

**ITEM No ...2.....**

**REPORT TO:** NEIGHBOURHOOD SERVICES COMMITTEE – 21 NOVEMBER 2022

**REPORT ON:** TRANSFER OF NEIGHBOURHOOD SERVICES COMMUNITY CENTRE FACILITIES MANAGEMENT TO TAYSIDE CONTRACTS

**REPORT BY:** EXECUTIVE DIRECTOR NEIGHBOURHOOD SERVICES

**REPORT NO:** 297-2022

**1 PURPOSE OF REPORT**

1.1 The purpose of this report is to seek approval from Neighbourhood Services Committee to the transfer of Community Centres facility management from Dundee City Council to Tayside Contracts.

**2 RECOMMENDATION**

2.1 It is recommended that Neighbourhood Service Committee

2.2 Remits the Communities Section to enter into a Facilities Management Partnership Agreement (FMPA) with Tayside Contracts to deliver a facilities management service for Dundee City Council Community Centres.

2.3 Approves the transfer of the current postholders of the Resource Assistant posts and the Senior Resource Assistant post to Tayside Contracts under the Transfer of Undertakings (Protection of Employment) (TUPE) arrangements, meaning staff would transfer with protection for their existing terms & conditions, ensuring no detriment to any staff transferring on 1<sup>st</sup> April 2023 or a date mutually agreed thereafter.

**3 FINANCIAL IMPLICATIONS**

3.1 The cost of the FMPA is anticipated to be £405,088.91 per annum at 2022/23 costs which will be met by the existing Communities Service budget.

3.2 It is also anticipated there will be non-cashable efficiency savings to Dundee City Council due to the reduction of Communities management time spent on facilities management and reduction in staff turnover and absence.

**4 MAIN TEXT**

**4.1 BACKGROUND**

4.1.1 After initial discussions with staff and Trade Unions in 2019, Communities Service management agreed to explore alternative service models for the facilities management of buildings operated by the Communities section of Neighbourhood Resources. The rationale for this included:

- high staff turnover due to a lack of development and promotion opportunities
- high unanticipated spend on agency and overtime due to a lack of flexibility and resilience in the service
- short notice cancellation of community centre programmes where cover could not be provided, including for paying lets
- lack of cover available within the Communities service and the wider DCC staff pool
- and a single point of contact manager which puts business continuity at risk

4.1.2 Dundee City Council Neighbourhood Services Communities Section and Tayside Contracts discussed service improvements and came forward with two options:

- a) The redesign of Neighbourhood Services Community Centre facilities management within Dundee City Council.
- b) Developing a Facilities Management Partnership Agreement (FMPA) with Tayside Contracts to deliver a service for Dundee City Council Community Centres, which includes the TUPE transfer of identified Dundee City Council employees to Tayside Contracts.

4.1.3 Option (a) was not considered viable due to the high cost of restructuring the DCC management model, the inefficiencies of keeping that service within Communities due to the additional costs still required for agency/overtime to cover staffing gaps and that the issues surrounding staff recruitment and retention which would remain unaddressed under a modified structure.

4.1.4 Option (b) was the preferred option. In looking at this consideration was given to the successful transfer of the school janitorial service from Dundee City Council to Tayside Contracts in 2014 and the positive experience of Tayside Contracts in facilities management of the school estate. This includes the flexibility of their large pool of staff, allowing them to respond more effectively to meet the service requirement, negating a reliance on agency staff and ending short notice cancellation of programmes during periods of sickness absence and holidays. In addition, consideration was given to their ability to take on the employment of the Resource Assistants and Senior Resource Assistant under the TUPE scheme, ensuring no detriment to staff regarding their current terms and conditions.

4.1.5 Option b) is the preferred option given:

- 1) the low-level risk given the expertise in Tayside Contracts in running the school estate facilities management and previous TUPE transfers
- 2) the potential reduction in staff turnover given increased opportunities to offer employees additional training and career progression routes
- 3) known costs to the service through FMPA with the removal of overtime and agency costs
- 4) the service resilience within Tayside Contracts to call upon their staff team to cover sickness and absences when required
- 5) there would be no detriment to the terms & conditions of employees transferring
- 6) the future opportunity for future service redesign to increase the efficiency of the service as part of the FMPA; this would be consistent with the Community Hubs model being developed by Dundee City Council
- 7) there would be continued governance and democratic accountability through the Tayside Contracts Governance and Strategy Group, the Tayside Facilities Partnering Board given that Tayside Contracts operates under the governance and financial stewardship of the Tayside Contracts Joint Committee.

## **4.2 PROPOSED TUPE TRANSFER**

- 4.2.1 As noted above the Resource Assistants (6 Full time and 8 Part time) and Senior Resource Assistant (1) will transfer as a single service in their existing roles under their existing terms and conditions at no detriment to staff within scope.
- 4.2.2 The FMPA provides for new management arrangements. Therefore, the Resource Assistant Co-Ordinator post will not transfer and will be redeployed through Dundee City Council's agreed redeployment procedure at no detriment to the postholder.

## **4.3 CONTRACT MANAGEMENT**

- 4.3.1 A Partnership Oversight Group will be set up between Neighbourhood Services and Tayside Contracts to oversee the service and maintain the quality of provision.

## **5 STAKEHOLDER CONSULTATIONS**

- 5.1 Together with Human Resources formal consultation was carried out throughout September and October 2022 with staff and Trade Unions including informal meetings between staff, Trade Unions, Communities, HR and Tayside Contracts to raise issues and answer questions.
- 5.2 No formal objections were raised to this transfer and the Trade Unions, UNITE, GMB and UNISON signed this off at a meeting on the 21/10/22.
- 5.3 Democratic & Legal Services have been consulted on the content of the proposed FMPA.

## **6 POLICY IMPLICATIONS**

- 6.1 This report has been subject to the Pre-IIA Screening Tool and does not make any recommendations for change to strategy, policy, procedures, services or funding and so has not been subject to an Integrated Impact Assessment. An appropriate senior manager has reviewed and agreed with this assessment.

## **7 CONSULTATIONS**

- 7.1 The Council Leadership Team have been consulted on the preparation of this report and are in agreement with its contents.

## **8 BACKGROUND PAPERS**

- 8.1 None.

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Executive Director of Neighbourhood Services

Tom Stirling  
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21 October 2022

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