



# **Barnet UNISON Pay and Conditions Claim 2021**

**The Barnet Group**



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### Abbreviations

ALMO	Arms-Length Management Organisation
BLW	Barnet Living Wage
LATC	Local Authority Trading Company
LBB	London Borough of Barnet
LLW	London Living Wage
LGPS	Local Government Pension Scheme
NAO	National Audit Office
TBG	The Barnet Group Limited
YCB	Your Choice (Barnet) Limited

Note: We have endeavoured to report jobs in actual number of employees although the unspecified use of Full Time Equivalents (FTE) has made a degree of consistency difficult to achieve.

## Barnet UNISON demands

1. All Barnet Group employees should be on Barnet Council Terms & Conditions.
2. All Barnet Group employees should have access to the Local Government Pension Scheme.

### The evidence

- Exploitation and inequalities are embedded in TBG pay and conditions, which undermines the Public Sector Equality Duty. This caused further problems as the workforce increased from 302 in 2012 to 1,147 in 2020 – a 280% increase.
- Between three and six TBG executive directors received a total of £3,843,000 in **salaries** between 2012-2019, plus £259,000 in **performance bonuses**, £32,000 as **honoraria**, plus £465,000 paid into their **pension scheme**. The total salaries of Executive Directors increased 11.8% between 2019 and 2020.
- The average wage in YCB in 2013 was £28,935 but fell to £16,923 in 2020 – a reduction of **£12,012 or 41.5%** (YCB Annual Reports 2013-2020 – see Table 11 below). The average wage in TBG Flex was **reduced by 9.8%** between 2018-2020.
- **Barnet Council is the primary funder of public services provided by TBG**. In 2019-2020 Barnet Homes received £63,800,000 from LBB - **94%** of revenue; YCB received £10,293,000 from LBB - **72.1%** of revenue; TBG Flex 2020 received £9,874,000 in recharges from Barnet Homes and YCB - **86%** is funded by LBB.
- The average pension cost of a TBG executive director was **£20,400** in 2019- 2020 (page 64, TBG Annual Report 2019-2020). An ex-Fremantle care worker had gross pay of **£17,684** (a **39-hour** week on £8.72 per hour). Care workers on low pay rates cannot afford to contribute to an occupational pension scheme.
- TBG employees are barred from joining Barnet Council's Local Government Pension Scheme despite the company being owned and financed by the Council. Instead they are offered a **very inferior defined contribution scheme**.
- There are major gaps between LBB and TBG Flex terms and conditions – **1.75** additional weekly hours, 4 months less sick pay on full pay, a grossly inferior pension scheme; and **no wage increase at all for any of the YCB employees for eight years**.
- TBG Flex charges other TBG companies a **4% annual fee for the employment of staff** "...to ensure it contributes a viable surplus for TBG Flex" (TBG Flex Annual Report, 2020). It had accumulated profits of **£372,000** (31 March 2020).
- The establishment of an internal employment agency (TBG Flex) was a means of blatantly exploiting the workforce.
- Barnet taxpayers are paying for TWO chief executives to manage council services when most Councils have only one – **an additional cost of about £190,000** inclusive of salary, social security and pension scheme contribution.
- TBG's high corporate costs include **£33,000,000 to hire agency staff between 2012 and 2020** of which an estimated £4.9m was paid in agency fees.

## Advantages of Barnet Council's terms and conditions

### Grade

The Council has a grading structure for different jobs starting with Grade A which had a minimum pay of £20,658 and maximum of £22,185 per annum in 2020-21.

Progression within the grade is based upon annual performance assessment and consolidation of salary. Depending on your performance rating you will receive the following for:

Outstanding performance	3%
Good performance	2.25%
Satisfactory performance	0.5%
Unsatisfactory performance	0%

You will continue to be considered for progression on each following 1<sup>st</sup> April until you reach the top of your grade.

### National Pay Awards every year

#### Hours of work

- 36 hours your normal working week, excluding breaks.
- Time and quarter for Saturday working.
- Time and half for Sunday working.
- Time and third for Night shift 10 pm to 6 am.
- All Bank Holidays Double Time or a day in lieu.

**Annual leave:** 30 Days annual leave plus 8 Bank Holidays

**Sick pay:** Council Sick Pay Scheme

First year of employment: 1 month full pay – 2 months half pay.

Second year of employment: 2 months full pay - 2 months half pay.

Third year of employment: 4 months full pay - 4 months half pay.

Fourth and fifth year of employment: 5 months full pay - 5 months half pay

After five years of employment: 6 months full pay - 6 months half pay.

**Pension:** Admission to Barnet Council's Local Government Pension Scheme

The difference between the London and Barnet Living Wage is highlighted in Table 1. It reveals the difference in hourly rates, weekly hours, enhancements and annual basic wage.

Table 1: Comparison of London and Barnet Living Wages 2021-2022

	Hourly Rate	Weekly Hours	Enhancements	Annual basic wage
London Living Wage	£10.85	39	None	£22,003
Barnet Living Wage Grade A	£11.03 - £11.85	36	Time and Quarter for Saturday working Time and half for Sunday working Double time for Bank Holidays	£20,658-£22,185

Source: London Borough of Barnet, 2021 Draft and YCB London Living Wage proposal, 1 March 2021.

**The Barnet Living Wage and access to the Local Government Pension Scheme will have additional benefits:**

- reduce inequalities and poverty.
- improve staff recruitment and retention and reduce staff turnover cutting the cost of recruitment, induction, training and staff reviews and free up management time for other responsibilities.
- reduce the use and cost of agency employees.
- reduce absenteeism for reasons other than illness.
- increased household spending in the local economy.
- make jobs attractive to younger people.
- improve career progression opportunities.

## **How the TBG 2021 pay award can be funded**

### **Strategic priorities**

- 1. Ensure all employees are on Barnet Council terms and conditions**
- 2. Access to Barnet Council pension fund, particularly in the care workforce - wind up TBG Flex Limited**
- 3. Transfer of Barnet Homes and YCB and staff to Barnet Council**

### **Phase 1: Ensure all employees are on Barnet Council terms and conditions**

When the Fremantle care workers transferred to YCB in 2019 they were on the National Minimum Wage of £8.72 per hour. In March 2021 TBG announced that YCB care workers currently paid less than £10.85 per hour will have a salary increase to the London Living Wage (LLW) of £10.85 per hour from 1 April 2021. However, this is for a 39-hour working week with enhancements abolished for weekend, night and bank holiday working (except Christmas day). TBG reported that 195 employees would receive an increase in their hourly rate.

As we go to press it is unclear whether the LLW will be applied to the small number of staff who TUPE Transferred from Housing 21 and created the Enablement service and to ex-Mears repairs staff some of whom may be under the LLW.

The following cost analysis is based on all TBG employees being on the minimum LLW upgrading to the Barnet Living Wage (BLW) applying to all TBG employees from 1 April 2021 for a 36-hour week with **enhancements retained**. We have used employment data from the 2020 Annual Reports of the TBG subsidiary companies - Barnet Homes 239 and 46 repairs staff, YCB 521, TBG Flex 341, a total of 1,147 employees.

The number of employees that would be upgraded to the BLW is 874 (YCB 521, TBG Flex 341, Barnet Homes 5 outreach and 7 repairs). The BLW for 2020-2021 is based on Grade A annual pay minimum of £20,658 to maximum of £22,185. Assuming all employees start on the minimum grade this equates to an hourly rate of £11.035 for a 36-hour week, or a £0.185 increase over the LLW. This will cost £337,685 annually (including £35,000 social security and pension costs) and can be immediately funded by the £372,000 retained profit in TBG Flex (which could increase by a further £200,000 by 31 March 2021 if the 2020 performance is repeated).

The data to calculate the cost of enhancements is not publicly available. If further funding is required then the 2021 performance bonus (£74,000 in 2020) and honoraria (£9,000 in 2019) due to Executive Directors should be redirected to fund the cost. Improving TBG terms and conditions is likely to make recruitment and retention of staff easier and reduce the estimated 2020 external agency fee level of £685,500 (excluding the cost of wages) saving an additional £200,000.

### **Phase 2: Increase pension fund membership, particularly in the care workforce**

TBG Flex should be terminated as an internal employment agency with employees transferred to TBG Limited. The transfer of TBG Flex pensions into the Barnet Council's LGPS should be investigated as matter of urgency. This would radically improve the quality of the pension scheme for all transferred TBG staff.

The wind-up of TBG Flex will immediately save at least £1,195,000 in operational costs such as professional fees, audit costs, insurance, cost of non-executive directors, estimate of 2021 profit and net funds. This could finance a further hourly rate increase of £0.65 for the 874 ex-TBG Flex, YCB and 12 staff in Barnet Homes) staff, inclusive of social security and pension costs. This would increase the hourly rate to £11.68 (£21,865 per annum).

### **Phase 3: Transfer of Barnet Homes and YCB to Barnet Council**

The Barnet Homes agreement with LBB concludes in early 2022. We strongly recommend that LBB terminates the Arms-Length Management Organisation (ALMO) contract with Barnet Homes Limited and winds-up The Barnet Group, including YCB. Services. Employees and assets would transfer to Barnet Council.

This action would immediately save £1,867,000 by reducing executive salaries and 2022 performance bonus, agency fees, audit fees, repayment of loans to Bumblebee Lettings and TBG Open Door and other operational costs. This could finance a further £1.00 increase in the hourly rate for the TBG Flex employees in Barnet Homes and the 520 YCB employees to £12.68 (£23,737 Grade D) inclusive of social security and pension costs. Longer-term savings from the termination of the Barnet Homes ALMO would benefit the Council's financial position.

The TBG Open Door subsidiary should be transferred to the LBB Housing Service. Bumblebee Lettings Limited operates in the private rented lettings and management market and should either be transferred to the LBB Housing Service or sold to the private sector. It had a turnover of £1,166,000 in 2020 and manages 131 units. It is very difficult to estimate its potential sale price.

### **Closure of ALMOs**

Over fifty percent of the ALMOs (with 564,450 homes) that were established in England to undertake the government's Decent Homes investment have been closed with services and staff returned to local authority provision (Table 2). In 2009 there were 69 ALMOs, but 37 have since closed with more authorities, such as Haringey, planning closure. 17 ALMOs have been terminated in sixteen London local authorities with housing services returned to Council control.

The closure of ALMOs was based on: surveys of tenants' opinions who voted by a large majority to return to direct local authority provision (for example Waltham Forest 64%, Kirklees 82%, Sheffield 88.2%); significant short and long-term savings achieved by combining two sets of overheads and other economies of scale revealed in cost-benefit and risk analysis (for example Westminster £2.75m, Waltham Forest £500,000 short-

Term and £1m medium-term, Enfield £540,000, Sheffield £1.2m) and the need to improve democratic accountability and housing services was referenced in several local authorities.

### Closure of the Barnet Homes ALMO and TBG could achieve:

- Full implementation of the Barnet Living Wage and access to the Local Government Pension Scheme and a standard 36-hour week with enhancements retained.
- Substantial financial savings by removing duplication and achieving economies of scale.
- Improve the integration and coordination of services.
- A step change improvement in the quality, effectiveness, equality and efficiency in housing and related delivery of services (see Figure 1, page 16).

Table 2: ALMOs closed up to February 2021

Year	ALMO	Number of houses
2021	Haringey LBC	20,500 in progress
2021	Gateshead MBC	19,000
2020	Kirklees MBC	22,000
2020	Manchester City Council	13,000
2020	East Kent (Canterbury, Dover, Folkestone & Hythe and Thanet)	17,000
2018	Westminster City Council	12,000 tenants, 9,000 leaseholders
2018	Bassetlaw District Council	7,000
2018	Kensington & Chelsea LBC	10,000 (TMO)
2017	Brent LBC	7,700 tenants, 3,700 leaseholders
2017	Wigan MBC	22,000
2017	Welwyn Hatfield BC	9,960
2016	Ashfield DC	6,800
2016	Hackney LBC	33,740
2015	Northumberland CC	8,420
2015	Waltham Forest LBC	10,245 tenants, 1,980 leaseholders
2015	Lambeth LBC (Living)	24,000 tenants, 9,000 leaseholders
2015	Enfield LBC	11,000 tenants, 4,500 leaseholders
2014	Hounslow LBC	16,500
2013	Sheffield City Council	42,000
2013	High Peak Borough	4,100
2013	Sandwell MBC	29,220
2013	Lambeth LBC (United Residents)	2,500
2013	Leeds City Council (East North)	58,000
2013	Leeds City Council (West North)	Inc above
2013	Leeds City Council (Aire Valley)	Inc above
2012	Charnwood	6,000
2012	Havering LBC	10,000 tenants, 2,000 leaseholders
2012	Redbridge LBC	4,465
2012	Islington LBC	29,500
2011	Stevenage BC	8,300
2011	Basildon BC	12,900
2011	Rotherham MBC	21,000
2011	Newham LBC	18,340
2011	Hammersmith & Fulham LBC	12,200 tenants, 4,670 leaseholders
2011	Ealing LBC	18,000
2010	Hillingdon LBC	9,560
2010	Slough BC	7,500
<b>Total</b>	<b>37</b>	<b>564,450 tenants (excludes leaseholders)</b>

Source: Local authorities and Inside Housing Journal

## **London Living Wage for ex-Fremantle care staff from 1<sup>st</sup> April 2021**

TBG has announced that from 1<sup>st</sup> April the London Living wage will be paid to all the staff who were TUPE transferred to YCB from Fremantle care homes. This means the hourly rate will move from £8.72/ hr to £10.85/ hr. However, the workers will be part funding this themselves by having their enhancements for working weekends, bank holidays and night shifts removed. The other part of this will be funded by Barnet Council itself. This uplift will not be backdated and it creates a new issue of pay compression around this rate. Nonetheless most workers will gain something from this raise although it is unlikely to fully satisfy their aspirations and they still remain a long way from Barnet Council Terms and Conditions.

### **Other recommendations**

Equality Impact Assessments should be published with full data including numbers and percentages of employees and service users.

Further social care rate precept beyond 2021-22 may be necessary or additional government emergency funding must be made available to all local authorities.

### **The structure of this report**

Part 1 describes the growth of TBG and the value of the work undertaken by frontline employees.

Part 2 summarises Barnet Council's policy for arms-length companies as part of its privatisation strategy that began in 2008.

Part 3 examines Barnet Council and TBG employment policies and the role of TBG Flex in reducing terms and conditions and promoting a grossly inferior pension scheme. It also reveals the high corporate costs of TBG.

Part 4 explains how inequalities are embedded in TBG policies and practices.

Part 5 discusses the contradiction between the government's pay freeze imposed on public sector workers in 2021/22 and the way in which public money has been squandered in the response to the Covid-19 pandemic.

Part 6 briefly refers to the practices that should accompany the transfer of services and staff to Barnet Council.

***"I worked as a carer in Barnet YCB residential care home over 2 years supporting elderly, vulnerable people with dementia to maintain their independence to respect and dignity in our service. We all want Barnet Council terms and conditions for sick pay and annual leave."***

A Barnet Group worker

## Part 1

# Barnet Council policy and arms-length companies

The Barnet Group (TBG) became operational in 2012 when Barnet Homes, an Arms-Length Management Organisation (ALMO) was transferred to TBG. The ALMO was originally established in 2004 to operate the housing service and take advantage of capital investment under the then government’s Decent Homes programme. Your Choice (Barnet) began operating in 2012 as a Local Authority Trading Company when the Council’s physical and learning disabilities services transferred to TBG as part of the Barnet’s ‘future shape’ privatisation programme which began in 2009.

TBG Flex Limited was later set up as an internal employment agency providing permanent and temporary staff to TBG companies with an inferior defined contribution scheme to prevent employees joining the LBB Local Government Pension Scheme. Later TBG Open Door Limited was established as a registered provider of social housing despite LBB already having this role. Then Bumblebee Letting Limited was set up to “...gain a foothold in the private rented lettings and management market”.

TBG now consists of five subsidiary companies - all are 100% owned by the London Borough of Barnet (Table 3).

**Table 3: Companies in The Barnet Group Limited (Local Authority Trading Company)**

Company	Main activity	Date commenced
<b>Barnet Homes Limited</b>	(Arms-Length Management Organisation) of the Council’s housing stock including repairs and maintenance and homelessness.	1 April 2004
<b>Your Choice Barnet Limited</b>	(Local Authority Trading Company) provides services for people with physical and learning disabilities; Ansell Court Extra Care Service, a new build 53 flats designed for older people, handed over to YCB in February 2019; Fremantle Trust transferred 3 residential care homes (190 public/private beds) and 2 day centres for older people plus 270 staff to YCB in July 2019; Enablement service (home care) following failed transfer of Housing 21 workers to Aquaflo in 2017.	7 December 2011
<b>TBG Flex Limited</b>	<i>“..the Groups preferred vehicle for employing new permanent and temporary staff when needed, and will be fundamental to making our business growth strategies commercially viable in the future”</i> (Annual Report, 2020).	26 October 2015
<b>TBG Open Door Limited</b>	Subsidiary of Barnet Homes Limited for development and management of affordable housing (converted to Community Benefit Society 31 March 2020). Open Door is a Registered Provider of social housing, in effect a housing association, despite the Council being the prime social housing provider. Rents are higher - Affordable Rent is up to 80% of the market value. Acquired 156 homes outside of borough for housing applicant since 2016. Trickle transfer of 950 Council homes over 4 years (as they become vacant through death, rehousing or eviction) with rent increases making them less affordable to many tenants.	29 October 2015
<b>Bumblebee Lettings Limited</b>	<i>“Intended to gain a foothold in the private rented lettings and management market”</i>	17 September 2017

Note: All companies are ultimately owned by the London Borough of Barnet

In 2019 three care homes and two day centres for the elderly, originally transferred to Ealing Family Housing Association (later part of the Catalyst Group) and their care partner, the Fremantle Trust, were transferred back to LBB and located in YCB

More recently the new 53-bed Ansell Court Extra Care Service housing development for dementia care, Outreach Barnet housing and mental health support team and the Barnet Homes repairs service were all transferred to TBG, which now has **1,147 employees**.

***“Managers usually claim there is ‘no money’ when we demand proper protective equipment but this report shows this is a lie.”***

A Barnet Group worker

This section is divided into five parts: Barnet Council’s strategy for arms-length companies, the continued transfer of services, the rise of TBG Flex Limited as an internal employment agency, performance of the Barnet Group and The Barnet Group views of its employees.

### **Barnet Council’s strategy for arms-length companies**

The arms-length company model served two purposes. Firstly, to provide services that the Council found politically difficult to outsource and had a high risk of failure. Secondly, it allowed Elected Members to transfer services to an arms-length organisation with austerity driven budgets allowing them to distance themselves from responsibility for job losses, pay cuts and the rationalisation of services. It placed staff in a very difficult position.

The privatisation of Barnet Council’s care homes in 2000 led to two decades of exploitation of care workers via ownership by Catalyst Group and then Fremantle Trust and the scandal of low pay has remained since their transfer to YCB in 2019 (Table 2). YCB was established in 2012-13 to transfer physical and learning disability services which led to staff being forcibly contracted out of nationally agreed pay rates resulting in a 9% cut in their wages and no increases until the 2% increase in late 2020. The Capita contracts and other outsourcing followed in 2013 and the next few years (Barnet UNISON, 2018).

### **Commercial structure**

Although the Barnet Group is an arms-length company wholly owned by Barnet Council, it is organised on a commercial corporate model. The group or parent company owns subsidiary companies for specific functions, with new companies established for any new activity or closed down if objectives are not being met. This structure is costly because each company has its own Executive and Non-Executive Directors and annual audit of accounts.

The commercial model extends to senior managers in local government becoming Executive Directors or Chief Executives of arms-length companies on private sector salaries and benefits – hence the performance bonuses, honoraria and significant payments into their pension scheme in TBG. This model creates a two-tier workforce and embeds inequalities and exploitation. The rationale for the ALMO in 2004 no longer exists. The rationale for the Local Authority Trading Company, Your (Choice) Barnet (YCB), was to transfer direct responsibility for cuts in physical and learning disabilities services, jobs and wages to an arms-length organisation and was a means of continuing austerity policies.

But TBG is almost entirely funded by Barnet Council. It is public money that is providing key services but also all the commercial costs of the model. The arms-length model also has a democratic deficit because although a handful of Councillors are on the company boards there are major gaps in public accountability, scrutiny and the Public Sector Equality Duty.

### Continued transfer of services

Barnet Council emphasized the need for the LATC model for the physical and learning disability services because they believed that they could successfully win contracts in other local authorities and achieve economies of scale and profits that would help to finance the Barnet service. The TBG Business Plan 2016-2021 revealed that 'other local authority income' was £355,000 in 2016 was forecast to decline and then remain static at £307,000 per annum.

In fact, the main growth in YCB has resulted from the Council transferring the new build Ansell Court Extra Care Service of 53 flats, the transfer of Fremantle Trust care homes (originally privatised in 1999) and two day centres, plus the transfer of the Outreach Barnet service with the expiry of the contract with Notting Hill Genesis (Table 4).

Table 4: Transfer of services to The Barnet Group

Service	Date	No. of staff at transfer
<b>Barnet Homes - Housing ALMO</b>	01/04/2004	290
<b>Barnet Homes Limited joined The Barnet Group</b>	01/02/2012	n/a
<b>Your Choice Barnet</b> – care and support services to people with physical and learning disabilities (£25m) new 5-year agreement in	01/02 2012 01/02/2017	145
<b>Barnet Homes - Housing Options &amp; Resources and homelessness service (£32.7m)</b>	01/04/2012	84 FTE
<b>Your Choice Barnet – Ansell Court Extra Care Service</b> new build dementia-specific, housing with care development with 53 flats.	February 2019	n/a
<b>Your Choice Barnet - Fremantle Trust</b> 3 care homes, 2 day centres	07/07/2019	270
<b>Barnet Homes – Outreach Barnet:</b> Notting Hill Genesis contract concluded but no bids received on retendering. Generic housing and mental health floating support – 3 Homeless Action Barnet employees originally transferred to Genesis.	01/08/2019	13 3
<b>Barnet Homes</b> – Mears: repairs, maintenance, administration and voids	01/07/2020	
<b>Barnet Homes</b> – Mears: gas repairs and maintenance	28/08/2020	46

Sources: Company annual reports and websites

YCB other operating income is described as “*income from third party organisations and income received directly from services users*” (YCB Limited Annual Reports). It ranged from £700,000 in 2013 to £879,000 in 2016 and began increasing in 2017 rising to nearly £4.00m in 2020 as a consequence of the transfer of the services.

***“If I didn’t do extra shifts I would struggle with gas/electricity bills or the kids phones. I work 42-50 hours a week”***

A Barnet Group worker

Table 5: **Current permanent employment in TBG at 31 March 2020**

Company	No. of jobs	Full time Equivalent	Comments
Barnet Homes	239	246.61	
Repairs service	46	n/a	Transferred inhouse in July and August 2020
YCB	521	90.41	
Your Choice Care		261.67	Includes Fremantle and Ansell
TBG Flex	341	304.29	Staff supplied to Barnet Homes and YCB
TBG Open Door Ltd	0	0	No employees except for non-executive directors
Bumblebee Lettings Ltd	0	0	No employees except for non-executive directors
Total	1,147	902.98	

Source: Company annual reports 2020. Excludes agency staff. Excludes non-executive directors. FTE supplied by The Barnet Group, March 2021

## The rise of TBG Flex Limited as an internal employment agency

TBG Flex is a Company within the TBG Group structure “...for the recruitment and employment of staff. TBG Flex is the Group’s preferred vehicle for employing new permanent and temporary staff, when needed, and will be fundamental to making our business growth strategies commercially viable in the future.” (TBG Annual Report, 2019).

In plain language this means the Group’s ultimate goal is to increase the percentage of TBG employees (excluding management) to be on the significantly lower terms and conditions of TBG Flex. See Tables 8 and 9.

Barnet Homes staff employed by TBG Flex increased from 99 in 2018 to 155 in 2019.

*“Savings are also achieved by the use of TBG Flex, (TBG’s new company). Passenger Transport Assistants on passenger transport services will be provided by TBG Flex from July 2016. Whilst there are no terms and conditions changes for existing YCB staff, the proposals include that new recruits are employed by TBG Flex from the start of the agreement. A reduction in agency staff through recruitment to TBG Flex will also provide savings to YCB on irrecoverable VAT.”* (Your Choice Barnet Agreement, Adults and Safeguarding Committee, 16 June 2016).

## Financial performance of the Barnet Group

### Barnet Council is the primary funder of public services provided by TBG

- Barnet Homes received £63,800,000 from LBB in 2019-2020 - 94% of its revenue.
- YCB received £10,293,000 from LBB in 2019-2020 - 72.1% of total income, the remainder was from third party organisations and service user charges.
- TBG Flex 2020 received £9,874,000 in recharges from Barnet Homes (two thirds) and YCB (one third) - 86% is funded by LBB.
- TBG Open Door received £18,891,000 from LBB and £500,000 from TBG.
- Bumblebee Lettings is a private rented lettings agency funded through rents and management fees.

As owner of the six companies, Barnet Council is responsible for profits and losses.

TBG Flex Limited increased its profits from £9,000 in 2017 to £201,000 in 2020 with retained profits of £372,000 at 31 March, 2020 (TBG Flex Annual Report, 2020). This is

a company that employs permanent and temporary staff for The Barnet Group with pay and conditions designed to undercut LBB terms and conditions and makes a profit in its fees charged to other companies in the group. **A classic case of commercialisation at the expense of public service employees.**

### Democratic accountability

The Barnet Group and the five subsidiaries each has a board of directors. Employees, trade unions, service users and community organisations have no representation on five of the six boards up to now. However, a new residents board was established in Barnet Homes in February 2020 with up to seven members.

There has been a high level of turnover in the boards with 37 directorships (some duplication not identified) with 82 resignations and 93 appointments between 2012 and 2020 (Table 6).

Table 6: **Changes in Board membership**

Company	Number of Directors on Board	Period since	Appointments	Terminations
The Barnet Group	10	2012	27	23
Barnet Homes	5	2012	19	22
YCB	5	2013	19	16
TBG Flex	5	2016	11	8
TBG Open Door	6	2016	8	9
Bumblebee Lettings	6	2017	9	4
<b>Total</b>	<b>37</b>		<b>93</b>	<b>82</b>

Sources: Company House filings for each company.

Some of the changeover relates to changes in Elected Member representation but the high level of changes, particularly in the Barnet Group, Barnet Homes and YCB boards, potentially reduces accountability and an understanding of the objectives, policies and practices of public service delivery.

***“Sometimes we do 14 hour shifts and the overtime is what we do in the afternoon/evening. We do this to make up the money. Then we’re back on shift the next morning.”***

A Barnet Group worker

***“You see these chairpeople – I bet they have never gone round someone’s home and done a repair themselves; or given someone a bed bath or held someone’s hand while they were dying...But they get all the money!”***

A Barnet Group worker

## Part 2

### The importance of good pay and conditions

TBG frontline workers in social care, repair and maintenance, enablement, emergency housing, supported living and outreach have borne the risk of Covid-19 by entering people's homes and indeed have cared for people who have COVID-19, yet receive little recognition of this fact.

#### **Value of the work undertaken by TBG workforce includes:**

- maintaining public health
- maintaining the whole life of Barnet's housing stock
- achieving health and safety of the community and workforce
- effective working methods (with employee/trade union input)
- teamwork – essential for coordinated service delivery
- application of regulations and standards
- motivation to meet standards and implement agreed practices
- working with service users and community organisations
- commitment to equalities and an end to discrimination
- commitment to public service principles and values
- importance of being valued contributes to job satisfaction (confirmed by job satisfaction surveys undertaken in several local authorities, for example Sheffield and Darlington BC).
- providing a bedrock against which the productivity of Barnet residents per se can be further enhanced.

#### **The employer is responsible for:**

- good quality terms and conditions including pension and ability to part fund it
- maintaining appropriate staffing levels
- good quality management
- training, education release and opportunities for career progression
- financial commitment to provide good quality services that meet the required standards and Public Sector Equality Duty

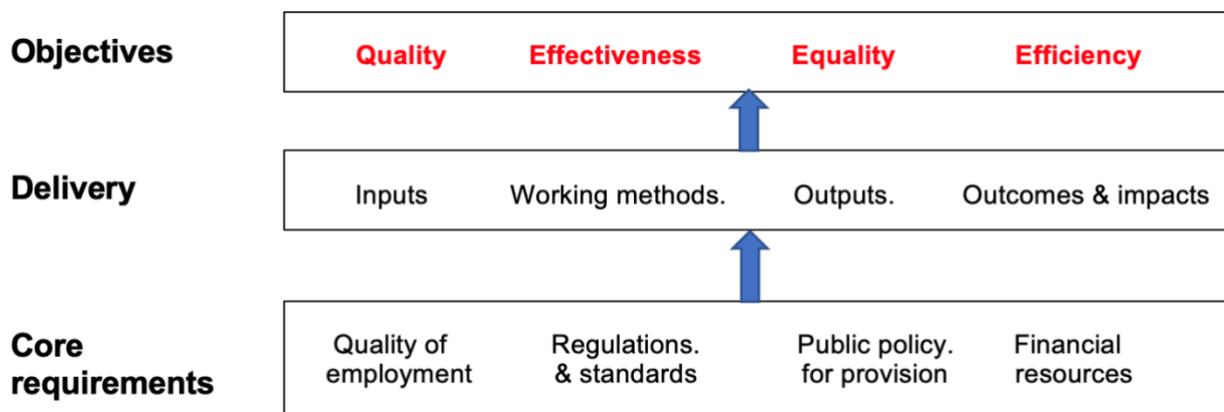
The importance of good pay and conditions for the quality of public services in achieving the objectives of public provision is summarised below and illustrated in Figure 1. There are four key objectives for the provision of public services – quality of service, effectiveness of delivery, equitable access and provision, and the efficient use of resources (Figure 1). These objectives are in turn dependent on the quality and scope of inputs (staffing level, equipment, materials), working methods (how services are delivered and managed), outputs (the quality of repairs and maintenance and housing), and the outcomes or impacts that are achieved in the combination of the different aspects of delivery and their integration.

There are no direct connections, for example, between financial resources, outcomes and efficiency. All four core requirements have an impact on the four parts of service delivery, which in turn, directly impact on the four objectives.

The relationship between the quality of employment and quality of service has been confirmed in numerous research studies in the UK and many other countries. It was summarised in the Barnet UNISON report on the YCB LATC in 2012 and in the

Campaign Against Destruction of Disabled Support Services (CADDSS) report on YCB in July 2013. However, they were ignored and the situation deteriorated when TBG created TBG Flex to further reduce terms and conditions.

Figure 1: The connections between objectives, delivery and core requirements



### The Barnet Group view of its employees

“Our vision of “public sector ethos with a private sector commercial focus.” The Barnet Group Business Plan 2016-21 set out to achieve the following ‘ambitions’:

- Increase our employee engagement index from 71% to 85% by 2021.
- Reduce sickness from 9.5 to average <7 days per employee per year.
- Employ no more than 10% of staff on a temporary basis.
- Establish a demonstrable track record of successful talent management and clear succession plans to support and develop our staff and ensure the Group is a great place to work.

The Business Plan continued:

“Over the coming years we will deliver the following priorities through our People Strategy:

- *Attract, develop, and retain the best talent;*
- *Make The Barnet Group a great place to work;*
- *Champion transformational leadership; and*
- *Create a culture of one team, high performance learning.”*

**“If you are an employee**

*The Barnet Group will be perceived as a great place to work, and an organisation of which you can feel proud; we want our customers and partners to feel our passion, and for our staff to be their best. You will feel highly engaged and will both understand and support the objectives of the Group and how you contribute to our aims, and you will feel confident that your efforts will be supported and recognised. The diversity of our employees makes us stronger and better able to help our customers, and there will be a sense of “One Team” throughout the Group” (page 15 of the Business Plan).*

However, the TBG Business Plan 2016-21 and the TBG Strategic Plan 2019-2024 **focus on what employees can do for TBG but say nothing about what TBG will do for workers by significantly improving their pay and conditions.**

## Part 3

# TBG employment policies and impact on workforce

This section examines current terms and conditions in TBG companies, a comparison of the London Borough of Barnet and TBG Flex pension schemes; the role of TBG Flex in reducing terms and conditions; other differences in terms and conditions; and TBG's high corporate costs.

### Current terms and conditions in the Barnet Group

London Living Wage of £10.85 per hour (in April 2021) used to apply to all the companies in TBG until the Housing 21 and Fremantle workers TUPE'd in. The Executive Director of Adults and Health in Barnet Council, in a Council Adults and Safeguarding Committee meeting, defended the continuation of payments to ex-Fremantle workers on the erroneous basis that TUPE *prevented* the increase of these workers' salaries to the London Living Wage.

Barnet Council operates a living wage slightly higher than the London Living Wage *"...the lowest point in the Barnet Council pay 'spine' is £20,658 [2021-2022]. All posts within the Council's grading system are remunerated at levels that exceed the current London Living Wage [which is expressed as an hourly rate of £10.85, which would correspond to an annual salary of £20,367 for a full-time employee]"* (London Borough of Barnet, 2021). The Barnet Living Wage is £11.035 per hour based on a 36-hour week in 2021-2022.

The creation of TBG Flex was the start of a deliberate strategy to systematically undermine national local government terms and conditions by making TBG Flex the prime employer within the group of companies.

*"In 2015 YCB made a commitment to pay at least the London Living Wage (LLW) as a minimum to all staff, on the condition that this remained affordable. **YCB will need to consider the affordability for the staff in the care homes to also be paid at this level**"* [our emphasis] (page 8, YCB Annual Report and Financial Statements, Year ended 31 March 2020, approved by the Board of Directors 22 July 2020). Barnet Homes had 340 permanent employees in 2017 but this had reduced to 239 in 2020. In 2020 **78.2%** of Barnet Homes staff were employed by TBG Flex Limited (Table 7). The company employed 65.5% of YCB staff in 2019 but reduced to 33.4% when the Fremantle staff transferred to YCB in 2020.

**YCB workers who were forcibly 'opted out' of nationally agreed pay since YCB's inception in 2012 only recently received a 2% pay increase. The major gaps between London Borough of Barnet and TBG Flex terms and conditions include (Table 7):**

- 1.75 additional weekly hours.
- 4 months less sick pay on full pay.
- Grossly inferior pension.

The current London Living Wage is 10.75 (rising to 10.85 in 2021), however, in 2020 The Barnet Group paid £10.75 as the Minimum Wage apart from the ex-Fremantle rate of £8.72 and the ex-Housing 21 rate (Table 8).

## The Barnet Group Pay Claim 2021

Table 7: Number of TBG Flex employees

Company	2017	2018	2019	2020	Percentage of workforce in 2020
Barnet Homes Ltd	22	99	155	187	239 (78.2%)
YCB Ltd	16	111	160	174	2020 - 521 (33.4%) 2019 - 248 (64.5%)
London Borough of Barnet	15	-15	0	0	
<b>Total</b>	<b>53</b>	<b>210</b>	<b>315</b>	<b>361</b>	
Percentage increase		296%	50%	15%	

Source: TBG Flex Limited Annual Reports.

Table 8: Current terms and conditions of the Barnet Group (2020-2021)

Company	Weekly Hours	Sick pay	Annual leave	Minimum wage (£)	Pension
London Borough of Barnet	36.0	6 months full pay then 6 months half pay after 5 years' service	30 days exclude Bank Holidays	10.85	Local Government Pension Scheme
Barnet Homes	36.0	6 months full pay then 6 months half pay	29-31 days exclude Bank Holidays	10.75	Local Government Pension Scheme
TBG Flex Ltd	37.5	After 1 year service 2 months full pay then SSP <sup>^</sup> No pay for first 3 days of sickness in year one then SSP	25 days (30 senior managers) exclude Bank Holidays	10.75 Only those working for Barnet Homes have received an increase in pay year on year	Grossly inferior pension scheme*
Your Choice (Barnet) Ltd	36.0	6 months full pay then 6 months half pay	30 days exclude Bank Holidays	Forcibly opted out of NJC which means a pay freeze since the pay cut in 2014 10.75	LBB transferred staff still in LGPS
Mears	42.5	SSP only	20, 25 or 31 days exclude Bank Holidays	10.75	Grossly inferior pension scheme*
Connaught	40.0	SSP only	20 days exclude Bank Holidays	10.75	Grossly inferior pension scheme*
Lovell	40.0	SSP only	20 days exclude Bank Holidays	10.75	Grossly inferior pension scheme*
Homeless Action Barnet	39.0	5 weeks	33-38 days includes Bank Holidays	10.75	Grossly inferior pension scheme*
Genesis	38.0	3 months full pay then 3 months half pay	22 days	10.75	Grossly inferior pension scheme*
Fremantle - day care residential	39.0 39, 36.0 and 37.5	13 weeks sick pay	31 days includes Bank Holidays	8.72 National Min Wage until April 2021 when it became LLW	Grossly inferior pension scheme*

\* Excludes some ex-Barnet staff who were transferred under TUPE regulations. ^ SSP: Statutory sick pay £95.85 per week for a maximum of 28 weeks

***“I was off sick and lost the pay I would have had from the overtime. I felt I had to get back to work because I couldn’t live.”***

A Barnet Group worker

Additional details of TBG Flex terms and conditions are summarised in Table 8 which also differentiates between the pre-2017 terms and conditions and those that apply post this date.

Table 9: **Additional TBG Flex terms and conditions**

Terms and conditions	Details
<b>Overtime</b>	No overtime rate – except for Christmas day which is paid at double time. The same applies for workers in YCB who were forcibly ‘opted out’ of Nationally Agreed Pay.
Staff employed by Barnet Homes before 2017	Monday to Saturday Time and a half. Sundays and Public and Extra Statutory holidays Double time (min 2 hours).
<b>Continuation of Service</b>	[with other Local Government employers] – No
Staff employed before 2017	Yes – your accrued Annual Leave, Sickness Benefits, Maternity Pay and Pension is transferred to the new employer. This also means that your continuous service with other Local Government employers is recognised in relation to redundancy payments.
<b>Pay</b>	Evaluations of jobs reached by using the ‘HAY’ pay model – in general this evaluation scheme ‘rewards’ jobs at the lower and medium end [most workers] with lower salaries than Barnet Homes contracted workers and at the higher end (senior management) with higher salaries. Any pay rise has to be signed off by the Barnet Group Board.
Staff employed before 2017 in Barnet Homes	Evaluation of jobs reached by using the ‘Greater London Provincial Council’ [GLPC] pay model – in general this evaluation scheme ‘rewards’ jobs at the lower and medium end [most workers] with slightly higher salaries than TBG Flex contracted workers and is consistent in ‘rewards’ offered across the business/council. Any pay rise is nationally negotiated and implemented as soon as agreed. <b>N.B.</b> This does <b>NOT</b> apply for workers in <b>YCB</b> who were forcibly ‘opted out’ of nationally agreed pay – <b>they NEVER received a pay rise until this year.</b>
<b>Maternity Leave</b>	n/a

## London Borough of Barnet Pension Scheme compared to TBG Flex

TBG Flex Pension – up to 5% of an employee’s wage can be paid into their pension with the employer matching this contribution – on the basis for every £1 invested by the worker TBG Flex will invest £1 [up to 10% for Senior managers, Directors and the CEO].

Staff employed before 2017 are members of the Local Government Pension Scheme (LGPS). The London Borough of Barnet Local Government Pension Scheme is a defined benefit scheme in which an employee’s pension is based on earnings and the number of years they have been a member of the scheme. For example, up to 6% contribution from the worker is matched by a 19% contribution from the employer – for every £1 invested by the worker the employer invests £3.50.

Each year 1/49<sup>th</sup> of an employee’s pensionable pay is put into a pension account. It is adjusted annually to take account of the cost of living. LGPS members receive tax relief

on the contributions made. Employees have the option to receive a tax-free lump sum when they start to receive their pension.

The employee's family enjoys financial security, with immediate life cover and a pension for their spouse, civil partner or eligible cohabiting partner and eligible children in the event of death in service or if they die after leaving having met the 2-year qualifying period also known as vesting period. If the employee ever becomes seriously ill and has met the 2-year qualifying period, they could receive immediate ill health benefits. There are also benefits in the event of redundancy, ill health and flexible retirement benefits.

**Only 5.6% of UK public sector employees have a defined contribution pension scheme whilst 91.5% have a defined benefit scheme.** Defined contribution schemes are common in the private sector where 48.9% employees have this scheme (Office for National Statistics, 2020).

### **TBG Flex pension scheme**

TBG Flex is a defined contribution pension scheme which means that the employee's pension is entirely dependent on the total sum paid into the pension scheme plus the gains/losses made on investments on the stock market (in this case managed by Legal & General).

TBG Flex was based on 3% employee and employer matched contributions deducted from your Flex Fund and was increased to 4% employee and employer contributions from April 2019 (Flex Choice, April 2019).

Assuming an employee on £25,000 per annum in 2021 pays in 4% of their wages plus the employer's 4% contribution for 30 years the total contribution will be £60,000 plus increased contributions reflecting wage increases over 30 years plus a 5% rate of return from investments.

### **Retirement cost of living**

Retired household expenditure in 2020 was an average of £25,000 per household (compared to £27,000 in 2019) which included European holidays, hobbies and eating out but increases significantly if long-haul trips and car purchases are further included.

The average state pension in August 2019 for a couple was £268.50 per week (£13,962 per annum) or just over £11,000 short of the £25,000 retired household average expenditure. The state pension for a woman who qualified after April 2016 was £152.55 a week (£7,933 per annum) and the average male pension was £160.18 a week (£8,329 per annum), a combined total of £16,262 (Which consumer research, 2020). Pension figures are averages as everyone does not receive the full pension.

Thus an occupational pension of between £9,000 - £11,000 per annum or £173.00-£211.00 per week is needed just to meet the average £25,000 household expenditure depending on the composition of the household.

In contrast, the London Borough of Barnet LGPS would be linked to the employee's final salary and the number of years they have contributed to the scheme. Forecasts of the TBG Flex pension scheme using the same assumptions must be made available to employees and trade unions.

The pension costs of the Executive Directors of TBG totalled £567,000 for the 2012-2020 period. Many care workers are unlikely to be paying into an occupational pension scheme.

The difference between pension contributions as a percentage of wage costs varies between 2.6% for TBG Flex and 31.6% in Barnet Homes (Table 10).

Table 10: Pension contributions as a percentage of wage costs 2019-2020

Company	Number of permanent employees	Annual wage cost in 2019-2020 (£)	Pension costs in 2019-2020 (£)	Pension contributions as % of wage costs
TBG Flex Limited	341	8,513,000	233,000	2.7
YCB Limited	521	8,817,000	1,519,000	17.2
Barnet Homes Limited	*239	13,316,000	4,208,000	31.6

Excludes the 46 employees transferred after 31 March 2020. Non-Executive directors excluded because they do not receive a wage.

## The role of TBG Flex Limited in reducing terms and conditions

TBG Flex has made an increasing profit every year since 2017, rising from £9,000 to £201,000 in 2020, and had accumulated profits of £372,000 by the 31 March 2020 (TBG Flex Annual Report 2020, page 12).

TGB Flex charges other companies in the Barnet Group a 4% annual fee for the employment of staff. *“The margin will be kept under review to ensure that it contributes to a viable surplus for TBG Flex”* (TBG Flex Annual Report and Financial Statements, 31 March 2020, page 6).

Annual wages in YCB plummeted by **£12,000 per annum between 2013-2020**. TBG Flex annual wages also declined since 2018 in contrast to Barnet Homes which hovered around an average of £30,000 (Table 11). Annual employment data reveal broad trends but conceal variations in the use of part-time jobs.

However, the YCB data indicate two trends – the first between 2013-2016 when both the number of employees declined from 155 to 133 and the average wage fell from £28,935 to £19,977; the second between 2017-2020 the number of employees increased from 159 to 521 but average wages continued to decline to £16,923, significantly below the London and Barnet Living Wages (YCB Annual Reports 2013 – 2020).

Table 11: Average annual wages in Barnet Homes, TBG Flex and YCB (£)

Year	Barnet Homes			TBG Flex			YCB		
	Wage cost	Number jobs	Average wage	Wage cost	Number jobs	Average wage	Wage cost	Number jobs	Average wage
2012	8,090,000	276	29,311	n/a			n/a		
2013	10,201,000	354	28,816	n/a			4,485,000	155	28,935
2014	9,889,000	332	29,786	n/a			3,376,000	137	24,642
2015	10,309,000	344	29,968	n/a			2,636,000	122	21,606
2016	9,868,000	346	28,520	n/a			2,657,000	133	19,977
2017	10,446,000	346	30,190	1,915,000	53	*36,132	2,932,000	159	18,440
2018	11,217,000	350	32,048	5,181,000	191	27,125	4,003,000	208	19,245
2019	12,452,000	n/a	n/a	6,810,000	280	24,321	4,946,000	248	19,943
2020	13,316,000	n/a	n/a	8,513,000	348	24,462	8,817,000	521	16,923

Source: Annual Reports of Barnet Homes, TBG Flex and YCB to 31 March 2012–2020 and 2013-2020 respectively. Excludes pension and social security costs and expenditure on agency staff.

\*26 October 2015 to 31 March 2017.

***It is outrageous that TBG is making a profit out of supplying staff to Barnet Homes and YCB.***

A Barnet Group worker

### TBG Flex forecasts

The number of TBG Flex employees is planned to increase by nearly 14% in 2020-21 and then by just over 3% up to 2025 (Table 12).

Table 12: Annual planned increases in TBG Flex employees

TBG Flex staff	No at 31 March 2020	2020-21	2021-22	2022-23	2023-24	2024-25
Conversion of agency staff		25	10	0	0	0
Permanent appointments		25	15	15	15	15
<b>Total</b>	<b>361</b>	<b>411</b>	<b>436</b>	<b>451</b>	<b>466</b>	<b>481</b>
Percentage increase		13.8%	3.6%	3.4%	3.3%	3.2%

Source: TBG Flex Annual Report to 31 March 2020 – Approved by the Board on 22 July 2020

### TBG’s high corporate costs

Executive Directors in TBG companies pay themselves very substantial salaries. In the eight years between 2012 and 2020 they received a total of £4.62m with average payments varying between £89,250 to £155,000 (Table 13). The payments included an annual performance bonus plus an honorarium for the years between 2016-2019. **The salaries of Executive Directors increased 11.8% between 2019 and 2020** with no change in the number of directors (TBG Annual Report 2020).

Table 13: TBG Executive Director salaries (£)

Executive Directors								
Year	Cost of salaries	Performance Bonus	Honorarium	Total Income	No. of Exec Directors	Average total payment	Pension costs	Social Security cost
2012	309,000	12,000	-	321,000	3	107,000	58,000	39,000
2013	395,000	8,000	-	403,000	3	134,333	78,000	48,000
2014	351,000	13,000	-	364,000	3	121,333	63,000	43,000
2015	394,000	21,000	-	415,000	4	103,750	30,000	57,000
2016	338,000	12,000	7,000	357,000	4	89,250	27,000	44,000
2017	542,000	12,000	7,000	561,000	5	112,312	46,000	78,000
2018	669,000	49,000	9,000	727,000	6	121,166	81,000	101,000
2019	628,000	58,000	9,000	695,000	6	115,833	82,000	103,000
2020	702,000	64,000	9,000	775,000	5	155,000	102,000	113,000
<b>Total</b>	<b>4,328,000</b>	<b>249,000</b>	<b>41,000</b>	<b>4,618,000</b>		<b>117,775</b>	<b>567,000</b>	<b>626,000</b>

Source: Annual Reports of The Barnet Group Limited 2012-2020.

***“Me and my colleagues should be able to join the local government pension scheme. So we can have same dignity and independence in our retirement as those we care for.”***

A Barnet Group worker

### High use of agency staff

It is revealing that the launch of TBG Flex Limited in 2015 had no material effect on the use of agency staff (Table 14) which was £3.86m in 2014 and £4.43m in 2020. It is further evidence that TBG Flex Limited is a vehicle to reduce the cost of the existing workforce in TBG companies.

YCB Limited and Barnet Homes Limited incurred **£33m agency costs over a nine-year period** (Table 14). Agency fees vary between 15% - 25% (National Institute of Economic and Social Research, 2017) and assuming an average 15%, this means that £4,963,350m fees were incurred. Although the bulk of the agency fees were incurred by Barnet Homes, they accounted for a much larger percentage of YCB total revenue, ranging from 9.3% to 14.6% excluding the 2012/13 start-up year. Agency staff are used for unfilled vacancies, sickness absence and for temporary projects. However, the data for both YCB and Barnet Homes indicate a systemic and costly use of agency staffing.

The Non-Executive Directors and members of the Group's Main Board received a payment plus incidental expenses.

Table 14: **TBG annual agency staff costs**

Year	YCB Ltd (£)	% of revenue	Barnet Homes Ltd (£)	% of revenue	Annual cost of Agency staff (£)
2012	inc in 2013		1,666,000	6.0	1,666,000
2013	347,000	4.9	2,533,000	5.8	2,880,000
2014	701,000	13.1	3,159,000	6.6	3,860,000
2015	651,000	11.7	3,409,000	6.6	4,060,000
2016	584,000	10.4	3,407,000	6.0	3,991,000
2017	897,000	14.6	3,334,000	5.4	4,231,000
2018	967,000	14.3	3,426,000	5.6	4,393,000
2019	757,000	9.9	2,818,000	4.4	3,575,000
2020	1,326,000	9.3	3,107,000	4.6	4,433,000
<b>Total</b>	<b>6,230,000</b>		<b>26,859,000</b>		<b>33,089,000</b>

Source: YCB, Barnet Homes and TBG annual reports 2012-2019  
TBG Flex, TBG Open Door and Bumblebee Lettings did not report any Agency staff costs.

TBG incurs corporate costs that would be significantly lower if they were carried out directly by Barnet Council for in-house services. TBG corporate costs in 2020 were £1,797,760 inclusive of salaries for Non-Executive Directors, audit costs (multiplied nearly four times the cost in 2012 as more companies are established and require separate auditing), professional fees, executive director's pension and social security costs and fees for agency staff (Table 15).

We believe that these costs can be significantly reduced and the resources redirected to improving the terms and conditions of frontline workers.

***“Where is the justice in executive directors of The Barnet Group sharing £259,000 performance bonuses between 2012 and 2020 when frontline workers got nothing?”***

A Barnet Group worker

Table 15: Other TBG corporate costs

Year	Salaries Non-Executive Directors (£)	Audit costs & misc services (£)	Executive Director costs (£)	Professional Fees (£)	Fees for agency staff (£)	Total corporate Costs (£)
2012	26,000	38,000	321,000	n/a	249,900	634,900
2013	40,000	61,000	403,000	n/a	432,000	936,000
2014	35,000	66,000	364,000	n/a	579,000	1,044,000
2015	42,000	61,000	415,000	n/a	608,850	1,126,850
2016	57,000	64,000	357,000	n/a	598,650	1,076,650
2017	98,000	65,000	561,000	22,000	634,650	1,380,650
2018	76,000	121,000	727,000	64,000	658,950	1,646,950
2019	132,000	150,000	695,000	71,000	536,250	1,584,250
2020	71,000	149,000	775,000	91,000	664,950	1,750,950
<b>Total</b>	<b>577,000</b>	<b>775,000</b>	<b>4,618,000</b>	<b>248,000</b>	<b>4,963,200</b>	<b>11,181,200</b>

Source: TBG annual reports 2012-2020. See Table 12 for details of Executive Director pension and social security costs. Agency fees average 15% (NIESR, 2017)

### TBG statements about the workforce

TBG has made a number of statements about valuing its staff (for example in the TBG Strategic Plan). However, they tend to **focus on what employees can do for TBG but say little or nothing about what TBG will do for workers by significantly improving their pay and conditions.**

*“I’ve been working in Barnet for 25 years, I’ve been working to help residents with home security, locks to windows and doors etc., making all residents feel secure in their property. I would like my colleagues to feel secure in their futures, I want my colleagues to be able to join the local government pension scheme. Make our retirement safe and secure.”*

A Barnet Group worker

### UNISON national demands for care workers 2021

1. A **real living wage** for all care workers, as an absolute minimum.
2. A **standard employment contract** for care work – including sick pay, contracted hours and pay for all hours on duty, including ‘sleep ins’ and travel time.
3. Significant, **emergency government funding**.
4. **Professional standards** – the Care Certificate should be upgraded and expanded and professional registration should be standardised throughout the UK.
5. A **partnership working group** of commissioners, providers, governments and trade unions must be established to action solutions.

## Part 4

# Embedded inequalities

This analysis has identified a number of glaring inequalities in TBG.

- Gross inequalities are built into the TBG workforce because of differential terms and conditions between employees carrying out the same or similar duties.
- The huge gap between Executive Director salaries and the pay rates of the frontline workforce.
- Executive Directors receive performance pay awards but the frontline workers and support staff responsible for delivering the services get none.
- The average pension cost of a TBG executive director was **£20,400** in 2019- 2020 (page 64, TBG Annual Report 2019-2020). An ex-Fremantle care worker had gross pay of **£17,684** (a **39-hour** week on £8.72 per hour). Care workers on low pay rates cannot afford to contribute to an occupational pension scheme.
- TBG Flex operates as an internal employment agency to provide staff with terms and conditions that are lower than existing terms with the objective of *“...making our business growth strategies commercially viable in the future.”* But TBG provides public services, not commercial services.
- There is a significant difference between the London Borough of Barnet Local Government Pension Scheme and the contributory pension scheme offered by TBG Flex, assuming workers can afford to join this scheme.

**Barnet Council finances all the public services delivered by TBG. The Council has adopted the Barnet Council Living Wage and is committed to reducing inequalities. It is therefore essential that:**

1. Council services should primarily be directly delivered by the London Borough of Barnet.
2. The Barnet Council Living Wage must be the minimum wage for all Council employees.
3. All Council employees should have access to the Local Government Pension Scheme.

### Paying double

**Barnet taxpayers paid £345,165 in 2018/19 for TWO chief executives to manage council services, at least twice the cost borne by local authorities.** This excludes the social security and pension costs of the chief executives which increases the cost to over £400,000 (London Borough of Barnet, 2021 and TBG Annual Report, 2018-2019).

***“I’m a single mother. I do extra to pay the bills.”***

A Barnet Group Worker

### **Failure to disclose the Equality Impact Assessments in full**

The Equality Impact Assessments (EIA) prepared by the London Borough of Barnet only contain the percentages of each category but the Council has refused to publish the full data. This has limited use without the actual numbers of people in each category.

The Public Sector Equality Duty recommends that public authorities provide “...*relevant, proportionate information which is broad enough to give a full picture of performance across your functions and that demonstrates how you have used this information to have due regard to all three aims of the duty, for all relevant protected characteristics*” (Equality and Human Rights Commission, 2014).

We strongly recommend the Council adopts the practice of full disclosure.

### **Gender pay gap**

The median average hourly pay of female Barnet Council workers was £17.72 in 2018-19 and remained unchanged the following year. The median average hourly rate for male employees was £13.76 and £14.03 for the same period. The gender pay gap – median average was 28.74% and 26.28% respectively.

The Council recognise that the “...Barnet pay gap figures appear to be significantly different from gender pay gap data across London Borough Councils, where a very small gap exists in the other direction, with male employees’ median hourly pay being 0.5% higher than that of female employees. The difference can largely be attributed to the fact that Barnet Council has outsourced the work of certain specialist/professional functions (such as Information Technology) which traditionally attract a higher proportion of men and which other authorities continue to deliver internally. This means that women make up the majority of employees on the top 3 pay quartiles within the Council.” (London Borough of Barnet, 2021)

Staff in the Finance and Strategic HR functions transferred from Capita to the Council in 2019 but the data were not included in the 2018/19 gender pay gap calculations, hence the median female pay was unchanged between 2018-19 and 2019-20.

The Barnet Group workforce is 69.1% female, 28.8% male and 2.1% unknown (TBG 2019). The lack of data makes it impossible to assess the effect of transfer of TBG employees on the Barnet Council gender pay gap.

## Part 5

### Pay freeze but government squanders public money

The Government imposed a pay freeze for 2021/22 for the 5.5 million public sector workforce although 2.1 million public sector workers earning less than £24,000 will receive a minimum increase of £250 -1.04% (HM Treasury, 2020). NHS staff are exempt from the 2021/22 pay freeze.

However, “...the announcement of an increase of £250 for employees earning less than the national median wage of £24,000 does not apply automatically for local government staff (30 per cent of whom earn below this salary), as was made clear after a similar announcement by the then Chancellor in 2010/11” (House of Commons Library, 2020).

However, if Consumer Price Index inflation rises to 1.2% in 2021 and to 1.6% in 2022 as forecast by the Office for Budget Responsibility, the £250 increase is in fact a pay cut (Office for Budget Responsibility, 2020). The National Employers recently confirmed that the pay claim for 2021/22 has been delayed until after the local elections on 6 May 2021 (Public Finance, 2021).

#### Government squanders public money

The COVID-19 pandemic caused most governments to increase public spending on the cost of closedowns to try to protect employees and businesses and to acquire additional personal protective equipment for health and social care workers. However, the manner in which these programmes and policies were implemented and the costs borne by the public sector, and ultimately taxpayers, are a legitimate concern, particularly when there is evidence of poor contract performance, waste, fraud and cronyism. Some can only be described as cavalier.

The latest cost of the government’s business support schemes is £71.7bn (Table 16). However, the House of Commons Committee of Public Accounts estimated that the government’s Bounce Back Scheme for struggling businesses will suffer losses of up to £26bn due to large-scale defaults and fraud in this programme (Committee of Public Accounts, 2020). The Office for Budget Responsibility estimated overall losses of £29bn (Financial Times, 2020). Combining this figure with the £10.1bn price inflation and fraud in purchasing Personal Protective Equipment gives an overall potential loss of £39.1bn.

Table 16: **Waste, Negligence and Cronyism in Covid-19 response**

Cost £bn	Policy and programmes
<b>£44.7bn</b>	Bounce Back Loan Scheme
<b>£20.8bn</b>	Coronavirus Business Interruption Loan Scheme
<b>£5.1bn</b>	Coronavirus Large Business Interruption Loan Scheme
<b>£1.1bn</b>	Future Fund loans
<b>£71.7bn</b>	<b>Total</b>
<b>£29.0bn</b>	Estimate losses from Covid-19 support schemes – 40.4% loss rate.
<b>£10.1bn</b>	Personal Protective Equipment price inflation
<b>£39.1bn</b>	<b>Total losses and additional costs</b>
<b>£37.0bn</b>	Test and trace in England – poor contract performance, waste and cronyism. 2,500 consultants paid daily rates of £1,100 - £6,624. Original £22bn budget with £15bn added in the Budget for 2021/2022.

Sources: HM Treasury COVID-19 business loan scheme statistics, 24 January 2021. Office for Budget Responsibility (2020). National Audit Office (2020a). National Audit Office (2020b). New York Times (2020). Financial Times (2021); House of Commons Committee of Public Accounts (2021).

The National Audit Office review of *The Government's approach to test and trace in England – interim report* (NAO, 2020) described £22bn was allocated to a new organisation, NHS Test and Trace Service (NHST&T) for 2020-21. There was no business case for the delivery model until September 2020. Local authorities were excluded. The 2021-2022 Budget added a further £15bn (Waugh, 2021). “*There is still no clear evidence to judge NHST&T's overall effectiveness*” (House of Commons Public Accounts Committee, 2021).

“*NHST&T relies on contractors for many of its supplies, services and infrastructure*” (NAO, 2020). It signed 407 contracts worth £7bn with 217 private and public organisations with a further £16.2bn to be signed between November 2020 and March 2021. “*70% of early contracts by value were assigned as direct awards without competition*”. A government review of the approach to test and trace in 15 other countries revealed that none had used the private sector to increase tracing capacity.

Nine of the ten ‘suppliers’ with the highest contract values signed by the end of October 2020 were private companies which received £3,312m but six of the contracts were extended with additional payment of £633m (which may have included the Office for National Statistics). SERCO, the outsourcing company with a record of contract terminations and fraud (Financial Times, 2019) received a £277m contract. Its chief executive, Rupert Soames, had a £4.9m pay package in 2020 (Plimmer, 2021). Medacs Healthcare plc is another outsourcing company to benefit with a £350m test and trace contract to provide laboratory staff. Medacs is owned by the Impellam Group which is chaired by Lord Ashcroft, owner of a raft of cleaning, laundry and refuse contractors in the Thatcher era. He later became treasurer, then deputy chairperson, of the Conservative Party and continues to be a major donor (Conn, 2021).

### **Mis-management of the £22bn Test & Trace system in England**

*“The incredible story of how a woman called [Dido Harding](#) came to be in charge of her country's testing programme during a once-in-a-century pandemic, despite having no qualifications for the role, really begins a very long time ago.*

*Would she have got the job had she not already been made chair of [NHS Improvement](#) in 2017, despite her having to step down from her previous role as chairman of [TalkTalk](#) – when four million of her customers had their personal data stolen by two 15-year-old boys?*

*Would she have been made chair of NHS Improvement if she had not already been appointed a [Conservative](#) peer in 2014.*

*Would she have been appointed a Conservative peer in 2014 if she and her Conservative MP husband John Penrose had not been great chums with then prime minister David Cameron? And would she have hung out with David Cameron at Oxford if she had not been born, 52 years ago, to the 2nd Baron Harding of Petherton?*

*All these are counterfactuals. We can never know the roads that were not taken, only the one that led us here, to where Baroness Harding of Winscombe was sitting before a House of Commons select committee, explaining how, actually, it turns out that the coronavirus test and trace programme, contrary to everything you've read, seen, heard, lived and breathed, is actually going really, really well.” (The Independent, 18 September 2020).*

The poor performance of test and trace has been widely reported. Local authorities began setting up their own schemes. *“By the end of October, 40% (60) of local authorities had a scheme in place, with a further 46% (69) planning to set one up”* (NAO, 2020).

The New York Times headlined their own investigation “Waste, Negligence and Cronyism: Inside Britain’s Pandemic Spending”. It concluded: *“In the government’s rush to hand out contracts, officials ignored or missed many red flags. Dozens of companies that won a total of \$3.6 billion in contracts had poor credit, and several had declared assets of just \$2 or \$3 each. Others had histories of fraud, human rights abuses, tax evasion or other serious controversies. A few were set up on the spur of the moment or had no relevant experience — and still won contracts”* (New York Times (2020).

The response to the COVID-19 pandemic reflects genuine panic but equally a cavalier attitude to public money and the engagement of private companies irrespective of their track record and capabilities.

There is no question that the government had to respond quickly and comprehensively to the COVID-19 pandemic. But the approach and process involved distributing vast sums of public money to individuals, contractors and consultants who demonstrated little or no competence to fulfil the required tasks.

***“We demand respect, dignity and equality.”***

A Barnet Group Worker

## Part 6

# Transfer of services to Barnet Council

### **Limited relocation required**

Barnet Homes is located at the Council Offices at 2 Bristol Avenue, Colindale, London NW9 4EW.

Care employees will continue to operate from care homes, Ansell House and YCB facilities.

TBG also operates from Council Offices at Colindale, thus easing the administrative transfer process.

### **Induction**

All TBG employees should undertake a brief induction to working within Barnet Council. This is important since over a thousand staff have been employed in an organisation with commercial management and operational culture removed from public service practices and procedures. It would also ensure that employees are aware of the Council's terms and conditions of employment.

### **Training**

The transfer is an opportunity to determine the scale and type of training required by transferring staff and to make them aware of the potential career opportunities within the Council.

### **Participation**

Negotiate opportunities for employee and trade union participation in planning service delivery and the design of working methods.

### **Consultation**

Consultation with trade unions over the transfer process and location within the Council structure.

### **Industrial relations**

Continuity or revised industrial relations arrangements together with convenor and shop steward's representation.

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