

WILTSHIRE COUNCIL

STAFFING POLICY COMMITTEE

7 May 2014

Temporary Closure of Leisure Facilities

Purpose of Report

1. To present a temporary policy on handling employee issues due to the closure of leisure facilities because of campus projects, redevelopment, rebuilds or maintenance work.

Background

2. With the development of campus projects it will be necessary to close affected leisure facilities temporarily whilst these projects are underway. The length of time each facility will be closed will be different depending on the nature and scale of each project.
3. The policy details that the priority will be to continue to employ our employees during the closure period by looking at a number of alternatives. Where this is not possible so that our employees services are retained we will continue to pay them for a set period of time.
4. The procedure has been created and formatted in line with the new HR policy template

Main Considerations for the Council

5. Each campus project will be different and the number of staff affected will depend on whether some services are able to continue to operate as normal, can be re-located elsewhere or have to shut down completely for the closure period.
6. Possible alternatives that can be considered for employees include:
 - where services can be maintained to continue working as normal.
 - working in another role that is considered suitable at their usual place of work.
 - working at another site either in their normal role or performing other duties that are considered suitable.
 - working a mixture of working at their normal place of work or elsewhere.
7. If it is not possible to find suitable work for employees for all or part of their contracted hours the policy recommends that employees continue to receive their normal pay, or have their salary made up to their normal pay, for a maximum period of 26 weeks.
8. Affected employees will be expected to be flexible during the closure period by taking on different job roles that are suitable and taking a reasonable amount of annual leave during the closure period.
9. The Council will retain the services of employees that they have invested in through recruitment and training and will be available to work once the

leisure centre reopens.

Consultation

10. The policy was approved by JCC on 24 April 2014 following consultation with HR, union representatives, Legal and other key stakeholders.

Environmental Impact of the Proposal

11. None

Equalities Impact of the Proposal

12. The only consideration that was raised was to be sensitive about discussing alternative roles or locations with employees who have caring responsibilities.

Risk Assessment

13. None

Options considered

14. Other options were considered such as a combination of 12 weeks full pay followed by 12 weeks half pay; half pay only; paying some retainer pay only. However, on discussing these various options as there is no right to lay employees off or to put them on short time working in their contracts if we went down the half pay or retainer pay route we could face claims for constructive unfair dismissal; damages for breach of contract; claims for unlawful deduction from wages; and claims for statutory redundancy pay.

Financial Implications

15. There will be a loss of income for Leisure during the closure periods. The costs will be different for each individual campus project. With the first campus project at Corsham it is anticipated that the impact on employees will be minimal as many classes are being relocated elsewhere. The main group of staff that will be affected are those that work in the pool area, the majority of which are on variable contracts. It is anticipated that alternative work will be found for most of the affected employees.

Recommendation

15. To recommend that Staffing Policy Committee approve the policy on the Temporary Closure of Leisure Facilities.

Barry Pirie
Service Director
HR & OD

Report Author: Margret Roots, Human Resources Policy & Reward team

The following unpublished documents have been relied on in the preparation of this report: None