

**Medway Council**  
**Meeting of Employment Matters Committee**  
**Thursday, 6 February 2014**  
**7.00pm to 7.40pm**

**Record of the meeting**

**Subject to approval as an accurate record at the next meeting of this committee**

**Present:** Councillors: Avey, Clarke, Christine Godwin, Paul Godwin, Irvine, Mackinlay and Wicks (Chairman)

**In Attendance:** Elizabeth Benjamin, Senior Lawyer - Litigation  
Paula Charker, Employee Relations Manager  
Ralph Edwards, Head of HR  
Wayne Hemingway, Democratic Services Officer  
Carrie McKenzie, Head of Organisational Change  
Tricia Palmer, Assistant Director, Organisational Services

**817 Record of meeting**

The record of the meeting held on 20 November 2013 was agreed and signed by the Chairman as correct.

**818 Apologies for absence**

There were none.

**819 Urgent matters by reason of special circumstances**

There were none.

**820 Declarations of disclosable pecuniary interests and other interests**

Disclosable pecuniary interests

There were none.

Other interests

There were none.

## 821 Pay and Grade Review

### Discussion:

This report provided an update on the progress of the Pay and Grade Review Project since the last meeting (20 November 2013). The Assistant Director, Organisational Services, referred the Committee to the discussion at the Joint Consultative Committee (JCC) earlier the same evening, and provided the Committee with the background to the Pay and Grade Review, including the issue of long and overlapping pay grades, and stated that following Committee approval, the Council had consulted on four options between 25 November 2013-20 January 2014. The Council had received over 200 responses to the consultation and with regards to preferred options, there were 24 responses in favour of option 4 with 14 responses in favour of option 1.

The Assistant Director, Organisational Services, stated that option 4 was the preferred option given that this would result in the least number of employees requiring pay protection. She stated that the Council was now proposing pay protection for five years (years 1-3 at 100%, year 4 at 75% and year 5 at 25%) compared to the original proposal (years 1-2 at 100% and year 3 at 25%) following discussions with the trade unions.

The Assistant Director, Organisational Services, informed the Committee of the proposals around pay progression and this would be subject to performance and would not be automatically awarded. She also informed the Committee that there was currently a collective dispute with the trade unions on the Pay and Grade Review with particular reference to the issue of pay progression.

The Assistant Director, Organisational Services, informed the Committee that the trade unions, at the JCC meeting earlier the same evening, had made two counter proposals regarding the Pay and Grade Review as follows:

- Continue with option 1 as a holding position together with a 0.5% pay award. This would cost the Council £400,000.
- Accept option 4, delay the implementation of the pay progression scheme for 12 months together with a 1% pay award. This would cost the Council approximately £1.2m.

Members raised a number of issues including:

- That the counter proposals from the trade unions merited further discussion given that staff had not received a pay increase for a long time.
- That the implementation of the pay progression scheme was ambitious in terms of training managers, staff awareness and the need to set targets by April/May. The scheme would need to have the general support of staff.

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- Clarification was sought on the proposal for senior managers to hear and determine appeals against dismissal.

The Assistant Director, Organisational Services, stated that these appeals would only relate to dismissal resulting from the Pay and Grade Review and if there were a high number of appeals it may be impractical for Members to hear and determine the appeals.

- The Pay and Grade Review should be considered in the context of the savings that the Council had to make in the next two financial years (£27m).
- That a pay progression scheme would be a national requirement by 2015 (i.e. that time served increments would no longer be appropriate) so it was appropriate that Medway was moving to such a scheme now.
- That option 4 was the preferred option and this had not been rejected by the trade unions.
- That negotiations were taking place between the Council and the trade unions and this had led, for example, to revised proposals for pay protection.

Diversity Impact Assessment Screenings had been undertaken and were set out in Appendices 12 – 14 to the report. The screening process did not highlight any significant adverse impact to any of the protected characteristics under the Equality Act 2010, other than “age” which the council is already taking positive action to remedy. Therefore, a full Diversity Impact Assessment was not required, however some areas would need to be monitored as part of the regular monitor and review process.

### Decisions:

- a) The Committee recommended to Full Council to agree that the revised pay structures (option 4) as set out in appendices 7 and 8 to the report are implemented.
- b) The Committee, subject to approval of decision a) above:
  - i) Agreed the current protection arrangements be increased to 100% for years one to three, 75% for year four and 25% in year five.
  - ii) Agreed the revised annual leave and notice periods as detailed in section 7 are adopted for those staff below service manager.
  - iii) Agreed the principles of pay progression as set out in Section 4 of the report.

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- iv) Noted that consultations with the trade unions will continue on the job evaluation appeals procedure, the competency framework, and the detail of the pay progression scheme.
- v) Agreed in the event that a collective agreement cannot be reached that the Assistant Director, Organisational Services is delegated authority to undertake the necessary dismissal and reengagement process. Should it be necessary to unilaterally change individual contracts of employment, that the dismissal appeal process be amended as set out in decision vi) below.
- vi) Agreed to delegate the power to consider, hear and determine appeals against dismissal resulting from the Pay and Grade Review to the Council's Directors, Assistant Directors and Service Managers.

In accordance with Council Rule 12.5, Councillors Christine Godwin and Paul Godwin requested that their votes against the decisions set out in iii) and v) be recorded in the minutes.

### 822 Pay Policy Statement 2014/15

#### Discussion:

This report provided details of the Council's Pay Policy Statement 2014/2015. Section 38 (1) of the Localism Act 2011 required English and Welsh Local Authorities to produce such a statement for 2012/13 and for each financial year after that. This set out the policies on remunerating chief officers and other employees, and to set out policy on the lowest paid employees also taking account of charges, fees, allowances, increases in and/or enhancements of pension entitlements and termination payments. The report noted that Medway did not differentiate significantly between senior and lower levels in terms of the application of its pay and reward policies. The report referred to the Pay and Grade Review which could potentially have an impact on the content of the Pay Policy Statement.

A Diversity Impact Assessment screening had been undertaken on the proposals and was included at Appendix 2 to the report. The screening process did not highlight any significant adverse impact to any of the protected characteristics under the Equality Act 2010 other than "age" which the Council was already taking positive action to remedy.

#### Decisions:

- a) The Committee noted the Pay Policy Statement 2014/15 as set out in Appendix 1 to the report and referred it to Full Council for agreement on 20 February 2014.
- b) The Committee recommended to Council that it delegates authority to the Assistant Director, Organisational Services, in consultation with the Chairman of the Employment Matters Committee, to update the Pay

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Policy Statement 2014/15 to reflect the final outcome of the Pay and Grade Review.

### **823 Disclosure and Barring Service (DBS) (Previously Criminal Records Bureau (CRB)) - Updated Policy and Procedure**

#### **Discussion:**

This report provided an update on the recommended changes to the Disclosure and Barring Policy and Recruiting Managers Guidance following an audit of the Disclosure and Barring Service in November 2013. The report stated that the Council had been an Umbrella Body for Criminal Record Bureau checks since 2002, however, the Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA) merged into the Disclosure and Barring Service (DBS) on 1 December 2012 and as such CRB checks were now called DBS checks. The merging of these two departments had brought about new procedures and guidance for Umbrella bodies which had been implemented.

The outcome of the internal audit was sufficient, meaning that control arrangements ensured that all critical risks were appropriately mitigated, but further action was required to minimise the Council's exposure to risk. The report provided details of Internal Audit's recommendations and the management actions.

Members sought clarification on the costs of the scheme and which employees would be subject to DBS checks. The Head of Organisational Change reported that the enhanced check would cost £44 and gave some illustrative examples of the types of employees who would require DBS checks.

#### **Decision:**

The Committee agreed that the Disclosure and Barring Policy and Recruiting Managers' Guidance be amended to reflect the management action taken as detailed in paragraph 3 of the report.

### **824 Changes to Apprenticeships Scheme to Support Care Leavers**

#### **Discussion:**

This report provided proposed changes to the Council's apprenticeship scheme to further support young people who were leaving care in Medway. This proposed revision of the scheme would formalise and support the Council's objective to support young people leaving care. It was proposed that when a requirement for an apprentice arose, a specialist resourcing officer from the Human Resources team would meet with the recruiting manager to ascertain the need and discuss all elements of the role. This information would be collated and provided to the care leavers steering group.

#### **Decision:**

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The Committee noted the report and agreed to the amendment in the Managers' Guide to employing apprentices to provide additional support and opportunities to care leavers, as set out in paragraph 3 of the report.

### **825 Budget Proposals and Implications for Staff**

#### **Discussion:**

This report provided an update on new reviews and transfers since the last report to Committee (20 November 2013). The report provided details of individual reviews together with summary positions with regards to reorganisations in schools and the transfer of schools to academy status.

The Employee Relations Manager referred the Committee to new reviews as set out in paragraphs 3.6-3.9 in the report. She also stated that one Employment Tribunal application had been lodged since the publication of the Agenda.

#### **Decision:**

The Committee noted the present position and the support arrangements for staff.

**Chairman**

**Date:**

**Wayne Hemingway, Democratic Services Officer**

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