

Notice of Meeting



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Special Executive

**Thursday, 19th October, 2017 at the
rising of the Ordinary Executive Meeting**

**in the Council Chamber, Council Offices,
Market Street, Newbury**

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Date of despatch of Agenda: Thursday, 12 October 2017

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact Democratic Services Team on (01635) 519462

e-mail: executivecycle@westberks.gov.uk

Further information and Minutes are also available on the Council's website at www.westberks.gov.uk



WestBerkshire
C O U N C I L

To:	Councillors Dominic Boeck, Anthony Chadley, Keith Chopping, Jeanette Clifford, Hilary Cole, Lynne Doherty, Marcus Franks, James Fredrickson, Graham Jones and Rick Jones
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Agenda

Part I

- 1. Apologies for Absence**
To receive apologies for inability to attend the meeting (if any).
- 2. Declarations of Interest**
To remind Members of the need to record the existence and nature of any personal, disclosable pecuniary or other registrable interests in items on the agenda, in accordance with the Members' [Code of Conduct](#).

Items not timetabled in the Forward Plan

	Page(s)
3. Approval for a Targeted Recruitment Payment (TRP) to be included in the advert for the post of Head of Children and Family Services <i>Purpose: To seek the approval of the Executive to add a "Targeted Recruitment Payment" (TRP) to the top of grade N to allow the Council to recruit a suitable Head of Children and Family Services (C&FS). This would be included in the advert for this post and it will attract a stronger field of candidates.</i>	5 - 12

Andy Day
Head of Strategic Support

West Berkshire Council Strategy Aims and Priorities

Council Strategy Aims:

- BEC** – Better educated communities
- SLE** – A stronger local economy
- P&S** – Protect and support those who need it
- HQL** – Maintain a high quality of life within our communities
- MEC** – Become an even more effective Council

Council Strategy Priorities:

- BEC1** – Improve educational attainment
- BEC2** – Close the educational attainment gap
- SLE1** – Enable the completion of more affordable housing
- SLE2** – Deliver or enable key infrastructure improvements in relation to roads, rail, flood



Agenda - Executive to be held on Thursday, 19 October 2017 (continued)

- prevention, regeneration and the digital economy
- P&S1** – Good at safeguarding children and vulnerable adults
 - HQL1** – Support communities to do more to help themselves
 - MEC1** – Become an even more effective Council

If you require this information in a different format or translation, please contact Moira Fraser on telephone (01635) 519045.



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Approval for a Targeted Recruitment Payment (TRP) to be included in the advert for the post of Head of Children and Family Services

Committee considering report:	Executive
Date of Committee:	19 October 2017
Portfolio Member:	Councillor Graham Jones
Date Portfolio Member agreed report:	12 October 2017
Report Author:	Robert O'Reilly
Forward Plan Ref:	N/a

1. Purpose of the Report

- 1.1 To seek the approval of the Executive to add a "Targeted Recruitment Payment" (TRP) to the top of grade N to allow the Council to recruit a suitable Head of Children and Family Services (C&FS). This would be included in the advert for this post and it will attract a stronger field of candidates.

2. Recommendation

- 2.1 That the Executive approves the Targeted Recruitment Payment (TRP) as set out in this report

3. Implications

- 3.1 **Financial:** The TRP will add £15,158 to salary budget for the post of Head of C&FS
- 3.2 **Policy:** There are no policy implications as this report is for a specific need.
- 3.3 **Personnel:** See report
- 3.4 **Legal:** Equal pay implications are discussed in the report
- 3.5 **Risk Management:** see 3.4
- 3.6 **Property:** none
- 3.7 **Other:** none

4. Other options considered

- 4.1 To advertise on the normal head of service grade N. This was rejected because intelligence from South East Employers shows that the Council would not attract a strong field of candidates on grade N alone and the subsequent delay in appointing to this post would be detrimental to the interests of the Council.

Executive Summary

5. Introduction / Background

- 5.1 West Berkshire Council (WBC) has no mechanism for a market enhanced salary since the abolition of the market supplement scheme some years ago. However, individuals can receive performance related honorarium payments, with the additional payment subject to performance. In this instance, if the Executive approves a higher salary including a Targeted Recruitment Payment (TRP) before the advert is placed, this would be transparent and is likely to attract a wider field of candidates.
- 5.2 Information from South East Employers (SEE) shows that WBC will need to advertise a higher salary than the current top of grade N (£81,414pa) to attract good candidates. Offering £81,414 would place WBC in the lowest quartile of salaries from the SEE pay check database. Examining other unitary authorities the average salary for this post (one tier below Director of Children's Services) is around £95k pa.
- 5.3 To match market rates the Executive is asked to approve a 'spot salary' of spinal column point 73 (£96,572) to be placed in the advert which will be made up of the top of grade N (£81,414) plus a TRP of £15,158.
- 5.4 There is a precedent for treating Children & Family Services (C&FS) differently from other services in respect of its recruitment and retention package. The current recruitment and retention arrangements in C&FS were approved through an Executive report in April 2014. That report highlighted the recruitment and retention difficulties in C&FS and sought approval for some social workers to receive a £15k retention bonus after three years (and two months extra leave as a sabbatical). There were some comments from other social workers about this 'special treatment' for C&FS. They were met with the response that other social workers could be transferred into the hard to fill C&FS posts if they asked to do so. The fact that the Executive has previously approved additional payments for social workers in C&FS shows the critical importance of this service to the Council.
- 5.5 Some other Heads of Service may ask why they do not get the TRP proposed above. This is because of the market salary rate for this post and the importance of filling this post quickly. This post is very important for maintaining the positive momentum which has moved the Council from 'inadequate' to 'good' in the Ofsted ratings. It has a key role in safeguarding of children which is the most high profile function of the Council. Therefore any delay in recruiting to this post should be avoided if possible which is why this report does not suggest 'testing the market' on grade N before trying again with the TRP included in the advert.
- 5.6 Equal pay legislation means that any salary higher than the salary of a post of equal value (occupied by someone of the opposite gender) must be objectively justified. The heads of service posts in WBC are deemed to be of equal value and are therefore all on grade N. The TRP for the Head of C&FS will mean that the eventual post holder will be paid more than the other heads of service of a different gender. The justification for this difference is based on the SEE report on the market salary rate for this post. However, to comply with equal pay legislation this justification needs to be periodically tested and be capable of removal. Therefore the TRP above the top of the normal head of service grade N will be reviewed every five

years from the date of appointment. If market salary conditions at that the time of the review show that the TRP can no longer be justified, the contract of employment issued will allow for it to be removed or reduced with a minimum of one year's notice.

6. Proposal

That the post of Head of Children and Family Services is advertised with a Targeted Recruitment Payment (TRP) of £15,158 pa.

7. Conclusion

The TRP will allow the Council to compete in the recruitment market place for a strong Head of C&FS to replace Mac Heath when he leaves.

8. Appendices

8.1 Appendix A – Equalities Impact Assessment

Appendix A

Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; This includes the need to:**
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

What is the proposed decision that you are asking the Executive to make:	To add a Targeted Recruitment Payment (TRP) to the top of the grade (N) for the recruitment to the post of Head of C&FS
Summary of relevant legislation:	Equal Pay legislation states that any difference in pay for jobs of equal value must be objectively justified.
Does the proposed decision conflict with any of the Council's key strategy priorities?	No
Name of assessor:	Robert O'Reilly
Date of assessment:	12 th October 2017

Is this a:		Is this:	
Policy	No	New or proposed	new
Strategy	No	Already exists and is being reviewed	No
Function	No	Is changing	No
Service	No		

1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	To allow the Council to recruit to an important post
Objectives:	To have a successful recruitment process
Outcomes:	Good candidate appointed
Benefits:	Strong leadership in C&FS

2 Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this. (Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)		
Group Affected	What might be the effect?	Information to support this
Age	n/a	
Disability	n/a	
Gender	One gender will have a potential equal pay claim	Heads of service posts are deemed to be of equal value on

Approval for a Targeted Recruitment Payment (TRP) to be included in the advert for the post of Head of Children and Family Services

Reassignment	from amongst the other heads of service	grade N. This TRP must be objectively justified by reference to market salary rates every five years. Evidence from South East Employers shows that the TRP is objectively justified at the time of this recruitment process.
Marriage and Civil Partnership	n/a	
Pregnancy and Maternity	n/a	
Race	n/a	
Religion or Belief	n/a	
Sex	n/a	
Sexual Orientation	n/a	
Further Comments relating to the item:		
The TRP can be objectively justified using market data from SEE at the time of this recruitment process.		

3 Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer: difference in pay can be objectively justified	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	No
Please provide an explanation for your answer: no-one will be worse off as a result of the TRP being awarded.	

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the [Equality Impact Assessment guidance and Stage Two template](#).

4 Identify next steps as appropriate:	
Stage Two required	no
Owner of Stage Two assessment:	n/a
Timescale for Stage Two assessment:	n/a

Name: Robert O'Reilly

Date: 12th October 2017

Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) (rachel.craggs@westberks.gov.uk), for publication on the WBC website.

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