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**Report of the Head of WYCA Economic Strategy and LEP Director**

**Report to the Deputy Chief Executive**

**Date: September 2014**

**Subject: Transfer of Undertakings – Regional Policy Team**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

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**Summary of main issues**

1. The transfer of the Economic Development function for the Leeds City Region Enterprise Partnership to the West Yorkshire Combined Authority has been agreed as part of the City Deal. This report seeks agreement to the transfer of the Regional Policy Team, which provides this function, from Leeds City Council to the WYCA.

**Recommendations**

2. To consult with stakeholders and agree to the proposals outlined in this paper, and its associated appendices.
3. To transfer the current Leeds City Council Regional Policy Team and any related assets to the West Yorkshire Combined Authority.

## **1.0 Purpose of this report**

- 1.1 The purpose of this report is to seek approval for the Transfer of Undertakings relating to the Leeds City Region Enterprise Partnership Economic Development function, provided by the Regional Policy Team, from Leeds City Council to the new West Yorkshire Combined Authority.

## **2.0 Background Information**

- 2.1 The Economic Development activities of the Leeds City Region Enterprise Partnership (the LEP) are currently hosted within the Regional Policy Team (RPT) of the Strategy and Resources Directorate of Leeds City Council. Whilst still known as the Regional Policy Team, in practice the regional policy activity is only a small part of the Team's functions. The activities of the Leeds City Region have increased year on year and this has resulted in an ongoing increase of staff numbers. Over the past two and a half years since the CR became an Enterprise Partnership the size of the Team has almost trebled (in terms of LCC staff) and the majority of this increase has been due to the development of the LEP.
- 2.2 In 2012 the LEP entered into an agreement with the UK Government which is known as City Deal. Part of this agreement included setting up a West Yorkshire Combined Authority (WYCA) which would combine transport and economic development functions. The WYCA came into operation on 1 April 2014. All staff from the West Yorkshire Passenger Transport Executive were TUPE'd (Transfer of Undertakings Protection of Employment Regulations 2006) to the new authority from that date.
- 2.3 The proposal is to TUPE the full Regional Policy Team to the WYCA as from 1 April 2015. In preparation for this the Team have already moved from the Civic Hall to Wellington House to be co-located with the WYCA.

## **3.0 Regional Policy Team**

- 3.1 The Regional Policy Team currently consists of 28 members of staff (27 posts) including the Head of Economic Strategy / LEP Director who is already seconded to the WYCA. The proposal is to transfer the full Team on current terms and conditions which include a number of staff on honoraria payments. The intention would be to formalise a new team structure following the transfer. The current RPT structure is attached at Appendix 1.
- 3.2 In July confirmation was received that the LEP had been awarded significant funding from the Local Growth Fund for 2015 to 2020. In order to deliver the agreed projects included within this, there is a need not only to maintain current staffing levels but also to increase them. All new staffing as from September 2014 will be recruited through the WYCA with the first new members of staff expected to be interviewed in October / November 2014.
- 3.3 The Regional Policy activity of the Team is gradually being transferred to other officers of Leeds City Council. Therefore all staff currently within the Team will all be transferred.
- 3.4 The TUPE will include any assets related to the Team. The only assets, other than financial resources, identified at this time are Information and Communication Technology (ICT) including (currently) 39 laptops and 39 mobile phones. Discussions

are currently ongoing regarding the processes of transferring this equipment. All identified equipment has been purchased using LEP income.

#### **4.0 Implementation of the TUPE**

4.1 The details of the TUPE transfer are yet to be finalised but the intention is that staff will transfer on their current salaries and terms and conditions.

4.2 No measures are proposed but these will be considered as the TUPE progresses.

#### **5.0 Corporate Considerations**

##### **5.1 Consultation and Engagement**

###### **RPT and Unions**

Staff have been notified through email and discussions at Team meetings that the TUPE transfer is proposed and the date from which it is expected to be implemented.

The Team has members in three different Unions (Unison, Unite and GMB). The proposed transfer has been raised at two departmental JCC meetings (the most recent on 30 September 2014).

Unite and Unison representatives at the WYCA have also been informed of the proposal for a TUPE transfer.

Formal TUPE consultation will be undertaken with all staff.

##### **5.2 Equality and Diversity / Cohesion and Integration**

An equality, diversity, cohesion and integration screening has been undertaken which concluded that an Equality Impact Assessment was not required, this is attached as Appendix 2.

##### **5.3 Council Policies and City Priorities**

The key purpose of the Leeds City Region Enterprise Partnership is the economic development of the City Region. The activity of the LEP supports the delivery of the Leeds Growth Strategy which aims to support the City's vision to become the best city in the UK by 2030.

##### **5.4 Resources and value for money**

The Regional Policy Team is almost fully funded from income received through LCR local authorities, UK Government funding for LEP and funding for various projects and other sources. Consideration is being given on the transfer of financial resources currently held by the Leeds City Council. It is possible that some individual project budgets may be retained within the LCC accounts although direct income and reserves for the Team will be transferred to the WYCA.

A limited budget is included within the Strategy and Resources Directorate to support Regional Policy Team functions, this budget will remain within the Strategy and Resources overall budget.

## **5.5 Legal Implications, Access to Information and Call In**

The TUPE transfer will be undertaken in accordance with the Transfer of Undertakings Protection of Employment Regulation 2006.

## **6.0 Conclusions**

- 6.1 The transfer of the Economic Development function for the Leeds City Region Enterprise Partnership to the West Yorkshire Combined Authority has been agreed as part of the City Deal. This report seeks agreement to the transfer of the Regional Policy Team, which provides this function, from Leeds City Council to the WYCA.

## **7.0 Recommendations**

- 7.1 To transfer the Regional Policy Team and any related assets from Leeds City Council to the WYCA, the transfer to be undertaken on 1 April 2015.

## **8.0 Background documents**

Appendix 1 RPT Structure

Appendix 2 Equality Impact Assessment