

Medway Council
Meeting of Employment Matters Committee
Wednesday, 12 June 2019
7.00pm to 7.38pm

Record of the meeting

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

Present: Councillors: Carr, Fearn (Chairman), Hackwell, Khan, Mahil, Prenter and Thompson

In Attendance: Vicky Nutley, Assistant Head of Legal Services
Carrie McKenzie, Assistant Director - Transformation
Nicola Trainor, Assistant Head of HR
Michael Turner, Democratic Services Officer

54 Apologies for absence

There were none.

55 Record of meetings

The records of the meeting of the Committee held on 30 January 2019 and the Joint Meeting of Committees held on 22 May 2019 were agreed and signed by the Chairman as correct.

56 Urgent matters by reason of special circumstances

There were none.

57 Declarations of Disclosable Pecuniary Interests and Other Significant Interests

Disclosable pecuniary interests

There were none.

Other significant interests (OSIs)

There were none.

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Other interests

Councillors Khan and Mahill disclosed that they were a member of the GMB Trade Union.

Councillor Prenter disclosed that he was a member of a Trade Union that did not have any dealings with the Council.

58 Report on the Results of the Medpay Pay Progression Award Scheme 2018/2019

Discussion:

The Committee considered a report on the results of the Council's MedPay Pay Progression Award Scheme for the 2018/2019 reporting year.

The following issues were discussed:

- **Employee Survey** – Members were informed that about 45% of staff had completed the last survey. The survey was bi-annual and the latest one was underway. One of the questions asked staff how they wished to be rewarded.
- **Independent review of the Medpay Scheme** – in response to a question, the Assistant Director - Transformation confirmed that whilst the Scheme had been reviewed internally, in consultation with the trade unions, it had not been reviewed independently. A Member proposed that the Committee should look again at whether the Scheme should be independently reviewed in order that Members could satisfy themselves it was robust and delivering its objectives fairly. The point was made that an Employment Tribunal finding that the Scheme was discriminatory would cost the Council more than the estimated £23k cost of having the scheme independently reviewed. Only 45% of staff had completed the employee survey and therefore staff views on Medpay were limited to this group. It was argued the Council, as a responsible employer, had an obligation to commission a review. It was proposed that the reconsideration of whether to review the Scheme take place later in the year at the same time the results of the latest employee survey were considered.
- **The performance element of the pay award** – the Assistant Director – Transformation advised that anyone at the top of their pay range (at Levels 1A, 1B and 2) would not receive the performance element of the pay award, as it was not affordable for the pay bands to continually increase.

PDR Assessment Levels - the lack of any differential between the awards for Level 2 when at the top of the pay range and Level 3 was queried and why Level 2 no longer resulted in an additional day's leave. The Assistant Director – Transformation explained the extra day's leave

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had resulted from a proposal from the Trade Unions as part of their pay claim in a previous year's pay negotiations.

Members queried the eligibility for being assessed as Level 1A and whether the assessment would take into account the fact that a member of staff had responsibilities as a carer etc. as this may prevent them from being able to take on extra responsibilities, for example, that may lead to a 1A award. Members were advised that taking on extra responsibilities would not in itself result in Level 1A. Rather it was designed to reward people who went the extra mile and having caring responsibilities would not in itself preclude Level 1A being awarded.

A Member queried why only employees classed as ethnically white had been assessed as Level 1A and was advised that all assessments were based on merit. After staff were assessed by line managers there was then a rigorous moderation process undertaken by senior management and the Acting Head of HR attended all moderation meetings to ensure a consistency of approach.

Regarding whether the moderation process looked at whether people on the lower pay grades were capable of achieving Level 1A, the Assistant Director – Transformation commented that most people assessed as Level 1A were at the lower end of the pay ranges.

Members were advised that the decreasing number of staff assessed under Medpay in recent years was due to the workforce reducing in size over this period.

Decision:

The Committee agreed to:

- a) note the report, and;
- b) bring back the paper on an independent review of the Medpay Scheme presented to the Committee earlier in the year, to be considered alongside the results of the 2019 staff survey later in the year.

59 Organisational Change

Discussion:

The Committee considered a report covering new reviews and transfers for the period 31 November 2018 to 31 May 2019.

In response to a question, Members were advised that phases 2 and 3 of the Front Line Services restructuring had been delayed until the outcome of the review of the waste contract.

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A Member referred to Medway Norse's decision to no longer run the catering service at the Innovation Centre and queried how the Joint Venture was able to decide which contracts it wished to hand back to the Council. The Assistant Director – Transformation undertook to ask the Medway Norse Board and report back.

Referring to the number of times staff working in leisure centre catering had been TUPE transferred, a Member asked what terms and conditions the staff were now engaged on. Officers advised that staff retained their original terms and conditions but could decide to adopt those of their new employer.

In response to a query, officers undertook to provide details of those reorganisations where the number of staff involved had reduced by the end of the process.

Decision:

The Committee agreed to note the present position and also the support arrangements for staff.

60 Early Retirement and Severance Payments

Discussion:

Members considered a report which set out all decisions taken in relation to early retirements and severance payments for the period 1 April 2018 to 31 March 2019.

In response to a question about the relatively high capitalised cost of an early retirement compared to the low redundancy payment, Members were advised this was probably the result of a member of staff with only a few years' service who had just turned 55. The Council did not make any enhanced pension payments and staff retiring were paid what they were entitled to.

Decision:

The Committee agreed to note the report.

61 Exclusion of the press and public

The Committee agreed to exclude the press and public from the meeting during consideration of the exempt material contained within the appendix to agenda item 7 (Early Retirements and Severance Payments) for the reasons set out in the report.

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Chairman

Date:

Michael Turner, Democratic Services Officer

Telephone: 01634 332817

Email: democratic.services@medway.gov.uk