

# Public Document Pack

## NOTICE OF MEETING



### EMPLOYMENT PANEL

will meet on

**TUESDAY, 24TH JANUARY, 2017**

**At 6.30 pm**

in the

**DESBOROUGH 4 - TOWN HALL, MAIDENHEAD**

**TO: MEMBERS OF THE EMPLOYMENT PANEL**

COUNCILLORS LISA TARGOWSKA (CHAIRMAN), EILEEN QUICK (VICE-CHAIRMAN), PHILLIP BICKNELL, PAUL BRIMACOMBE, STUART CARROLL, DR LILLY EVANS, LYNNE JONES AND MJ SAUNDERS

**SUBSTITUTE MEMBERS**

COUNCILLORS CHRISTINE BATESON, SIMON DUDLEY, DAVID HILTON, JACK RANKIN, JOHN STORY, EDWARD WILSON, MALCOLM BEER, SIMON WERNER AND SAMANTHA RAYNER

Karen Shepherd - Democratic Services Manager - Issued: Monday, 16 January 2017

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's web site at [www.rbwm.gov.uk](http://www.rbwm.gov.uk) or contact the Panel Administrator **Karen Shepherd** 01628 796529

**Fire Alarm** - In the event of the fire alarm sounding or other emergency, please leave the building quickly and calmly by the nearest exit. Do not stop to collect personal belongings and do not use the lifts. Congregate in the Town Hall Car Park, Park Street, Maidenhead (immediately adjacent to the Town Hall) and do not re-enter the building until told to do so by a member of staff.

**Recording of Meetings** – The Council allows the filming, recording and photography of public Council meetings. This may be undertaken by the Council itself, or any person attending the meeting. By entering the meeting room you are acknowledging that you may be audio or video recorded and that this recording will be available for public viewing on the RBWM website. If you have any questions regarding the council's policy, please speak to the Democratic Services or Legal representative at the meeting.

## AGENDA

### PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
1.	<u>APOLOGIES FOR ABSENCE</u>  To receive any apologies for absence	
2.	<u>DECLARATIONS OF INTEREST</u>  To receive any declarations of interest	5 - 6
3.	<u>MINUTES</u>  To consider the Part I minutes of the meeting held on 5 January 2017	7 - 8
4.	<u>APPROVAL OF PAY POLICY STATEMENT 2017/18</u>  To consider the above report	9 - 20
5.	<u>EMPLOYMENT/RESTRUCTURE DELEGATIONS TO EMPLOYMENT PANEL</u>  To receive a briefing note	21 - 24
6.	<u>LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC</u>  To consider passing the following resolution:-  "That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on items 7-9 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act"	

**PRIVATE MEETING PART II**

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
7.	<p><u>MINUTES</u></p> <p>To consider the Part II minutes of the meeting held on 5 January 2017</p> <p><b><i>(Not for publication by virtue of Paragraph 1, 2, 4 of Part 1 of Schedule 12A of the Local Government Act 1972)</i></b></p>	25 - 26
8.	<p><u>SUPPORT SERVICES FOR DELIVERING DIFFERENTLY UPDATE</u></p> <p>To consider the above report</p> <p><b><i>(Not for publication by virtue of Paragraph 2, 4 of Part 1 of Schedule 12A of the Local Government Act 1972)</i></b></p>	27 - 34
9.	<p><u>DELIVERING DIFFERENTLY - FUTURE PROVISION OF CUSTOMER AND LIBRARY SERVICES</u></p> <p>To consider the above report</p> <p><b><i>(Not for publication by virtue of Paragraph 2, 4 of Part 1 of Schedule 12A of the Local Government Act 1972)</i></b></p>	35 - 64
10.	<p><u>APPOINTMENT OF THE HEAD OF CUSTOMER EXPERIENCE</u></p> <p>To consider the above urgent report.</p> <p><b><i>(Not for publication by virtue of Paragraph 2 of Part 1 of Schedule 12A of the Local Government Act 1972)</i></b></p>	65 - 68



## MEMBERS' GUIDANCE NOTE

### DECLARING INTERESTS IN MEETINGS

#### **DISCLOSABLE PECUNIARY INTERESTS (DPIs)**

DPIs include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit made in respect of any expenses occurred in carrying out member duties or election expenses.
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the relevant authority.
- Any license to occupy land in the area of the relevant authority for a month or longer.
- Any tenancy where the landlord is the relevant authority, and the tenant is a body in which the relevant person has a beneficial interest.
- Any beneficial interest in securities of a body where
  - a) that body has a piece of business or land in the area of the relevant authority, and
  - b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

#### **PREJUDICIAL INTERESTS**

This is an interest which a reasonable fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs your ability to judge the public interest. That is, your decision making is influenced by your interest that you are not able to impartially consider only relevant issues.

#### **DECLARING INTERESTS**

If you have not disclosed your interest in the register, you **must make** the declaration of interest at the beginning of the meeting, or as soon as you are aware that you have a DPI or Prejudicial Interest. If you have already disclosed the interest in your Register of Interests you are still required to disclose this in the meeting if it relates to the matter being discussed. A member with a DPI or Prejudicial Interest **may make representations at the start of the item but must not take part in discussion or vote at a meeting.** The term 'discussion' has been taken to mean a discussion by the members of the committee or other body determining the issue. You should notify Democratic Services before the meeting of your intention to speak. In order to avoid any accusations of taking part in the discussion or vote, you must move to the public area, having made your representations.

If you have any queries then you should obtain advice from the Legal or Democratic Services Officer before participating in the meeting.

If the interest declared has not been entered on to your Register of Interests, you must notify the Monitoring Officer in writing within the next 28 days following the meeting.

This page is intentionally left blank

# Agenda Item 3

## EMPLOYMENT PANEL

THURSDAY, 5 JANUARY 2017

PRESENT: Councillors Lisa Targowska (Chairman), Eileen Quick (Vice-Chairman), Phillip Bicknell, Stuart Carroll, Lynne Jones and MJ Saunders

Officers: Alison Alexander, Terry Baldwin and Karen Shepherd

### APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Dr L. Evans.

### DECLARATIONS OF INTEREST

None received

### MINUTES

**RESOLVED UNANIMOUSLY:** That the Part I minutes of the meeting held on 29 November 2016 be approved.

### LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC

**RESOLVED UNANIMOUSLY:** That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the remainder of the meeting whilst discussion takes place on items 5-6 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1-7 of part I of Schedule 12A of the Act

The meeting, which began at 6.30 pm, finished at 6.33 pm

CHAIRMAN.....

DATE.....

This page is intentionally left blank



Title: Approval of Pay Policy Statement 2017/18
Contains Confidential or Exempt Information?: NO - Part I
Member reporting: Councillor Targowska, Principal Member for HR.
Meeting and Date: 24 January 2017
Responsible Officer(s): Alison Alexander, Managing Director and Strategic Director of Adults, Children and Health Services and Terry Baldwin, Head of HR
Wards affected: None

www.rbwm.gov.uk



## REPORT SUMMARY

1. This report deals with the approval of an updated Pay Policy Statement for 2017/18 as required by the Localism Act 2011. It recommends that Employment Panel approve the updated Statement and recommend its approval by Council on 21 February 2016. These recommendations are being made because the council is required to review, approve and publish a Pay Policy Statement by 31 March annually.
2. The Pay Policy Statement enables residents to understand the council's pay policy for senior staff and how it relates to the salaries of the lowest paid. It provides transparency and enables residents to assess whether salaries paid represent value for money.
3. The Pay Policy Statement supports all of the council's strategic objectives as it facilitates the council recruiting and retaining the calibre of staff it requires to deliver its services.

## 1. DETAILS OF RECOMMENDATION(S)

**RECOMMENDATION:** That Employment Panel notes the report and:

- i) Approves the updated Pay Policy Statement for 2017/18 and recommends the statement to Council for approval on 21 February 2017.
- ii) Note that further revisions will be required to the statement following the external transfer of some council services on 1 April 2017 and for the implementation of the Government's reforms to public sector exit pay arrangements

## 2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

- 2.1 The Localism Act 2011 requires the council to review its Pay Policy Statement annually and publish an updated statement for 2017/18 by 31 March 2017.
- 2.2 The Pay Policy Statement, attached as appendix A, has been updated to reflect:

- Latest structure for 'Chief Officers'.
- A change to the salary range for the Strategic Director of Adult, Children and Health Services – section 2.2.
- Addition of an allowance for the role of Managing Director – section 2.5.
- The change to the lowest salary paid by the council as a result of the revised living wage from April 2017 – section 3.4.
- Updating of the pay ratio between the Managing Director and the lowest paid employees, which has seen a slight increase from 9.2 to 9.46.
- The updating of the pay ratio for median pay, which has seen an increase from 4.8 to 5.1 - section 4.
- Updating of staff numbers – section 11.1.

2.3 From 1 April 2017, the council will have a revised structure and therefore the Pay Policy Statement will have to be revised to reflect this new structure.

2.4 The Government are introducing regulations regarding the recovery of exit payments and limiting the total value of exit payments that will apply to organisations in the public sector. At the time of writing, these regulations were not finalised and therefore the Pay Policy Statement will be revised once the regulations are in place.

**Table 1: Options**

<b>Option</b>	<b>Comments</b>
Approve the updated 2017/18 Pay Policy Statement.  <b>Recommended option.</b>	In accordance with the Localism Act an updated version of the statement must be approved by full Council each year.
Amend the 2017/18 Pay Policy Statement. Not recommended.	The statement includes all the required updates.
Reject the updated 2017/18 Pay Policy Statement. Not recommended.	Council has to approve and publish an updated statement.

### 3. KEY IMPLICATIONS

#### 3.1

**Table 2: Defined outcome**

<b>Defined Outcome</b>	<b>Unmet</b>	<b>Met</b>	<b>Exceeded</b>	<b>Significantly Exceeded</b>	<b>Date they should be delivered by</b>
Approve and publish statement by 31 March 2017	> 31 March 2017.	By 31 March 2017.	By 17 March 2017.	By 1 March 2017.	31 March 2017.

#### 4. FINANCIAL DETAILS / VALUE FOR MONEY

4.1 None.

#### 5. LEGAL IMPLICATIONS

5.1 The amended Pay Policy Statement 2017/18 meets the requirements of the Localism Act 2011.

5.2 The Council was required by Sections 38-39 of the Localism Act 2011 to approve and publish its first pay policy statement by 31 March 2012 for the financial year 2012-13 and annually thereafter. Any changes during the year have to be approved by full Council. Failure to do so would be contrary to the Council's statutory duty under the Localism Act and could result in a number of adverse steps against it including judicial review for failing to comply with statutory duties.

#### 6. RISK MANAGEMENT

##### 6.1 Table 3: Risk

<b>Risk</b>	<b>Uncontrolled Risk</b>	<b>Controls</b>	<b>Controlled Risk</b>
Failure to approve the revised Pay Policy Statement at Council on 21 February 2017, results in contravention of the council's obligations under the Localism Act.	High.	Statement approved at Council 21 February 2017.	Low.

#### 7. POTENTIAL IMPACTS

7.1 The original EQIA was not reviewed as there are no significant changes to the updated statement.

7.2 There are no other impacts.

#### 8. CONSULTATION

8.1 The updated statement contains minimal changes of factual information and therefore no consultation has been undertaken.

## 9. TIMETABLE FOR IMPLEMENTATION

### 9.1

**Table 4: Timetable**

<b>Date</b>	<b>Details</b>
19 January 2017	Employment Panel approves statement.
21 February 2017	Full Council approves statement.
31 March 2017	Deadline for the updated statement to be published on the council's website.

9.2 Implementation date if not called in: by 31 March 2017.

## 10. APPENDICES

10.1 Appendix A – Updated Pay Policy Statement 2017/18.

## 11. BACKGROUND DOCUMENTS

11.1 None.

## 12. CONSULTATION (MANDATORY)

<b>Name of consultee</b>	<b>Post held</b>	<b>Date sent</b>	<b>Commented &amp; returned</b>
L Targowska	Lead Member/ Principal Member/Deputy Lead Member		
A. Alexander	Managing Director		
	Strategic Director		
R Stubbs	Section 151 Officer		
T Baldwin	Head of HR	06/01/17	

## REPORT HISTORY

<b>Decision type:</b> Non-key decision	<b>Urgency item?</b> No
Report Author: Karin Zussman-Ward, HR Consultant, 01628 796211	

## ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD Pay Policy Statement for the year 2017/18

### 1. INTRODUCTION

- 1.1 Under sections 38 to 43 of the Localism Act 2011, Local Authorities are required to prepare, approve by full Council (as a Part 1 item) and publish on their website, a pay policy statement by 31 March 2017, for the financial year 2017/18.
- 1.2 This statement must be reviewed, updated, approved by full Council and published by 31 March annually for the immediately following financial year.
- 1.3 RBWM may amend this statement during the financial year in which it is effective; however any change must be approved by full Council. Any amended statement will be published on the website within 10 working days of the Council meeting.
- 1.4 In drawing up this statement, RBWM has taken into account the guidance issued by the Department of Communities and Local Government and the advice supplied jointly by the Local Government Association and the Association of Local Authority Chief Executives (ALACE).
- 1.5 Links to external websites:
  - [CLG Guidance](#)
  - [CLG Supplementary Guidance](#)
- 1.6 This statement does not include staff based in RBWM schools as this is outside the scope of the legislation.
- 1.7 This statement was approved by full Council on 21 February 2017.
- 1.8 RBWM fully endorses and supports the requirement to be open and honest about the reward packages of senior staff.

### 2. REMUNERATION OF CHIEF OFFICERS

- 2.1 Under the current structure of the Council, the following posts are included in the definition of 'Chief Officer':
  - Managing Director and Strategic Director of Adult, Children and Health Services
  - Strategic Director of Corporate and Community Services
  - Strategic Director of Operations and Customer Services
  - Deputy Director – Health, Early Help and Safeguarding

## Appendix A

- Deputy Director – Health and Adult Social Care
- Deputy Director – Operations and Customer Services\*  
\* Combined with the Head of Revenue and Benefits

### **Heads of Service:**

- Head of Commissioning, Adults, Children's and Health
- Head of Communities and Economic Development
- Head of Community Protection and Enforcement
- Head of Customer Services
- Head of Finance
- Head of Governance, Partnerships, Performance and Policy
- Head of Highways and Transport
- Head of HR
- Head of Information Technology Services
- Head of Culture, Libraries and Registration
- Director of Planning, Regeneration and Development
- Head of Revenue and Benefits
- Head of Schools and Educational Services

NB A revised structure is expected post 1 April 2017.

### **Salaries**

- 2.2 The Strategic Director of Adult, Children and Health Services is paid within a salary band of £120,000 to £140,000. Other Strategic Directors are paid within a salary band of £95,950 to £131,300.
- 2.3 Deputy Directors are paid within a salary band of £85,000 to £100,000.
- 2.4 Heads of Service are paid within a salary band of £65,650 to £90,900.

Appointments are made on a market benchmarked 'spot salary'. Individual posts are market tested as and when required.

### **Other payments**

- 2.5 The role of Managing Director/Head of the Paid Service is offered on a fixed term basis to one of the Strategic Directors and therefore attracts an additional annual payment of £15,000.
- 2.6 The Head of Governance, Policy & Performance performs the role of the Council's Returning Officer, appointed for this role under the Representation of the People Act 1983. The Returning Officer is eligible for fees linked to duties undertaken for running national, European or local elections/referenda. These fees are determined by the number of electors registered in the borough/parliamentary constituency and are determined by a formula operated by the Government for determining fees to all Returning Officers across the country.
- 2.7 The amount paid is published on the website –[Pay & benefits of staff earning over £50,000](#)

## Appendix A

- 2.8 There are no other regular payments made to the post holders in the roles listed in section 2.1.

### **Honoraria**

- 2.8 A Honorarium Scheme applies to all employees including Chief Officers.

### **Salary reviews**

- 2.9 The annual pay review is undertaken by RBWM and any pay award is determined by the Employment Panel. The annual pay review date is 1 April.
- 2.10 Since 2009 the Employment Panel has not awarded an annual pay increase to the Managing Director, Directors and Heads of Service.
- 2.11 With effect from 1 April 2014 the Council introduced a Pay Reward Scheme that allows the Council to reward performance based on an assessment of achievement of objectives and demonstration of its corporate behaviours, CREATE. This applies to all staff on RBWM local terms and conditions.

### **Expenses and benefits**

- 2.12 The Council has a comprehensive Expenses policy, which applies to all staff.
- 2.13 The Council will pay for one annual membership of a professional body, where the membership/qualification is required for the post held.
- 2.14 All other benefits are available to all staff and identified in point 3.7.

### **Remuneration on appointment**

- 2.17 In the event of a vacancy the market levels for the post, see 2.4, may be reassessed and any appointment would be made in accordance with the market comparability evidence.

### **Termination payments**

- 2.18 RBWM does not treat the Managing Director, Directors, Deputy Directors and Heads of Service differently to other Council employees in relation to termination payments. See section 6.

### **Other terms and conditions**

- 2.19 Since 1 March 2013 the terms and conditions for this group of staff have been wholly locally determined and set out in the RBWM Employee Handbook.
- 2.20 All staff receive 28 days annual leave plus 8 bank holidays each year.

### **Use of interim managers in senior roles**

- 2.21 RBWM would not normally appoint a consultant to a permanent post.

2.22 There may be occasions when RBWM has a short term need for an interim senior manager, for example pending a permanent appointment or for maternity cover etc. In these cases RBWM may use a consultant appointed via their temporary worker agency or a direct consultancy agreement, both routes being in accordance with Contract Rules.

2.23 The council would consider appointing a senior manager via their agency or on a consultancy contract for a fixed period where they have been unable to recruit to the post. Such appointments would be in accordance with Contract Rules. In addition they will be approved by Employment Panel and reviewed every six months.

### **3. DEFINITION AND REMUNERATION OF THE LOWEST PAID EMPLOYEES**

#### **Definition of RBWM lowest paid employees**

3.1 The simplest definition to use is that of the lowest pay point that the council uses.

3.2 The reasons for adopting this definition is because it is recommended by the JNC for Chief Executives in their guidance to local authorities.

#### **Salaries**

3.3 The hourly rate of the lowest paid employee is £7.66, which equates to an annual salary of £14,789.

3.4 RBWM's lowest paid employees are above the national living wage rate of £7.50 per hour from April 2017.

#### **Other payments**

3.5 It is unlikely that this particular pay level would receive any additional payments. The council's Pay and Benefits policy sets out their policy on additional payments such as overtime; stand by among other things.

#### **Salary review and increments**

3.6 Since 2010, the annual pay review for this group of staff has been undertaken by RBWM and any pay award is determined by the Employment Panel. The pay review date is 1 April.

#### **Benefits**

3.7 The Council offers a range of benefits to its staff:

- Advantage card – for those staff who are non residents (residents automatically qualify)
- Bike Lease Scheme via salary sacrifice
- Buy and sell annual leave
- Car Lease Scheme via salary sacrifice
- Childcare Vouchers via salary sacrifice



- Contributory pension scheme (employee contribution rates from 5.5% to 11.4% and employer contribution rate of 12.8%)
- Employee Assistance Programme (EAP)
- Employee Benefits Portal
- Eye care vouchers for designated DSE users
- Car parking at work
- Physiotherapy – subject to criteria
- Season ticket loan
- Discounted rail travel to Maidenhead on Great Western routes

#### **4. RELATIONSHIP BETWEEN THE REMUNERATION OF CHIEF OFFICERS AND THE LOWEST PAID STAFF**

- 4.1 The salary for the Managing Director is £140,000, plus employer's pension contributions. [Director's salary information](#)
- 4.2 The remuneration of the lowest paid employee was £14,789, which represents solely basic salary as no other allowances are payable.
- 4.3 Using a remuneration figure for the Managing Director of £140,000 and a remuneration figure of £14,789 for the lowest paid employee, the pay multiple is 9.46.
- 4.4 The ratio between the highest paid employee, the Managing Director and the average pay of all RBWM employees is 1:4.2 and the median pay of all employees is 1:4.7.
- 4.5 The Hutton Review of Fair Pay in the public sector, published in March 2011, did not recommend a defined pay multiple, but instead recommended that the public sector should publish, track and explain their pay multiples over time.
- 4.6 The policy regarding the pay of senior staff aims to ensure that the Council can recruit and retain the calibre of staff that is needed to deliver continuous improvement in service delivery. RBWM uses market comparability to determine pay levels to ensure that they are not over or underpaying for these key roles.

#### **5. RE-EMPLOYMENT OF THOSE IN RECEIPT OF SEVERANCE PAY OR RETIREMENT PENSION**

- 5.1 If an individual is in receipt of a severance payment or retirement pension from another local authority or RBWM, that would not be taken into account in the decision as to whether or not to employ them.
- 5.2 Under Regulation 70 of the Local Government Pension Scheme (LGPS) (Administration) Regulations 2008, the Berkshire Pension Fund is required to determine its approach to the abatement of pensions in the event that the recipient re-enters Local Government employment. The Pension Fund

Panel determined on 20 October 2003 (under the previous LGPS Regulation 109) that no abatement would be exercised for those returning to local government employment within the Berkshire fund area.

- 5.3 The Government is consulting on regulations regarding the recovery of public sector exit payments. Once the regulations are approved, then this section of the pay statement will be reviewed.

## **6. POLICIES ON REDUNDANCY AND PENSION ENTITLEMENT**

### **Redundancy**

- 6.1 The Policy and Procedure for Redundancy, Early Retirements on the Grounds of Efficiency of the Service and Ill Health defines how RBWM will approach redundancy including redundancy pay.
- 6.2 The council uses its discretionary powers to calculate redundancy pay using the individual's actual weekly salary (Capped at £80,000).
- 6.3 RBWM does not enhance the number of statutory week's redundancy pay an individual is entitled to under the Employment Rights Act 1996.

### **Pension enhancement**

- 6.4 The LGPS contains provision for employers to enhance pension payments. Employers are required to determine how they will use these discretionary provisions. The council has determined generally not to use its discretion to enhance pension payments by either additional years or additional pension, RBWM will however consider any application on its merits.
- 6.5 The Government is consulting on regulations regarding the reforms to public sector exit payments. Once the regulations are approved, then this section of the pay statement will be reviewed.

### **Early retirement or flexible retirement**

- 6.6 In certain circumstances, eligible employees may request early retirement or flexible retirement. (Flexible retirement gives access to accrued pension, whilst allowing the scheme member to continue working). In both these cases, there must be sufficient financial or other benefit to RBWM for such retirements to be approved.

## **7. APPROVAL OF SALARY PACKAGES OVER £100,000**

- 7.1 Under the terms of the Constitution the appointment of the Managing Director is approved by full Council following a recommendation by the Employment Panel.
- 7.2 For Directors and Heads of Service and for posts attracting a remuneration package exceeding £100,000, the terms of recruitment for and appointments of these posts will be made by the Employment Panel.

## **8. HOW DECISIONS ON PAY AND REWARD POLICIES ARE MADE**

## Appendix A

- 8.1 All of the pay and reward policies are approved by the council's Employment Panel.
- 8.2 All of the policies are reviewed regularly and updated to reflect legislation, best practice and organisational changes.

### 9. PUBLICATION AND ACCESS TO INFORMATION AND REMUNERATION OF CHIEF OFFICERS

- 9.1 In accordance with the Accounts and Audit (England) Regulations 2011 and the Code of Recommended Practice for Local Authorities on Data Transparency, RBWM publishes annually the remuneration of the Managing Director and Directors on its website. [Director's salary information](#)

### 10. OTHER RELEVANT COUNCIL DOCUMENTS

- Expenses policy
- Flexible retirement
- Honoraria
- Pay & benefits policy
- Pension abatement policy
- Pension's discretion policy
- Policy and procedure for redundancy, early retirements on the grounds of efficiency of the service and ill health

### 11. NUMBER OF STAFF AND SALARY BANDS

- 11.1 This table shows the number of staff within specified pay bands:

Pay band* £	Number of staff*
<15,000	12
>15,000 <25,000	485
>25,000 <35,000	396
>35,000 <45,000	250
>45,000 <55,000	63
>55,000 <65,000	21
>65,000 <80,000	15
>80,000 <100,000	8
>100,000	3
<b>Total</b>	<b>1,253</b>

- \* Excludes casual workers. Multiple job holders counted individually. All data based on Full Time Equivalent salary and permanent allowances only.

This page is intentionally left blank

<b>Subject:</b>	Employment/Restructure Delegations to Employment Panel
<b>Reason for briefing note:</b>	This briefing note identifies the proposed changes to future reporting at Employment Panel.
<b>Responsible officer(s):</b>	Terry Baldwin
<b>Senior leader sponsor:</b>	Alison Alexander
<b>Date:</b>	Employment Panel 24 January 2017.

**SUMMARY**

This briefing note:

- Proposes changes to employment and recruitment report considered by Employment Panel.
- Identifies the procedure to be adopted for approval of recruitment to Chief Officer (Managing Director or Directors) and Deputy Chief Officers (Deputy Directors and Heads of Service) posts.

## 1 BACKGROUND

- 1.1 In November 2016 Employment Panel agreed, subject to approval at full Council in February 2017, to delegate authority to Directors, in conjunction with the Head of Human Resources, for payments relating to employment matters up to £25,000, this covers:
- To approve and/or resolve, having regard to affordability and sound decision making, all other staffing issues not covered by delegations to staff where the financial implications for the authority is £25,000 or less.
  - To deal with matters where there are financial implications, employment tribunal complaints, and other formal employment law claims, notices or casework, and to settle potential and/or actual tribunal matters.
  - Requests for early retirement or voluntary redundancy, under the Borough's Life Choices policy.
- 1.2 Employment Panel receive reports prior to and post the appointment of to a Chief Officer/Deputy Chief Officer level role. Employment of some officer positions can be delegated at point of approval of position. This will improve timeliness of appointment and reduce duplicative discussion.

## 2 KEY IMPLICATIONS

### **Restructure reports to Employment Panel**

- 2.1 Current procedure requires any payments above £5,000 to be signed off at Employment Panel. Therefore all service restructures of whatever level are reported to Employment Panel if the redundancy cost is estimated to be £5,000 or more. This is irrespective of the total number of staff being made redundant. Employment Panel, in November 2016, agreed to increase the amount requiring approval to £25,000, subject to full Council approval in February.

- 2.2 Consequently Employment Panel will receive the reports on restructure where the:
- Redundancy payment to any one individual is more than £25,000 or
  - Total number of redundancies is five or more.

2.3 Restructures outside of these two requirements, will require approval from the Managing Director, relevant Director and Head of Human Resources.

**Requests to Appoint Directors, Deputy Directors and Heads of Service**

2.3 There are two potential scenarios regarding the appointment of Directors and Heads of Service:

- **A new role is created as part of a restructure**  
In these cases it is recommended that the Employment Panel report setting out the proposed restructure seeks delegated responsibility to create the position and undertake recruitment to any new Head of Service role. The delegation would be to the relevant Lead Member and the Chair of Employment Panel, in consultation with the Managing Director and the Head of Human Resources. If this approval is given, there would be no further requirement to submit a report to Employment Panel, following a successful recruitment campaign, requesting permission to recruit to the new Head of Service role.
- **Like for like replacement following the resignation of the post holder**  
The recruiting manager will obtain agreement from the relevant Lead Member, chair of Employment Panel, Managing Director, Head of Human Resources and Director to recruit. If a suitable candidate is identified, make an offer of employment as long as it is within the salary band and agreed budget for the service. There will be no requirement for a report to be submitted to Employment Panel.

2.4 The current procedure specifies that following Employment Panel approval to appoint a Director, Deputy Director or Head of Service, there is a further requirement to contact members of Cabinet and seek their views. The wording in the constitution states:

*An offer of employment as a Director or Deputy Chief Officer shall only be made where no substantial and justified objection from any Member of the Cabinet has been made to the appointment.*

2.5 There has been no occasion recorded where Cabinet have made any substantial or justified objection to the appointment and it is proposed to remove this requirement for further approval for Heads of Service appointments.

2.6 If these proposals are accepted by Employment Panel there will be a requirement to alter the constitution. Table 1 identifies the proposed amendments, highlighted, to the constitution which will require full Council approval:

**Table 1 – delegations requiring a change to the constitution**

Section	Version 16.2 - April 2016
Part 6 D	<p><i>D5.1 Purpose</i></p> <p>(i) To approve any payment of monies other than that stated in the contract of employment or any employment policy to any officer of the Council where such payment is in excess of <b>£25,000</b> (whether singularly or collectively).</p> <p>(ii) To consider representations on employment relation matters from</p>

Section	Version 16.2 - April 2016
	<p>recognised Trade Unions.</p> <p>(iii) To determine overall HUMAN RESOURCES policies for all staff employed by the council.</p> <p>(iv) To approve significant revisions, defined as the redundancy sum to be paid to any one individual is more than £25,000 or there are five or more potential redundancies, to the number and functions of the Council's directorates or any other significant changes of a similar magnitude, subject where appropriate to consultation with the Trade Unions and other similar organisations involved.</p> <p>(v) To determine arrangements for the appointment and conditions of service of the Managing Director (who is appointed, on recommendation, by Council) and the Directors and Heads of Service in accordance with Part 8B.</p> <p>(vi) To determine arrangements for the conditions of service of all other Council employees.</p> <p>(vii) To monitor the cost effectiveness of Human Resources management across the Council's services.</p> <p>(viii) To determine the Council's Pay and Benefits Policy and annual pay awards under the Council's local schemes.</p> <p>(ix) To establish and monitor Corporate Health and Safety policies for the Council.</p> <p>(x) To establish and monitor Equal Opportunities policies for the Council.</p> <p>(xi) To establish and monitor the Council's training and staff development policies.</p>
	<p><b>4 APPOINTMENT OF DIRECTORS AND DEPUTY CHIEF OFFICERS OF SERVICES</b></p> <p>1. Under the terms of this Constitution, the Strategic Director - Adult, Children and Health Services, the Head of Finance (Section 151 officer) and Monitoring Officer are statutory chief officers, according to the terms of Section 2(6) Local Government and Housing Act 1989.</p> <p>2. The Strategic Director - Corporate and Community Services and Strategic Director - Operations and Customer Services are determined to be non statutory chief officers, according to the terms of Section 2 (7) of the Local Government and Housing Act 1989.</p> <p>3. Deputy Directors or "Heads of Service" are determined to be "Deputy Chief Officers" in accordance with Section 2 (8) of the Local Government and Housing Act 1989.</p> <p>4. Where a Director or Deputy Chief Officer is proposed to be appointed</p> <p>a) Employment Panel will appoint Directors and Deputy Chief Officers in accordance with the provisions set out in the Local Government &amp; Housing Act 1989. Employment Panel may delegate the recruitment of a Director or Deputy Chief Officer, where it is a 'like for like' recruitment with the same grade and salary scale being used, to the relevant Lead Member, who should also be a member of cabinet and the chair of employment panel, in consultation with the Managing Director, Head of Human Resources and service Director.</p> <p>b) <del>An offer of employment as a Director or Deputy Chief Officer shall only be made where no substantial and justified objection from any Member of the Cabinet has been made to the appointment.</del></p> <p>c) The views of the Managing Director will always be taken into account in any appointment of a Director or Deputy Chief Officer.</p>

### **3 NEXT STEPS**

- 3.1 Employment Panel to agree the revised wording to the constitution, subject to full Council approval, as set out in 2.5.



# Agenda Item 7

By virtue of paragraph(s) 1, 2, 4 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 2, 4 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

# Agenda Item 9

By virtue of paragraph(s) 2, 4 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 2 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank