

PERSONNEL COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 8 FEBRUARY 2017

Councillors Present: Pamela Bale (Chairman), Richard Crumly (Vice-Chairman), Carol Jackson-Doerge and Mollie Lock

Also Present: Robert O'Reilly (Head of Human Resources), Councillor Lee Dillon (Council Member), Councillor Billy Drummond (Council Member), Janet Giddings (Democratic Services Officer) and Jo Reeves (Principal Policy Officer)

Apologies for inability to attend the meeting: Councillor Dennis Benneyworth and Councillor Virginia von Celsing

PART I

11. Minutes

The Minutes of the meeting held on 21st October 2016 were approved as a true and correct record and signed by the Chairman.

12. Declarations of Interest

There were no declarations of interest received.

13. Statutory Pay Policy 2017 (C3122)

The Committee considered a report (Agenda Item 4) concerning the Council's Statutory Pay Policy. Section 38 of the Localism Act 2011 required local authorities to publish an annual pay policy statement. The statement set out the policies in relation to:

- (1) Remuneration of its chief officers
- (2) The remuneration of its lowest paid employees (and the Council's definition and reasons for defining it)
- (3) The relationship between the remuneration of its chief officers and those who were not chief officers.

Councillor Richard Crumly asked what the changes were from the previous year's statement. Robert O'Reilly confirmed that the only changes related to the spinal column points on page 17 of the agenda which had been increased by 1% from the previous year.

Councillor Crumly questioned the reason for overlaps of pay grades on page 1 of the agenda. Robert O'Reilly responded that the overlaps were caused by the amalgamation of the Newbury District Council and Berkshire County Council grades. He had previously proposed to rectify this as under the current system there was a risk that an employee on grade F could earn more than their manager on grade G for a short time, however Members had deemed that it would be too costly to rectify. Councillor Carol Jackson-Doerge enquired whether the Council could be challenged about this; Robert O'Reilly confirmed that they could not as it was a contractual condition and the manager would be paid more than the direct report as he/she moved up the grade.

In response to a question from Councillor Mollie Lock, Robert O'Reilly advised that jobs were allocated a grade based on the job evaluation procedure. Historically some posts had linked grades but over the past five years jobs had been allocated single grades.

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Councillor Lock questioned why it would be costly to simplify the grades. Robert O'Reilly advised that there would be a hypothetical cost as posts would be recruited to a higher spinal column point than they had previously.

Councillor Lee Dillon questioned why grades up to spinal column point 12 were not consolidated. He also asked whether the supplements those earning less than the National Living Wage were paid were pensionable. Robert O'Reilly advised that all pay was pensionable and the Living Wage supplement was offered at the Council's discretion so it could not be consolidated into basic pay.

Councillor Lee Dillon asked whether the Council recruited employees at the top of the grade. Robert O'Reilly explained that the service areas had the discretion to recruit to the top of the grade if they had an exceptional candidate. In response to questions regarding pay rises, Robert O'Reilly explained that employees' pay could increase either via cost of living increases or incremental progression subject to satisfactory performance or both if the employee had not reached the top of the grade and had achieved satisfactory performance.

Councillor Lock asked what impact there would be on staff pay when the employee was part of a shared service. Robert O'Reilly advised that usually one authority acted as the lead and the staff in the shared service would sometimes choose to go onto the lead authorities' pay scale after a TUPE transfer.

Councillor Dillon enquired whether external market factors were taken into account. Robert O'Reilly advised that such a Market Supplement scheme did exist but was abolished in 2013. Only children's social workers had a similar mechanism to recognise market forces, whereby they were offered a bonus and sabbatical after three years in employment (known as "golden handcuffs"). Councillor Pamela Bale questioned why the Committee needed to review the policy when the only change was the 1% increase in the spinal column points and this was not part of the policy. Robert O'Reilly advised that the spinal column points were part of the policy and as the statement had to be published annually there was an opportunity to review it annually.

Following a further discussion regarding simplifying the pay grades, Robert O'Reilly agreed to update his previous proposal, and bring a report to Personnel Committee for discussion.

RESOLVED that the Personnel Committee recommend that the policy statement attached as Appendix C be submitted for approval to Full Council for publication in accordance with s38 of the Localism Act 2011.

14. English Fluency Policy (PC3216)

The Committee considered a report (Agenda Item 5) which sought approval for the English Fluency Policy which set out the Council's approach to meeting its obligations under Part 7 of the Immigration Act 2016. Robert O'Reilly explained that there was not a problem with this in West Berkshire but that the Council was required to produce a policy.

Councillor Billy Drummond asked what the likelihood was that an employee could be recruited without a sufficient level of English fluency. Robert O'Reilly responded that the policy applied to those roles that were public facing rather than all roles and it was unlikely that a person could be recruited to a role which required English fluency if they did not have it. Councillor Drummond asked who would pay for English lessons if a member of staff was found not to have a sufficient level of English fluency; Robert O'Reilly advised that the Council would have a responsibility to make reasonable adjustments under the Capability Procedure.

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Councillor Lee Dillon expressed concern that there was a risk that the policy would not ensure low English fluency among agency workers, particularly carers, was addressed and asked if they could be pre-assessed rather than waiting for a complaint to arise. Robert O'Reilly explained that it would be the responsibility of the service manager to ensure that agency workers has sufficient English fluency and could speak with the Head of Adult Social Care about the Committee's concerns.

Councillor Pamela Bale expressed the view that roles which required interaction with Members and other staff should require a level of English fluency. Robert O'Reilly reassured the Committee that such staff would be required to have good communication skills in their job descriptions.

Councillor Dillon asked whether agency workers were reportable to service managers; Robert O'Reilly confirmed that they were and in the event that a worker's low English fluency was identified the manager could stop their employment. Councillor Dillon further raised the need for external contractors to be included in the remit of the policy, particularly for Highways works; Robert O'Reilly agreed to speak with the Corporate Director for Environment.

RESOLVED that the Personnel Committee approve the English Fluency Policy and Guidance for use by West Berkshire Council.

15. Date of Next Meeting

The date of the next meeting was to be confirmed.

(The meeting commenced at 1.30 pm and closed at 2.20 pm)

CHAIRMAN

Date of Signature