

Medway Council
Meeting of Employment Matters Committee
Tuesday, 26 January 2021
7.00pm to 8.00pm

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

Substitutes: None

In Attendance: Samantha Beck-Farley, Head of HR
Ryan Huggett, HR Consultant
Mark Parker, Legal Services
Nicola Trainor, Assistant Head of HR
Michael Turner, Democratic Services Officer

671 Apologies for absence

There were none.

672 Record of meeting

The record of the meeting of the Committee held on 2 December 2020 was agreed as a correct record and signed by the Chairman.

673 Urgent matters by reason of special circumstances

There were none

674 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 Mahil disclosed that they were members of the GMB.

Councillor Prenter disclosed that he was a member of ASLEF but noted that this union had no dealings with the Council.

Councillor Hackwell disclosed that his wife worked on a part time basis for the Adult Education service in Medway.

675 Pay Negotiations 2021/22

Discussion:

Members considered a report regarding progress of the pay negotiations for the financial year 2021/2022.

The Unison pay claim consisted of three elements:

- A 1.3% across the board cost of living increase
- A minimum of Real Living Wage for all staff (£9.50 an hour)
- Two extra days of annual leave for all staff

The Head of HR advised that the Council wanted to recognise the hard work of staff in what had been a difficult year and, in spite of a national pay freeze, the 1% provision for an increase in pay remained. She acknowledged that awarding pay to staff under the existing MedPay arrangements this year would be very difficult due to the pandemic. Further consideration was being given to determine how the pay award was to be allocated and Members were assured that the Trade Unions would be kept informed on discussions on this matter.

Some Members made the point that Unison's 1.3% pay claim was reasonable and, given how challenging the year had been, should be accepted. It was argued that the Council's offer of 1% was effectively a pay cut in real terms and would make little difference. Comments were made about the unsatisfactory nature of the negotiations on the pay award as the 1% award was included in the Medium-Term Financial Strategy and not something the Committee could negotiate. Disappointment was expressed that the non-financial elements of the pay claim had not been costed. Noting that Full Council would be asked to delegate to the Chief Executive the authority to decide how to allocate the final pay award, it was suggested that this delegation should require consultation with the Trade Unions before a decision was made.

It was then proposed that the Committee recommend to Full Council that £1,096,000 be allocated for pay awards.

In accordance with Rule 12.4 of the Council Rules, a recorded vote on this proposal was taken.

For – Councillors Khan, Mahil and Prenter

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Against – Councillors Carr, Fearn, Hackwell and Thompson.

The Chairman declared that the proposal had not been approved.

The following was then proposed and agreed:

- a) that the Committee recommend to full Council that £903,914 is allocated for pay awards.
- b) that the Committee notes that Council will be recommended to delegate to the Head of Paid Service the authority to agree how the 2021/22 pay award for colleagues is allocated.
- c) that the Committees notes that the Head of HR will continue to discuss with the Trade Unions how the final pay award will be allocated.

Decision:

The Committee agreed to:

- a) recommend to full Council that £903,914 is allocated for pay awards.
- b) note that Council will be recommended to delegate to the Head of Paid Service the authority to agree how the 2021/22 pay award for colleagues is allocated.
- c) note that the Head of HR will continue to discuss with the Trade Unions how the final pay award will be allocated.

676 Pay Policy Statement 2021/22

Discussion:

Members considered a report regarding the Pay Policy Statement for the financial year 2020/2021 in accordance with the Localism Act 2011 and were requested to referral it to Full Council for agreement.

The following points and questions were raised:

- **Working from home** – whether the fact that most staff were now largely working from home would affect the elements of remuneration listed in paragraph 3.25 of the Policy was questioned. The Head of HR commented that everyone working from home had been provided with the IT equipment they needed for their job. There had been some requests for additional equipment and these were assessed on a needs basis and not according to grade.
- **Essential User** – the Head of HR clarified that essential users received a set payment.

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- **Additional duties/projects** – referring to paragraphs 5.27-5.30 of the Policy, how this section would capture the additional work and projects many staff had undertaken in response to the pandemic was questioned. Members were advised that where a member of staff had taken on additional duties which warranted a higher salary than they had been paid the appropriate rate.
- **Discounted Interest free loans** – in response to a question as to whether electric bikes should be included in this list, the Head of HR advised that the travel loans policy was being reviewed and they would be included.
- **Changes to Policy** – in terms of whether the Policy had changed significantly since last year, the Head of HR advised that the main changes had been around the percentage pension contributions and pay bands. There was a need to review in detail the contents of the Policy and it was noted that the Policy currently contained more than required by the Localism Act. This review would be reported to the Committee.
- **Private Medical Health Insurance** – the appropriateness of this being referenced in the policy was questioned. The Head of HR commented that she was unsure how this had come to be included but it would be investigated as part of the wider review mentioned.

Decision:

The Committee agreed to note the Pay Policy Statement 2020/2021, as set out in Appendix 1 to the report, and refer it to Full Council for agreement.

677 Reservist Policy

Discussion:

Members considered a report regarding a draft Reservist Policy, a new policy for the Council which formed an integral part of the Council's ongoing commitment towards the UK Defence Employer Recognition Scheme.

Questions were asked about the timing of the consultation period and whether the Christmas period should have been avoided; why under paragraph 9.2 of the Policy reservists were required to write to the Council by the third Monday after their last day of military service; and whether reservists would receive support for any mental health issues. Members were advised that responses had been received as a result of the consultation process. Given the nature of the last year, finding an ideal period was inevitably difficult and officers had felt this was a worthwhile and positive policy which should not be delayed. Reservists had access to a range of support from the Council, including Care First, Occupational Health and Mental Health First Aiders. The Council would also work with the armed forces. The query about writing to the Council by the third Monday would be investigated.

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Decision:

The Committee agreed to approve the draft Policy.

678 Smoke Free Policy

Discussion:

Members considered a report regarding a revised Smoke Free Policy.

The following issues were raised:

- **Designated Smoking Areas** – whether vaping should be allowed outside of these designated areas, as allowed by the policy, and whether they were visible to the public was queried. Officers confirmed that if vaping was in future deemed to be a health danger then the policy on this would be reviewed but the policy would be reviewed in any event as part of a new systematic review of all HR policies. Members were advised that the designated smoking area at Gun Wharf was not visible from the public entrance and staff were requested not to smoke whilst wearing a Council uniform.
- **Working from home** – the extent and practicality of applying the policy in the case of working from home was raised. Members were informed that the policy did not specifically address this but would be amended to make clear what was expected of staff while working from home (such as not smoking or vaping while in a virtual meeting). Clarity would also be provided on the rules around unpaid smoking breaks while working from home.
- **Uniform** – in terms of how this was defined, Members were advised that this would be clarified in the final policy.
- **Measures to ensure staff conducting home-visits could do so in a smoke free environment** – as to whether the appointment letter included a request not to vape before a home visit, this would also be clarified in the final policy.
- **Application to Members** – it was clarified that the policy only applied to employees.
- **Encouraging staff to stop smoking** – given smokers tended to have higher sickness absence levels than non-smokers, it was suggested the Council could look at incentivising staff to stop smoking to achieve public health and productivity benefits. Members were informed that the Council did not hold any information about whether staff smoked or not so could not draw any conclusions about the effect on sickness absence. However, this suggestion would be investigated.

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Decision:

The Committee agreed to approve the draft updated Smoke Free Policy, subject to it being further amended to clarify how it applied in the case of staff working from home; how a uniform was defined and whether a request not to vape would be included in appointment letters as one of the measures to ensure that staff conducting home-visits could do so in a smoke free environment.

679 Gender Pay Gap

Discussion:

Members considered a report on the gender pay gap which provided an update between September 2020 to date, ahead of the publishing the figures for 2019/20 on the Council's public website by 31 March 2021 and on the Government dedicated Gender pay gap reporting website.

The Head of HR advised that due to the pressures caused by the pandemic, including the HR team's role in setting up testing centres in Medway, progress since September had been slow and affected by new priorities such as setting up Covid-19 test centres.

Members were advised that the Equalities Board was looking at possible key performance indicators for 2021/22 as well as the baseline data, noting that not all employees at present declared characteristics or understood the importance of this in terms of helping to improve the gender pay gap. The results of this would be reported to the Committee.

Decision:

The Committee agreed to note the report.

Chairman

Date:

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