

National Employers for local government services

To: Chief Executives in England, Wales and N Ireland
(additional copies for HR Director and Finance Director)
Members of the National Employers' Side
Regional Directors

19 October 2021

Dear Chief Executive,

LOCAL GOVERNMENT PAY 2021

The National Employers met today to consider the unions' request to reopen this year's pay negotiations.

I wrote to you on 27 July with details of the [employers' final pay offer](#) to the unions representing local government services ('Green Book') employees. During September, all three unions consulted their memberships with a recommendation to reject the final offer. UNISON members voted 79 per cent to 21 per cent to reject; GMB members voted 75 per cent to 25 per cent to reject; and Unite voted 81 per cent to 19 per cent to reject. The unions are all now preparing to conduct industrial action ballots.

After a lengthy debate, the employers today agreed by a majority to reaffirm that the pay offer they made on 27 July is full and final and to inform the unions that they could not accede to their request to reopen negotiations. A letter explaining the employers' decision has been sent to the unions and is **attached**.

Relationships with the unions have to be based on honesty and integrity which is why we have been consistent in telling them that the employers' pay offer is full and final. The National Employers put great effort into making the best pay offer they could in the circumstances and ensured that the offer reflected the views of the overwhelming majority of councils. Therefore, it would be disingenuous and misleading of us not to again make clear that any further meeting will not lead to an improved pay offer.

We hope the unions will accept the final offer we have made so that our hard-working staff can get the pay rise paid to them as soon as practicable.

It is important that your employees are kept fully in the picture and in particular that they are aware that the employers have made a final offer that represents the limit of affordability and there is no prospect of this offer being increased.

The employers recognise that local government workers are affected by the current difficult economic climate but our final offer is the limit of what councils can afford. The employers have tried very hard to ensure that all employees will receive a fair pay increase.

Local authority Craftworkers

Unite and GMB consulted their members on the [employers' final pay offer](#) as part of their ballot on the main NJC offer. Both unions recommended that the pay offer for Craftworkers be rejected.

GMB's Craft members voted by a majority of 90 per cent to 10 per cent to reject the final offer. Unite's Craft members voted by a majority of 84 per cent to 16 per cent to reject the final offer.

Both unions are expected to conduct industrial action ballots of Craftworkers in parallel with the NJC ballots.

Chief Executive and Chief Officer pay

At their meeting on 27 July, the National Employers made final pay offers of 1.50 per cent to both groups. Both the respective Staff Sides rejected the final offers and asked the employers to reconsider and instead meet their claims for "*equality of treatment with the generality of local government staff*".

The National Employers today agreed to reaffirm their final pay offers and urged the Staff Sides to accept them. Letters setting out the rationale behind the employers' decision will be sent to the Staff Side Secretaries in the next few days.

Industrial action ballots

The law requires that there is a ballot of employees in accordance with strict legal requirements before industrial action is called for or endorsed. Only where such a ballot produces a majority in favour of industrial action and at least 50 per cent of those eligible to vote have voted will the action be lawful.

The ballot will only be effective for and mandate industrial action that takes place within six months, beginning with the date of the ballot (which is the date the ballot closes).

In previous disputes, all three unions have balloted members on an aggregated basis. This means that to take action, 50 per cent of their national memberships were required to vote. This time, we understand that one or more of the unions may operate on a disaggregated basis. This means that action could be taken at each organisation where a turn-out of over 50 per cent is secured (if members vote in favour strike action).

We have produced a comprehensive [e-guide on industrial action](#) which I recommend you and your colleagues read ahead of the unions' ballots getting underway.

I shall continue to keep you informed of developments.

Yours sincerely,

Naomi Cooke

Naomi Cooke
Employers' Secretary

Mike Short, Rehana Azam, Jim Kennedy
Trade Union Side Secretaries
NJC for Local Government Services
c/o UNISON Centre
130 Euston Road
London NW1 2AY

19 October 2021

Dear Mike, Rehana and Jim

LOCAL GOVERNMENT PAY 2021

Thank you for your letter of 14 October.

The National Employers met today and noted the outcome of your pay consultation ballots and your intention to prepare to conduct ballots for industrial action.

The employers carefully considered your request for them to make an improved offer. After a lengthy debate, the employers today agreed by a majority to reaffirm that the pay offer they made on 27 July (see overleaf) is full and final.

You are aware of the financial situation in the sector; the employers are therefore obliged to ensure that they represent the interests of local authorities by ensuring that any pay offer is shaped in such a way that it is affordable and fair to both employers and employees.

In your letter, you also request that the employers, "*reconsider [their] refusal to work with us to lobby the government for more funding specifically for local government pay*". I remind you that any decision to seek funding for a pay award can only be made by the LGA (in coordination with the WLGA and NILGA) and is therefore outside the remit of this body.

The National Employers urge you to reconsider your decision to ask your members to vote for industrial action in order that the local government workforce can promptly receive the 2021 pay award.

Yours sincerely,

Naomi Cooke

Naomi Cooke
Employers' Secretary

National Employers' full and final pay offer for 2021:

- **With effect from 1 April 2021, an increase of 2.75 per cent on NJC pay point 1**
- **With effect from 1 April 2021, an increase of 1.75 per cent on all NJC pay points 2 and above**
- **Completion of the outstanding work of the joint Term-Time Only review group**
- **A national minimum agreement on homeworking policies for all councils**

The LGA's Workforce team has gathered a number of examples of local proposals and policies from councils that are moving to a hybrid working model. It is also providing advice and guidance on organisational development strategies and employment practices that support post-COVID workforce transformation. All of this work includes issues raised in your proposals, so the employers suggest that the NJC begins discussions on how they could be included in joint framework guidance.

The employers noted your repeated request for the introduction of a homeworking allowance for all staff who are working from home. This issue received no support from councils during the regional pay consultation process, so the employers reaffirm their previous rejection of this element of your claim.

- **An agreement on a best practice national programme of mental health support for all local authorities and school staff**

The LGA's Workforce team has collected large amounts of data and information relating to local policies which could be highlighted jointly as examples of good practice. Throughout the pandemic, the LGA's Workforce team has worked with a number of national partners to offer a wide range of emotional and physiological wellbeing guidance and information for managers and staff across the different sectors of our workforce, with a particular focus on mental health.

A programme of work is planned that will provide more advice and guidance to local government employers to help support them to manage the transition of staff out of 'crisis' or 'react' mode and to develop employment practices that have wellbeing principles and competencies at their core. The employers propose that the NJC begins discussions on producing joint guidance.

- **A joint review of the provisions in the Green Book for maternity / paternity / shared parental / adoption leave**

The employers noted your proposal for a new '*family leave and pay*' section in Part 2 of the Green Book. The employers request that you provide more details so that they are able to properly consider this suggestion.

You will be aware that the Government will be issuing its response to its 2019 consultation on the potential reform of the statutory provisions for maternity, parental and family leave and pay before the end of the year. Therefore, the employers propose that the NJC waits to see what the government brings forward before it embarks on a review of its own.

However, the government will be introducing neo-natal leave and pay. The new statutory provisions will allow for an additional week's leave for each week a neonatal baby is in hospital, for up to 12 weeks, paid at the statutory rate of £151.97 per week (or 90% of earnings if less).

The National Employers propose that this new provision is incorporated into the National Agreement's Maternity Scheme.