

Notice of Meeting



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Personnel Committee

Tuesday 11 February 2020 at 10.30am
in the Committee Room Council Offices
Market Street Newbury

Note: The Council broadcasts some of its meetings on the internet, known as webcasting. If this meeting is webcast, 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: Monday 3 February 2020

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact Moira Fraser on (01635) 519045
e-mail: moira.fraser@westberks.gov.uk

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



To: Councillors Adrian Abbs, Dennis Benneyworth, Jeff Brooks (Vice-Chairman), Garth Simpson (Chairman) and Howard Woollaston

Substitutes: Councillors Lee Dillon, Nassar Kessell, Richard Somner and Joanne Stewart

Agenda

Part I

Page No.

1. **Apologies for Absence**
To receive apologies for inability to attend the meeting (if any).
2. **Minutes** 3 - 4
To approve as a correct record the Minutes of the meeting of the Committee held on 15 October 2019.
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 2020 (C3813)** 5 - 18
Purpose: To seek Council's approval of the Statutory Pay Policy Statement for publication from 1st April 2020.
5. **Date of Next Meeting**
To agree a date for the next meeting.

Sarah Clarke
Head of Legal and Strategic Support

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



Agenda Item 2.

DRAFT

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

PERSONNEL COMMITTEE

MINUTES OF THE MEETING HELD ON TUESDAY, 15 OCTOBER 2019

Councillors Present: Adrian Abbs (Substitute) (In place of Nassar Kessell), Dennis Benneyworth, Garth Simpson and Howard Woollaston

Also Present: Robert O'Reilly (Head of Human Resources), Rebecca Bird (HR Officer) and Jo Reeves (Principal Policy Officer)

Apologies for inability to attend the meeting: Councillor Nassar Kessell

Councillor Absent: Councillor Jeff Brooks

PART I

10. Minutes

The Minutes of the meeting held on 12 September 2019 were approved as a true and correct record and signed by the Chairman.

11. Declarations of Interest

There were no declarations of interest received.

12. Revised Stress & Mental Well-being Policy (Staff) (PC3826)

The Committee considered a report (Agenda Item 4) concerning a revised Stress and Mental Wellbeing Policy for Staff.

Rebecca Bird in introducing the item advised that stress was the most common cause of sickness absence in local government. The previous policy had been approved in 2009 so updates were required and Human Resources had work with the Council's Health and Safety Team to update the policy to include clearer guidance for staff and managers.

Councillor Garth Simpson asked for a further explanation of a statement in the document that the policy had been 'largely welcomed'. Rebecca Bird explained that the Trade unions had been concerned regarding the removal of stress audits. There had been a low take up and HR no longer had the capacity or skills to complete these. The unions had undertaken some stress audits and it was hoped they could continue to do so.

Councillor Simpson enquired what the average number of sickness absence days was in the Council. Robert O'Reilly advised it was 8.9 days which was comparable to the rest of local government. Councillor Simpson therefore noted that an average of two days per employee were lost to stress.

Councillor Simpson further asked what managers feedback had been regarding the changes to the policy. Rebecca Bird advised that managers had felt it was important that there was guidance for employees to support their own wellbeing which included a commitment to an open dialogue.

Councillor Dennis Benneyworth asked whether it was standard practice to review the policy every 5 years. Rebecca Bird advised that usually policies were updated every

PERSONNEL COMMITTEE - 15 OCTOBER 2019 - MINUTES

three years but the pace of legislative change had slowed and HR did not have the resources to update policies that frequently.

Councillor Adrian Abbs asked how local government sickness absence compared to the private sector and whether there were any comparable fields in the private sector. Robert O'Reilly advised that on average each private sector employee was absent from work for 6 days due to sickness and he did not have information to hand for each field. More unionised industries tended to have higher sickness absence rates and there was variation between larger and smaller employers. Central government's sickness absence was higher than local government.

Councillor Simpson commended the thorough work to revise the policy which included practical guidance and templates which he hoped that staff and managers found useful.

RESOLVED that the policy be approved.

13. Workplace Chaplaincy (PC3835)

The Committee considered a report (Agenda Item 5) which proposed the introduction of a Workplace Chaplaincy service as a pilot. Rebecca Bird informed Members that Reverend Richard Littledale had approached the Council to offer his time voluntarily and officers' view was that this should be supported on a trial basis.

Councillor Garth Simpson asked whether Reverend Littledale would respect the diversity of council officers and Rebecca Bird confirmed he would. Councillor Howard Woollaston reported that Operations Board wanted to ensure that all faiths, beliefs and religions were included. Rebecca Bird advised that when the service was publicised, an invitation would be made to any other faith leaders to run a chaplaincy service, however Reverend Littledale had approached the Chief Executive directly to offer his time on a voluntary basis so it was proposed to accept the offer.

Councillor Adrian Abbs asked what benefit to residents would be achieved by offering this service to staff. Rebecca Bird advised that staff would need to visit the Chaplain in their own time so there would be no impact on residents. The service would complement other sources of support to staff.

RESOLVED that a workplace chaplaincy service be for six months with a view to establishing the service permanently.

(The meeting commenced at 3.35 pm and closed at 3.52 pm)

CHAIRMAN

Date of Signature

Statutory Pay Policy 2020

Committee considering report: Personnel Committee on 11 February 2020
 Council on 3 March 2020

Portfolio Member: Councillor Howard Woollaston

Date Portfolio Member agreed report: 17 January 2020

Report Author: Rebecca Bird

Forward Plan Ref: C3813

1. Purpose of the Report

1.1 To seek Council's approval of the Statutory Pay Policy Statement for publication from 1st April 2020.

2. Recommendation

2.1 To seek Council's approval of the Statutory Pay Policy Statement for publication from 1st April 2020.

3. Implications and Impact Assessment

Implication	Commentary			
Financial:	None			
Human Resource:	None			
Legal:	None			
Risk Management:	None			
Property:	None			
Policy:	None			
	Positive	Neutral	Negative	Commentary
Equalities Impact:		X		
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		

B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		
Environmental Impact:		X		
Health Impact:		X		
ICT or Digital Services Impact:		X		
Council Strategy Priorities or Business as Usual:		X		
Data Impact:		X		
Consultation and Engagement:	Corporate Board, Operations Board, Personnel Committee			

4. Executive Summary

- 4.1 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.
- 4.2 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 2020 Pay Policy Statement (attached at appendix C) with effect from 1st April 2020.
- 4.3 The statement should set out the policies in relation to;
- 4.4 Remuneration of its chief officers
- 4.5 The remuneration of its lowest paid employees (and our definition and reasons for defining it)
- 4.6 The relationship between the remuneration of its chief officers and those who are not chief officers
- 4.7 The definition of chief officers includes the Chief Executive, the Monitoring Officer, the Section 151 Officer, Executive 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.

4.8 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.

4.9 *The figures in the policy statement in italics will be revised once the pay award has been implemented, as their calculation relies on the HR information system.*

5. Conclusion

5.1 The Pay Policy Statement attached as Appendix C should be published on the Council website with effect from 1st April 2020, to comply with our statutory duty under the Localism Act.

6. Appendices

6.1 Appendix A – Draft Statutory Pay Policy 2020

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Pay Policy Statement – April 2020

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	
8	April 2019	Eighth publication	RB
9	April 2020	Ninth publication	RB

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1. **Purpose**

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.

Full Council has approved the Pay Policy Statement.

2. **Definitions used in this document**

Chief Officers are defined in s43 of the Localism Act as

the head of the authority's paid service;

the monitoring officer

a statutory chief officer, which under the Local Government & Housing Act 1989 means Director of Children's Services, Director of Adult Social Services, Director of Public Health, Chief Education Officer, Chief Social Worker and the Section 151 officer;

a non-statutory chief officer which under section s2(7) of the 1989 Act means direct reports of the head of paid service (HOPS), a person for whom the HPS is directly responsible, a person who as respects all or most of their duties is required to report directly or is directly accountable to the HOPS, or a person who as respects all or most of their duties is required to report directly or is directly accountable to the local authority themselves, or any committee or sub-committee of the authority;

a deputy chief officer which under s2(8) of the 1989 Act means a person who, as respects all or most of the duties of his post, is required to report directly or is directly accountable to one or more of the statutory or non statutory chief officers.

In West Berkshire Council these posts are:

- 2.1.1 Chief Executive
- 2.1.2 Executive Director (People)
- 2.1.3 Executive Director (Resources) (Section 151 Officer)
- 2.1.4 Executive Director (Place)
- 2.1.5 Service Directors:
 - Service Director: Adult Social Care
 - Service Director: Environment
 - Service Director: Strategy & Governance (Monitoring Officer)
- 2.1.6 Heads of Service
 - Head of Finance and Property
 - Head of Education

- Head of Customer Services and ICT
- Head of Public Health and Wellbeing
- Head of Public Protection and Culture
- Head of Development and Planning
- Head of Children and Family Services
- Head of Commissioning

2.1.7 All Service Managers reporting to a Head of Service or Service Director.

2.1.8 All Service Leads.

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.

Lowest paid employee: minimum of £9,00 per hour Notes on this definition are set out below:

Commented [RB1]: Add new figure when pay award has been agreed

2.1.9 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.

Median salary: £28221 (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.

Commented [RB2]: Calculation to be done once pay award has been agreed wef 1/4/20

Mean salary: £30195 (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.

Commented [RB3]: Calculation to be done once pay award has been agreed wef 1/4/20

Highest paid employee: the Chief Executive is paid £145,000 plus £5,000 car allowance per annum = £150,000.

Commented [RB4]: Subject to pay award.

3. Pay Policy from April 2020

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

Job evaluation – employees below grade N

3.1.1 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.

3.1.2 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.

Salary structure – employees on Service Lead Grade and above

- 3.1.3 The establishment of any post attracting a total remuneration package of £100,000 or more requires approval from Full Council.
- 3.1.4 A new post level called Service Lead has been established within the staffing structure and may be used by Service Directors as they are appointed, as appropriate. Service Lead posts form part of the fourth tier of management but not all fourth tier posts will be Service Leads. Service Leads will report to a Service Director (third tier). A separate pay grade has been established for these posts.
- 3.1.5 Service Directors are paid on the new Grade O. Along with the remaining Heads of Service in an emerging structure, they constitute the third tier of management within the Council. Service Directors report to an Executive Director (second tier).
- 3.1.6 Where Heads of Service remain, they are paid on the HOS grade (unless subject to TUPE protections). Along with Service Directors, they constitute the third 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 an Executive Director (second tier).
- 3.1.7 An additional Special Recruitment Payment (SRP) of £5,000 - £8,000 may be paid to any Service Director subject to approval by Head of Paid Service in liaison with the Leader of the Council. If applied, this payment will be reviewed every five years to ensure it remains objectively justifiable. A SRP may be reduced or removed with one year's notice. The value of SRPs will increase with the national pay award from 1st April 2021 and each year thereafter.
- 3.1.8 The Executive Director (Place) and the Chief Executive are both paid on specific grades for those posts. The Executive Directors for People and Resources are paid on a grade for both those posts. All four may be allocated new responsibilities as required to meet the needs of the Council within their grade.

Salary on appointment – all employees

- 3.1.9 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.

Incremental progression – all employees

- 3.1.10 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.

- 3.1.11 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.
- 3.1.12 An increment may be withheld if an employee is subject to formal capability procedures during the year leading up to the 1st April.
- 3.1.13 An additional increment may be awarded in any one year to an employee, at the discretion of the Head of Service/ Service Director, on the grounds of special merit or ability, provided the maximum of the grade is not exceeded.

Additional payments – all employees

- 3.1.14 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.
- 3.1.15 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.
- 3.1.16 Essential car users (defined as those who travel at least 1,500 business miles per annum) receive an allowance.
- 3.1.17 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.
- 3.1.18 The Council does not operate a separate bonus scheme for its Chief Officers. With the exception of the Special Recruitment Payment mentioned in 3.3.4 above no other charges, fees or allowances or remuneration are payable to Chief Officers in connection with their responsibilities.
- 3.1.19 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.
- 3.1.20 There are no benefits in kind, such as private health insurance, payable to Chief Officers.
- 3.1.21 Chief Officers are eligible to join the Local Government Pension Scheme in the same way as other employees.

Severance arrangements

- 3.1.22 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](#).)
- 3.1.23 All redundancy or severance costs (including the cost of mandatory early payment of pension) of between £10,000 and £99,999 must be approved by the Executive. Redundancy or severance costs of more than £100,000 must be approved by Full Council. Severance costs linked to sickness absence can be approved by Head of Service or above, with a maximum cost as defined in [Sickness Absence - Reporting and Management, Procedure and Guidance](#) .
- 3.1.24 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

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.

As at 1st April 2020, pay ratios within the Council stand as follows:

- *Highest:lowest = 8.52:1*
- *Highest:median = 5.1:1*

This is based on the following salary packages:

- Highest paid (maximum CX including car allowance) = *£150,000*
- Lowest paid (minimum grade B) = *£16,881*
- Median (average excluding car allowances) = *£28,221*

5. Review

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

Commented [RB5]: Calculations to be done following the pay award 1/4/20

Commented [RB6]: All Subject to pay award

Appendix 1 – Revised West Berkshire Pay Scales

See Excel attachment.

NB Scales to be updated once the pay award effective from 1st April 2020 has been agreed.

Appendix 2 – Additional Payments Scheme

Criteria for making service related additional payments

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/ Service Director.

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/ Service Director.

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/ Service Director 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/ Service Director.

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/ Service Director, receive an honorarium to reflect the additional duties and responsibilities.

In determining the appropriate level of additional payment, the Head of Service/ Service Director 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 (scp26).

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/ Service Director 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.