

Notice of Meeting



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Personnel Committee

Monday 12th February 2018 at 2.00pm
in the Roger Croft Room Council Offices
Market Street Newbury

Note: The Council broadcasts some of its meetings on the internet, known as webcasting. If this meeting is webcasted, please note that any speakers addressing this meeting could be filmed. If you are speaking at a meeting and do not wish to be filmed, please notify the Chairman before the meeting takes place. Please note however that you will be audio-recorded.

Date of despatch of Agenda: Friday, 2 February 2018

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact Moira Fraser / Janet Giddings on (01635) 519045/519422

e-mail: moira.fraser@westberks.gov.uk / janet.giddings@westberks.gov.uk

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



To: Councillors Pamela Bale (Chairman), Dennis Benneyworth, Richard Crumly (Vice-Chairman), Carol Jackson-Doerge, Mollie Lock and Virginia von Celsing

Substitutes: Councillors Paul Bryant, Lee Dillon, Billy Drummond and Gordon Lundie

Agenda

Part I

Page No.

1. **Apologies for Absence**
To receive apologies for inability to attend the meeting (if any).
2. **Minutes** 5 - 10
To approve as a correct record the Minutes of the meeting of the Committee held on 8 February 2017 and 9 May 2017.
3. **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](#).
4. **Statutory Pay Policy 2018 (C3278)** 11 - 30
Purpose: To seek Council's approval of the Statutory Pay Policy Statement for publication from 1st April 2018.
5. **Buying Additional Leave (PC3410)** 31 - 36
Purpose: The report is to explore whether the Council should do more to encourage employees to buy additional leave (excluding schools).
6. **Date of Next Meeting**
Meeting required in week commencing 26th March 2018.

Andy Day
Head of Strategic Support

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



DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

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.

PERSONNEL COMMITTEE - 8 FEBRUARY 2017 - MINUTES

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.

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

PERSONNEL COMMITTEE - 8 FEBRUARY 2017 - MINUTES

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.

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

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Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

PERSONNEL COMMITTEE

MINUTES OF THE MEETING HELD ON TUESDAY, 9 MAY 2017

Councillors Present: Pamela Bale, Dennis Benneyworth, Richard Crumly, Carol Jackson-Doerge and Mollie Lock

PART I

1. Election of Chairman

RESOLVED that Councillor Pamela Bale be elected Chairman of the Personnel Committee for the 2017/18 Municipal Year.

2. Appointment of Vice-Chairman

RESOLVED that Councillor Richard Crumly be appointed as Vice-Chairman of the Personnel Committee for the 2017/18 Municipal Year.

(The meeting commenced at 8.07 pm and closed at 8.08 pm)

CHAIRMAN

Date of Signature

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Statutory Pay Policy 2018

Committee considering report:	Council on 1 March 2018 Personnel Committee on 12 February 2018
Portfolio Member:	Councillor Graham Bridgman
Date Portfolio Member agreed report:	11 January 2018
Report Author:	Katie Penlington
Forward Plan Ref:	C3278

1. Purpose of the Report

- 1.1 To seek Council's approval of the Statutory Pay Policy Statement for publication from 1st April 2018.

2. Recommendation

- 2.1 Council is asked to approve the policy statement attached as appendix C for publication in accordance with s38 of the Localism Act 2011.

3. Implications

- 3.1 **Financial:** None
- 3.2 **Policy:** None
- 3.3 **Personnel:** None
- 3.4 **Legal:** None
- 3.5 **Risk Management:** None
- 3.6 **Property:** None
- 3.7 **Other:** None

4. Other options considered

- 4.1 Not applicable – this is a statutory requirement.

Executive Summary and Report

- 4.2 Section 38 of the Localism Act 2011 requires local authorities to publish an annual pay policy statement. The method of publication is at the discretion of the authority, but it is expected to comply with the principles set out in the Local Government Transparency Code. The statement must be approved by the full Council.
- 4.3 Council approved the annual publication of the statement, in principle, on 1st March 2012. This report seeks Council's for approval, for publication of the 2018 Pay Policy Statement (attached at appendix C) with effect from 1st April 2018.
- 4.4 The statement should set out the policies in relation to;
- (1) Remuneration of its chief officers
 - (2) The remuneration of its lowest paid employees (and our definition and reasons for defining it)
 - (3) The relationship between the remuneration of its chief officers and those who are not chief officers
- 4.5 The definition of chief officers includes the Chief Executive, the Monitoring Officer, the Section 151 Officer, Corporate Directors, as well as those who report directly to any of these post holders. Thus, in West Berkshire Council, this definition would include all Heads of Service.
- 4.6 Chief Officer remuneration includes salary, bonuses, performance-related pay, fees or allowances (including as returning officer), benefits in kind, etc. The policy should also state how chief officer salary will be determined on appointment and any arrangements for payments upon leaving office.
- 4.7 The Pay Policy Statement for 2018 has been updated to reflect the increase to the Living Wage by the Living Wage Foundation to £8.75 per hour. The Council pays a 'living wage supplement' to corporate employees who would otherwise be paid less than £8.75 per hour.
- 4.8 *The pay award effective from April 2018 has yet to be agreed, figures in the policy in italics will be revised once the pay award is agreed.*

5. Conclusion

- 5.1 The Pay Policy Statement attached as Appendix C should be published on the Council website with effect from 1st April 2018, to comply with our statutory duty under the Localism Act.

6. Appendices

- 6.1 Appendix A - Supporting Information
- 6.2 Appendix B – Equalities Impact Assessment
- 6.3 Appendix C –draft Statutory Pay Policy 2018

Statutory Pay Policy 2018 –Supporting Information

Background Papers:

- The Localism Act Nov 11, s38-43 (legislation.gov.uk);
- Openness and accountability in local pay: Guidance under section 40 of the Localism Act Feb 2012, and supplementary guidance Feb 2013 (CLG);
- Localism Act: Pay Policy Statement Guidance for Local Authority Chief Executives Nov 11 (JNC for Chief Officers)
- Pay Policy and Practice in Local Authorities (Local Government Association)

Subject to Call-In:

Yes: No:

The item is due to be referred to Council for final approval

Delays in implementation could have serious financial implications for the Council

Delays in implementation could compromise the Council's position

Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months

Item is Urgent Key Decision

Report is to note only

Wards affected: n/a

Strategic Aims and Priorities Supported:

The proposals will help achieve the following Council Strategy aim:

MEC – Become an even more effective Council

The proposals contained in this report will help to achieve the following Council Strategy priority:

MEC1 – Become an even more effective Council

Officer details:

Name: Katie Penlington
Job Title: Human Resources Officer
Tel No: 01635 519325
E-mail Address: Katie.penlington@westberks.gov.uk

Appendix B

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.

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

Name of policy, strategy or function:	Statutory Pay Policy
Version and release date of item (if applicable):	2018
Owner of item being assessed:	Human Resources
Name of assessor:	Katie Penlington
Date of assessment:	8 th December 2017

Is this a:		Is this:	
Policy	Yes	New or proposed	
Strategy		Already exists and is being reviewed	Yes
Function		Is changing	Yes
Service			

1. What are the main aims, objectives and intended outcomes of the policy, strategy function or service and who is likely to benefit from it?	
Aims:	Publication of a policy statement, which sets out the Council's approach to paying its staff, to comply with legislation
Objectives:	See above
Outcomes:	Compliance with statutory duty
Benefits:	n/a

2. Note which groups may be affected by the policy, strategy, function or service. 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

Further Comments relating to the item:

3. Result	
Are there any aspects of the policy, strategy, function or service, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer: Publication of this Policy is a statutory requirement, it simply brings together information from policies and procedures that are subject to separate EIAs.	
Will the policy, strategy, function or service have an adverse impact upon the lives of people, including employees and service users?	No
Please provide an explanation for your answer: Publication of this Policy is a statutory requirement, it simply brings together information from policies and procedures that are subject to separate EIAs.	

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 2 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:	
Timescale for Stage Two assessment:	
Stage Two not required:	

Name: Katie Penlington

Date:

Please now forward this completed form to Rachel Craggs, the Principal Policy Officer (Equality and Diversity) for publication on the WBC web

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Pay Policy Statement – April 2018

Change History

Version	Date	Description	Change ID
1	April 2012	First publication	
2	April 2013	Second publication	
3	April 2014	Third publication	
4	April 2015	Fourth publication	
5	April 2016	Fifth publication	
6	April 2017	Sixth publication	
7	April 2018	Seventh publication	



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Appendix 2 – Additional Payments Scheme	11

Note that in this draft (dated 18/01/18) the type in red italics will be amended when the new pay rates for 2018 are implemented.

1. Purpose

- 1.1 This document covers the requirements to publish a pay policy statement under s38 of the Localism Act 2011. This Pay Policy Statement does not apply to employees working within schools.
- 1.2 Full Council has approved the Pay Policy Statement.

2. Definitions used in this document

2.1 Chief Officers (as defined in s43 of the Localism Act):

- 2.1.1 Chief Executive
- 2.1.2 Corporate Director (Communities)
- 2.1.3 Corporate Director (Environment)
- 2.1.4 Heads of Service
- Head of Legal Services (Monitoring Officer)
 - Head of Finance and Property (Section 151 Officer)
 - Head of Education
 - Head of Human Resources
 - Head of Strategic Services
 - Head of Customer Services and ICT
 - Head of Public Health and Wellbeing
 - Head of Transport and Countryside
 - Head of Public Protection and Culture
 - Head of Development and Planning
 - Head of Children and Family Services
 - Head of Prevention and Safeguarding
 - Head of Adult Social Care
 - Head of Commissioning

2.2 **Employees who are not chief officers:** all other employees (including those employed on a casual basis) employed directly by the Council.

This policy does not cover the remuneration of other 'workers' employed by the Council, as employees of agencies or as self-employed consultants.

2.3 **Lowest paid employee:** minimum of £7.88 per hour plus a 'living wage supplement': a total of £8.75 per hour. Notes on this definition are set out below:

- 2.3.1 Any employee whose basic hourly rate is below the 'Living Wage' calculated by the Living Wage Foundation receives a supplement to take the hourly rate up to £8.75 per hour.

2.3.2 Apprentices aged 16-18, may be paid on the age-related National Minimum Wage. The Apprentice NMW rate is not used. Apprentices have been excluded from this definition on the basis that they are in specific posts created for training purposes.

2.4 **Median salary: £27,667** (full time equivalent). This is a measure of the 'average' salary for employees in the Council. It is defined as the 'midpoint' salary, such that there is an equal probability of falling above or below it.

2.5 **Mean salary: £29,548** (full time equivalent). This is an alternative measure of the 'average' salary for employees in the Council. The arithmetic mean is defined as the sum of all the salaries divided by the number of salaries.

2.6 **Highest paid employee:** the Chief Executive is paid **£136,100** plus £5,000 car allowance per annum = **£141,100**.

3. Pay Policy from April 2018

3.1 All jobs within the Council are paid on salary grades with five or more incremental points.

3.2 Job evaluation – employees below grade N

3.2.1 The Hay (Local Government) job evaluation scheme is used to establish the grade for each post relative to all other jobs within the Council. The job evaluation procedure is used to evaluate all new jobs and to re-evaluate existing jobs where there have been significant changes.

3.2.2 All jobs are assigned to a grade within the West Berkshire Council salary structure on the basis of the job evaluation score. The individual salary scale points are based on the National Joint Council for Local Government Employees (Green Book) salary scale.

3.3 Salary structure – employees on Grade N and above

3.3.1 Heads of Service are all paid on Grade N. They constitute the second tier of management and may be allocated new responsibilities as required to meet the needs of the Council at this level, within their grade. Heads of Service report to either a Corporate Director or the Chief Executive.

3.3.2 An additional targeted recruitment payment up to a maximum approved by the Executive may be payable to the role of Head of Children and Family Services to enable effective competition in the recruitment market when recruiting. If applied, this payment will be reviewed every five years to ensure it remains objectively justifiable.

3.3.3 Corporate Directors are paid on the Corporate Director grade and the Chief Executive is paid on a specific grade for this post. All three may be allocated new responsibilities as required to meet the needs of the Council within their grade.

3.4 Salary on appointment – all employees

3.4.1 Appointments will normally be made to the minimum point of the grade. Managers may take into account the previous experience and skills of the employee to offer appointment above the salary minimum for the post.

3.5 Incremental progression – all employees

3.5.1 Each employee progresses through the grade band for the post by the award of one increment (or spinal column point (SCP)) on 1st April each year until the maximum of the grade band is reached, subject to six months service in the grade band (whether that band has been attained by appointment, promotion or regrading) and satisfactory performance in the job.

3.5.2 Any existing employee who is appointed to a new post within the Council whose salary, on 1st April, would otherwise be less than one column point in excess of the salary they would have received on that day in their old grade band, will be entitled to an increment on that day even if he/she has not been 6 months in the new post, subject to satisfactory performance.

3.5.3 An increment may be withheld if an employee is subject to formal disciplinary or capability procedures during the year leading up to the 1st April.

3.5.4 An additional increment may be awarded in any one year to an employee, at the discretion of the Head of Service, on the grounds of special merit or ability, provided the maximum of the grade is not exceeded.

3.6 Additional payments – all employees

3.6.1 Additional payment may be made for additional hours, overtime, undertaking higher responsibilities, and for non-standard working arrangements such as stand-by or evening work, or for exceptional working conditions. See Appendix 2 for details.

3.6.2 Car allowance payments for new senior managers ceased to be paid from November 2007. Some senior employees who were already in receipt of such allowances continue to receive them on a protected basis whilst in post.

3.6.3 Essential car users (defined as those who travel at least 1,500 business miles per annum or for whom a car is essential for the performance of the job) receive an allowance.

3.6.4 All employees can claim expenses for essential business travel at the rate of the cost of public transport, or a mileage rate. Subsistence expenses may be claimed at the rates recommended by HMRC.

3.6.5 The Council does not operate a separate bonus scheme for its Chief Officers. With the exception of the targeted recruitment payment mentioned in 3.3.2 above no other charges, fees or allowances or

remuneration are payable to Chief Officers in connection with their responsibilities.

3.6.6 Fees for Returning Officer duties during elections are payable to the Chief Executive. Fees for national elections are set by central Government and vary according to the type of election. Fees for local elections (parish and district elections) are set by the Council and are currently under review.

3.6.7 There are no benefits in kind, such as private health insurance, payable to Chief Officers.

3.6.8 Chief Officers are eligible to join the Local Government Pension Scheme in the same way as other employees.

3.7 Severance arrangements

3.7.1 Chief Officers are subject to the same redundancy payment and pension arrangements as other employees. These are set out in the Council's [Employer Statement of Policy on Discretionary Compensation](#) and the [Employer Statement – Local Government Pension Scheme Discretions Policy](#).)

3.7.2 All redundancy or severance costs (including the cost of mandatory early payment of pension) of over £10,000 must be approved by the Executive.

3.7.3 An employee who has left the Council, with a redundancy or other severance payment under the discretionary compensation scheme, will not normally be re-engaged by the Council within two years of the termination date. In exceptional circumstances the Head of Human Resources may make a decision, after consultation with the Chief Executive, the Monitoring Officer, the Section 151 Officer, and the Leader and Shadow Leader of the Council, to authorise re-engagement where it is in the interests of the Council to do so. (See the [Re-Employment Policy](#).)

4. Pay ratios in the Council

4.1 It is the Policy of the Council to ensure that the ratio of the salary of the highest paid officer and the lowest paid officer is well below the 20:1 ratio recommended as a maximum in the terms of reference for the 2011 Hutton Review of Fair Pay in the Public Sector.

4.2 As at 1st April 2018, pay ratios within the Council stand as follows:

- *Highest:lowest = 8.66:1*
- *Highest:median = 5.1:1*

4.3 This is based on the following salary packages:

- Highest paid (maximum CX including car allowance) = *£141,100*
- Lowest paid (minimum *grade A*) = *£16,302* (including living wage supplement)

- Median (average excluding car allowances) = £27,667

5. Review

This policy will be reviewed at least annually and more frequently if necessary to respond to any changes.

Appendix 1 Local Government Pay Rates - 1st April 2017

Note the new scale for 2018 will be inserted once it has been agreed

* denotes SCPs that fall below the living wage, so receive a supplement to bring their pay up to £8.75 per hour.

<u>Grade</u>	<u>SCP</u>	<u>Salary</u>
A	3	-
	4	-
	5	
	6*	15014
B	7*	15115
	8*	15246
	9*	15375
	10*	15613
	11*	15807
C	12*	16123
	13	16491
	14	16781
	15	17072
D	16	17419
	17	17722
	18	18070
	19	18746
	20	19430
E	21	20138
	22	20661
	23	21268
F	24	21962
	25	22658
	26	23398
	27	24174
	28	24964
G	29	25951
	30	26822
	31	27668
	32	28485
	33	29323
H	34	30153

I		35	30785
		36	31601
	J	37	32486
		38	33437
		39	34538
K	J	40	35444
		41	36379
		42	37306
		43	38237
	L	44	39177
		45	40057
		46	41025
M	L	47	41967
		48	42899
		49	45113
		50	47361
		51	49074
	N	52	50780
		53	52504
		54	53256
		55	55291
		56	57320
Corporate Directors		57	59350
	N	61	66190
		62	67714
		63	69996
		64	72287
		65	74558
		66	76846
		67	79126
		68	81414
		72	94087
		73	96572
	74	99065	
	75	101551	
	76	104040	
	77	106537	
	Chief	127327	

Executive

130253

133178

136100

Appendix 2 – Additional Payments Scheme

Criteria for making service related additional payments

5.1 The scheme provides for additional payments to be made where:

- There is a clear service need to resolve organisational and/or staffing difficulties;
- Other organisational responses (e.g. restructuring or re-allocation of work) will not overcome the difficulties;
- No other provision exists for payments to be made under WBC Conditions of Service;
- Costs can be contained within service budgets;
- The relevant Corporate Director is satisfied that payments are necessary and appropriate in all the circumstances.

If the above criteria apply, and other conditions and criteria are met (see sections below) additional payments may be made at the discretion of the Head of Service.

Payment for Exceptional Working Patterns

The normal working week will be the working week or regular work pattern defined in the contract of employment, normally based on any five named days out of seven.

Some jobs require regular working patterns which, because of service demands, are particularly disruptive to social or domestic life and these jobs may therefore present difficulties of recruitment and retention e.g. week end working, split duty or sleeping in.

Others may require acceptance of occasional severe disruption to regular work patterns which are not commonly acceptable under normal basic pay arrangements. Where there is clear evidence that such circumstances present service delivery problems, additional payments, based on a maximum of time and a third of basic pay may be made at the discretion of the Head of Service.

Payment for night work

Time and a third may be paid for night work undertaken between the hours of 10pm and 6am.

Payment for stand-by duty

For some jobs, where stand-by duty is a regular requirement, specific stand-by payments may be written into the employment contract. The Head of Human Resources or the relevant Head of Service will advise where these apply.

Where there is no contractual requirement or payment for stand-by duty, and stand-by duty is not reflected in the grading of the post, payment of one third of basic pay may be paid. Payment will be at the discretion of the Head of Service.

Payment for higher responsibility

WBC Conditions of Service provide for an employee, who for reasons other than annual leave of another employee, is called upon to undertake the duties and responsibilities of a higher graded post for a period of at least four weeks may, at the discretion of the Head of Service, receive an honorarium to reflect the additional duties and responsibilities.

In determining the appropriate level of additional payment, the Head of Service should take into account factors like:

- The difference between grading between the absent employee and the employee providing cover
- The duration of the period of absence
- The level of support provided to the covering employee
- Arrangements relating to the employee's normal duties;

Although not normally provided for in WBC Conditions, Heads of Service may, exceptionally, make additional payments to employees covering for absence resulting from annual leave. The above criteria are relevant in deciding to make payments in these circumstances, in particular, the duration of cover and the difference in grading.

Payment for Regular Overtime

Some jobs require regular overtime working that cannot, practicably, be compensated by time off in lieu. These jobs may be held by employees above the normal ceiling for overtime payment (scp32).

Where regular overtime is a feature of the job (e.g. regular requirement for attendance at evening Council and/or Committee meetings), the Head of Service may agree the payment of a flat rate allowance that reflects the regular nature of the demand and the normal basis for calculating additional payments (time and one third).

Payment for Exceptional Working Conditions

WBC job evaluation takes account of physical aspects of jobs where they are a regular feature e.g. heavy and awkward working conditions. Normal pay reflects the conditions of such jobs. However, in some jobs such conditions may occur only occasionally and will not, therefore, be reflected in grading.

In other jobs, employees may be required, from time to time, to work in particularly dirty or otherwise unpleasant circumstances.

Where job grading has not taken exceptional working conditions into account, additional payments may be made. Where the exceptional conditions extend over a period of time, payment of time and a third for hours worked in those conditions will be appropriate. In the case of a short, one-off situation, a payment for Other Exceptional Circumstances, as described below, may be paid.

Payment for election duties

Election fees are payable to some staff as and when elections are held for National Elections. The fees are set by HM Government and vary according to type of election

Payment for Other Exceptional Circumstances

From time to time, other exceptional circumstances may arise that merit an additional payment e.g. short and unusual exposure to particularly unpleasant work conditions, reward for a sustained period of particularly heavy increased responsibility, or exceptional achievement. In such circumstances, an additional payment may be made. Although not a limit in truly exceptional circumstances, the normal ceiling of time and a third for additional payments should be taken into account when determining an appropriate additional payment.

Payment for Emergency Operations Centre (EOC) work

Where the Emergency Operations Centre (EOC) is set up to respond to an emergency, staff carrying out EOC work will be paid as follows:

- All hours worked on EOC duties outside 0800 to 1700 Monday to Friday will be paid at £15 per hour.
- Full time employees working the day shift (8am to 4pm) will receive an honorarium payment of £30 for each day shift worked.
- Part time employees working extra hours on the day shift will be paid £15 per hour for each additional hour worked in addition to the £30 honorarium payment for each day shift worked.
- The hours paid will include the time it takes to come in and go home if the employee would not have had to make this journey in normal circumstances (for example travelling back in for a midnight start or travelling at weekends). However employees cannot claim 'petrol costs'.
- These payments are payable to all employees regardless of grade.

Where employees who have worked weekends, late or night shifts would prefer to take the extra hours they worked as time off in lieu (TOIL) rather than receive £15 per hour they should inform HR by email.

Staff who had booked annual leave but come in for a day shift should swap their leave to another day. If the EOC work occurs towards the end of an annual leave period, and as a result, there is a need to carry forward leave after the end of the leave year, the employee should agree this with his/her line manager. The employee will receive the £30 honorarium for each day shift worked.

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Buying Additional Leave

Committee considering report:	Personnel Committee on 12 February 2018
Portfolio Member:	Councillor Graham Bridgman
Date Portfolio Member agreed report:	25 January 2018
Report Author:	Robert O'Reilly
Forward Plan Ref:	PC3410

1. Purpose of the Report

This report has been requested by Cllr Lee Dillon for discussion at the Personnel Committee on 12th February 2018. The report is to explore whether the Council should do more to encourage employees to buy additional leave (excluding schools).

2. Recommendation

It is recommended that, following discussion at Personnel Committee, more publicity might be given to the existing arrangements whereby employees can request unpaid leave (which is another way of saying 'buying additional leave') and a separate form is designed by HR for this purpose.

3. Implications

- | | | |
|-----|-------------------------|---|
| 3.1 | Financial: | No adverse effects |
| 3.2 | Policy: | No existing change to policy |
| 3.3 | Personnel: | None |
| 3.4 | Legal: | None |
| 3.5 | Risk Management: | None (requests must be agreed by the relevant Head of Service so operational needs will be met) |
| 3.6 | Property: | None |
| 3.7 | Other: | None |

4. Other options considered

None

Executive Summary

5. Introduction / Background

- 5.1 The Council has a leave policy on the intranet which includes the opportunity for management to send a form to Payroll to authorise unpaid leave. Payroll receive approximately one such request per month (not schools). If a Head of Service actively encourages employees to think about taking unpaid leave to meet service savings targets the numbers going to Payroll will increase (which has happened in some services in recent years).
- 5.2 The Council uses the deduction rate of 1/365 of annual salary for each day of the unpaid leave. If the employee is in the pension scheme, the employer and employee pension contributions are paid as normal (unless the unpaid leave is due to industrial action in which case all the pension contribution costs fall to the employee).
- 5.3 There is no active promotion of the right to request unpaid leave. The request and reason are put forward by the employee. The decision is taken by the Head of Service (can be delegated to a line manager) and therefore operational considerations should be taken into account before a request for unpaid leave is agreed. Most requests are for five or fewer days of unpaid leave.
- 5.4 Local government employees enjoy more annual leave than the private sector. In WBC annual leave increases by five days after five years' service. It also increases when employees reach certain grades. In addition to annual leave, many WBC employees can take up to 13 'flexi-days' each year if they work additional hours during the preceding four week period. This means that for most employees the amount of time off with pay is sufficient for their needs; in fact there are some employees who do not take all their entitlement to paid leave in a leave year.
- 5.5 HR have not received any requests from employees (direct or via the 'Let's Chat' workshops) to promote buying additional leave. This issue has not been raised by the trade unions.
- 5.6 Cllr Lee Dillon has asked that the issue is put on the agenda of the Personnel Committee for discussion and as a result it needs to go to CB and Operations Board before Personnel Committee.

6. Proposal

- 6.1 It is recommended that, following discussion at Personnel Committee, more publicity might be given to the existing arrangements whereby employees can request unpaid leave (which is another way of saying 'buying additional leave') and a separate form is designed by HR for this purpose if PC wish to give this more publicity.
- 6.2 There will be a small saving for each period of unpaid leave. However, the relevant service may use this saving to pay for another member of staff to work additional hours to cover the workload, so no corporate savings can be assumed. The only certainty is that if the amount of unpaid leave increased there would be no adverse financial consequences for the Council.

7. Conclusion

- 7.1 This report will be discussed at the Personnel Committee on 12th February and HR may take steps to increase the publicity for the possibility of employees buying additional leave as a result.

8. Appendices

- 8.1 Appendix A – Equalities Impact Assessment

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:	No new decision other than more publicity for the possibility of buying additional leave
Summary of relevant legislation:	The Council awards more paid leave than the statutory minimum under the Working Time Regulations.
Does the proposed decision conflict with any of the Council's key strategy priorities?	no
Name of assessor:	Robert O'Reilly
Date of assessment:	08/01/08

Is this a:		Is this:	
Policy	Yes	New or proposed	No
Strategy	No	Already exists and is being reviewed	Yes
Function	No	Is changing	Yes
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 bring a potential benefit to the attention of staff
Objectives:	As above
Outcomes:	As above
Benefits:	As above

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	No negative impact	
Disability	As above	
Gender	As above	

Reassignment		
Marriage and Civil Partnership	As above	
Pregnancy and Maternity	As above	
Race	As above	
Religion or Belief	As above	
Sex	As above	
Sexual Orientation	As above	
Further Comments relating to the item:		

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:	
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:	

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:	
Timescale for Stage Two assessment:	

Name: Robert O'Reilly

Date: 08/01/18

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.