) rate, to be paid an uplift to £9.90 to bring their rate in line with the current RLW rate pending the outcome of the national pay negotiations.
- (iii) The Committee reiterates its commitment to the policy of paying PCC employees the Real Living Wage and resolves to report annually on the impact of this policy.

3. Background

Throughout 2021 work was undertaken to understand in detail the impact of accreditation to become a Real Living Wage employer and progress was regularly reported to the Employment Committee. At its meeting in January 2022 members were presented with a

financial appraisal which outlined that the likely financial impact would be circa. £2m per annum over the next three years as set out in the extract below:

The full year impact of requiring PCC contractors to pay the proposed RLW rate of £9.90 per hour (i.e. an additional 40p per hour) has been estimated at circa £2m. This can be further analysed as follows:

	Year 1	Year 2	Year 3
	<i>£'000</i>	<i>£'000</i>	<i>£'000</i>
<i>Adult Social Care</i>	1,600	1,600	1,600
<i>Other General Fund services</i>	189	284	378
<i>Total General Fund</i>	1,789	1,884	1,978
<i>Schools</i>	3	5	7
<i>HRA</i>	3	5	7
Total Cost to PCC	1,795	1,894	1,992

Although not an accredited RLW employer, PCC is committed to paying its employees the RLW rate and the decision whether to apply the increase of RLW rate is reviewed annually by Employment Committee.

The January 2022 report also outlined the impact of paying the RLW rate of £9.90 from April 2022 to PCC staff in line with the Council's commitment to paying its employees the RLW rate. In summary, based on the current pay scales (before the 2022/23 national pay award is applied), pay points one and two are £9.50. An increase in pay to £9.90 will impact staff on pay bands 1 through to approximately the first pay point in pay band 4 raising all employee's annual salary in these bands to approximately £19,100 per annum. The effect of this change to pay rates is to remove any differentials between job roles within those pay bands - essentially amalgamating all job roles onto the same pay rate (subject to the outcome of national pay negotiations which may nullify this impact).

Examples of posts that could be impacted are as follows:

- Teaching Assistant has 3 levels at Bands 1,2 and 3
- Midday Assistant is Band 2, and a Midday Supervisor is Band 3
- Nursery Assistant Band 2 and Nursery Practitioner Band 3

If the RLW increase was applied for each of these posts, there would potentially be no pay differential, which would cause imbalance in a team's structure and potential recruitment and retention issues to certain roles as supervisors would be paid the same rate as those they are supervising. This would be replicated in all services across the council, including in schools. The full impact is difficult to quantify at this stage and would need to be kept under review; the full impact may also be nullified by the outcome of national pay negotiations.

At present we do not know the outcome of the National Joint Council (NJC) 2022/23 pay negotiations for those employed on the Green book terms and conditions and therefore, do not know the impact of this increase on PCC's pay scales. Those who were on the £9.50

RLW rate as of April 2022 have been written to to explain that the uplift to £9.90 is on hold pending the outcome of the 2022/23 NJC pay award.

The timeline for pay negotiations is set out below:

Key Dates	Negotiation Progress
February 2022	Pay agreement 2021-22 agreed at 1.75%
March 2022	Employers pay briefing -information only
6 th June 2022	This NJC pay claim for 2022/23 is made by the Joint Trade Union Side (UNISON, GMB and UNITE) to the Local Government Association. Claim details in Appendix 1
21 st June 2022	Employers pay briefing commences - formal consultation to confirm the employers offer
July 2022	Employer expected to respond to Unions' offer

There are approximately 171(fte) current employees in total (including schools) whose hourly rate currently falls below £9.90 as at 1st April 2022, of which 79 (fte) are schools employees. PCC also pay TUPE employees RLW rate and Kickstart job placements, which was funded by a one-off contribution from the Cabinet Reserve in 2021/22. The Kickstart scheme is not being extended by government and therefore there will be no further costs for this group of staff.

4. Benefits of Real Living Wage Accreditation

As previously identified for the committee, the most significant financial impact is in Adult Social Care. Therefore, a key part of the research into accreditation was engagement with the Adult Social Care provider market via forum meetings, consultation and a survey.

The analysis was undertaken circa. nine months ago, however the current context was known at that time and the benefits and challenges of introducing the Real Living Wage remain, particularly those concerned with staff recruitment and retention.

Questions regarding the benefits of Real Living Wage were included in a survey and the agendas for meetings with providers. While the majority of providers are in support of higher rates of pay for the sector, there is concern of the effects it could have at this moment in time.

Over two thirds of survey respondents cited staff recruitment and retention as the biggest benefit of paying the RLW. Introduction of RLW would bring the private care sector closer to NHS pay scales and thus would make it more competitive in that job market.

Some suppliers have suggested that paying RLW rates could actually reduce costs in the long term as it may improve recruitment and reduce reliance on temporary agency staff to fill roles at significant cost.

An interesting point raised within the survey is that providers felt able to justify an increase in staff responsibilities if they were paying RLW, improving job design and in turn improving staff motivation, morale, and engagement.

Suppliers in general would view Real Living Wage as a positive step on the general condition that any increased costs are covered by the Council

In addition to points identified in our own research, the Living Wage Foundation themselves are clear in their documentation about the benefits of Living Wage introduction. Some of these points are as follows;

- 93% of business claim they have benefitted since accrediting
- 86% claim it has improved the reputation of the business
- 75% say it has increased motivation and retention rates for employees
- 64% say it helped differentiate themselves from competitors in the market
- 58% say it improved relations between managers and staff

5. Challenges of Real Living Wage Accreditation

In terms of the engagement with suppliers the following challenges were raised:

- Suppliers are all reporting significant financial pressures due to staff shortages, NI, utilities costs, inflation, NLW increase, etc. and are likely to seek larger increases than in previous years. It should be noted that last year's increase was significantly higher to reflect the increases in the national living wage and the introduction of the health & social care levy and other pressures.
- The majority of suppliers would seek to pass any increase associated with Real Living Wage directly to the Council.
- A high number of suppliers are concerned that implementation of Real Living Wage could create significant workforce issues with staff undertaking the same job being paid more or less depending upon which contract their work relates to, there are concerns of how this can be addressed without Hampshire County Council, (who many of the suppliers also work for) also seeking to implement Real Living Wage on the same timescales - there is currently no indication from HCC that they are considering implementation. This may impact on future bids for contracts from suppliers.
- Some suppliers are also concerned that a significant increase would have to be offset into rates for private clients which is where costs have been absorbed in previous years, however there comes a point where this potentially makes them uncompetitive in the private market which could force a private vs public decision in terms of business focus.

The general context within which Adult social care operates is also changing and further to the above point, within the ['Build Back Better - Our plan for health & social care'](#), government have committed to moving towards paying a fair cost of care, which is likely to

impact the rates paid for care within the city. It is currently unclear as to the adequacy of future funding, as discussed below.

Irrespective of Real Living Wage factors wages are likely to have to increase significantly in the sector due to scarcity of staff and competition with higher paid, less demanding jobs - e.g. supermarkets - currently Lidl have paid Real Living Wage rates since 2015 but in March 2022 raised the entry level hourly rate above the RLW to £10.10 per hour (outside of M25)

As with PCC staff increases to RLW pay rates will lead to a loss of differential in pay between supervisors and other staff for some suppliers, therefore increases further up the hierarchy to maintain pay differentials will likely require further pass through of costs to the Council.

Subsequent to the work of reviewing the benefits and negative impacts of the RLW, further information has emerged around social care funding reform. This reform includes three significant elements related to Local Authority financial pressures:

- The Fair cost of care exercise referred to above
- The provisions in the Health & Social Care Act (2022) to amend the Care Act (2014) to apply a cap to the amount people will pay for social care in their lifetime
- The provisions in the Health & Social Care Act (2022) to amend the Care Act (2014) to enable citizens who fund their own care, (in residential and nursing settings) to access Local Authority contractual arrangements with care providers. This will reduce suppliers' ability to differentiate between LA customers and private customers. This may also put suppliers under pressure if they need to reduce private rates which are currently subsidising the lower public rates.
- The provisions, (in draft regulations) for the upper capital limit (UCL), the point at which people become eligible to receive some financial support from their local authority, to rise to £100,000 from the current £23,250.

A recent report commissioned by the County Council's network, estimates that the £3.7 billion government funding allocated to the above measures will be insufficient for implementation. The costs of reforms in the nine years from when they are introduced to 2032 could be a minimum of £10bn higher than currently estimated and could require over 5,000 extra staff to carry out extra care and financial assessments for those seeking to benefit from the reforms.

Given the potential impact on Council finances and the likelihood of significantly increased ASC costs to the Council, employment committee should be aware of these circumstances when considering the costs of implementing the RLW.

6. Market Conditions

Over the last 12 months market conditions have become increasingly challenging. As outlined above, there is greater competition in the market with higher rates of pay for less demanding jobs. The latest labour market data shows unemployment at an all time low with all regions in the UK showing a decrease in the unemployment rate compared with the same period last year. According the Office for National Statistics the number of job vacancies in March to May 2022 rose to a new record of 1,300,000 - an all-time high.

Labour market conditions in the context of high employment means there is strong competition for jobs and pay rates will be a significant factor in attracting candidates.

Other factors also need to be considered:

Government policy

Government has announced that the qualified 'pay freeze' in the public sector is over. Although this never applied directly to local government, it was a factor considered by some councils and reflected in recent years' consultations.

Current government pay policy has less clarity than previously, with remits for pay review bodies making reference to 'affordability' and 'consistency with private sector pay increases.

Inflation And Cost of Living

Inflation is rising and is likely to either rise further or not fall below the current level in the region of 9.1 percent (May22), and with additional burden from rising energy, fuel and food costs the average salary does not go as far as it used to resulting in many people feeling a pay cut. Inflation and Cost of Living increases also increase the overheads cost base of the supply chain to whom RLW would apply.

National Insurance

From April 2022 employees started paying higher levels of national insurance (an additional 1.25 percent increase). Within PCC this is resulting in some staff seeing a pay cut. Beyond PCC not only will some staff be experiencing a pay cut the increase affects employer national insurance contribution as well and is therefore also adding to cost pressures among the supply chain to whom RLW would apply.

National Living Wage

The Government has set a target for the National Living Wage to reach two thirds of median earning by 2024, and this was reiterated in the Chancellor's Spring Statement. The forecast, supplied by the Low Pay Commission, currently estimates that the statutory NLW will be around £10.70 in 2024, this is 37p higher than the forecast in April 2021. The Local Government Association (LGA) has identified that these current forecasts will be an additional financial burden amounting to circa. £400 million across the public sector over the next two years which is currently unfunded. The LGA is calling on government to fund this additional burden to avoid service cuts in local government. Any subsequent Real Living Wage rate will be higher again though the amount is currently unknown and therefore unable to be factored into the financial impact analysis with any degree of accuracy at this time.

Capacity pressures in local government

Capacity pressures have grown, and PCC are increasingly experiencing difficulty in recruiting and retaining key professional staff. The causes of these difficulties, very broadly, fit into two categories:

The first is those professions where there are simply too few qualified individuals in the labour market to meet the demand, such as social workers and regulatory services specialists.

The second group consists of those professions where PCC has difficulty recruiting because pay levels are too far adrift of competitor employers (often the NHS as much as the private sector). In this group sit building control and planning specialists, IT, finance, digital, analytics and legal professionals at all levels.

Beyond the specialist professions, PCC are also increasingly experiencing difficulties in recruiting senior managers, we also have an aging workforce demographic, with some senior leaders near retirement age and a reducing pool of applicants for existing roles. Whilst these challenges are increasingly acute for PCC they represent and are typical of the market conditions nationally within the public sector.

The NHS is undergoing rapid expansion providing strong competition for jobs in the public sector and in the social care sector in particular. With higher rates of pay for similar work, a better reputation and a perception of better career pathways the competition is stark for both social care providers and for PCC especially for entry level roles or those at the bottom of the pay spine.

7. Reasons for Recommendations

The paper sets out the benefits and challenges of Living Wage accreditation. The committee has previously been advised of the financial impacts that are likely to arise. A decision to become an accredited Living Wage Employer rests with the Full Council and needs to simultaneously identify and approve funding of such a policy initiative (see section 11 below). The recommendation therefore seeks cross party engagement on the policy position and associated governance requirements to progress a decision.

The Committee has previously set out its policy on Real Living Wage with regard to PCC employees and this paper seeks to confirm the policy for those staff in eligible pay grades for the 2022/2023 financial year.

8. Integrated Impact Assessment

This report does not require an Integrated Impact Assessment as there are no proposed changes to PCC's services, policies, or procedures included within the recommendations. In the event that a policy decision is taken and integrated impact assessment will be completed.

9. Legal Implications

The report contains within it the relevant issues with respect to a) the cost to PCC re its own employment base and b) the potential cost to third party contractors. The additional thing to consider is that in dealing with Living Wage some contractors may wish to not contract with PCC, thereby diminishing the availability of choice. It is to be noted that existing contracts would not be affected without an agreed variation- a pay differential will exist which could lead to considerations of Equal Pay by way of comparison.

10. Budget Impact of paying PCC staff the Real Living Wage

On the basis of a 2% pay award to PCC employees for 2022/23, the estimated budget shortfall to uplift PCC staff to the current RLW of £9.90 per hour is as follows:

- Schools £16,000
- General Fund £13,400
- HRA £1,900

11. Director of Finance Comments

The Council's annual budget process provides each Portfolio with an allocation for inflation so that it is funded to operate 'steady state' services. No provision is included in the current budget for the additional cost of requiring contractors to pay the RLW to their employees (as set out in section 3 above).

The largest impact here is in the Adult Social Care service. Currently a national exercise is being undertaken as part of the Social Care Reform programme with a planned implementation date in Autumn 2023. This includes a review of the fair cost of care. Until this work is completed, and the impact understood, it would be premature to conclude anything regarding the cost to the Council of ASC suppliers adopting the RLW.

Whilst the 3-year forward forecast for 2023/24 to 2025/26 included in the Budget report to City Council in February 2022 did not plan for any savings requirement to balance the budget, there are now cost pressures emerging which will impact budgets going forward e.g. energy, fuel, waste and general inflation.

At the point any decision is taken to implement the RLW, the City Council will simultaneously need to identify and approve savings of £1.978m in order to fund this policy initiative. Similarly, any cost impact on the HRA will need to be factored into the HRA budget and considered as part of the consultation with tenants.

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Signed by (Director)

Appendices:

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Employment Committee: Living Wage Report - Financial Appraisal, January 2022	EC012022 - Living Wage - Financial Appraisal .pdf (portsmouth.gov.uk)
Office for National Statistics - Labour Market Overview, June 2022	Labour market overview, UK - Office for National Statistics (ons.gov.uk)
Local Government Association press release 21 June 2022	LGA - Unfunded National Living Wage increases would risk local services and jobs Local Government Association

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Title of meeting:	Employment Committee
Date of meeting:	7 th July 2022
Subject:	Sickness Absence - Quarterly Report
Report by:	Alison Forfar - Interim Assistant Director HR
Wards affected:	N/A
Key decision:	No
Full Council decision:	No

1. Purpose of report

- 1.1. The purpose of this report is to update the Employment Committee about the levels and causes of sickness absence across the council and the actions being taken to improve attendance and promote employee health and wellbeing.

2. Recommendations

- 2.1. Members are recommended to:

- Note the levels and causes of sickness absence over the last quarter.
- Note the activities and interventions undertaken to support attendance.
- Note the change in absence levels across the organisation.

3. Background

- 3.1. Compared to the start of the pandemic overall absence levels are down slightly, however they have continued to increase in some areas during the last three quarters.
- 3.2. The following section of the report will therefore note this quarter's sickness absence figures compared to last quarter:
 - The level of sickness absence for this quarter has increased from 10.11 to 11.37 average days per person per year.
 - Long term absence has increased from 6.20 to 6.27 average days per person per year.

- Short term absence has increased from 2.16 to 2.82 average days per person per year.
 - 1 directorate has seen a decrease in absence levels this quarter.
 - 10 directorates have seen an increase in absence levels this quarter.
 - The highest reason for sickness absence continues to be Coronavirus, psychological (stress, anxiety and depression) is now ranked 2nd and Musculoskeletal (Lower Limb) is ranked 3rd.
 - Musculoskeletal absences are divided into three categories; if these were collated they would become the second highest ranked reason for absence (as was the case last quarter).
- 3.3. Absence levels by directorates for the rolling year are attached in Appendix 1. A summary of reason for sickness absence for the last year is attached in Appendix 2.

4. Wellbeing

- 4.1 During this quarter we have continued to promote a number of wellbeing campaigns, updated the wellbeing intranet pages and made training opportunities available to staff and managers.

Over the last quarter on average 57% of staff are reading our monthly wellbeing updates which contain information on national wellbeing campaigns, advice and resources.

- 4.2 The campaigns and wellbeing updates that have been promoted to staff this quarter have included details on, March the Month which aims to raise awareness of prostate cancer and Ian Diaper, Head of Operations at the Port shared his story to encourage men to see their GP if they have any of the symptoms. March's update also included information about NHS cancer screenings and the support available to anyone who has been affected by the events unfolding in Ukraine.

April was Stress Awareness month and guidance was provided for managing stress at work, and information and support for coping with stress outside of work. The updated stress risk assessment process was launched in April 2022, and this provides information about the support available and allows for a more detailed assessment to take place. The tools and resources available and promoted to staff and managers encourage a pro-active and preventative approach to be taken. The new risk assessment and supporting documents can be found under documents on the stress awareness intranet page.

The focus of May's update was Mental Health Awareness Week and the theme this year was loneliness. Information was provided on helping yourself and others

who are suffering from loneliness and where to get support. The update also featured information regarding the cost of living crisis. Financial wellbeing is important to overall mental wellbeing therefore plans are in place for an ongoing campaign signposting staff to sources of help and advice on financial matters.

The main focus of June's wellbeing update was Men's Health Week and top health tips were shared as well as information regarding events and resources available. Male members of staff were encouraged to complete a Man MOT which was a series of quick and easy health checks that can be completed at home. We also offered a free Men's Health Week yoga session.

Wellbeing updates have included details of our upcoming Lunchtime Learning sessions which focus on our current campaigns or important topics. Our Lunchtime Learning session in May 2022 highlighted the support available from our Employee Assistance Programme (EAP) and the recorded presentation has been uploaded onto our intranet page. A Lunchtime Learning session on the cost of living crisis and the support available to staff members will be taking place on 20th July 2022.

- 4.3 The Learning and Development team have continued to provide training to managers on Managing Wellbeing in a Hybrid Team and Leading a Hybrid Team. These sessions have received lots of positive feedback and will continue to run throughout the year.

During this quarter we have facilitated two sessions of Managing Wellbeing in a Hybrid Team with 6 members of staff attending each of these. Some of the feedback received:

"Very interesting content delivered in a dynamic and easy to understand way"

"A very useful course and a timely reminder to listen"

"Very clear and interactive over teams"

We have also run one session of Leading a Hybrid Team with 8 members of staff in attendance and providing the below feedback:

"Good to hear other people's thoughts and an interesting exploration of the issues"

"Really interesting discussion and thought provoking, so many different things to consider in hybrid working and not one size fits all"

Solent Mind will be delivering one-hour interactive wellbeing training sessions across the year, and these are being promoted via our upcoming wellbeing updates. 181 staff members attended Solent Mind bitesize training during the past two years. Sessions this year include:

- Dealing with Change - Thriving in times of uncertainty
- Beat the Burnout
- Taking Control of your Mental Health and Wellbeing
- Building Resilience and Coping with Stress
- Mental Health and Wellbeing Overview
- Menopause and Mental Health

4.4 This quarter there have been some changes to the Wellbeing intranet pages including an update on the support available to managers from the Employee Assistance Programme and additional information on our money and debt advice page. A new intranet page, 'Managing Fatigue' has also been created. Work is in progress to update further pages and build upon the tools and resources available to managers to support the wellbeing of their staff.

5. Reasons for recommendations

5.1. To continue to improve employee attendance levels. To do this through monitoring sickness absence, understanding and engaging with the workforce to understand the reasons for improved attendance levels, continuing to improve employee wellbeing, which in turn will increase productivity, improve engagement and build a more resilient workforce.

6. Integrated Impact Assessment

6.1. This report does not require an Equalities Impact Assessment as there are no proposed changes to PCC's services, policies, or procedures included within the recommendations.

7. Legal implications

7.1. There are no immediate legal implications arising from this report.

8. Finance comments

8.1. There is no significant cashable saving resulting from the reduction in sickness absence. However, there will be an improvement in productivity in terms of total days worked.

.....
Signed by: Director

Appendices:

Appendix 1: Sickness Absence

Appendix 2: Summary of reasons for absence

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

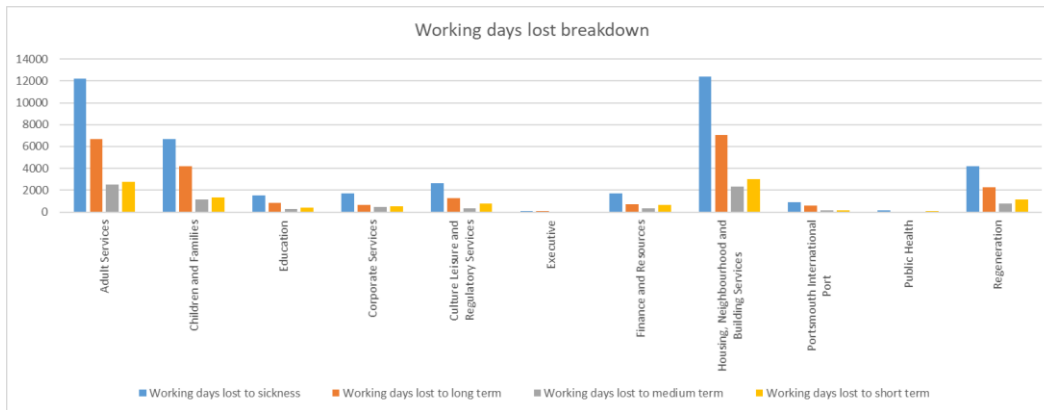
Title of document	Location

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

.....
Signed by:

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Appendix 1: Sickness Absence (Rolling Year) June 22



Sickness - Working days Lost													
Directorate	Headcount		Total				Long Term		Medium Term		Short Term		Total Average Per Person Per Year. (C Feb 22)
	Current Headcount	Total Working Days Available	Working days lost to sickness	% of working time lost	Average per Person per Year	Compared to Last EC report	Working days lost to sickness	Average per Person per Year	Working days lost to sickness	Average per Person per Year	Working days lost to sickness	Average per Person per Year	
Agency	117	37183	375	0.26%	3.21	↑	79	0.68	125	1.07	171	1.46	2.34
Adult Services	704	259560	12205	4.97%	17.34	↑	6674	9.48	2513	3.57	2790	3.96	16.47
Children and Families	479	183280	6708	2.88%	14.00	↑	4209	8.79	1164	2.43	1335	2.79	12.39
Education	192	66777	1548	2.49%	8.06	↓	865	4.51	255	1.33	428	2.23	8.62
Corporate Services	348	108681	1697	1.26%	4.88	↑	683	1.96	455	1.31	559	1.61	3.67
Culture Leisure and Regulatory Services	322	104651	2645	1.31%	8.21	↑	1258	3.91	354	1.10	771	2.39	5.58
Executive	33	13100	125	0.50%	3.79	↑	71	2.15	9	0.27	45	1.36	2.23
Finance and Resources	307	116977	1725	1.37%	5.62	↑	734	2.39	333	1.08	658	2.14	5.53
Housing, Neighbourhood and Building Services	926	345832	12417	2.91%	13.41	↑	7042	7.60	2329	2.52	3046	3.29	12.38
Portsmouth International Port	85	28200	917	3.41%	10.79	↑	602	7.08	144	1.69	171	2.01	9.90
Public Health	43	13727	184	0.45%	4.28	↑	60	1.40	43	1.00	81	1.88	2.85
Regeneration	462	144866	4172	1.59%	9.03	↑	2280	4.94	760	1.65	1132	2.45	6.86
Schools	1149	588837	12518	2.13%	10.89	↑	4079	3.55	2807	2.44	5632	4.90	9.32
Grand Total (excluding schools and Agency)	3901	1385651	44343	3.20%	11.37	↑	24478	6.27	8359	2.14	11016	2.82	10.11
Grand Total (including Schools excluding Agency)	5050	1974488	56861	2.88%	11.26	↑	28557	5.65	11166	2.21	16648	3.30	9.93
Grand Total (including Agency Workers)	4018	1422834	44718	3.14%	11.13	↑	24557	6.11	8484	2.11	11187	2.78	9.86
													= over 7 days

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Appendix 2 - summary of reasons for absence, rolling year June 22

Absence Reason	Days Lost	% of Days Lost	Rank		Absence Reason	Days Lost	% of Days Lost	Rank
CORONAVIRUS	10979	19.31	1		* Psychological - stress, anxiety and depression	9325	16.40	2
PSYCHOLOGICAL - STRESS, ANXIETY AND DEPRESSION	9325	16.40	2		* Psychological - stress, anxiety and depression (Work Related)	2719	4.78	6
MUSCULOSKELETAL (LOWER LIMB)	5138	9.04	3		Total	12044	21.18	
VIRUS (INC COLDS, COUGHS AND INFLUENZA; EXCLUDING CORONAVIRUS)	4708	8.28	4					
GASTROINTESTINAL (INC STOMACH AND BOWEL)	4022	7.07	5		* Musculoskeletal (Lower limb)	5138	9.04	3
PSYCHOLOGICAL - (WORK RELATED) STRESS, ANXIETY AND DEPRESSION	2719	4.78	6		* Musculoskeletal (Upper limb)	1879	3.30	10
MUSCULOSKELETAL (BACK AND NECK)	2692	4.73	7		* Musculoskeletal (back and neck)	2692	4.73	7
NEUROLOGY/NERVOUS SYSTEM (INC HEADACHE, MIGRAINE AND	2663	4.68	8		Total	9709	17.07	
CANCER AND TUMOURS	2580	4.54	9					
MUSCULOSKELETAL (UPPER LIMB)	1879	3.30	10		Total Stress + musculoskeletal %	21753	38.26	
EAR/NOSE/THROAT (INC DENTAL)	1302	2.29	11					
RESPIRATORY PROBLEMS (INC CHEST AND ASTHMA)	1283	2.26	12					
FAMILY BEREAVEMENT	1265	2.22	13		Absence Reason	Days Lost	% of Days	Rank
GYNAECOLOGICAL (INC REPRODUCTION ORGAN DISORDERS)	1137	2.00	14		* Corona Virus	10979	19.31	1
GENITOURINARY (INC KIDNEY AND BLADDER)	1004	1.77	15					
(blank)	925	1.63	16					
PREGNANCY RELATED DISORDERS	771	1.36	17					
HEART DISORDERS	644	1.13	18					
LONG COVID	385	0.68	19					
EYE PROBLEMS	370	0.65	20					
SKIN DISORDERS (INC BURNS)	305	0.54	21					
ENDOCRINE/HORMONAL (INC DIABETES)	280	0.49	22					
BLOOD DISORDERS	260	0.46	23					
INFECTIOUS DISEASE (INC CHICKENPOX, MEASLES ETC)	108	0.19	24					
SUBSTANCE MISUSE (INC ALCOHOL AND DRUGS)	103	0.18	25					
OTHER	14	0.02	26					
Grand Total	56861							

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Agenda Item 6



THIS ITEM IS FOR INFORMATION ONLY

(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)

Title of meeting:	Employment Committee
Subject:	Trade Union Facilities Time 2021/22
Date of meeting:	7 th July 2022
Report by:	Director of Corporate Services
Wards affected:	N/A

1. Purpose

To present the outcome of the Trade Union Facility Time Report 2022 ensuring the Council can fulfil its statutory obligations in respect of the Trade Union (Facility Time Publication Requirements) 2017.

2. Recommendations

It is recommended that the Employment Committee:

- 2.1 Note the data in Appendix 1 and the fact that the Appendix will be the report published on the PCC website, and the Government maintained website.
- 2.2 Note that the data will be included in any relevant Annual Report and Accounts that are published by PCC.

3. Background

- 3.1 The Trade Union (Facility Time Publication Requirements) Regulations 2017 came into force on 1st April 2017 and were introduced as part of the Trade Union Act 2016. These regulations place a legislative requirement on "relevant public sector employers" to collate and publish, on an annual basis, a range of data on the amount and cost of facility time within the Council.
- 3.2 Relevant public sector employers are those employers where the employer has at least one trade union representative and 49 or more employees for seven months during the reporting period, which is the period of 12 months beginning 1 April each year.

THIS ITEM IS FOR INFORMATION ONLY

(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)

3.3 The Regulations specify how the data should be reported and require the Council to report separately on trade union facility time for its central function employees and its education function employees. These are defined in the report contained within Appendix 1.

4. Collection of data

4.1 Details on how the calculations are made and the definitions and scope of the regulations are outlined in Appendix 1.

4.2 To comply with the regulations from 1 April 2017 the trade unions have been requested to record their time spent on trade union duties or trade union activities with effect from this date.

5. PCC recognised trade unions and facility time arrangements

5.1 PCC recognises Unison, Unite and GMB trade unions for central function staff and Unison, Unite, GMB, NEU, NASUWT, ASCL, Voice and NAHT trade unions/professional associations for education function staff.

5.2 Funding for the teaching trade unions in the education function is delegated to all schools and academies as a traded service for them to decide how and when to spend the money, this function is no longer held centrally by the Council. The agreement between the Council and schools is for reimbursement to be made on a daily rate of £165. If this is paid directly to the school, it is paid as a flat rate but if it is paid to an individual this is paid at £165 plus on costs. Non-teaching school employees have the facility to be represented by PCC's central function trade union officials under the Council's current Facilities Agreement, however the schools do not contribute towards the costs of funding these union representatives.

5.3 For Central Function employees the Council previously funded 1 FTE trade union official for each union at a total cost of £75,000 per annum. In April 2017, this funding was halved to £37,500 per annum. The funding was reviewed and increased to £75,000 with effect from 1st April 2020 and continues at this level until 31st March 2022. The Director for Corporate Services supports the continuation of funding arrangements at the higher level. Experience over the last two years has shown that higher funding levels provide unions with greater capacity to engage with management; this level of engagement has led to a positive relationship which has enabled us to move forward in a partnership approach through the pandemic and continues through the recovery phase saving time, money and effort and resulting in a constructive industrial relations climate.

THIS ITEM IS FOR INFORMATION ONLY

(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)

6. Reasons for recommendations

6.1 To comply with the legislative requirements to collect and publish data on trade union facilities time.

7. Integrated impact assessment

7.1 The contents of this report do not have any relevant equalities and environmental impact and therefore an Integrated Impact Assessment is not required.

8. Legal implications

8.1 This report is required to meet the relevant legislative requirements as set out in the body of the report. The requirement to release trade union officials for facilities time is also enshrined in legislation.

9. Director of Finance's comments

9.1 There are no direct financial implications arising from the recommendations in this report.

.....
Signed by: (Director)

Appendices:

Appendix 1: Trade Union Facilities Report June 2022

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

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www.portsmouth.gov.uk

TRADE UNION FACILITIES REPORT - June 2022

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1.0 INTRODUCTION

The Trade Union (Facility Time Publication Requirements) Regulations 2017 came into force on 1st April 2017 and were introduced as part of the Trade Union Act 2016. These regulations place a legislative requirement on "relevant public sector employers" to collate and publish, on an annual basis, a range of data on the amount and cost of facility time within the Council.

Relevant public-sector employers are those where the employer has at least one trade union representative and 49 or more employees for seven months during the reporting period, which is the period of 12 months beginning 1 April each year.

The first report must be published by 31 July 2018 on the employer's website, a Government maintained central website and, where the employer publishes an annual report, it must be included in the annual report.

The regulations specify how the data should be reported (as set out in the tables in sections 5 and 6) and require the Council to report separately on the functions as specified under these regulations, namely its central function employees and its education function employees.

2.0 DEFINITIONS

Under the regulations the following definitions apply:

Central function employees are employees of the authority or Council, other than those in the education function.

Education function employees are those employed by community, voluntary controlled, community special and maintained nursery schools. For any other employees that may be considered as education function, but do not fall under the definition in accordance with the regulations they will be included in the central function employee report.

Paid facility time hours means the number of hours spent on facility time by an employee who is a relevant union official during a relevant period (excluding any time undertaken for which the employee does not receive any wages by the employer).

Total paid facility time hours is the total number of hours spent on facility time by TU representatives during a relevant period and when a representative would normally receive wages.

Paid trade union activities is the time taken off in respect of which a relevant union official receives wages from the relevant public sector employer.

Relevant period means a period of 12 months beginning with 1st April, the first relevant period begins on 1st April 2017 and annually thereafter.

Wages (and **Gross amount** in relation to wages) has the meaning any sums payable in connection with the relevant union official's employment and in accordance with section 27 of the Employment Rights Act 1996.

Working hours is in relation to any time when an employee is required to be at work in accordance with their contract of employment.

Total pay bill is the total amount of (the total gross amount spent on wages) + (total pension contributions) + (total national insurance contributions) during the relevant period.

Hourly cost for each employee: (the gross amount spent on wages) + (pension contributions) + (national insurance contributions) divided by the number of hours during the relevant period.

Total cost of facility time for each employee who is a TU representative during the relevant period, facility time cost is calculated by: (hourly cost for each employee x number of paid facility time hours). Total facility time cost is calculated by adding together the amounts produced by the calculation of facility time cost for each employee. In calculating this figure wages of any employee who can be identified from the information being published must be expressed as a notional hourly cost to represent the employee's wages.

3.0 SCOPE

Most public authorities are in scope. This includes:

- An authority listed, or of a description, in Schedule 1 of the regulations
- Local Authorities
- The National Health Service
- Maintained schools and other educational institutions
- Police staff
- Any department of the Government of the United Kingdom (excluding the Secret Intelligence Service, the Security Service and the Government Communications Headquarters)
- The Scottish Ministers

The regulations only apply to employers that have at least one TU representative and which have more than 49 full time equivalent (FTE) employees during any seven months of a 12-month relevant period.

4.0 CENTRAL FUNCTION EMPLOYEES

4.1 Table 1- Relevant Union Officials

Number of employees who were relevant union officials during the relevant period	Full-time equivalent employee number
13	12.92

4.2 Table 2 - Percentage of time spent on facility time

Percentage of time	Number of employees
0%	0
1-50%	12
51-99%	1
100%	0

4.3 Table 3 - Percentage of pay bill spent on facility time

	Figures
The total cost of facility time	£53,070.18
The total pay bill	£140,818,580.97
The percentage of the total pay bill spent on facility time, calculated as: (Total cost of facility time ÷ total pay bill) x 100	0.038%

4.4 Table 4 - Paid trade union activities

Time spent on paid trade union activities as a percentage of total paid facility time hours calculated as: (Total hours spent on paid trade union activities by relevant union officials during the relevant period ÷ total paid facility time hours) x 100	7.36%
--	-------

5.0 EDUCATION FUNCTION EMPLOYEES**5.1 Table 1- Relevant union officials**

Number of employees who were relevant union officials during the relevant period	Full-time equivalent employee number
3	3

5.2 Table 2- Percentage of time spent on facility time

Percentage of time	Number of employees
0%	0
1-50%	3
51-99%	0
100%	0

5.3 Table 3 - Percentage of pay bill spent on facility time

	Figures
The total cost of facility time	£26,814.53*
The total pay bill	£38,788,369.77
The percentage of the total pay bill spent on facility time, calculated as: (Total cost of facility time ÷ total pay bill) x 100	0.07%

* This figure includes on costs (tax and national insurance) and flat rate reimbursement to schools.

5.4 Table 4 - Paid trade union activities

Time spent on aid trade union activities as a percentage of total paid facility time hours calculated as: (Total hours spent on paid trade union activities by relevant union officials during the relevant period ÷ total paid facility time hours) x 100	8.90%
---	-------

6.0 Data Analysis**6.1 Central Function Employees**

The data has found that during the relevant period up to 31st March 2022 there were 12.92 FTE trade union officials in PCC. There are several trade union representatives whose time is funded by the Council (services are reimbursed their employment costs for this time). These are as follows: Unite has 1 representative funded for 5 days per week, Unison has up to 3 representatives funded for 3 days per week in total (one is a reimbursement to an Academy for representation of PCC employees). GMB do not currently have any council funded representatives.

The figures in this table require some clarification due to the breadth of the percentage ranges. For example, the majority of employees who record any facilities time fall into the 1-50% range, however the average percentage of working time that these employees spend on trade union facility time is less than 10%. In the 51-99% range, one employee spent 85.75% of their time on facility time.

6.2 Education Function Employees

For Teaching staff there are a small number of trade union officials that represent these groups of staff, and these are the ones who have been captured in the education function data.

Appendix 1

The data for the education function employees found that during the relevant period up to 31st March 2022 there were 3 FTE trade union officials. The remaining representatives are reimbursed at a daily rate of £165 plus on costs if the employee is reimbursed directly or at a flat rate of £165 per day if the reimbursement is paid to the school.

In table 1 the number of employees is made up of three representatives for NEU and includes all trade union representatives that are employed during the relevant period but excludes casual workers.

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