

NOTICE OF MEETING

STAFFING AND REMUNERATION COMMITTEE

**Tuesday, 7th February, 2017, 7.00 pm - Civic Centre, High Road,
Wood Green, N22 8LE**

Members: Councillors Raj Sahota (Chair), Liz McShane (Vice-Chair), Jason Arthur, Bernice Vanier and Viv Ross

Quorum: 3

1. FILMING AT MEETINGS

Please note that this meeting may be filmed or recorded by the Council for live or subsequent broadcast via the Council's internet site or by anyone attending the meeting using any communication method. Although we ask members of the public recording, filming or reporting on the meeting not to include the public seating areas, members of the public attending the meeting should be aware that we cannot guarantee that they will not be filmed or recorded by others attending the meeting. Members of the public participating in the meeting (e.g. making deputations, asking questions, making oral protests) should be aware that they are likely to be filmed, recorded or reported on. By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings.

The chair of the meeting has the discretion to terminate or suspend filming or recording, if in his or her opinion continuation of the filming, recording or reporting would disrupt or prejudice the proceedings, infringe the rights of any individual or may lead to the breach of a legal obligation by the Council.

2. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS (IF ANY)

To receive any apologies for absence.

3. URGENT BUSINESS

The Chair will consider the admission of any late items of Urgent Business. (Late items of Urgent Business will be considered under the agenda item where they appear. New items of Urgent Business will be dealt with under agenda item 14 below).

4. DECLARATIONS OF INTEREST

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and
- (ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct

5. DEPUTATIONS / PETITIONS / PRESENTATIONS / QUESTIONS

To consider any requests received in accordance with Part 4, Section B, paragraph 29 of the Council's constitution.

6. MINUTES (PAGES 1 - 12)

To confirm and sign the minutes of the meeting held on 6 December 2016 and to note for information the minutes of the CEJCC held on 7 November 2016.

7. HARINGEY COUNCIL SMOKING POLICY (PAGES 13 - 24)

Report of the Director of Public Health seeking agreement from the Staff and Remuneration Committee of the changes to the Council's revised Smoking Policy.

8. SENIOR MANAGEMENT TEMPORARY ARRANGEMENTS AND SAVINGS UPDATE (PAGES 25 - 28)

Report of the Chief Executive to propose interim arrangements for the discharge of the duties of the Head of Paid Service and Chief Executive pending permanent recruitment to the positions, and also to set out how the £400k from senior management reorganisation as identified in the Council's MTFS will be achieved.

9. SENIOR MANAGERS PAY REVIEW - APRIL 2017 (PAGES 29 - 54)

Report of the Chief Executive and Head of Paid Service for the Committee to approve the parameters for the conduct of the Senior Manager Pay Review for 2017.

10. REIMBURSEMENT OF BUSINESS MILEAGE (PAGES 55 - 78)

Report of the Assistant Director, Transformation and Resources, to consult with Council staff and their representatives on the replacement of the current and historic arrangements of a lump sum and mileage rates based on NJC rates with a single flat rate consistent with HMRC authorised mileage rates.

11. PAY POLICY STATEMENT 2017/18 (PAGES 79 - 94)

Report of the Assistant Director, Transformation and Resources, for the Committee to consider the draft Pay Policy Statement 2017/18 for remittance to Full Council on 20 March 2017 for endorsement.

12. PERFORMANCE MANAGEMENT REPORT Q3, OCTOBER - DECEMBER 2016 (PAGES 95 - 102)

Report of the Assistant Director, Transformation and Resources, to provide the Committee with data relating to the workforce including non-employed workers, equalities and sickness absence data for the period October to December 2016.

13. SCHOOLS HR POLICIES (FAMILY FRIENDLY; RECRUITMENT; DIVERSITY AND EQUALITY) (PAGES 103 - 174)

Report of the Assistant Director, Transformation and Resources, to present a number of policies to be recommended by the Council from 8th February 2017 for adoption by the governing bodies of the community, voluntary controlled, community special and maintained nursery schools which the Council maintains and to be implemented by the Council in respect of any unattached teachers it employs. The policies for recommendation are as follows:

- Family friendly suite of policies (incorporating maternity policy, adoption policy, paternity policy, shared parental leave policy, parental leave policy)
- Recruitment policy
- Equality and diversity in employment policy

14. NEW ITEMS OF URGENT BUSINESS

To consider any new items of urgent business admitted by the Chair under agenda item 3 above.

Helen Chapman, Principal Committee Co-ordinator
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Bernie Ryan
Assistant Director – Corporate Governance and Monitoring Officer
River Park House, 225 High Road, Wood Green, N22 8HQ

Monday, 30 January 2017

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**MINUTES OF THE MEETING OF THE STAFFING AND
REMUNERATION COMMITTEE HELD ON TUESDAY, 6TH
DECEMBER, 2016**

PRESENT:

**Councillors: Raj Sahota (Chair), Jason Arthur, Bernice Vanier, Viv Ross
and Sarah Elliott**

49. FILMING AT MEETINGS

The Chair referred Members present to agenda Item 1 as shown on the agenda in respect of filming at this meeting, and Members noted the information contained therein.

50. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS (IF ANY)

Apologies for absence were received from Cllr McShane, for whom Cllr Elliott was substituting.

51. URGENT BUSINESS

There were no items of urgent business.

52. DECLARATIONS OF INTEREST

There were no declarations of interest.

53. DEPUTATIONS / PETITIONS / PRESENTATIONS / QUESTIONS

There were no such items.

54. MINUTES

RESOLVED

That the minutes of the meeting held on 4 October 2016 be approved as a correct record and signed by the Chair.

55. DELEGATED DECISIONS, SIGNIFICANT ACTIONS AND URGENT ACTIONS

There were no such items.

56. MY CONVERSATION MAP AND UPDATE

The Committee considered a report and presentation on the My Conversation map, presented by Daksha Desai, Head of Workforce Programme. The presentation set out the context within which the My Conversation Map had been launched, details of the map, the overall results and breakdown of results by area, details of the results in the Scope to Improve, Excellent Achiever and Ambitious and Strong Achiever categories, breakdown by BAME and disability compared to the overall Haringey population and planned next steps. The Committee noted that the results had not been moderated.

The Committee asked about areas of the Council where returns had been poor, and it was reported that the lower rates of return were spread across the Council, rather than being concentrated in any specific area. It was noted that services with a number of staff working in a non-office environment, for example on-street enforcement officers, might be expected to have lower rates of return.

Looking at the results for people in the Scope to Improve section of the map, officers advised that there was an expectation that people would not be in this category for longer than 6 months, and managers were encouraged to provide staff with the necessary support to achieve this. It was noted, however, that it would always be expected that there would be some staff within this area, and that people might be in the Scope to Improve category for a wide range of reasons. The demographic information for Scope to Improve in particular indicated that this was not representative of the workforce as a whole and mirrored some of the findings of the Equalities Audit – this demonstrated that there was more work to be done around issues such as unconscious bias, and it was anticipated that the results of the recent Mind survey and Stonewall survey would help to inform the work that needed to be done. In particular the Committee noted the over-representation of staff with disabilities in the Scope to Improve cohort, and asked what action was being taken to address this; it was confirmed that specific actions to address these issues may form part of the action plan arising from the results of the Mind survey, looking at mental health wellbeing. It was noted that the Council needed to refresh some of its data relating to disabilities as it was felt that there was some under-reporting in this area.

In terms of next steps, it was advised that there would be an audit of the My Conversation process, looking at the evidence underpinning the reported results, in order to provide assurance around the robustness of the process. It was noted that this data collection exercise had not captured any narrative in terms of the way that decisions had been reached, nor had any moderation been undertaken, for example where a manager was observed to have rated everyone in their team as Excellent Achiever, but issues such as this would be picked up as part of the audit process.

The Committee asked whether there was any data on differences of opinion between managers and staff regarding their placement on the map; officers advised that this was not captured as part of this data collection exercise, but agreed that this would be useful to record next time the data collection was carried out. The Committee also asked whether any work was being done to identify any common issues across the Scope to Improve cohort, in order to see if there were any particular supportive measures that the Council could implement which might be effective; officers confirmed that this was something that was being worked on.

The Committee asked what the staff reaction to the new process had been. It was noted that there had been a mixed reception from the 800 staff who had attended training sessions when the process was being rolled out, but that in general people had welcomed a move to more regular opportunities for feedback from management. Staff were also being asked to provide their views around this as part of the current Pulse survey.

The Committee welcomed this as a positive piece of work and agreed that a further update would be brought back to the Committee in the new municipal year, following the next data collection exercise.

RESOLVED

That the content of the report be noted.

57. APPRENTICESHIPS UPDATE

The Committee considered the report on the apprenticeship programme and the implications of the Government's apprenticeship levy and targets for the Council, as presented by Daksha Desai, Head of Workforce Programme, and Maxine Sobers, Workforce Resourcing Manager. The report set out the background to the Council's apprenticeship programme, the recruitment process and roles that had been generated, the programme completion details, issues that had arisen during the programme, a review of progress against objectives and details of the apprenticeship levy and apprenticeship target to be introduced under the Enterprise and Finance Acts 2016.

The Committee considered the level of apprenticeship starts across London Boroughs as set out at paragraph 7.4 of the report. It was noted that there were different approaches to apprenticeship schemes, with some Councils employing a large number of apprentices each year as a work experience, with no prospect of an opportunity for any of the participants to apply for a permanent position at the end of their scheme. At Haringey, there had been more focus on creating longer-term employment opportunities for young people at the Council.

In relation to the apprenticeship levy and apprenticeship target, it was noted that further detail on these schemes was awaited, in particular whether schools staff would be included in the apprenticeship target and whether there would be any penalties for not meeting the target. The legal advisor to the Committee noted that the legislation stated that there was a need to have 'due regard' to the target, which indicated that it was unlikely that there would be penalties imposed for failing to achieve them. The Committee noted that the Council had the option of not doing anything to recruit to the apprenticeship target, or aiming to recruit to the full number of apprentices as set out in the target, or a combination whereby a number of apprentices were recruited and some existing staff were reclassified as apprentices in order to meet the target figure. Work was currently taking place to identify where the organisation would particularly benefit from apprenticeship roles, such as roles that were currently difficult to recruit to, and would therefore offer genuine career prospects for apprentices in these areas.

It was confirmed that whichever option the Council pursued, the apprenticeship levy was compulsory, and that any levy funds not drawn down by the Council after 24 months would revert to the Government. The Committee expressed the view that efforts should be made to draw down this funding, given that the levy was compulsory, and suggested that the Council speak to those local authorities that were currently recruiting significant numbers of apprentices for advice. It was suggested that even if a number of apprenticeships were created with no prospect of a more permanent job at the end of them, a year's work experience would still be valuable for many young people and would enhance their employment potential more generally. The Committee asked what the impact on funding would be for apprenticeships that were not completed; officers advised that the guidance on this was not yet confirmed, but there had been indications that in such cases 20% of the funding may be withheld.

Given that it was likely that the Council would have chosen to recruit 25-30 apprentices as a progression on this year's work, had these legislative changes not been put forward, it was suggested that the Council proceed with that recruitment anyway and seek to make up the rest of the target with a more 'work experience' model of apprenticeship opportunities.

While it was noted that the current financial context may affect the course of action the Council chose to take, it was noted that Members would need to consider their political priorities and to take decisions relating to any proposed use of resources accordingly. Committee Members noted the importance of apprenticeship schemes, but recognised that there was a need for balance between the benefits and contribution towards the corporate priorities that apprenticeships would offer and the significant salary cost and management resources required to support this, particularly in the current financial position. The Committee noted that there was an identified need for additional support for managers taking on young people as apprentices, and that additional capacity for support would need to be provided if the number of apprenticeships offered were to increase significantly, particularly if the Council was to achieve its aim of reaching out to those young people who were harder to engage with. The Committee suggested that this might be another area where the Council could speak to other local authorities for advice. It was noted that recruitment of young people identified as harder to engage with, such as care leavers and NEETs, had been challenging and there were several reasons for this. It was suggested that, for some of these young people, initial training may be more effective, prior to them entering a formal apprenticeship scheme.

With regards to the apprenticeship target, the Committee suggested that until further guidance was received, the Council should presume that schools would be included. It was advised that if this were the case, schools would be responsible for paying their share of the levy.

The Committee agreed to receive a further report on apprenticeships at the start of the 2017/18 financial year, with proposed next steps and setting out the input required from the Committee.

RESOLVED

That the content of the report be noted.

58. PEOPLE MANAGEMENT REPORT Q2 - JULY TO SEPTEMBER 2016

The Committee considered the People Management report for the period July to September 2016, presented by Carole Engwell, HR Quality Assurance Manager. The report included a comparison of the Council's workforce profile with the profile for Haringey residents, as requested at the previous meeting of the Committee. With regard to spending on consultants and interims, it was noted that this had reduced by £162k compared with the previous year, and that spending on agency staff had reduced by £483k.

The Committee noted the reduction in headcount as set out in the report, and asked whether the profile of those leaving the organisation had an impact on the average age across the organisation. It was reported that it tended to be those aged 55 and over who were leaving in general, however the reduction in headcount had so far not had a significant impact on the age profile of the workforce as a whole.

The Committee noted the changes to the presentation of the data relating to consultants and interims, and requested that for future reports additional information be included relating to value for money compared with permanent recruitment (for interim posts), and also some narrative around the objectives and whether these were being achieved for each post, as well as details of how many times a contract had been renewed. It was agreed that this information would be included in future reports, as these were issues of particular interest to Members.

The Chair noted that he had passed a number of enquiries received from Councillors regarding use of consultants and interims on to officers; it was confirmed that the responses to these enquiries were in the process of being finalised and would be provided to the Chair at the earliest opportunity.

The Committee asked about the sickness absence figures, and whether there was any analysis of which services absence levels were highest in and whether there were any identified causes for high absence rates. It was confirmed that HR was looking at this data and were monitoring the 50 cases with the highest rates of absence, some of which were very complex, and that the Business Managers were proactively providing additional support to the managers involved in these cases. It was noted that the 50 cases with the highest sickness levels tended to change on a quarterly basis, suggesting that management measures were having an effect. Sickness absence levels were also included in the grip scorecard on a monthly basis, in order for any patterns of absence to be identified and analysed. It was agreed that a more detailed report on those service areas with the highest rates of absence and the actions being taken to address these would be reported to the Committee.

RESOLVED

That the content of the report be noted.

59. FORWARD PLAN REPORTS JANUARY 2017 TO MARCH 2017

The Committee considered the report on the forward plan of agenda items for the remainder of the municipal year, as presented by Carole Engwell, HR Quality Assurance Manager. In addition to the reports listed, the Committee was advised that reports on the annual pay policy statement and reward would be added to the agenda for the February meeting. If timing permitted, it was also noted that it was intended to bring some schools' policies to the next meeting of the Committee for approval and defer the Trade Union Relationship and Draft Facility Time Agreement to a later meeting.

RESOLVED

That the Committee note the content of the report.

60. NEW ITEMS OF URGENT BUSINESS

There were no new items of urgent business.

The meeting closed at 8.30pm.

CHAIR: Councillor Raj Sahota

Signed by Chair

Date

MINUTES OF THE MEETING OF THE COUNCIL AND EMPLOYEE JOINT CONSULTATIVE COMMITTEE HELD ON MONDAY, 7TH NOVEMBER, 2016

PRESENT:

Employer Side: Councillors Jason Arthur, Barbara Blake, Raj Sahota (Chair) and Elin Weston

Employee Side: Sean Fox, Andrea Holden, Gerard McGrath (Vice Chair) and Chris Taylor

37. APOLOGIES FOR ABSENCE

At the start of the meeting, the Committee observed a minute's silence in memory of Ursula Brown, a long-serving colleague who had provided invaluable support to many staff members throughout her employment with the Council, and had sadly passed away the previous day.

Apologies for absence were received from Cllr Goldberg and from Cllr Newton.

38. URGENT BUSINESS

There were no new items of urgent business.

39. DECLARATIONS OF INTEREST

There were no declarations of interest.

40. MINUTES

RESOLVED

That the minutes of the meeting held on 6 September 2016 be approved as a correct record and signed by the Chair.

41. MATTERS ARISING

Chris Taylor raised some points of clarification in respect of minute 34, Off Payroll Working:

- Paragraph 2: With regard to the question of what evidence there was regarding the existing use of tax avoidance arrangements in the Council, Mr Taylor advised that in addition to the points minuted, he was aware that several senior officers working for the Council on a full-time basis had personal service

companies registered with Companies House, which would suggest that these existed for the purposes of receiving income.

- Paragraph 3: Mr Taylor stated that there was no suggestion from the Employee Side that the Council actively investigate the financial arrangements of staff, they were merely asking for the Council to ensure that all employees were remunerated via a PAYE arrangement.
- Paragraph 3: Mr Taylor stated that there was no issue regarding the lawfulness of what the Employee Side was asking the Council to do, as they were merely asking for all employees to use a PAYE arrangement, which was in itself a lawful arrangement.

It was agreed that these points would be addressed under agenda item 9, Update on IR35.

42. CORPORATE HEALTH, SAFETY AND WELLBEING POLICY 2016

This item was withdrawn from the agenda.

43. STATUS OF CEJCC

The Committee considered a report on the status of the CEJCC, introduced by Michael Kay, Democratic Services Manager. The issue of the status of the Committee had arisen as part of a Governance Review, which sought to identify and resolve inconsistencies and irregularities relating to the Council's Constitution. A report on the Governance Review, recommending any necessary amendments to the Constitution, would be considered by Full Council in March 2017 after being considered by the Standards Committee.

It had been identified that the CEJCC's current status as a Sub-Committee of the Staffing and Remuneration Committee within the Constitution was at variance with how it operated in practice. In order to resolve this, the report recommended that the CEJCC be removed from the Constitution and formally constituted as a separate body.

The Employee Side advised that they had no dispute with the content of the report and recognised the need to resolve the current discrepancy between the way the Committee was constituted and the way it operated. They were happy to work with the Employer Side on developing an appropriate terms of reference for the Committee going forward.

The Committee noted that it was comfortable with the content and recommendation of the report as circulated, and agreed to receive a further update at its next meeting in January.

44. CAR PARKING CHARGES UPDATE

Victoria Tricarico, Head of People and Change, gave a verbal update to the Committee on Car Parking Charges, which had been discussed at the previous

meeting. It was reported that not all of the spaces had currently been allocated, and it was anticipated that this exercise would be completed in around a month's time. It was therefore proposed to bring a further update back to the next meeting in January, when a complete picture could be provided.

In response to a question from the Employee Side, it was confirmed that allocation of parking spaces was managed by the Assistant Director Commercial and Operations. Once all spaces were allocated, responsibility for enforcement of the use of parking spaces would come under Amey, but it was confirmed that it was understood that the responsibility for the allocation of spaces would remain with the Council.

The Employee Side advised that they would take up the issue of parking for Councillors separately, outside of the meeting.

Andrea Holden expressed concern that a delay in planned office moves, which may impact on some staff members' need for a parking space, meant that those staff may be disadvantaged as all spaces would have been allocated before the office moves took place. It was agreed that this would be looked into.

Action: Head of People and Change

The Committee noted the update and agreed to receive a further update at its meeting in January.

45. IR35 UPDATE

Victoria Tricarico gave a verbal update on IR35, and responded to the points raised in respect of this issue under matters arising earlier on the agenda. It was reported that work was taking place within the Council to get ready for complying with the new legislation, including discussions with Procurement regarding anticipating any issues regarding existing contractual obligations. It was noted that the Government's online employment status tool was still in beta form, and that there were various aspects relating to IR35 which were still being finalised by the Government. It was therefore difficult to implement the changes requested by the Employee Side prior to the legislation being formally introduced, when individuals working for the Council were operating lawfully in accordance with the existing legislation.

The Employee Side noted that while individuals may be operating within the current legislation in that the onus was currently on them to ensure that they were paying the requisite amount of tax, where those people were incorrectly claiming to be self-employed for tax purposes, this was not complying with current legislation. IR35 had been in force since 2000, and the Government made it clear that any organisation in receipt of public funds had a responsibility to ensure that people it engaged were paying the correct amount of tax. Given that the Council would be legally required to implement these measures from April, the Employee Side challenged the assertion that it would be difficult to start sooner.

The Employee Side asked what the issues were with regard to existing contractual obligations, as referred to above. The Head of People and Change advised that, until the legislation was introduced, while the Council could instruct the agencies it employed to ensure that staff were engaged on a PAYE basis the agencies

themselves were under no obligation to comply with such an instruction and this could put the Council in a difficult position.

The Employee Side advised that they had been told that agency staff who opted to work on a PAYE arrangement were being financially penalised by the agencies for doing so, and asked the Employer Side to look into whether this was the case. It was agreed that Chris Taylor would provide the Head of People and Change with some further details outside of the meeting, and that the Head of People and Change would then look into this matter with the agencies.

Action: Head of People and Change

The Assistant Director, Transformation and Resources, noted that the changes to the legislation would affect all agency staff, not just consultants and interims. Until further guidance was received from the Government and the introduction of the legislation in April 2017, it was felt that the Council's ability to act on implementing measures to require everyone engaged by the Council to use a PAYE arrangement was limited.

46. VR UPDATE

Victoria Tricarico provided a verbal update on the current VR campaign, which had commenced on 14 October 2016 and was open until 18 November 2016. The campaign had been communicated to staff via a letter with their pay slips, and the letter had made clear which posts would not be considered for VR, to ensure that expectations were managed appropriately. It was noted that the VR Panel usually had discretion to refuse VR requests where the ratio of the sum of redundancy costs exceeded 70% of the sum of the costs of retention, however for this campaign that ratio had been increased to 100%, and it was hoped that this would encourage more applications. A special VR Panel had been arranged for 6 December 2016, with decisions being confirmed shortly afterwards, in order for people to be advised in a timely manner whether their applications had been successful. It was reported that 65 applications had been received to date.

In response to a question from the Employee Side, it was confirmed that no applications would be considered by the VR Panel until the current VR campaign closed, in order to ensure that decisions were made on a consistent basis, and that people were not disadvantaged by having submitted their application later in the window. It was confirmed that there was no absolute deadline for those whose applications were successful to leave, and that where individual service demands required it, a phased release of staff would be undertaken.

The Committee noted the content of the report, and agreed that a further update would be provided at the January meeting of the Committee, including EQIA information regarding the applications received and those accepted.

47. SOCIAL CARE COMMISSIONING/ETHICAL CARE CHARTER

The Committee considered the report submitted by the Employee Side, introduced by Sean Fox.

Cllr Arthur, in responding to the report, advised that the Council was fully supportive of the aims of the Charter, but faced questions around how to deliver all of its aims, particularly Stage 3, and how quickly this could be implemented. It was noted that identifying resources in order to enable all homecare workers to be paid the London Living Wage was the most significant challenge. Cllr Arthur advised that, other than Croydon and Barking and Dagenham, all the other signatories to the Charter were inner London boroughs with higher funding levels, and that he was interested in finding out how the two outer London boroughs had identified the necessary funding. In line with the response that had been provided to the Employee Side when this had been circulated to all Members previously, Cllr Arthur advised that further discussions were needed with the Unions, partners and wider stakeholders around how to increase the stability of the homecare market and the role the Ethical Care Charter could play in this.

In relation to the request in the Employee Side for an implementation plan to deliver the core principles of the Charter in full over an 'agreed period', Cllr Arthur noted that such a period was necessarily indeterminable at the current time, and asked whether saying that the Council did wish to sign up to the Charter but was unable to agree a set period at this point would be an acceptable position for the Employee Side. Sean Fox confirmed that this would be an acceptable position, and that it had been a deliberate decision not to include a proposed deadline within the report. The Employee Side was fully aware of the issues around the underfunding of social care and that this was an issue the Unions were actively engaged in lobbying the Government about. Mr Fox advised that a further report on this topic had been issued by Unison that day, and that he would forward this on to Cllr Arthur outside the meeting. Cllr Arthur advised that he would welcome the opportunity to see the Unison report and would also be happy to be involved in any lobbying at a national level around these issues.

The Employee Side advised that ensuring providers were legally compliant with regards to paying the minimum wage, by paying staff for their travel time, and addressing the issue of zero hours contracts were more urgent priorities than the payment of the London Living Wage. It was recognised that zero-hours contracts had serious implications, including deterring people from whistle-blowing for fear that their hours would be reduced as a consequence. Cllr Arthur acknowledged the concerns being raised by the Employee Side and agreed that a conversation was needed, with a focus on addressing the issues arising from zero hours contracts at an early stage. It was hoped that the introduction of the Dynamic Purchasing System (DPS) would help to address the risk of unfair arrangements within the social care market. Charlotte Pomery, Assistant Director for Commissioning, confirmed that she was happy to discuss the issues raised with the Employee Side further, and noted that Haringey's commissioning levels had been very stable for a significant period; assertions by providers that unreliability of commissioning levels was what prevented them from being able to guarantee hours for their employees were therefore not felt to be valid. Especially in light of the recently published CQC Annual Report drawing attention to the current issues for the social care market nationally, it was felt that there needed to be a discussion involving all stakeholders around potential alternative models locally, and it was noted that an options appraisal was currently being developed.

With regards to legal compliance, Cllr Arthur advised that this was already required under existing contracts, and that the Council challenged providers where concerns were raised. The Committee asked how contracts were monitored; Charlotte Pomery advised that safeguarding and quality assurance officers undertook checks of service provision, timesheets were required to be submitted alongside invoices for verification, there was close liaison between officers, service users, the Safeguarding Adults Board and the CQC, regular audits of service provision were carried out and service improvement plans were developed and implemented. It was noted, however, that there was a capacity challenge in monitoring care contracts, given the number of hours of service provision. It was also reported that the Council was considering the introduction of electronic call monitoring, which should help with the process of contract monitoring, making it a more proactive process than at present.

The Committee noted the ongoing discussions around this issue, and that a meeting between Cllr Arthur and the Employee Side was to be scheduled shortly.

48. NEW ITEMS OF URGENT BUSINESS

The Chair proposed that future meetings of the CEJCC commence at 7pm, with any necessary pre-meetings happening before this start time.

RESOLVED

That the start time for future meetings of the CEJCC be set at 7pm.

49. DATE OF NEXT MEETING

The Committee noted that the date of the next meeting was 23 January 2017, 7pm.

The meeting closed at 8.40pm.

CHAIR: Councillor Raj Sahota

Signed by Chair

Date

Report for: Staff and Remuneration Committee

Item number: 7

Title: Haringey Council Smoking Policy

Report authorised by : Dr Jeanelle de Gruchy, Director of Public Health

Lead Officer: Deborah Millward, Healthy Public Policy Officer

Ward(s) affected: N/A

**Report for Key/
Non Key Decision:**

1. **Describe the issue under consideration**

1.1 This report seeks agreement from the Committee to proposed changes to the Council's revised Smoking Policy. The revised Smoking Policy is at Appendix A.

2. **Cabinet Member introduction**

2.1 N/A

3. **Recommendations**

3.1 The Committee is asked to agree to proposed changes to Haringey Council's Smoking Policy, to take immediate effect. The proposed revised Smoking Policy is at Appendix A. These proposed changes include

- Not allowing employees to smoke during working hours. If staff wish to smoke they may only do so during unpaid breaks e.g. before and after work and at lunchtime
- Permitting the use of e-cigarettes (vaping) on outdoor Council premises
- Employees who smoke during official unpaid breaks such as lunchtime must do so away from residential properties and not congregate outside other commercial properties to smoke
- Instructing smokers that when smoking during official unpaid breaks they must ensure that they are not identifiable as Council employees e.g. they must not be wearing lanyards and uniform.

4. Reasons for decision

- 4.1 The Council has a duty to protect the health of its employees. The evidence that exposure to other people's smoke is dangerous to health is undeniable.
- 4.2 The Council is committed to providing support for employees who smoke and who want help with giving up. Under the terms of this Policy, employees are entitled to access support, which is currently up to six smoking cessation sessions during work time, and will be fully supported by their manager in doing so.
- 4.3 Everyone working and visiting Council premises has a right to be in a smoke-free environment protected from the dangers of cigarette smoke.
- 4.4 There is no 'right to smoke' and this has been confirmed by the Employment Appeal Tribunal in the case of *Dryden v Greater Glasgow Health Board* [1992] IRLR 469 , which confirmed that an employee who had smoked at work for a considerable time did not have an implied term in her contract entitling her to smoke at work, and that a total ban on smoking on the employer's premises was a "works rule" that the employer was entitled to implement.
- 4.5 In February 2016 Haringey's Health and Wellbeing Board and Chief Executive signed the Local Government Declaration on Tobacco Control, committing the Council to take action on tobacco related issues and to act as an exemplar to others

5 Alternative options considered

- 5.1 As part of a rigorous exercise Public Health developed an options paper and consulted with the Workforce Health and Wellbeing board. The agreed options are embedded in the refreshed Smoking Policy.

6 Background information

- 6.1 The Health Act 2006 and The Smoke-free (Premises and Enforcement) Regulations 2006 mean that from 1st July 2007 smoking is prohibited in all workplaces and enclosed public spaces, including work vehicles.
- 6.2 The Council is committed to improving health, wellbeing and reducing health inequalities for all residents and employees of the borough ,as part of the Council's Health and Wellbeing Strategy and Corporate Plan 2015- 2018. One of the ambitions in the Council's 's Health and Wellbeing Strategy is to strengthen our tobacco control work to increase healthy life expectancy in the borough. The Corporate Plan also commits to creating a fair and equal borough (Cross-Cutting Theme) by prioritising prevention of ill health and tackling the key causes of health inequalities through enforcement of the smoke-free workplace legislation. The purpose of this policy is to:

- Demonstrate the Council's commitment to preventing ill health.
- Protect employees, visitors and contractors from the harm of tobacco smoke whilst on y Council premises.
- Promote smoking cessation as a key way of improving health and wellbeing for all.
- Ensure those who smoke are given support, help and encouragement to quit when they choose to do so.
- Limit the negative impacts of smoking on employees' health and productivity.
- Conform to the law around smoke-free workplaces and enclosed public spaces.

6.3 There has been ongoing consultation and engagement during the development of the policy with a number of groups. This includes

- Workforce Health and Wellbeing Board.
- Trade Union and Human Resources Corporate Meeting.
- Services and organisations operating out of Council property. For example Haringey's Clinical Commissioning Group and Homes for Haringey's HR department.

6.4 There has been strong support and proactive engagement for the policy from all the Corporate Boards, trade unions and services operating out of our Council property. Further Homes for Haringey have agreed to endorse our Smoking Policy once it is implemented to ensure uniformity across the two organisations.

7 Contribution to strategic outcomes

7.1 The Smoking Policy is linked to the Council's Corporate Plan, Building a Stronger Haringey Together 2015-18, in particular Priority 2 'Empower all adults to live healthy, long & fulfilling lives' and the cross-cutting themes, specifically: prevention and early intervention as outlined in Objective 1 'Become an organisation focused on prevention and early help'.

8 Comments of the Chief Finance Officer and financial implications

8.1 N/A as there are no financial implications of introducing this policy.

9 Head of Procurement comments

n/a

10 Comments of the Assistant Director of Corporate Governance and legal implications

The Assistant Director of Corporate Governance has been consulted in the preparation of this report, and makes the following comments.

- 10.1 Council employees do not have a legal right to take extra breaks for smoking, even if they go outside their workplace. There is no requirement to give time for smoking breaks in addition to the breaks to which Council employees have an entitlement under their contract of employment and the breaks from work required by the Working Time Regulations 1998. It is likely that the proposed changes to the Policy are ones the Council is entitled to make as “works rules”, rather than being variations to Council employees’ contracts, and therefore it is likely the Council is entitled under those contracts to make these changes.
- 10.2 The revised Smoking Policy that is proposed complies with current legislation

11 Equalities and Community Cohesion Comments

The Council has a public sector equality duty under the Equality Act 2010 to have due regard to the need to :

- Eliminate discrimination, harassment and victimisation of persons and any other conduct prohibited by or under the Act.;
- Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it ;
- Foster good relations between people who share a relevant protected characteristic and people who do not share it
- A “relevant protected characteristic” is . age, disability, gender reassignment, , pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation

We did not proceed with an EqIA as we expect that the revised Policy will have a positive impact for staff who smoke as it will encourage them to quit. We do not envisage any discrimination or inequalities caused by this revised Policy.

12 Policy Implication

13 Use of Appendices

Appendix A – revised Smoking Policy



Appendix A

Smoking Policy

February 2017

Document Control

Version History	v 4
Summary of Change	<p>This policy updates and replaces the November 2014 version. The policy includes new clauses that:</p> <ul style="list-style-type: none"> • Restricts smoking to official unpaid breaks; • Instruct employees not to congregate outside residential or commercial buildings when smoking. • Instructs smokers that they must ensure that they are not identifiable as Council employees • Permitting the use of e-cigarettes (vaping) within outdoor Council premises
Contact (job title)	Deborah Millward (Healthy Public Policy Officer)
Implementation date	
Review Date	
EqIA Date	
Decision making body & date of approval	Staffing and Remuneration Committee
Classification	

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Introduction

- 1.1 The Health Act 2006 and The Smoke-free (Premises and Enforcement) Regulations 2006 mean that from 1st July 2007 smoking is prohibited in all workplaces and enclosed public spaces, including work vehicles.
- 1.2 Haringey Council is committed to improving health, wellbeing and reducing health inequalities for all residents and employees. Haringey's Health and Wellbeing Strategy has the ambition to strengthen our tobacco control work to increase healthy life expectancy; tobacco is a major contributor to the unequal gap in life expectancy in the borough. The Corporate Plan also commits to creating a fair and equal borough (Cross-Cutting theme) by prioritising prevention of ill health and tackling the key causes of health inequalities through enforcement of the smoke-free workplace legislation. The purpose of this policy is to:
 - Demonstrate Haringey Council's commitment to preventing ill health and tackling health inequalities.
 - Protect employees, visitors and contractors from the harm of tobacco smoke whilst on Haringey Council premises.
 - Ensure those who smoke are given support, help and encouragement to quit when they choose to do so.
 - Limit the negative impacts of smoking on employees' health and productivity.
 - Conform to the law around smoke-free workplaces and enclosed public spaces.
- 1.3 In February 2016 Haringey's Health and Wellbeing Board and Chief Executive signed the Local Government Declaration on Tobacco Control, committing the Council to take action on tobacco related issues and act as an exemplar to others.
- 1.4 To underpin the policy the Council has developed additional guidance and supporting documents that contain information on where to get support for people who wish to quit and information on temporary abstinence whilst at work.
- 1.5 All smokers will be encouraged to use licensed nicotine replacement therapy such as patches, gum and e-cigarettes, and to access the most effective way to quit via Haringey's One You Stop Smoking Services.

Scope

- 2.1 This procedure applies to Councillors, all Council employees, contractors and workers, both Casual and Agency and visitors to Haringey premises.

General Principles

- 3.1 Haringey Council has a duty to protect the health of its employees. The evidence that exposure to other people's smoke is dangerous to health is undeniable.

- 3.2 Everyone working and visiting Haringey Council premises has a right to be in a smoke-free environment protected from the dangers of cigarette smoke. As such, there is a ban on smoking in or near Council premises.
- 3.3 All Haringey Council employees have the responsibility for implementing this policy on site, both as part of their own conduct and when dealing with clients, visitors and contractors.
- 3.4 The Council is committed to providing support for employees who smoke and who want help with giving up. Under the terms of this policy, employees are entitled to access support - currently up to six smoking cessation sessions during work time - and will be fully supported by their manager in doing so. See section 8 for information about how to access stop smoking support.
- 3.5 All visitors to Council premises will be expected to abide by the smoke-free rule.
- 3.6 There is no 'right to smoke' and this has been confirmed by the Employment Appeal Tribunal in the case of *Dryden v Greater Glasgow Health Board* [1992] IRLR 469, which confirmed that an employee who had smoked at work for a considerable time did not have an implied term in her contract entitling her to smoke at work, and that a total ban on smoking on the employer's premises was a "works rule" that the employer was entitled to implement.

Application

- 4.1 Smoking is not permitted inside the buildings or within the grounds of all Council premises; this includes outdoor areas such as car parks and surrounding entrances/ exits to buildings (for at least 20 meters). Smoking during official unpaid breaks must be taken away from Council buildings and smokers must ensure that they are not identifiable as Council employees when smoking.
- 4.2 Employees who smoke during official unpaid breaks such as lunchtime must do so away from residential properties and not congregate outside other commercial properties to smoke.
- 4.3 Smoking is not permitted in playgrounds and other outdoor areas mainly used by children and young people under the age of 16, or in sports grounds and other locations in part used for promoting and maintaining fitness and health.
- 4.4 All Council vehicles including vehicles on loan, hire or leased to the Council and used for the purpose of work, will be smoke-free. This is in line with the Smoke-free (Premises and Enforcement) Regulations 2006.
- 4.5 When carrying out home visits to clients Council employees are not allowed to smoke in their homes or workplaces, even when others present may be smoking.
- 4.6 Haringey Council is committed to protecting its employees from the harm caused by passive smoking while at work. During home visits, clients and anyone else in the home at the time must be asked to refrain from smoking while Council employees are present. Clients should be asked to keep the room in which treatment or care is being carried out as smoke-free at all times'. Employees should raise concerns with their manager.
- 4.7 E-cigarette use (vaping) is not permitted inside any Council building.

- 4.8 Employees who wish to use e-cigarettes are only permitted to do so in outdoor areas and grounds of Haringey Council premises.
- 4.9 Employees are expected to make visitors and contractors aware of the smoking restrictions. Issues with non-compliance should be escalated to line managers.
- 4.10 Staff breaching this Policy will be subject to the Council's disciplinary procedures.
- 4.11 Any employee smoking in an enclosed public space or workplace breaks the law and is liable to prosecution.

Penalties for non-compliance with the Legislation

- 5.1 Priority three of the Corporate Plan 2015-18 includes a commitment to create '*A clean, well maintained and safe borough where people are proud to live and work*' and ensuring our streets, parks and estates are clean, well maintained and safe.
- 5.2 Where smokers are smoking within the constraints of this policy they are responsible for properly disposing of their cigarette stubs and cigarette waste by ensuring that these are completely extinguished before placing in appropriate litterbins.
- 5.3 Smokers who fail to dispose of cigarette stubs properly can be issued with a Fixed Penalty Notice or a Court fine up to £200.

Smoking breaks

- 6.1 Employees are not allowed to smoke during working hours.
- 6.2 No additional breaks will be given to employees who smoke. Employees can only smoke in their own time e.g. before or after work or during their lunch break. Smoking in Council buildings and grounds is not permitted, even during official breaks.

E-cigarettes and vaping

- 7.1 Haringey Council acknowledges that some employees may wish to use e-cigarettes (vaping) as an aid to giving up or reducing smoking.
- 7.2 The use of e-cigarettes/vaping is not permitted inside any Council building or in any enclosed or substantially enclosed workplaces.
- 7.3 Employees who vape during official breaks such as lunchtime must do so away from residential properties and immediate surroundings of Council premises e.g. not within 20 meters of entrances and exits
- 7.4 The use of e-cigarettes/vaping is not permitted while in any vehicle that is used for either paid or voluntary work including Haringey Council's own fleet vehicle because the Council a) treats these as enclosed spaces and b) Council policy does not permit

smoking, mobile phone use or any other activity while driving for health and safety reasons.

- 7.5 Due to potential health and safety implications employees are not permitted to charge e-cigarettes at work or in vehicles. (This policy applies to all electrical devices including mobile phone chargers which have not been tested and approved.)

Support to stop smoking

- 8.1 Staff who reside in the borough who wish to stop smoking can get support by calling One You Haringey – 020 8885 9095 or by visiting the [One You Haringey website](#). All other members of staff can find details of their nearest stop smoking service by visiting the [NHS Choices website](#).
- 8.2 Additional information on is available
- www.ash.org.uk – Action on Smoking and Health: information on all aspects of smoking including Local Authority issues.
 - www.tuc.org.uk – Trades Union Congress: information on workplace smoking issues
 - www.nhsdirect.nhs.uk: information and advice on the effects of smoking and giving up and on other health issues

Disciplinary Action

- 9.1 Employees who fail to comply with this Policy will be subject to the Council's disciplinary procedures.
- 9.2 Employees who are also in breach of the smoke-free workplace legislation will also be subject to any sanction that may be applicable under criminal law.

Monitoring and Review

- 10.1 The Workforce Health and Wellbeing Board will monitor and review the policy and consult on any proposed changes to it.

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Report for: Staffing and Remuneration Committee

Item number: 8

Title: Senior Management Temporary Arrangements and Savings Update

Report authorised by : Nick Walkley, Chief Executive

Lead Officer:

Ward(s) affected: N/A

**Report for Key/
Non Key Decision:**

1. Describe the issues under consideration

- 1.1** This report proposes interim arrangements for the discharge of the duties of the Head of Paid Service and Chief Executive pending permanent recruitment to the positions.
- 1.2** The Council's MTFS also identifies a saving of 400k from senior management reorganisation. This report sets out how that saving will be achieved. It outlines the structural implications for Committee consideration and the temporary arrangements to be put in place.

2. Cabinet Member Introduction

N/A

3. Recommendations

3.1 That the Committee:

- I. recommend to full Council that Zina Etheridge, Deputy Chief Executive, be appointed Interim Head of Paid Service with effect from 1 March 2017 until a permanent appointment to the Chief Executive post is made and the appointee takes up the post.

- II. Note the deletion of AD Communications post
- III. Note the approach to achieving the remaining saving as set out in Section 6 of the report
- IV. Note that this is a temporary arrangement
- V. Agree to receive a noting report back on finalised structure

4. Reasons for decision

- 4.1 The current Chief Executive of the Council leaves his post on 28 February 2017 and the Council is under a duty to designate one of its officers as Head of Paid Service.
- 4.2 The Council's MTFs proposals include a saving of 400k in 2017/18 and this requires reductions and changes to senior staffing and corporate arrangements.

5. Alternative options considered

N/A

6. Background information

- 6.1 *Appointment of Interim Head of Paid Service*
It is proposed to appoint an interim Head of Paid Service from 1 March 2017 until permanent appointment to the post is made and the successful applicant takes up the position.
- 6.2 Pursuant to Section 4 of the Local Government and Housing Act 1989, the Council is under a duty to designate one of its officers as Head of Paid Service. The Head of Paid Service has a number of duties prescribed by law.
- 6.3 The recommendation to the Committee is that Zina Etheridge, Deputy Chief Executive is recommended to Council for appointment as Interim Head of Paid Service from 1 March 2017 until the permanent appointment to the Chief Executive post takes up the position.
- 6.4 *Senior Management re-organisation*
As part of the development of the MTFs, consideration was given to the costs of the Senior Management and Corporate functions. Pressures on the Council's budget mean that it is important that budgets not part of direct / commissioned service delivery are subject to such scrutiny.
- 6.5 Informal consultation was conducted with the senior leadership team and with Assistant Directors to consider:
 - overlaps between functions,
 - spans of control,

- duplication of effort

This approach was adopted to ensure that any savings identified did not create demands elsewhere in the Council or create gaps in capacity for particular service areas. Having worked hard to develop a culture of partnership and whole council working it also seemed inappropriate to then impose potential reductions on this senior cohort.

6.3 The consultation identified a number of areas for further consideration. These are:

- Communications and its overlap with the policy and corporate support functions.
- Performance.
- Intelligence.

Commonly each of these functions has some capacity at the corporate level but also further capacity in certain services.

6.4 As part of the consultation the AD Communications indicated they wished to leave the authority. This departure represents a significant proportion of the saving if the role and responsibilities are combined into the responsibilities of other AD's. It is therefore proposed that the post of AD Communications be deleted from the structure.

6.5 A number of responses to the consultation noted the potential synergy between the functions of the post of AD Communications and the AD Policy and Business Management and the Head of Paid Service is recommending that such a post be created, resulting in the further deletion of the existing AD Policy and Business Management.

6.6 However given that the Head of Paid Service is shortly to depart the authority, it would seem inappropriate to complete such a reorganisation as a new post holder may wish to function in a different way and should be free to do so.

6.7 To facilitate this, temporary arrangements have been instituted with the existing Communications functions reporting to the AD Policy and Business Management.

6.8 Consultation with Assistant Directors did indicate other areas of broad consensus where there were further opportunities to streamline corporate work. In particular:

- Performance currently sits with Commissioning. As the work of the AD Commissioning grows and the AD Transformation and Resources establishes themselves as leading the corporate support function of the authority it seems rational to transfer this function to their line management.

- Business intelligence currently lacks a clear single corporate location and the AD consultation indicated support to begin a process of locating these functions under single management, most likely the AD Transformation and Resources.

6.9 Allowing for the new Chief Executive to take up post does mean that delivery of the remainder of the 400k saving could be at risk. However, there are currently 8 vacancies across the affected areas. A freeze on recruitment will therefore deliver the saving in the short term whilst allowing a new Chief Executive to make appropriate arrangements which suit their approval.

Given the temporary nature of the arrangements the Committee should expect a report back before the end of the first quarter of the new financial year.

7. Contribution to strategic outcomes

N/A

8. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

Finance and Procurement

The proposals within this Report, if implemented, indicate a revenue budget saving of £400k. This saving was included in the Priority X proposals as presented to Cabinet in December 2016 and which has been subject to public consultation and review by the Council's Overview and Scrutiny Committee.

If this proposal is not implemented then an alternative saving would be required in order to set a balanced budget in the Council's Medium Term Financial Strategy.

Legal

The Assistant Director, Corporate Governance has been consulted in the drafting of this report and has no comments.

Equality

No Equality impact.

9. Use of Appendices

10. Local Government (Access to Information) Act 1985

Report for: Staffing and Remuneration Committee

Item number: 9

Title: Senior Manager Pay Review – April 2017

Report

authorised by : Nick Walkley - Chief Executive and Head of Paid Service

Lead Officer: Ian Morgan – Reward Strategy Manager

Ward(s) affected: All

Report for Key/

Non Key Decision: n/a

1. Describe the issue under consideration

- 1.1 At the Committee's meeting on the 16th December 2014 it agreed to note the vision, objectives and benefits of the Modern Reward Strategy project. That project included and the Committee agreed to a review of Chief Officer and Senior Managers pay and grading arrangements by 1st April 2015, within a framework that would cover all staff employed by the Council (but excluding Teachers and those on Soulbury terms and conditions).
- 1.2 On the 14th December 2015 the Committee agreed to the adoption of a new Senior Managers Pay and Grading Structure, as part of the implementation of the Modern Reward Strategy programme, with effect from 1st April 2016.
- 1.3 The Committee also agreed at its meeting on 26th January 2016 the parameters for the conduct of the Senior Manager's Pay Review in 2016. These are set out in Appendix A.
- 1.4 The purpose of this report is to provide the Committee with recommendations for the conduct of the Senior Managers' Pay Review for 2017.

2. Cabinet Member Introduction

Not required for the Staffing and Remuneration Committee.

3. Recommendations

- 3.1. Approve the parameters for the conduct of the Senior Manager Pay Review for 2017 as set out in this report.

4. Reason for decision

- 4.1. The Modern Reward Strategy has given the Council greater democratic control over the Senior Managers' Pay and Grading arrangements by breaking with the national pay bargaining and outcomes from the Joint Negotiating Committee for Chief Officers of Local Authorities (JNC).
- 4.2. The Committee agreed, at its meeting on 14th September 2015, to review the parameters of the conduct of the Senior Managers' Pay Review each year and

delegate responsibility for managing the annual review, including addressing any anomalies such as recruitment and retention supplements, to the Head of Paid Service.

5. **Alternative options considered**

This is a report back item.

6. **Background information**

6.1. Overall Reward Principles – On 14th September 2015 the Staffing & Remuneration Committee agreed to the adoption of a number of overarching principles regarding our pay policy and practices. These were:

- We will aim for consistency and fairness in the processes we use to manage reward.
- We will ensure that our reward processes and policies are transparent and accessible to all employees.
- We will be mindful of the external market in making decisions about pay and benefits.
- We will be clear about how we recognise and reward performance, whether at organisation, team or individual level.
- We will retain a core set of benefits for all employees.

6.2. Senior Management Reward Principles – In addition there were a number of principles that applied to the senior management population regarding the determination of base pay including pay on appointment; and the conduct and timing of pay reviews. These were:

6.2.1 Base pay will be determined by:

- The role and where it sits in the organisation. All senior management roles will be evaluated using the Hay Group Guide Chart methodology.
- Reference to the external market, through regular participation in relevant pay surveys.
- Individual factors, including capability in the role demonstrated through growth in skills or role.
- Relevant internal pay comparisons.
- Pay bands for senior management will consist of open ranges without incremental points.

6.2.2 Base pay for the senior management population will be reviewed, but not necessarily increased, annually. The amount available for the pay review process is also impacted by what Haringey can afford. The budget for senior management pay reviews will be set by the Staffing & Remuneration Committee based on the recommendations of the Senior Leadership Team (SLT), Finance and Human Resources. Progression through the pay band will not be automatic and will be determined by recommendations from the SLT.

6.2.3 Hiring managers will be provided with relevant pay data by Human Resources prior to any appointment. This will assist in forming a view about the pay range within which Haringey is prepared to appoint. Account will be taken of any internal pay relationships, with respect to staff doing the same or similar roles.

- 6.2.4 The main pay review for senior management will normally be in April each year, however, provision will be made for a supplementary review in October to review, but not necessarily increase, the pay of individuals who for one reason or another were not eligible for a pay review in April. Such awards will not be backdated.
- 6.3. Conduct of the Senior Manager Pay Review April 2017
- 6.3.1 One of the central principles of the new Senior Managers' Pay and Grading arrangements introduced in 2016 was the concept that an individual's salary would be reviewed, but not necessarily increased each year; and any pay award would be linked to the individual's contribution. This principle was embodied in the new senior management contracts of employment which in accordance with the Committee's decision on 26th January 2016 were issued to all senior managers (including the Chief Executive) to take effect from 1st April 2016.
- 6.3.2 To be eligible for the 2017 pay review individuals must have been employed on or before 1st October 2016, have successfully passed their probationary period, and hold a senior management position, as described below, on 1st April 2017. Senior managers employed after 1st October 2016 will be eligible for the supplementary review planned for 1st October 2017.
- 6.3.3 The eligible senior management positions are defined as the Strategic Leadership Team (SLT), Directors and Assistant Directors; and Heads of Service reporting directly to a Director, Assistant Director or a member of the SLT. A summary of senior management positions, together with their associated pay bands, is set out in Appendix B.
- 6.3.4 Individuals on NHS or Soulbury terms and conditions are excluded from the senior managers' pay review as they have their own arrangements.
- 6.3.5 There are a number of positions known as Senior Professional III that fall out of the eligible senior management positions as defined in 6.3.3. These positions are not included in the table in Appendix B but are considered part of the wider senior management population and therefore, are subject to the same terms & conditions, pay and grading arrangements and pay reviews as eligible positions.
- 6.3.6 There are also a number of other senior positions that are on the Haringey payroll but are not part of our establishment and whose costs are met by consortia of local authorities. They are not included in the table in Appendix B but are included in the senior managers' pay review as their contract of employment is with Haringey Council.
- 6.3.7 The senior manager population have been using the My Conversation on line tool to assess both their performance outcomes and values and behaviours. This will be used as evidence of an individual's contribution to the Council and the results will populate the pay decision matrix. The proposed matrix is set out in Appendix C.
- 6.3.8 The pay bands for senior managers were devised in 2015 and were not changed for the 2016 pay review. We are recommending that the senior manager pay bands be revised for 2017 by lifting the minimum and maximum of the pay bands by 1% and recalibrating the benchmark as the midpoint of each band. This will help protect the headroom established by the Modern Reward Strategy between the senior manager population and the rest of the workforce and act as a buffer against the effects of

compression on the national framework. The revised pay bands are set out in Appendix D.

- 6.3.9 Pay awards will be calculated as a percentage of the benchmark position for each role. By using this approach the pay award amount will be the same for everyone in the pay band, although the percentage increase will be greater for someone near the minimum of the pay band and smaller for someone near the maximum of the pay band.
- 6.3.10 The pay award budget for the senior management population should be constructed in a similar way to the rest of the workforce, taking into account cost of living increases as well as incremental progression. The rest of the workforce are in year one of a two year pay agreement (2016-18) of the National Joint Council for Local Government Services (NJC), which will represent a 1% cost of living increase in each year in addition to the contractual entitlement to an incremental increase for those who are not at the top of their scale. We estimate that contractual increments will increase costs by approximately 0.9% with an additional 0.1% needed to cover our living wage commitments. We are therefore recommending a budget based on 2% of the aggregated benchmarks of the senior manager pay bands as set out in Appendix D.

7. Contribution to strategic outcomes

The Modern Reward Strategy and its implementation gives the Council the opportunity to reinforce to the Senior Management population the importance of achieving the cultural changes set out in the Workforce Plan.

8. Statutory Officers' comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities

Assistant Director of Corporate Governance Comments

- 8.1. There appear to be no legal implications arising from this report.

Chief Finance Officer Comments

- 8.2. The proposals within this report are based on a total increase to Senior Managers not exceeding a total pay award increase of £137,409. The proposal is that the 1% cost of living increase will be applied to all Senior Manager's pay and then any residual element of the £137k will be distributed proportionately but in accordance with the pay matrix.
- 8.3. Within the Council's overall Medium Term Financial Strategy an allowance has been made for all staff, including Senior Managers, for the 1% cost of living allowance. No allowance has been made for any additional increase to Senior Managers.

Equalities Comments

- 8.4. The Council has a public sector equality duty under the Equality Act 2010 to have due regard to the need to:

- 8.4.1. Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act;
- 8.4.2. Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it;
- 8.4.3. Foster good relations between people who share a relevant protected characteristic and people who do not share it;
- 8.4.4. A “relevant protected characteristic” is age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation.
- 8.4.5. An equalities impact assessment has been completed as shown in Appendix E. In summary there is evidence to suggest that some people that share protected characteristics are more likely to be affected by the proposed Senior Managers’ pay review, for example employees who are men, white, heterosexual and aged 45-54 as these equality strands are overrepresented in the senior manager population when compared to the Council’s workforce as a whole.

9. Use of Appendices

- 9.1. The appendices to this paper are as listed below.

Appendix A – Conduct of the Senior Managers’ Pay Review in April 2016

Appendix B – Summary of Senior Management Positions

Appendix C – Pay Decision Matrix

Appendix D – Revised Pay Bands

Appendix E – Equalities Impact Assessment

10. Local Government (Access to Information) Act 1985

Not applicable.

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Conduct of the Senior Managers' Pay Review for 2016

Overview

One of the key principles of the new Senior Managers' Pay and Grading arrangements was the concept that an individual's salary would be reviewed, but not necessarily increased each year; and any pay award would be linked to the individual's contribution.

This principle has been embodied in the new senior management contracts of employment that will be effective from 1st April 2016.

Having severed the link with the outcomes of the Joint Negotiating Committee for Chief Officers of Local Authorities (JNC) we need an arrangement for the pay review in April 2016 that will transition the Council to the new arrangements for senior managers.

We have set out below the main parameters for the conduct of the pay review for 2016.

Eligibility

To be eligible for the 2016 pay review individuals must have been employed on or before 1st October 2015 and have successfully passed their probationary period, and hold a senior management position as set out below on 1st April 2016.

Senior managers employed after 1st October 2015 will be eligible for the supplementary review planned for 1st October 2016.

Population

The eligible senior management positions are defined as the Strategic Leadership Team (SLT), Directors and Assistant Directors; and Heads of Service reporting directly to a Director, Assistant Director or a member of the SLT.

Senior Management Roles			
	Grade	Number	Total
Strategic Leadership Team (SLT)	A2	1	4
	A1	3	
Directors / Assistant Directors	B2	7	22
	B1	15	
Heads of Service / Senior Professional III	C3	14	63
	C2	22	
	C1	27	
Total			89

Exclusions

Individuals on NHS or Soulbury terms and conditions are excluded from the senior managers' pay review as they have their own arrangements.

Other Roles

There are a number of roles that are on the Haringey payroll but not part of our establishment and whose costs are met by consortia of local authorities. They are not included in the table above but are included in the senior managers' pay review as their contract of employment is with Haringey Council.

Budget

The Council has budgeted for a 1% increase in pay for the year 2016/17.

We have taken into account the following factors when reaching our recommendation for the budget spend for the Senior Managers' pay review:

- The concept of contribution based pay had not been adopted when most senior managers were set their objectives for the performance year 2015/16.
- The impact of the Tier 3 Review; and the appointment or confirmation in post for the majority of senior managers will be complete by the end of March 2016.
- We have addressed the most obvious anomalies as part of the implementation of the new senior managers' pay and grading arrangements.
- The National Joint Council for Local Government Services (NJC) offer is likely to be a 1% pay increase for everyone with the exception of the lowest grades who are impacted by the new UK Living Wage legislation.

We therefore recommend a flat 1% increase on pay rates for the senior management population without differentiation on levels of contribution.

Pay Decision Matrix

The senior manager population will be using the My Conversation on line tool to gather evidence of their contribution to the Council and populate the map which assesses both their performance outcomes and values and behaviours. How the senior management population are using My Conversation will be tracked throughout the 2016/17 performance year and the results will be used to populate the pay decision matrix for April 2017.

In the meantime a flat increase, based on 1% of the benchmarks of the pay bands, will be used as the basis for budget to be used for the April 2016 exercise.

Pay Awards

Pay awards will be calculated as a percentage of the benchmark position for each role. By using this approach the pay award amount will be the same for everyone in the pay band, although the percentage increase will be greater for someone near the minimum of the pay band and smaller for someone near the maximum of the pay band.

Example				
Pay Band	Minimum	Benchmark	Maximum	Pay Award
Level C Step 1	£58,600	£63,300	£68,000	1% £633
	Current Salary	Increase (£)	New Salary	Increase (%)
Employee A	£59,000	£633	£59,633	1.07%
Employee B	£67,000	£633	£67,633	0.94%

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Senior Management Roles			
Group	Grade	Number	Total
Strategic Leadership Team (SLT)	A2	1	4
	A1	3	
Directors / Assistant Directors	B2	6	17
	B1	11	
Heads of Service	C3	12	57
	C2	22	
	C1	23	
Total			78

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Haringey - Modern Reward Strategy

Pay Decision Matrix

Pay Award

↑ Performance (results)	2.0%	2.5%	3.0%	An individual's pay award is based on where they have been placed in the nine box grid.
	1.5%	2.0%	2.5%	The value of the pay award is calculated using the benchmark figure of the individual's pay range.
	1.0%	1.5%	2.0%	Individuals at the top of their pay range may be granted a non consolidated award of a similar value.
Behaviours →				

Spend

£5,580	£6,975	£6,278	Total Population = 92
£4,185	£97,651	£6,975	Total Pay Benchmark £6,975,100
£0	£4,185	£5,580	Total Pay Award £137,409 or 1.97%

Distribution

↑ Performance (results)	4.0%	4.0%	3.0%	70% of the population fall within one standard deviation from the mean.
	4.0%	70.0%	4.0%	24% of the population fall within two standard deviations from the mean.
	3.0%	4.0%	4.0%	6% of the population fall outside two standard deviations from the mean.
Behaviours →				

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Haringey - Modern Reward Strategy

Revised Pay Bands - Effective from April 2017

Job Level	People Leader	Individual Contributor	Pay Bands			
			Minimum	Intermediate (Benchmark)	Maximum	
Level A	Senior Leadership Team		Step 2	£175,400	£189,700	£203,900
			Step 1	£137,600	£148,700	£159,800
Level B	Director / Assistant Director		Step 2	£112,100	£121,200	£130,300
			Step 1	£95,700	£103,500	£111,300
Level C	Head of Service	Senior Professional III	Step 3	£81,600	£88,200	£94,700
			Step 2	£69,300	£74,900	£80,600
			Step 1	£59,200	£63,900	£68,700
Level D	Department Manager	Senior Professional II	Step 2	£50,500	£54,500	£58,600
			Step 1	£43,000	£46,500	£49,900
Level E	Senior Team Leader	Senior Professional I	Out of Scope			
Level F	Team Leader	Professional & Technical II	Out of Scope			
Level G		Professional & Technical I	Out of Scope			
Level H		Vocational & Administrative	Out of Scope			

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Equality Impact Assessment

Name of Project	Senior Managers Pay Review	Cabinet meeting date <i>If applicable</i>	
Service area responsible	Chief Operating Officer		
Name of completing officer	Yiota Nicola/Christiana Kyriacou	Date EqIA created	10/01/2017
Approved by Director / Assistant Director	Richard Grice	Date of approval	

The Equality Act 2010 places a ‘**General Duty**’ on all public bodies to have ‘**due regard**’ to:

- **Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act**
- **Advancing equality of opportunity between those with relevant ‘protected characteristics and those without them**
- **Fostering good relations between those with relevant ‘protected characteristics’ and those without them.**

In addition the Council complies with the Marriage (same sex couples) Act 2013.

Haringey Council also has a ‘**Specific Duty**’ to publish information about people affected by our policies and practices.

All assessments must be published on the Haringey equalities web pages. All Cabinet papers MUST include a link to the web page where this assessment will be published.

This Equality Impact Assessment provides evidence for meeting the Council’s commitment to equality and the responsibilities outlined above, for more information about the Council’s commitment to equality; please visit the Council’s website.

Stage 1 – Names of those involved in preparing the EqIA	
1. Project Lead: Ian Morgan	5.
2. Equalities / HR: Yiota Nicola/Christiana Kyriacou	6.
3. Legal Adviser (where necessary): Edmund Jankowski	7.
4.	8.

Stage 2 - Description of proposal including the relevance of the proposal to the general equality duties and protected groups. Also carry out your preliminary screening (Use the questions in the Step by Step Guide (The screening process) and document your reasoning for deciding whether or not a full EqIA is required. If a full EqIA is required move on to Stage 3.

The aim of the Modern Reward Strategy is to have a modern, sustainable, fair and transparent pay and grading structure, aligned to equalities and business goals, which rewards people fairly for their contribution to the Council.

The Modern Reward Strategy Project Main Objectives and Outcomes are:

- A review of the Council's pay and grading structure with the objective of implementing a single pay and grading structure using one job evaluation scheme.
- A review of all the Council's terms and conditions including allowances for all employees (except Teachers and employees on Soulbury terms and conditions).
- A review of Chief Officer and Senior Managers pay and grading arrangements.
- The development and implementation of job families and generic role profiles.
- Implementation of Senior Managers' Pay & Grading Arrangements.
- Conduct of the Senior Managers' Pay Review for 2016.
- New Senior Manager Contract.

A savings target was not attached to this project.

Phase 1 of the Modern Reward Strategy Project was to review Chief Officers and Senior Managers pay and grading arrangements – this was completed and new pay and grading arrangements for Senior Managers were implemented in April 2016. This consisted of all Senior Managers being transitioned on to a new pay and grading structure, being issued with a new senior manager contract and establishing a set of reward principles for this group.

One of the key reward principles of the new Senior Managers' Pay and Grading arrangements was the concept that an individual's salary would be reviewed, but not necessarily increased each year; and any pay award would be linked to the individual's contribution. This principle was also embodied in the new senior manager contract. Therefore, as a result of this a pay review is due for April 2017.

As the Senior Manager Pay Review affects current Senior Managers across all protected characteristics it is necessary to conduct an EqIA. This will allow the Council to consider the impact of the pay review and address any unintended consequences that could impact on equality and risk the Council failing to meet its statutory equality duties. The assessment will allow the Council to reduce where possible any adverse impact identified and ensure that alternatives can be considered.

Stage 3 – Scoping Exercise - Employee data used in this Equality Impact Assessment
Identify the main sources of the evidence, both quantitative and qualitative, that supports your analysis. This could include for example, data on the Council’s workforce, equalities profile of service users, recent surveys, research, results of recent relevant consultations, Haringey Borough Profile, Haringey Joint Strategic Needs Assessment and any other sources of relevant information, local, regional or national.

Data Source (include link where published)	What does this data include?
EqIA Workforce Profile - December 2016	Age, gender, ethnicity, disability information – for the Council and the Borough
External benchmarking of National Joint Council for Local Government Services (NJC) Pay Awards.	The detail of pay awards for local government officers on NJC terms and conditions who make up the majority of the workforce in the Council.

Stage 4 – Scoping Exercise - Service data used in this Equality Impact Assessment
This section to be completed where there is a change to the service provided

Data Source (include link where published)	What does this data include?
Employee data of affected staff drawn from SAP HR System	Data includes information on protected characteristics of affected employees including age, gender, disability, faith, sexual orientation and race.

Stage 5a – Considering the above information, what impact will this proposal have on the following groups in terms of impact on residents and service delivery:

Positive and negative impacts identified will need to form part of your action plan.

	Positive	Negative	Details	None - why?
Sex	The Senior Managers Pay review will recognise contribution and reinforce the behaviours that are required to build an agile and flexible senior management workforce.			
Gender Reassignment	As above			
Age	As above			
Disability	As above			
Race & Ethnicity	As above			
Sexual Orientation	As above			
Religion or Belief (or No Belief)	As above			
Pregnancy & Maternity	As above			
Marriage and Civil Partnership (note this only applies in relation to eliminating unlawful discrimination (limb 1))	As above			

Stage 5b – For your employees and considering the above information, what impact will this proposal have on the following groups: Positive and negative impacts identified will need to form part of your action plan.

	Positive	Negative	Details	None – why?																
<p>Sex</p> <p>The gender breakdown of employees affected by the review shows that men are overrepresented in this group when compared to the Council profile. The Council profile does not include Council employees based in schools .</p> <table border="1"> <thead> <tr> <th>Gender</th> <th>No.</th> <th>% affected by review</th> <th>% Council Wide</th> </tr> </thead> <tbody> <tr> <td>Female</td> <td>49</td> <td>53</td> <td>66</td> </tr> <tr> <td>Male</td> <td>44</td> <td>47</td> <td>34</td> </tr> <tr> <td>Total</td> <td>93</td> <td>100</td> <td>100</td> </tr> </tbody> </table> <p>Table 1: Gender analysis of employees affected by review</p>	Gender	No.	% affected by review	% Council Wide	Female	49	53	66	Male	44	47	34	Total	93	100	100			See text on the left	<input type="checkbox"/>
Gender	No.	% affected by review	% Council Wide																	
Female	49	53	66																	
Male	44	47	34																	
Total	93	100	100																	
<p>Gender Reassignment</p> <p>The Council currently does not hold sufficient information on Gender Reassignment. There is no evidence to suggest that the proposal would have a negative effect on this group, as it has been designed to treat all groups consistently and there is no evidence this group are overrepresented in the affected group, comparing it with the Council workforce as a whole.</p>			See text on the left	<input type="checkbox"/>																
<p>Age</p> <p>The age group analysis of those affected by the review shows employees aged 45 to 54 (53%) are overrepresented in this group when compared to the Council profile.</p> <table border="1"> <thead> <tr> <th>Age Band</th> <th>% affected by review</th> <th>% Council Wide</th> </tr> </thead> <tbody> <tr> <td>16 to 24</td> <td>0</td> <td>1</td> </tr> <tr> <td>25 to 34</td> <td>1</td> <td>14</td> </tr> </tbody> </table>	Age Band	% affected by review	% Council Wide	16 to 24	0	1	25 to 34	1	14			See text on the left	<input type="checkbox"/>							
Age Band	% affected by review	% Council Wide																		
16 to 24	0	1																		
25 to 34	1	14																		

35 to 44	25	24
45 to 54	53	35
55 to 64	22	23
65 and over	0	2

Table 2: Age analysis of employees affected by review

Disability

The disability analysis of those affected by the review shows that 1% have a disability.

However, It should be noted that 22% in this population have not declared their disability status, therefore there may be other employees who have a disability but prefer not to say.

% Disabled	% Not Disabled	% Not Declared	% Disabled Council Wide
1	77	22	9

Table 3: Disabled analysis of employees affected by review

See text on the left

Race & Ethnicity

The ethnicity analysis of those affected by the implementation shows employees in the White group (67%) are overrepresented when comparing against the Council profile.

Ethnic Group	% affected by review	% Council Wide
BAME	20	50
White Other	5	16
White	67	30
Not Declared	8	3

Table 4: Race analysis of employees affected by review

See text on the left



Sexual Orientation

The sexual orientation analysis of those affected by the review shows that employees in the Heterosexual group (42%) are overrepresented compared to the Council profile of 28%. However it should be noted that 55% of those affected by the review, and 70.5% of the Council profile, have not declared their sexual orientation, so that this analysis needs to be treated with caution.

Sexual Orientation	% affected by review	% Council Wide
Not Recorded	46	61.2
Bi-Sexual	0	0.6
Gay Man	2	0.7
Heterosexual	42	27.8
Lesbian	1	0.6
Prefer not to say	9	9.3

Table 5: Sexual Orientation analysis of employees affected by review

See text on the left



Religion or Belief (or No Belief)

The Religion/Belief analysis of those employees affected by the review shows an overrepresentation in the 'none' group (24%) when compared to the Council's profile of 9%.

However it should be noted that 54% of the affected population have chosen not to record their religion/belief therefore within this percentage there may be employees that fall within the other groups. Further 68.7% of the Council profile have chosen not to record their religion/belief.

Religion/Belief	% affected by review	% Council Wide
Not Recorded	46	61.1
Christian	20	17.1
Hindu	0	0.7

See text on the left



Jewish	1	0.4				
Muslim	0	2.8				
None	24	9.0				
Other	1	1.2				
Prefer not to say	8	7.6				

Table 6: Religion/ Belief analysis of employees affected by review

<p>Pregnancy & Maternity</p> <p>1% of those affected by the review are on maternity leave compared to 1% Council wide.</p>			See text on the left	□
<p>Marriage and Civil Partnership (note this only applies in relation to eliminating unlawful discrimination (limb 1))</p> <p>11% of those employees affected by the review have indicated they are married compared to 8% of the Council profile.</p> <p>It should be noted 73% of employees affected by the review have not indicated their marital status which is identical to the percentage of the Council profile who have not indicated their marital status .</p>			See text on the left	□

Stage 6 - Initial Impact analysis	Actions to mitigate, advance equality or fill gaps in information
<p>This analysis assesses the potential impact of the review on the affected population. The Reward team have kept SLT fully informed of progress and highlighted any issues to their attention through regular communication.</p> <p>The analysis of current post holders have been drawn from records held on SAP. It should be noted however, as this Equality Impact Assessment (EqIA) is a public document, there are no details disclosed that could reveal an employee's identity.</p> <p>In summary there is evidence to suggest that some people that share protected characteristics are more likely to be affected by the review, for example employees who are men, white, heterosexual and aged 45-54 as these equality strands are overrepresented in the senior manager population when compared to the Council's workforce as a whole (outside schools).</p> <p>However, overall there is no evidence to suggest that any group will be disadvantaged by the review,as it is recommended that the pay award budget for the senior management population should be constructed in a similar way to the rest of the workforce, taking into account cost of living increases as well as incremental progression. Therefore, this approach is not less advantageous to the affected population than the pay awards that applied to the rest of the Council's workforce on NJC terms and conditions.</p>	<p>There is a gap in the religion/belief , marital status sexual orientation information of the affected employees as well as Council wide. The analysis identified that 54% of the employees affected by the review have not declared a particular religion/belief , 55% of the employees affected by the review have not declared a particular sexual orientation and 73% of the employees affected by the review have not indicated their marital status. Further 22% of the affected employees have not declared their disability status.</p> <p>It is intended that we will seek to address the gaps by running a Council wide exercise. This exercise requires sufficient resources to administer and therefore, must t be thought through accordingly.</p> <p>In the new senior manager contract it was made clear that senior managers pay will reviewed but not necessarily increased and based on this principle all staff in this population are being treated consistently.</p> <p>The recommendation to apply a pay award for senior managers which is similar to the agreed national pay award for the rest of the workforce on NJC terms and conditions enables the Council to take a consistent approach to pay increases for both populations.</p>

Stage 7 - Consultation and follow up data from actions set above	
Data Source (include link where published)	What does this data include?
Senior Leadership Team (SLT)	Regular communication with SLT to provide updates.

Stage 8 - Final impact analysis
A final impact analysis will be undertaken after the review.

Stage 9 - Equality Impact Assessment Review Log

Review approved by Director / Assistant Director

Date of review

Review approved by Director / Assistant Director

Date of review

Stage 10 – Publication

Ensure the completed EqIA is published in accordance with the Council's policy.

Report for: Staffing and Remuneration Committee

Item number: 10

Title: Reimbursement of Business Mileage

Report authorised by : Richard Grice – Assistant Director, Transformation and Resources

Lead Officer: Ian Morgan – Reward Strategy Manager

Ward(s) affected: All

**Report for Key/
Non Key Decision:** n/a

1. Describe the issue under consideration

- 1.1 One of the aims of the Modern Reward Strategy was to review all allowances paid to Council staff including the reimbursement of out of pocket expenses while on Council business.
- 1.2 The Council currently operates four different schemes to reimburse expenses incurred for car business mileage. Both a casual and essential user scheme for employees who started on or after the 13th July 1993; and a historic scheme for employees who started before that date. See Appendix A for full details of Haringey Car Mileage Rates. The historic casual and essential user schemes are in accordance with the national collective agreement between local government employers and the trade unions, called “ the Green Book”. This agreement has been reached by the National Joint Council for Local Government Services (“NJC”). The casual and essential user schemes for employees who started on or after 13th July 1993 are a modified version of the NJC Schemes, in that unlike the latter schemes the allowances under the former schemes for vehicles with engines sized 1000 to 1199cc and 1200 to 1450 cc are the same.
- 1.3 In summary, the essential user scheme consists of an annual lump sum payment and mileage claimed is paid at a rate according to miles undertaken and car engine size. The casual user scheme is similar to the essential user scheme but a lump sum is not paid and mileage claimed is paid at a higher rate.
- 1.4 As part of the Modern Reward Strategy initiative we intend to replace these schemes with a single scheme which will only be paid for on a claims basis, and under which motorcycle, van and bicycle mileage will also be paid for. The use of the car/van/motorcycle/ bicycle on Council business will have to have been given prior authorisation by the Council, and the Council will need to be satisfied that the particular mileage claimed for took place on Council business.
- 1.5 Concurrently with this change we aim to change the method of calculating reimbursement from the current National Joint Council (NJC) rates to the rates authorised by Her Majesty’s Revenue and Customs (HMRC). These rates are set out in Appendix B.
- 1.6 This will result in the Council establishing one car/van /motorcycle/bicycle user scheme for all staff.

2. Cabinet Member Introduction

Not required for the Staffing and Remuneration Committee.

3. Recommendations

- 3.1. Officers are authorised to consult with Council staff and their representatives on the replacement of the current and historic arrangements of a lump sum and mileage rates based on NJC rates, with HMRC authorised mileage rates, as set out in Appendix B.
- 3.2. Officers to bring to the Committee for approval a further report setting out the outcome of the consultation and final proposals for the payment of car/van/ /motorcycle/bicycle allowances to Council employees.

4. Reason for decision

- 4.1. Linking the amounts that the Council will pay staff who carry out business travel using private transport, i.e. cars, vans, motorcycles or cycles, to the HMRC authorised rates has three major advantages:
 - 4.2. The payment can be made tax-free thereby avoiding unnecessary liability for either income tax or National Insurance contributions for the Council and its, employees.
 - 4.3. We estimate that by paying mileage rates on a claims only basis will save the Council upward of £200,000 each year, even given a margin for under reporting. An analysis of potential savings is shown in Appendix D.
 - 4.4. This approach will harmonise car mileage rates for all staff.

5. Alternative options considered

This is part of the Modern Reward Strategy programme of reviewing, discontinuing or consolidating allowances and ensuring allowances continue to be fair, transparent and consistent and remain fit for purpose

6. Background information

- 6.1. Reimbursement of out of pocket expenses incurred on Council business
 - 6.1.1 The Council reimburse employees through the payroll for essential expenses properly incurred whilst on Council business.
 - 6.1.2 HMRC govern the scope of what an employee may claim as a legitimate business expense and in some instances impose limits on the financial amount that can be claimed tax free.
 - 6.1.3 No payments are made in respect of travel between an employee's home and their normal place of work.
- 6.2. Business mileage rates
 - 6.2.1 Traditionally the reimbursement rates for business mileage are calculated by reference to both standing charges and running costs. The standing charge takes into account those items that are not directly related to mileage such as depreciation, insurance and roadside assistance. The running costs take into account those items that are linked to mileage such as fuel, tyres repairs and servicing. The proportion of motoring costs attributable to each element changes in relation to the annual mileage undertaken until the proportion attributable to standing charges is negligible. Under the National Joint Council (NJC) rates this cut off point is at 8,500 miles per annum, whereas the HMRC

calculations assume that the cut off point isn't reached until 10,000 miles per annum. The differences can be seen in Appendix A (Haringey Car Mileage Rates) and Appendix B (HMRC Car Mileage Rates).

6.3. Essential Car Users Allowance

Currently essential car users are paid an up front payment on the assumption that they will complete at least 8,500 miles a year and as a consequence receive an allowance based on engine capacity but claim a reduced rate per mile.

6.4. Please note we are not proposing to change the definition of an essential car user merely the way that their reimbursement for business mileage is calculated and paid.

6.5. There is no common approach for business mileage rates amongst other London Boroughs although there are a number of local arrangements in place. Further detail can be found in Appendix C.

7. Contribution to strategic outcomes

The aim of the Modern Reward Strategy in reviewing, discontinuing or consolidating allowances is to reduce the level of administration needed by ensuring that the management of supplementary payments is clear, transparent and consistent; reducing the time spent on resolving queries and on ensuring the correct amount of such allowances is paid.

8. Statutory Officers' comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

Assistant Director of Corporate Governance Comments

8.1. The Assistant Director of Corporate Governance has been consulted on the content of this report and comments as follows:

8.2. S112 of the Local Government Act 1972 provides that the Council may appoint staff on such reasonable terms and conditions of employment as the Council might determine. Payment of HMRC authorised mileage rates on a claims basis is a reasonable course of action with benefits to both the Council and staff overall, although some staff may inevitably face a reduction in benefits as a result of the harmonisation of rates.

8.3. It may well be that the current schemes to reimburse expenses incurred for car business mileage are terms of the contracts of employment of employees covered by those schemes. The proposals to pay HMRC authorised mileage rates on a claims basis, if eventually agreed by the Committee, may involve the Council seeking changes to the contracts of employment of these employees.

8.4. Such variations made by way of agreement with the trade unions recognised by the Council will be binding on individual employees, if either these employees' contracts of employment contain a specific term binding the employee by the outcome of local collective agreements with the trade unions or if as a result of past custom and practice it can be said that it is an implied term of these contracts that local collective agreements bind the employee. Such variations agreed with the individual employees will also be binding on them. In the absence of such agreement with the trade unions or with the individual employees, then in order to ensure that such variations had legal effect, it would be necessary to terminate these employees' contracts of employment and to offer them new contracts containing the new terms concerning the payment of business mileage.

- 8.5. The equalities impact statement indicates variations in some equality strands and the harmonisation of allowances will reduce the risk of equal pay and discrimination claims succeeding against the Council.

Chief Finance Officer Comments

- 8.6. This proposal was not included as a savings proposal in the Council's Medium Term Financial Strategy (MTFS) as reported to Cabinet in December 2016 and would therefore represent an additional saving to the Council. Additional savings will be required over the Council's 5-year MTFS.
- 8.7. The calculations to support the proposal have not been independently validated by Finance but further due diligence will be undertaken.

Equalities Comments

- 8.8. The Council has a public sector equality duty under the Equality Act 2010 to have due regard to the need to:
- 8.8.1. Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act;
 - 8.8.2. Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it;
 - 8.8.3. Foster good relations between people who share a relevant protected characteristic and people who do not share it;
 - 8.8.4. A "relevant protected characteristic" is age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation.
 - 8.8.5. An equalities impact assessment has been completed as shown in Appendix E. In summary there is evidence to suggest that some people that share protected characteristics are more likely to be affected by the proposal to adopt HMRC rates for business mileage, for example employees aged 55+ who are overrepresented amongst essential car users when that group is compared with the Council workforce as a whole. Women and BAME employees are overrepresented amongst casual car users when that group is compared with the Council workforce as a whole.

9. Use of Appendices

- 9.1. The appendices to this paper are as listed below.

Appendix A – Schedule of Haringey Business Mileage

Appendix B – Schedule of HMRC Rates

Appendix C – Summary of Rates used by London Boroughs

Appendix D – Analysis of Potential Savings

Appendix E – Equalities Impact Assessment

10. Local Government (Access to Information) Act 1985

Not applicable.

Car Mileage Rates

Haringey Council – Car Mileage Rates

New Users (on or after 13th July 1993) – Rates last reviewed April 2010

User Classification	Engine Size	
Essential User	Between 451cc and 999cc	1,000cc and above
Lump Sum	£846	£963
Per mile first 8,500 miles	36.9p	40.9p
Per mile after 8,500 miles	13.7p	14.4p
Casual User	Between 451cc and 999cc	1,000cc and above
Per mile first 8,500 miles	46.9p	52.2p
Per mile after 8,500 miles	13.7p	14.4p

Table 1: Car allowance rates as set by the National Joint Council for Local Government Services (NJC) and engine size bandings agreed locally.

Protected Users (prior to 13th July 1993) – Rates last reviewed April 2010

User Classification	Engine Size		
Essential User	Between 451cc and 999cc	Between 1,000cc and 1,199cc	1,200cc and above
Lump Sum	£846	£963	£1,239
Per mile first 8,500 miles	36.9p	40.9p	50.5p
Per mile after 8,500 miles	13.7p	14.4p	16.4p
Casual User	Between 451cc and 999cc	Between 1,000cc and 1,199cc	1,200cc and above
Per mile first 8,500 miles	46.9p	52.2p	65.0p
Per mile after 8,500 miles	13.7p	14.4p	16.4p

Table 2: Car allowance rates and engine size bandings as set by the National Joint Council for Local Government Services (NJC).

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Car Mileage Rates

Her Majesty's Revenue and Customs (HMRC) – Car Mileage Rates

Rates per Business Mile

Type of Vehicle	First 10,000 miles	Above 10,000 miles
Cars and Vans	45p	25p
Motorcycles	24p	24p
Bikes	20p	20p

Passenger Payments

If an employee carries another employee in their own car or van on a business journey, HMRC rules allow them to be paid 5p per mile tax-free.

NB: HMRC are silent on whether passenger payments apply to Motorcycles and Bikes.

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Car Mileage Rates

Summary of London Borough Arrangements – Car Mileage Rates

London Boroughs using HMRC rates

Bromley
Harrow
Hounslow
Redbridge
Waltham Forest

London Boroughs using NJC rates

Barking & Dagenham
Bexley
Camden
Croydon
Hackney
Havering
Islington
Kingston
Lambeth
Merton
Newham
Southwark
Tower Hamlets
Wandsworth

London Boroughs using hybrid arrangements

Barnet
Hillingdon
Kensington & Chelsea
Westminster

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Analysis of Car Mileage Claims and Indicative Cost Savings

Current Car Mileage Claims – using NJC rates

2016					
User Type	No. of Users	Cost of Lump Sum	Mileage Claimed	Cost of Mileage	Total Cost
Essential	324	£291,577	193,785	£89,327	£380,904
Casual	93	-	66,135	£34,487	£34,487
Total	417	£291,577	259,920	£123,814	£415,391
2015					
User Type	No. of Users	Cost of Lump Sum	Mileage Claimed	Cost of Mileage	Total Cost
Essential	329	£302,571	214,061	£92,050	£394,621
Casual	86	-	57,770	£30,119	£30,119
Total	415	£302,571	271,831	£122,169	£424,740

Indicative Savings by Adopting HMRC Rates through Claims Only Reimbursement

Year	Cost of Actual Mileage at HMRC Rates	Cost of Estimated Mileage at HMRC Rates*	Cost of Mileage at NJC Rates (set out above)	Projected Cost Savings (difference between NJC and HMRC rates)
2016	£116,964	£186,160	£415,391	£229,231
2015	£122,324	£181,951	£424,740	£242,789

* Assumes a level of under reporting.

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Equality Impact Assessment (EqIA)

Name of Project	Reimbursement of Business Mileage	Cabinet meeting date If applicable	N/A
Service area responsible	Chief Operating Officer		
Name of completing officer	Christiana Kyriacou	Date EqIA created	10/01/2017
Approved by Director / Assistant Director	Richard Grice	Date of approval	

The Equality Act 2010 places a ‘**General Duty**’ on all public bodies to have ‘**due regard**’ to:

- **Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act**
- **Advancing equality of opportunity between those with relevant ‘protected characteristics’ and those without them**
- **Fostering good relations between those with relevant ‘protected characteristics’ and those without them.**

In addition the Council complies with the Marriage (same sex couples) Act 2013.

Haringey Council also has a ‘**Specific Duty**’ to publish information about people affected by our policies and practices.

All assessments must be published on the Haringey equalities web pages. All Cabinet papers MUST include a link to the web page where this assessment will be published.

This Equality Impact Assessment provides evidence for meeting the Council’s commitment to equality and the responsibilities outlined above, for more information about the Council’s commitment to equality; please visit the Council’s website.

1. Project Lead: Ian Morgan	5.
2. Equalities / HR: Christiana Kyriacou	6.
3. Legal Adviser (where necessary): David Hodge/ Edmund Jankowski	7.
4.	8.

Stage 2 - Description of proposal including the relevance of the proposal to the general equality duties and protected groups. Also carry out your preliminary screening (Use the questions in the Step by Step Guide (The screening process) and document your reasoning for deciding whether or not a full EqIA is required. If a full EqIA is required move on to Stage 3.

The aim of the Modern Reward Strategy is to have a modern, sustainable, fair and transparent pay and grading structure, aligned to equalities and business goals, which rewards people fairly for their contribution to the Council.

The Modern Reward Strategy Project Main Objectives and Outcomes are:

- A review of the Council's pay and grading structure with the objective of implementing a single pay and grading structure using one job evaluation scheme.
- A review of all the Council's terms and conditions including allowances for all employees (except Teachers and employees on Soulbury terms and conditions).
- A review of Chief Officer and Senior Managers pay and grading arrangements.
- The development and implementation of job families and generic role profiles.
- Implementation of Senior Managers' Pay & Grading Arrangements.
- Conduct of the Senior Managers' Pay Review for 2016.
- New Senior Manager Contract.

As outlined above one of the aims of the Modern Reward Strategy was to review all allowances paid to Council staff including the reimbursement of out of pocket expenses while on Council business. A review of business mileage has now been undertaken and recommendations to go out for consultation have been put forward.

The Council currently operate four different schemes to reimburse expenses incurred for business mileage. Both a casual and essential user scheme for people who started on or after the 13th July 1993; and a historic scheme for people who started before that date.

In summary, the essential user scheme consists of an annual lump sum payment and mileage claimed is paid at a rate according to miles undertaken and car

engine size. The casual user scheme is similar to the essential user scheme but a lump sum is not paid and mileage claimed is paid at a higher rate.

As part of the Modern Reward Strategy initiative we are recommending to replace these schemes with a single scheme as per Her Majesty’s Revenue and Customs (HMRC) authorised rates, which will only be paid for on a claims basis.

Any changes agreed to business mileage will impact existing essential car user and casual car user claimants as well as the rest of the Council workforce across all protected characteristics, Therefore it is necessary to conduct an EqIA. An EqIA will allow the Council to consider the potential impact of the proposal and identify any unintended consequences that could impact on equality and risk the Council failing to meet its statutory equality duties. The assessment will allow the Council to reduce where possible any adverse impact identified and ensure that alternatives can be considered.

Financial savings:

It is estimated that by paying mileage rates as proposed will save the Council upward of £200,000 each year, even given a margin for underreporting.

Stage 3 – Scoping Exercise - Employee data used in this Equality Impact Assessment
Identify the main sources of the evidence, both quantitative and qualitative, that supports your analysis. This could include for example, data on the Council’s workforce, equalities profile of service users, recent surveys, research, results of recent relevant consultations, Haringey Borough Profile, Haringey Joint Strategic Needs Assessment and any other sources of relevant information, local, regional or national.

Data Source (include link where published)	What does this data include?
EqIA Workforce Profile (December 2016)	Age, gender, ethnicity, disability information – for the Council and the Borough
External benchmarking of other London Boroughs’ approach to car business mileage rates.	Information on car business mileage rates of other London Boroughs including neighbouring boroughs such as Waltham Forrest, Camden, Hackney, Islington and Barnet.

Stage 4 – Scoping Exercise - Service data used in this Equality Impact Assessment

This section to be completed where there is a change to the service provided

Data Source (include link where published)	What does this data include?
Data of affected employees obtained from SAP HR System.	Data includes information on protected characteristics of affected employees including age, gender, disability, faith, sexual orientation and race.

Stage 5a – Considering the above information, what impact will this proposal have on the following groups in terms of impact on residents and service delivery:

Positive and negative impacts identified will need to form part of your action plan.

	Positive	Negative	Details	None – why?
Sex	Establishing one car user scheme will harmonise car mileage rates for all staff and will ensure that mileage rates paid are fair, transparent and consistent for all staff.			
Gender Reassignment	As above.			
Age	As above.			
Disability	As above.			
Race & Ethnicity	As above.			
Sexual Orientation	As above.			
Religion or Belief (or No Belief)	As above.			
Pregnancy & Maternity	As above.			
Marriage and Civil Partnership (note this only applies in relation to eliminating unlawful discrimination (limb 1))	As above.			

Stage 5b – For your employees and considering the above information, what impact will this proposal have on the following groups: Positive and negative impacts identified will need to form part of your action plan.

	Positive	Negative	Details	None – why?																																
<p>Sex</p> <p>The gender breakdown of employees affected by the proposal shows that for the essential car user group the gender breakdown is broadly aligned with the Council profile and for the casual car user group women are overrepresented. The Council profile does not include Council employees based in school.</p> <p>Essential Car Users</p> <table border="1"> <thead> <tr> <th>Gender</th> <th>No.</th> <th>% affected by proposal</th> <th>% Council Wide</th> </tr> </thead> <tbody> <tr> <td>Female</td> <td>206</td> <td>64</td> <td>66</td> </tr> <tr> <td>Male</td> <td>118</td> <td>36</td> <td>34</td> </tr> <tr> <td>Total</td> <td>324</td> <td>100</td> <td>100</td> </tr> </tbody> </table> <p>Table 1a: Gender analysis of employees affected by proposal</p> <p>Casual Car Users</p> <table border="1"> <thead> <tr> <th>Gender</th> <th>No.</th> <th>% affected by proposal</th> <th>% Council Wide</th> </tr> </thead> <tbody> <tr> <td>Female</td> <td>72</td> <td>77</td> <td>66</td> </tr> <tr> <td>Male</td> <td>21</td> <td>23</td> <td>34</td> </tr> <tr> <td>Total</td> <td>93</td> <td>100</td> <td>100</td> </tr> </tbody> </table> <p>Table 1b: Gender analysis of employees affected by proposal</p>	Gender	No.	% affected by proposal	% Council Wide	Female	206	64	66	Male	118	36	34	Total	324	100	100	Gender	No.	% affected by proposal	% Council Wide	Female	72	77	66	Male	21	23	34	Total	93	100	100			See text on the left	<input type="checkbox"/>
Gender	No.	% affected by proposal	% Council Wide																																	
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Male	21	23	34																																	
Total	93	100	100																																	
<p>Gender Reassignment</p> <p>The Council currently does not hold sufficient information on gender reassignment. There is no evidence to suggest that the proposal would have a negative effect on this group, as it has been designed to treat all groups consistently and there is no evidence this group are overrepresented in the affected group, comparing it with the Council workforce as a whole.</p>			See text on the left	<input type="checkbox"/>																																

Age

The age group analysis of those affected by the proposal shows employees aged 55+ (37%) are overrepresented in the essential car user group when compared with the Council profile (25%). The age breakdown of employees in the casual car user group are broadly aligned with the Council profile.

Essential Car Users

Age Band	% affected by proposal	% Council Wide
16 to 24	0	1
25 to 34	7	14
35 to 44	22	24
45 to 54	33	35
55 to 64	33	23
65 and over	4	2

Table 2a: Age analysis of employees affected by proposal

Casual Car Users

Age Band	% affected by proposal	% Council Wide
16 to 24	0	1
25 to 34	16	14
35 to 44	17	24
45 to 54	38	35
55 to 64	26	23
65 and over	3	2

Table 2b: Age analysis of employees affected by proposal

See text on the left

**Disability**

The disability analysis of those affected by the proposal shows that of the essential car user group 10% have a disability which is aligned with the Council profile of

See text on the left

9%. However 34% of employees in the former population have not declared their disability status.

Essential Car Users

% Disabled	% Not Disabled	% Not Declared	% Refused	% Disabled Council Wide
10	56	33	1.0	9

Table 3a: Disabled analysis of employees affected by proposal

Casual Car Users

% Disabled	% Not Disabled	% Not Declared	% Refused	% Disabled Council Wide
6	59	34	0	9

Table 3b: Disabled analysis of employees affected by proposal

Race & Ethnicity

The ethnicity analysis of those affected by the proposal shows the ethnicity breakdown of employees in the essential car user group is broadly aligned with the Council profile ,with a slight overrepresentation in the White group. However, the ethnicity breakdown of employees in the casual car user group shows the BAME group (61%) are overrepresented when compared with the Council profile of 50%.

Essential Car Users

Ethnic Group	% affected by proposal	% Council Wide
BAME	47	50
White Other	18	16
White	34	30
Not Declared	1	3

Table 4a: Race analysis of employees affected by proposal

Casual Car Users



See text on the left



Ethnic Group	% affected by proposal	% Council Wide
BAME	61	50
White Other	13	16
White	24	30
Not Declared	2	3

Table 4b: Race analysis of employees affected by proposal

Sexual Orientation

The sexual orientation analysis of those affected by the proposal does not indicate any overrepresentation in any specific group when compared with the Council profile. However it should be noted that 84% of the essential car user group, 74% of the casual car user group, and 70.5% of the Council profile, have not declared their sexual orientation .

Essential Car Users

Sexual Orientation	% affected by proposal	% Council Wide
Not Recorded	79	61.2
Bi-Sexual	0	0.6
Gay Man	0	0.7
Heterosexual	16	27.8
Lesbian	0	0.6
Prefer not to say	5	9.3

Table 5a: Sexual orientation analysis of employees affected by proposal

Casual Car Users

See text on the left



Sexual Orientation	% affected by proposal	% Council Wide
Not Recorded	68	61.2
Bi-Sexual	1	0.6
Gay Man	0	0.7
Heterosexual	25	27.8
Lesbian	0	0.6
Prefer not to say	6	9.3

Table 5b: Sexual orientation analysis of employees affected by proposal

Religion or Belief (or No Belief)

The Religion/Belief analysis of those affected by the proposal does not indicate any overrepresentation in any specific group when compared with the Council profile. However it should be noted that 83% of the essential car user group, 76% of the casual car user group, and 68.7% of the Council profile, have chosen not to record their religion/belief.

Essential Car Users

Religion/Belief	% affected by proposal	% Council Wide
Not Recorded	79	61.1
Christian	11	17.1
Hindu	1	0.7
Jewish	0	0.4
Muslim	1	2.8
None	4	9.0
Other	0	1.2
Prefer not to say	4	7.6

Table 6a: Religion/Belief analysis of employees affect by proposal

Casual Car Users

See text on the left



Religion/Belief	% affected by proposal	% Council Wide
Not Recorded	68	61.1
Christian	15	17.1
Hindu	1	0.7
Jewish	0	0.4
Muslim	3	2.8
None	5	9.0
Other	0	1.2
Prefer not to say	8	7.6

Table 6b: Religion/Belief analysis of employees affect by proposal

<p>Pregnancy & Maternity</p> <p>1% of those affected by the proposal are on maternity leave compared to 1% Council wide.</p>			See text on the left	□
<p>Marriage and Civil Partnership (note this only applies in relation to eliminating unlawful discrimination (limb 1))</p> <p>7% of those affected by the proposal have indicated they are married compared to 8% Council wide.</p> <p>It should be noted that 84% of those affected by the proposal have not indicated their marital status ,compared with 73% of the Council profile.</p>			See text on the left	

Stage 6 - Initial Impact analysis	Actions to mitigate, advance equality or fill gaps in information
<p>This analysis assesses the potential impact of the proposal on the affected population. The Reward team have kept Trade Unions fully informed of progress and highlighted any issues to their attention through regular communication.</p> <p>The analysis of current post holders have been drawn from records held on SAP. It should be noted however, as this Equality Impact Assessment (EqIA) is a public document, there are no details disclosed that could reveal an employee's identity.</p> <p>In summary there is evidence to suggest that some people that share protected characteristics are more likely to be affected by the proposal, for example employees aged 55+ who are overrepresented amongst essential car users when that group is compared with the Council workforce as a whole. Women and BAME employees are overrepresented amongst casual car users when that group is compared with the Council workforce as a whole.</p> <p>Overall there is no evidence to suggest that any group will be disadvantaged by the proposal, as overall the proposal to adopt HMRC rates will harmonise the existing schemes and there will be no differentiation between staff groups if the proposal is agreed.</p>	<p>There is a gap in the religion/belief, marital status and sexual orientation information of the affected employees as well as Council wide. The analysis identified that 81% of the employees affected by the proposal have not declared a particular religion/belief, 82% of the employees affected by the proposal have not declared a particular sexual orientation and 84% of the employees affected by the proposal have not indicated their marital status. Further 34% of the affected employees have not declared their disability status.</p> <p>It is intended that we will seek to address the gaps by running a Council wide exercise. This exercise requires sufficient resources to administer and therefore, most be thought through accordingly.</p> <p>HR will consult and seek to negotiate an agreement with the recognised trade unions.</p> <p>The proposal to have one car/van/motorcycle/bicycle user scheme for all staff seeks to resolve the inequality amongst staff, who are subject to different car user mileage schemes, which is determined by their date of commencement with the Council. Therefore, if the proposal is agreed all staff in the Council will be entitled to the same reimbursement rate for car/van/motorcycle/bicycle mileage claimed.</p>

Stage 7 - Consultation and follow up data from actions set above	
Data Source (include link where published)	What does this data include?
Trade Unions HR	Holding weekly meetings with unions.

Stage 8 - Final impact analysis

A final assessment will be completed after consultation and implementation of any changes to reimbursement of business mileage.

Stage 9 - Equality Impact Assessment Review Log

Review approved by Director / Assistant Director

Date of review

Review approved by Director / Assistant Director

Date of review

Stage 10 – Publication

Ensure the completed EqlA is published in accordance with the Council's policy.

Report for: Staffing and Remuneration Committee

Item number: 11

Title: Pay Policy Statement 2017-18

Report

authorised by: Richard Grice – Assistant Director, Transformation & Resources

Lead Officer: Ian Morgan – Reward Strategy Manager, Human Resources

Ward(s) affected: All

Report for Key/

Non Key Decision: N/A

1. Describe the issue under consideration

1.1 The Council is required to produce an annual Pay Policy Statement to comply with the requirements of the Localism Act 2011. The Council approved its last Pay Policy Statement at full Council on 17th March 2016.

1.2 The attached Pay Policy Statement provides an update for publication in April 2017.

2. Cabinet Member Introduction

Not required for the S&R Committee.

3. Recommendations

3.1. That the Committee approve the draft Pay Policy Statement 2016/17, attached at Appendix A.

3.2. The Assistant Director of Transformation & Resources is also authorised in consultation with the Chair of the Committee to make such amendments to the Pay Policy Statement as he considers minor.

3.3. That the Committee remits the Pay Policy Statement (as amended if applicable) for endorsement by Full Council on 20th March 2017.

4. Reason for decision

4.1. In accordance with sections 38 and 39 of the Localism Act 2011 the Council is required to prepare and by resolution of Full Council, approve a Pay Policy Statement for each financial year by the end of 31 March of the previous financial year.

5. Alternative options considered

5.1. The Pay Policy Statement is produced annually to comply with the requirements of the Localism Act 2011.

6. Background information

- 6.1. The Localism Act 2011 requires relevant authorities to prepare and publish an annual Pay Policy Statement.
- 6.2. Under this legislation the Council is obliged to state how the pay of senior managers is determined. In addition, the supplementary guidance issued under section 40 of the Localism Act requires full Council to be given the opportunity to vote on any proposed payment upon appointment or termination of employment of £100,000 or more.
- 6.3. It is not proposed that the approval of payment upon appointment or termination of employment of £100,000 per annum or more should be reserved to Full Council. To do so would create unnecessary delay in either appointing or finalising the termination of the employment of an officer. The risks of this are that the Council may lose a potential appointee whilst they wait for a salary approval. In the case of a termination of employment by way of agreement the officer's employment could not be ended until the severance payment was agreed. This would create an unnecessary cost as the officer would need to remain on full pay until this decision was taken. The Committee's current terms of reference provide that it is required to consider and approve payment upon appointment or termination of employment of £100,000 per annum or more.
- 6.4. It may be necessary for minor amendments to the draft Pay Policy Statement to be made between its approval by the Committee and its consideration by full Council. For example , paragraph 5.11 may need updating depending on the progress of pay negotiations with the trade unions. Recommendation 3.3 provides a mechanism for making minor amendments to the draft Pay Policy Statement without it having to be brought back to the Committee for further consideration, through the Committee authorising the Assistant Director Transformation & Resources in consultation with the Chair of the Committee to make the necessary amendments

7. Contribution to strategic outcomes

- 7.1. The Pay Policy Statement is produced annually to comply with the requirements of the Localism Act 2011.

8. Statutory Officers' comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities

Assistant Director of Corporate Governance Comments

- 8.1. In accordance with sections 38 and 39 of the Localism Act 2011 the Council is required to prepare and by resolution of Full Council, approve a Pay Policy Statement for each financial year by the end of 31 March of the previous financial year. In addition the Council may resolve to amend its Pay Policy Statement at any time during the financial year. As soon as is reasonably practicable following approval the statement must be published including publication on the Council's website.
- 8.2. The Council is under a duty to have regard to any guidance issued or approved by the Secretary of State. Guidance issued under section 40 of the Localism Act 2011 has been taken into account in the preparation of this Pay Policy Statement.

- 8.3. The Accounts and Audit Regulations 2015 (“ the Regulations”) require the Council to include in its annual accounts a note of the remuneration of senior employees . “Senior employees” are defined by the Regulations as employees whose salary is £150,000 or more per year and certain other employees whose salary is £50,000 or more per year, such as the Chief Executive, statutory Chief Officers and non – statutory Chief Officers.
- 8.4. The Government has issued in February 2015 under section 2 of the Local Government, Planning and Land Act 1980 a Local Government Transparency Code 2015 . The requirements of the Code have been taken into account in the preparation of this Pay Policy Statement. These requirements include the publication of an organisation chart covering staff in the top three levels of the organisation, the publication of a list of responsibilities and details of bonuses and benefits in kind for senior employees as defined by the Regulations whose salary exceeds £50,000, and the publication of a “pay multiple”, being the ratio between the highest paid salary and the median salary of the whole of the Council’s workforce.
- 8.5. The Pay Policy Statement fulfils all the requirements of the Localism Act 2011.

Chief Finance Officer Comments

- 8.6. The Deputy Chief Finance Officer has been consulted and can confirm that there are no direct financial implications arising from this report.

Equalities Comments

- 8.7. The Council has a public sector equality duty under the Equality Act 2010 to have due regard to the need to:
- 8.7.1. Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act. Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it;
- 8.7.2. Foster good relations between people who share a relevant protected characteristic and people who do not share it;
- 8.7.3. A “relevant protected characteristic” is age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation;
- 8.7.4. The Pay Policy Statement supports the Council’s approach to remuneration for its workforce in an accountable, fair and transparent way. This therefore supports the Council’s equalities policy and promotes equal pay.

9. Use of Appendices

- 9.1. Appendix A – Pay Policy Statement

10. Local Government (Access to Information) Act 1985

Not Applicable

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Pay Policy Statement 2017/18

Published
April 2017

DRAFT

1. Background

Localism Act 2011 - Openness and accountability in local pay

- 1.1. Section 38(1) of the Localism Act requires local authorities to produce an annual pay policy statement.
- 1.2. The provisions in the Act do not seek to change the right of each local authority to have autonomy on pay decisions, however it emphasises the need to deliver value for money for local taxpayers.
- 1.3. This statement has been approved by Full Council on 20/03/2017 and any changes during the year will be brought back to Full Council for adoption at the earliest opportunity.
- 1.4. This statement does not apply to Council employees based in schools.

Related Remuneration and Transparency Context

- 1.5. The Council follows the transparency requirements on remuneration as set out in the Local Government Transparency Code 2015 (“ the Code”), published by the Department for Communities and Local Government in February 2015, and the Local Transparency Guidance issued on 30 November 2015 by the Local Government Association.
- 1.6. Part of the Code includes publishing information relating to senior salaries within a local authority. A full list of all posts that are paid £50,000 or more per year that fall within the scope of the Accounts and Audit Regulations 2015 is published on the Council’s website. [See here](#).

2 Governance arrangements for pay and conditions of service within Haringey

- 2.1. The Staffing & Remuneration Committee as referred to in the Council’s constitution Part three, section B under its Terms of Reference has responsibility for the terms and conditions of service for all staff. The Staffing & Remuneration Committee is a Committee of Full Council.
- 2.2. The Staffing & Remuneration Committee is accountable for the remuneration of Chief Officers (see section 4 for more details) and pay in general and will ensure that remuneration is set within the wider pay context giving due consideration to the relationship between the highest and lowest paid in the organisation (see section 7 for more information). This Committee will remit the Pay Policy Statement for approval by Full Council.

3 Pay Strategy

- 3.1 In December 2014 the Staffing & Remuneration Committee agreed the Council's Modern Reward Strategy that included a review of Chief Officer and Senior Managers pay and grading arrangements.
- 3.2 The Council's vision includes the provision to adopt a reward strategy that is modern, sustainable, fair and transparent concerning pay, which rewards people appropriately for their contribution to the Council.
- 3.3 The changes for Chief Officers and Senior Managers are effective from 1 April 2016. This Pay Policy Statement sets out the new pay arrangements.
- 3.4 The pay and grading review for the rest of the workforce, i.e. those employees covered by the National Joint Council (NJC) for Local Government Services Green Book will be completed during the financial year 2017/18. The implementation date will be dependent on the progress of the project and will be a matter of consultation with the recognised trade unions.

4 Remuneration arrangements of Senior Managers and Chief Officers including the Chief Executive

- 4.1 The Council's Chief Officers are the Head of Paid Service (the Chief Executive), the Monitoring Officer, statutory chief officers, or non-statutory chief officers being officers who report to the Chief Executive, including the Strategic Leadership Team. The term "Chief Officers" also includes deputy chief officers being officers who report directly to a statutory or non-statutory chief officer. The Council defines its Senior Managers as those staff appointed on senior manager pay grades – which start at remuneration levels of £58,600 per annum. Chief Officers and Senior Managers are contracted to work as many hours as required to complete the job.
- 4.2
 - a) For its Senior Managers and Chief Officers the Council has previously utilised the national (Joint Negotiating Committee for Chief Officers of Local Authorities – JNC) and regional (Greater London Provincial Council- GLPC) collective bargaining arrangements for pay and conditions of service. These employees' pay scales have been increased in line with these national and regional pay agreements.
 - b) On 26th January 2016 the Council's Staffing and Remuneration Committee approved contracts to be issued to the Chief Executive, and to all Senior Managers and Chief Officers other than the Chief Executive, to take effect from 1st April 2016. Those new contracts contained a clause that there are no collective agreements relating to the terms and conditions of the employee's employment with the Council.
 - c) The new contracts were sent to all affected employees on 14th March 2016, with a deadline to be given for acceptance of 29th March 2016. All the affected employees have accepted them.
 - d) The pay and terms and conditions for Chief Officers and Senior Managers are determined locally. As such they do not depend on national or regional negotiations to decide pay levels or awards.

- 4.3 The Council benchmarks its pay rates with other London Boroughs to ensure that it is able to recruit and retain qualified and competent staff. Pay bands for Chief Officers and Senior Managers must be approved by the Staffing and Remuneration Committee. The pay bands for Chief Officers and Senior Managers are at Appendix A.
- 4.4 Where it is proposed to appoint to a Chief Officer post and the proposed salary is £100,000 per annum or more, the Staffing and Remuneration Committee must consider and approve the proposed salary. The current Chief Officer management structure including employee salaries costs, details of bonuses and benefits-in-kind, grade, department and team, whether permanent or temporary, staff contact details, salary ceiling, names, job titles, services and functions responsible for, budget held and numbers of staff is published on the Council website. Names may only be published if individual salaries are £150,000 or more. [See here.](#)
- 4.5 The salary applicable to the Chief Officer posts is published on the Council website. [See here.](#)
- 4.6 Base pay for the senior management population will be reviewed, but not necessarily increased, annually. The progression of a Chief Officer or a Senior Manager through the pay band applicable to him/her will be contribution led based on individual, team and organisation performance. It will not be automatic and the process will be overseen by the Chief Executive.
- 4.7 The Council may, in exceptional circumstances, engage Senior Managers/Chief Officers under contracts for services. The Council publishes in accordance with the Code details of all payments made under contracts for services in excess of £500 on the Council website. [See here.](#)
- 5 Remuneration of employees who are not Senior Managers or Chief Officers**
- 5.1 The pay scales for all employees are increased in line with national and regional pay agreements.
- 5.2 For a majority of its employees who are not Senior Managers and Chief Officers the Council supports the NJC and regional (Greater London Provincial Council – GLPC) collective bargaining arrangements for pay and conditions of service and utilises the GLPC outer London pay spine (the exceptions to this are a small number of staff who are subject to the Soulbury, Teachers and NHS terms and conditions as detailed in paragraphs 5.6 to 5.11).
- 5.3 The last national pay award agreement for employees covered by the NJC was a 2 year pay deal covering the period 1 April 2016 to 31 March 2018. The agreement sets out the criteria for the pay awards in April 2016 and April 2017. Refer to Appendix B for more detail.

- 5.4 The Council considers it important to be able to locally determine pay rates for some staff where this is necessary. This enables it to respond to regional and local labour market conditions. The Council benchmarks its pay rates with other London Boroughs to ensure that it is able to recruit and retain qualified and competent staff.
- 5.5 The Council and the Trade Unions reached a local collective agreement in 2008 on 'single status' as part of the Equal Pay and Conditions package which covers a majority of its employees (employees subject to NJC conditions). This agreement details the working arrangements and allowances to be paid to employees such as overtime, weekend working and call out payments.
- 5.6 The Council employs a small number of employees who are Education Psychologists and Education Advisers/Inspectors and uses the national Soulbury pay scales for these employees.
- 5.7 The last national pay award agreement for employees covered by Soulbury conditions was a 2 year pay deal covering the period 1 September 2016 to 31 August 2018. The agreement sets out the criteria for the pay awards in September 2016 and September 2017. Refer to Appendix B for more detail.
- 5.8 The Council also employs a small number of centrally employed Teachers and uses the national Teachers Pay and Conditions (TPAC) pay scales for these employees.
- 5.9 The last national pay award agreement for employees covered by TPAC conditions was implemented with effect from 1 September 2016. Refer to Appendix B for more detail.
- 5.10 Public Health employees who transferred from the NHS into the Council from 1 April 2013 continue to be paid in accordance with NHS terms and conditions of employment.
- 5.11 The last national pay award agreement for employees covered by NHS conditions was implemented with effect from 1 April 2016. Refer to Appendix B for more detail.
- 5.12 All employees subject to NJC, Soulbury & NHS conditions are able to incrementally progress through the pay spine column points for their job evaluated grade. Progression will normally be one increment (pay spine column point) on the 1st of April each year until they reach the top of their grade.
- 5.13 Employees subject to TPAC conditions can incrementally progress through the pay spine column points subject to satisfactory performance normally on the 1st of September each year until they reach the top of their grade.
- 5.14 The Council approved with effect from May 2011 that in future the pay of Council employees at the lower ends of the pay spine receive a level of pay in line with the London Living Wage rate as determined from time to time by the Greater London Authority. This will be by way of an hourly pay supplement as

appropriate to ensure that the London Living Wage rate is achieved. This rate was set at £9.75 per hour with effect from 31 October 2016 and is equivalent to a full time annual salary of £18,301.84 (exceptions to this are apprentices/trainees/interns).

6 Job Evaluation

- 6.1 The pay grades and therefore remuneration levels of employees (except for centrally employed Teachers who are subject to the Teachers Pay and Conditions documents) are determined by the use of a job evaluation scheme. Job Evaluation is a systematic process used to determine the relative worth of jobs within the organisation. It creates a rank order from the smallest to the largest job and ensures that consistent decisions in grades and rates of pay are made.
- 6.2 The table at Appendix B outlines the job evaluation schemes used for each group of employees.

7 Pay Multiple

- 7.1 The 'pay multiple' is the ratio between the highest paid taxable earnings and the median earnings figure of the whole of the Council's workforce. The Council's highest paid employee is the Chief Executive and the current pay multiple is shown in the table below.
- 7.2 Earnings for the purpose of calculating the 'pay multiple' are defined covering all elements of remuneration that can be valued (eg all taxable earnings for 2016-2017 including base salary, variable pay, bonuses, allowances and the cash value of any benefits in kind). The calculation of earnings excludes the cash value of pension provision.
- 7.3 The Council defines its lowest paid employees as those paid at the lowest pay Scale 1A which is pay spine points 6 – 7 on the GLPC outer London pay spine. The reason for this definition is that this is the lowest pay grade in the Council in line with the job evaluation scheme and pay scales agreed with the unions. This excludes trainees, apprentices and interns. However, an hourly pay supplement is added to ensure that the London Living Wage rate is achieved as outlined in paragraph 5.14.

Description	2016/17
Highest Paid	£204,051*
Median	£31,683
Lowest	£18,302
Highest to median ratio	1:6.4
Highest to Lowest ratio	1:11.1

*The salary for the highest paid employee (Chief Executive) includes an allowance paid for Returning Officer duties as outlined in paragraph 10.2

8 Pay on Appointment

- 8.1 All employees, including Chief Officers, are normally appointed on the lower half of the pay range appropriate for their grade.
- 8.2 The Council delegates authority to Chief Officers/ Chief Executive as appropriate to appoint staff above this part of the pay range.
- 8.3 The salary of the Chief Executive, and of any other Chief Officer where the proposed salary is £100,000 or more, will be determined by the Staffing and Remuneration Committee as outlined in paragraph 4.4.

9 Recruitment & Retention payments

- 9.1 The Council acknowledges that our employees are our best asset and that due to external factors recruitment and retention allowances will be required for some posts in order to attract and retain good staff.
- 9.2 Recruitment and retention allowances are linked to the post, not the person. They cannot be paid to someone because of their level of skill or experience.
- 9.3 A recruitment / retention allowance is deemed suitable where there is evidence of one or more of the following:
- The post has been advertised on more than one occasion and a suitable applicant could not be recruited.
 - Pay benchmarking exercises show that similar local authorities offer recruitment and retention allowances or a higher salary for the same work.
 - A national /local skills shortage where the Council is competing with a number of other employers for applicants.
 - The post is highly specialised with a limited number of potential applicants.
- 9.4 If the post does not meet the suitability criteria the payment of a recruitment and retention allowance is unjustified and may be in breach of equal pay legislation contained in the Equality Act 2010.

10 Fees for Election Duties

- 10.1 Council staff may be engaged on election duties of varying types. The fees paid to Council employees for undertaking these election duties vary according to the type of election they participate in, and the nature of the duties they undertake.
- 10.2 Returning Officer duties (and those of the Deputy Returning Officer) are contractual requirements, and fees paid to them for national elections/referendums are paid in accordance with the appropriate Statutory Fees and Charges Order and are paid by the body responsible for the conduct of the election.

11 Pension

- 11.1 There are three pension schemes covering the Council's employees.
- 11.2 A majority of its employees are entitled to join the Local Government Pension Scheme and receive benefits in accordance with the provisions of that Scheme as applied by the Council. Details of the Council's policy and decisions in respect of discretionary elements of the Scheme are published on the council's website, [see here](#).
- 11.3 Centrally employed Teachers are entitled to join the Teachers Pension Scheme and receive benefits in accordance with the provisions of that Scheme.
- 11.4 Public Health employees who transferred from the NHS and are members of the NHS Pension Scheme continue to receive benefits in accordance with the provisions of that Scheme.

12 Other Terms and Conditions of Employment

- 12.1 The Council's employment policies and procedures are reviewed on a regular basis in the light of service delivery needs and any changes in legislation etc.
- 12.2 The Council and unions agreement on 'single status' reached in 2008 as part of the collective agreement on Equal pay and conditions outlines the working arrangements and the payments to be made to a majority of employees below senior manager grades for working outside normal working hours including overtime, and call out payments.

13 Payments on Termination of Employment

- 13.1 In the event that the Council terminates the employment of an employee (including Senior Managers and Chief Officers) on the grounds of redundancy they will receive compensation and benefits in accordance with the Council's Redundancy scheme, which is published on the Council's website, [see here](#). Exceptions to this are employees who have TUPE transferred into the Council with different contractual entitlements.
- 13.2 Severance payments of £100,000 or more for Chief Officers must be considered and approved by the Staffing & Remuneration Committee.
- 13.3 Details of redundancy compensation payments paid to senior management are published on the Council's website, [see here](#).
- 13.4 The Council's Redundancy schemes may be subject to change as part of the modernising pay review.

14 Re-employment of Employees

- 14.1 Section 7 of the Local Government and Housing Act 1989 requires that every appointment to paid office or employment in a local authority shall be made on merit.
- 14.2 Should a successful candidate be in receipt of a redundancy payment the Council will apply the provisions of the Redundancy Payments (Continuity of Employment in Local Government etc.) (Modification) Order 1999 (as amended) regarding the recovery of redundancy payments. The rules of the Local Government Pension Scheme also have provisions to reduce pension payments in certain circumstances to those who return to work within local government service.

15 Further Information

- 15.1 For further information on the Council's Pay Policy please contact the Council's Reward Manager on 020 8489 3692.

Chief Officer/Senior Manager Pay Bands

Job Level	Role	Pay Bands		
			Minimum	Maximum
Level A	Strategic Leadership Team	Step 2	£173,700	£201,900
		Step 1	£136,200	£158,200
Level B	Director / Assistant Director	Step 2	£111,000	£129,000
		Step 1	£94,800	£110,200
Level C	Head of Service/Senior Professional III	Step 3	£80,800	£93,800
		Step 2	£68,600	£79,800
		Step 1	£58,600	£68,000

Employee Group	Job Evaluation Scheme	Last Pay Award Implemented	Next Pay Award Due
National Joint Council (NJC) for Local Government Services – Green Book (a majority of the Council's employees)	Greater London Provincial Council (GLPC) (with local variations)	A 2 year pay deal covering the period of 1 April 2016 to 31 March 2018. <u>w.e.f. 1 April 2016</u> An increase of 1% on pay spinal points 18 and above and an increase of between 1% to 6.6% on pay spinal points 17 and below. <u>w.e.f. 1 April 2017</u> An increase of 1% on pay spinal points 18 and above and an increase of between 1.3% and 3.4% on pay spinal points 17 and below.	1 April 2018
Chief Executive, Chief Officers & Senior Managers	The HAY job evaluation scheme	w.e.f April 2016 An increase of 1% on the benchmark salary of the pay bands.	1 April 2017
Teachers Pay & Conditions - TPAC (centrally employed Teachers)	Teachers Pay and conditions documents	A 1 year pay deal w.e.f. September 2016 An increase of 1% on all elements of pay.	1 September 2017
Soulbury (Education Psychologists & Education Advisers/ Inspectors)	Soulbury	A 2 year pay deal covering the period of 1 September 2016 to 31 August 2018. w.e.f. September 2016 and September 2017 an increase of 1% on all pay points and on all London and fringe area allowances.	1 September 2018
Public Health (ex-NHS staff)	The Agenda for Change NHS Job Evaluation Scheme (GLPC or Hay scheme for those whose roles have been reviewed since the transfer date)	1 year pay deal w.e.f. 1 April 2016. An increase of 1% on each pay point on the pay spine and the values of minimum and maximum high cost area supplements are increased by 1%.	1 April 2017

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Report for: Staffing & Remuneration Committee, 7th February 2017

Item number: 12

Title: Performance Management Report,
Q3 October - December 2016

Report authorised by : Richard Grice, Assistant Director Transformation & Resources

Lead Officer: Carole Engwell, HR Quality Assurance Manager .

Ward(s) affected: N/a

**Report for Key/
Non Key Decision:** N/a

1. Describe the issue under consideration

The report provides the Committee with data relating to the workforce including non-employed workers, equalities and sickness absence data for the period October to December 2016.

2. Cabinet Member Introduction

Not applicable.

3. Recommendations

The report is for information and for the Committee to note.

4. Reasons for decision

Not applicable

5. Alternative options considered

Not applicable

6. Background information

- 6.1 A Dashboard of information relating to all non-employed workers, sickness absence and workforce data is shown at Appendix 1.
Appendix 2 gives data relating to current Interim Managers & Consultants.

7. Contribution to strategic outcomes

The management controls introduced over the last year in response to the need for a tighter grip on spending, have reduced the number of non-employed workers and the spend across the Council. The freeze on non-essential recruitment has contributed to the reduction of establishment numbers and this, together with the on-going restructuring exercises, is expected to contribute to the reductions outlined in the Workforce Plan and the Medium Term Financial Strategy.

8. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

8.1 The current regime in place supporting the engagement of agency, consultants and interim staff requires a completed business case setting out the funding available to cover the costs of these appointments. This ensures that the managers are taking full budgetary responsibility for their decisions and the requirement to provide regular business cases for extensions provides challenge to ensure that the greater focus is placed on moving towards permanent recruitment or the positive and timely delivery of agreed outcomes. The impact of the reduction in spend on agency and interim staff is reflected in the monthly budget monitoring report.

8.2 The Assistant Director for Corporate Governance notes the contents of this report, and appendices 1 and 2. Section 149 of the Equality Act 2010 puts the Council under the duty, in the exercise of its functions, to have due regard to the need to :-

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act,
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

A “relevant protected characteristic “ is age , disability, gender reassignment , pregnancy and maternity, race , religion or belief, sex (formerly gender) and sexual orientation . Marriage and civil partnership is a protected characteristic under the Act but not a “relevant protected characteristic”.

Appendix 1 of the report notes that equalities data is missing from a large percentage of staff as not all want to fully declare this at the recruitment stage, and that an exercise is being planned to update existing data which will lead to more accurate reporting. Where the Council is proposing to make staffing decisions, then in order to comply with section 149, it needs to know about the potential differential adverse impact on staff by reference to the protected characteristics under the Act. If data concerning staff’s protected characteristics is not collected by the Council then the Council may not know about the potential differential adverse impact of staffing decisions on staff who have a particular protected characteristic . For example, if information about staff’s religion/belief and/or sexual orientation is not collected , then the Council may not know about the impact of a staffing decision on staff who have a particular faith/belief or sexual orientation. Accordingly the proposed update of staff equalities data will help the Council comply with section 149.

9 Use of Appendices

Appendix 1: People Management Dashboard

Appendix 2: Details of Q2 Interim Managers & Consultants

10 Local Government (Access to Information) Act 1985

Not applicable.

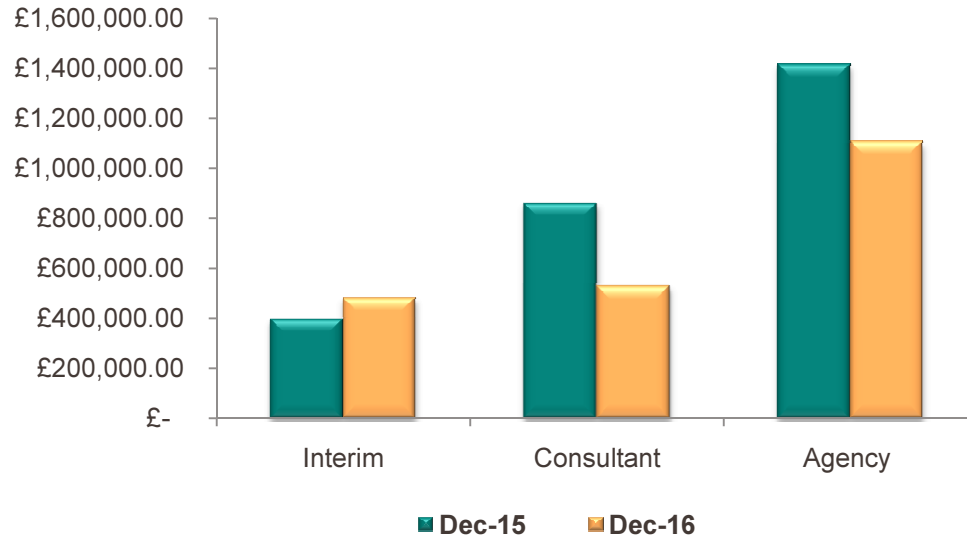
Q3: 2016/17 HR DASHBOARD

PERFORMANCE MANAGEMENT REPORT

Staffing & Remuneration Committee
7th February 2017

Agency, Interim Managers and Consultants

Spend

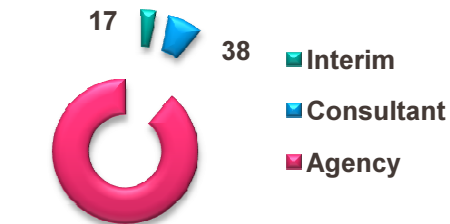


In the last twelve months the combined saving on both agency workers and Consultants/Interim Managers has totalled £556,414

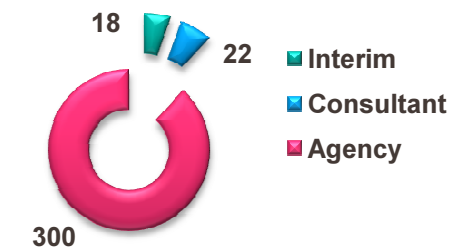
	Agency	Interim / consultant
December 2015	£1,414,088	£1,258,639
December 2016	£1,104,795	£1,011,518
Spend reduction	£309,293	£247,121

Numbers

Dec-15



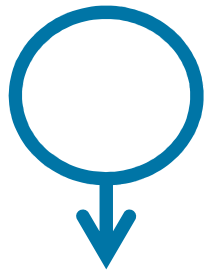
Dec-16



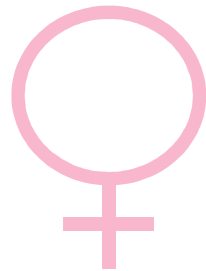
The reduction in the number of workers has continued with 138 fewer agency workers and 15 fewer Consultants / Interim Managers compared to December 2015. The number of Consultants working on transformation projects has reduced and the Interim Managers are covering established vacancies which may either be advertised or deleted as a result of on-going restructures.

Equality profile

Gender



Haringey: 51%
Workforce: 34%



Haringey: 49%
Workforce: 66%

The borough's profile is much younger than the workforce as 33% of working age residents are under 35 while only 15% of the workforce comes into this category.

The average age of an employee is 47, with 60% of our workforce aged 45 or over (compared to 31% of residents).

Age



Compared to Haringey's population the workforce has a greater percentage of women (+17%) and BAME (+15%) staff but fewer staff with a disability (-3%).

Equalities data is missing from a large percentage of staff as not all want to fully declare this at the recruitment stage. An exercise is being planned to update existing data which will lead to more accurate reporting.

Disability

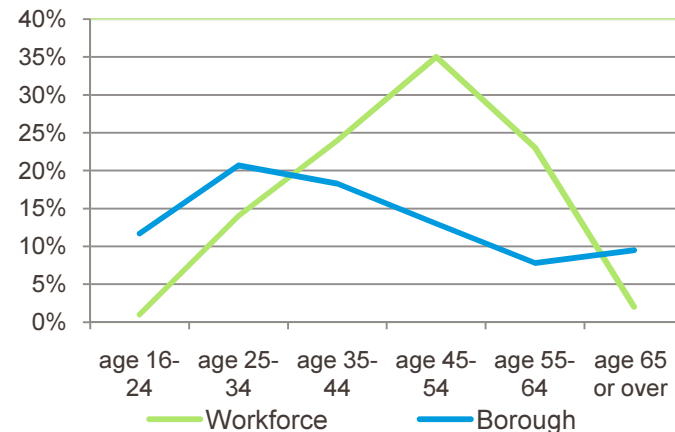
Haringey: 12%
Workforce: 9%



Race



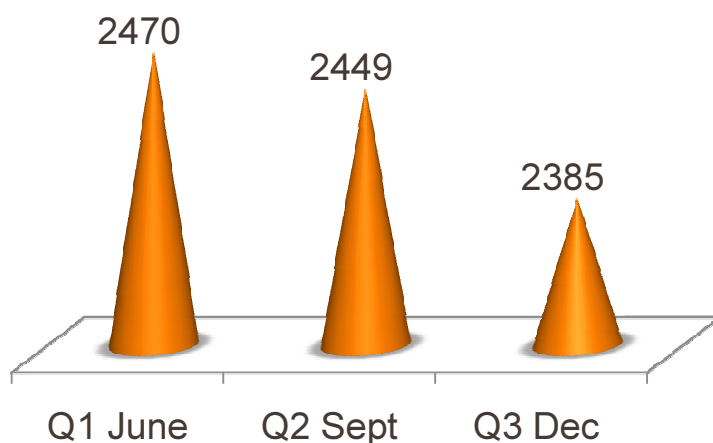
Haringey BAME: 35%
Workforce BAME: 50%
Haringey white: 61%
Workforce white: 30%



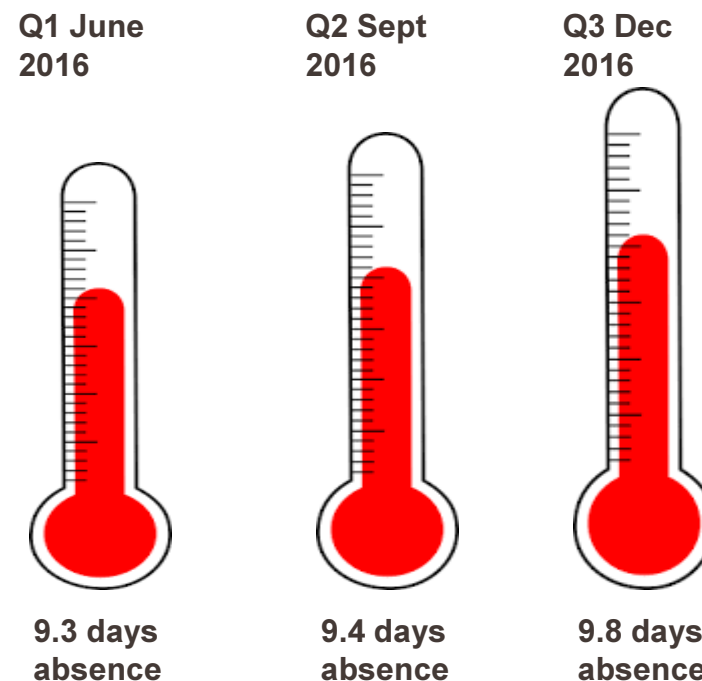
Headcount and Employee Wellbeing

Employee headcount

The headcount has been steadily reducing during this financial year, with 85 fewer employees at the end of December 2016 compared to 2015. There are a number of areas which will have concluded their restructure by the end of the financial year which will further impact on numbers.



Employee sickness absence



During Q3, the highest sickness levels were in team working directly with clients in stressful situations, namely Adult Services, Children's Services and Commercial & Operations. The latter area includes Civil Enforcement Officers & Parking Teams.

Contract Status	Directorate	Service Area	Job title	Contract extensions	Start date	End Date	VFM Status Objectives Met - Yes, No	FTE	Contract length (Months)	Daily Rate	Cost for length of contract (monthly cost x contract length)	Reasons for role
Consultant	COO	Commercial & Operational Services	Programme Manager, Selection & HMOs Scheme	0	14/11/16	15/05/17		0.6	6	£ 750	£ 54,000	To lead the P3 programme and more recently the reorganisation of the business unit. The reorganisation of the service will deliver a £750K saving by 2018/19.
Consultant	COO	Commercial & Operational Services	Confirm Developments and Systems Workstreams	13	15/07/11	31/03/17		0.7	68	£ 275	£ 261,800	To provide specialist support to the ervice and asset management system Confirm. He has lead on various enhancements to the system to improve efficiency such as the ability for operatives to enter and update information remotely. The role is due to be advertised in the new year. .
Consultant	COO	Commercial & Operational Services	Procurement Project Manager	1	02/03/16	24/02/17		0.6	11	£ 535	£ 70,620	To project managing the implementation of a sourcing and contract management system for procurement to support the new operating model
Interim	COO	Commercial & Operational Services	Interim Head of Procurement (0.9)	4	10/06/15	27/01/17	Yes	0.9	19	£ 677	£ 231,657	Recruitment to the permanent post has been unsuccessful twice, the role is business-critical as procurement has the potential to achieve savings across the board.
Interim	COO	Commercial & Operational Services	Waste Strategy Manager	1	25/05/16	27/01/17	Yes	0.9	8	£ 381	£ 54,864	Cover strategic liaison with North London Waste Authority and advise Members and Senior Officers in a key period (during option appraisal into future waste disposal solutions – potential £5-10m p.a impact of decisions on levy over 5-10 year period and beyond)
Interim	COO	Commercial & Operational Services	Contract Development Manager	1	23/05/16	27/01/17	Yes	1	8	£ 377	£ 60,320	To provide experience of the waste industry and contract management at a senior level to identify and deliver savings from the waste contract (£2m savings target by 17/18) including negotiation with senior contractor management.
Consultant	COO	Finance	Capital Finance Consultant	0	25/08/16	31/03/17		1	7	£ 499	£ 69,860	Filling business critical post as Capital Accountant and overall oversight of c£500M Capital Programme
Consultant	COO	Finance	Interim Head of Finance (Adults and Children's Services)	4	23/10/15	14/03/17		1	16	£ 595	£ 190,400	
Consultant	COO	Finance	Senior Finance Interim	0	05/09/16	31/01/17		0.9	4	£ 552	£ 39,744	Filling business critical post to develop maintain the 5 year MTFS
Consultant	COO	Finance	Chief Accountant	0	03/01/17	03/04/17		1	3	£ 595	£ 35,700	To provide essential senior experience to cover the year end activities.
Consultant	COO	Finance	Schools Finance Manager	0	23/11/16	24/02/17		1	3	£ 514	£ 30,840	Filling business critical post as the key financial liaison with Schools
Interim	COO	Finance	Capital Accountant	0	17/10/16	13/01/17	Yes	1	2	£ 384	£ 15,360	Filling business critical permanent post supporting the Chief Accountant as a result of unsuccessful recruitment campaign
Interim	COO	Finance	Finance Business Partner	0	22/08/16	31/03/17	Yes	0.4	7	£ 500	£ 28,000	Filling business critical post to support RPD and P4
Interim	COO	Finance	Business Partner - Adults & Children's	0	04/10/16	31/03/17	Yes	1	5	£ 546	£ 54,600	Filling business critical post to support RPD and P4 pending start of permanent employee
Interim	COO	Finance	Business Partner - COO	0	08/11/16	08/02/17	Yes	1	3	£ 431	£ 25,860	Filling business critical post to the COO portfolio and P3 and PX
Interim	COO	Finance	Treasury & Pensions Accountant	1	18/07/16	28/02/17	Yes	1	7	£ 420	£ 58,800	Filling business critical post to support the Head of Pensions in fulfilling his duties
Interim	COO	Finance	Head of Treasury & Pensions	2	08/04/16	31/01/17	Yes	1	9	£ 540	£ 97,200	All consultants/interims working in finance are covering senior posts vacated as part of the re-organisation and restructure of the function. These vacancies are being filled as the recruitment process completes and all interim posts will be replaced by permanent staff in the period from December 2016 to March 2017.
Interim	COO	SSC	Principal project accountant	0	05/10/16	07/04/17	Yes	1	6	£ 396	£ 47,520	To provide high quality financial information, modelling, analysis and advice to budget holders to support decision making and budget management and to contribute to the mitigation or resolution of financial issues, challenges and risks.
Interim	COO	SSC (Finance)	Principal project accountant	0	26/09/16	31/03/17	Yes	1	6	£ 385	£ 46,207	To provide high quality financial information, modelling, analysis and advice to budget holders to support decision making and budget management and to contribute to the mitigation or resolution of financial issues, challenges and risks.
Interim	COO	SSC (Finance)	Principal project accountant	0	26/09/16	31/03/17	Yes	1	6	£ 397	£ 47,586	To provide high quality financial information, modelling, analysis and advice to budget holders to support decision making and budget management and to contribute to the mitigation or resolution of financial issues, challenges and risks.
Interim	COO	SSC (Finance)	Principal Accountant	0	21/10/16	27/01/17	Yes	1	3	£ 406	£ 24,360	Filling business critical post to help the Chief Accountant prepare the Year End Accounts
Consultant	COO	SSC -Shared Business Support	Change Manager (Shared business support project)	3	14/01/16	31/03/17		1	14	£ 536	£ 150,080	Required to work on the development and implementation of the Shared Business Support function and to process the re-engineering approach as part of the Ways of Working programme.
Consultant	DCE	Adult Social Services	Business Analyst	3	26/10/15	31/03/17		1	17	£ 450	£ 153,000	
Consultant	DCE	Adult Social Services	Business analyst	2	13/01/16	17/02/17		1	13	£ 452	£ 117,520	Business analyst for target operating model
Consultant	DCE	Adult Social Services	Head of Service (Front door reviews)	2	23/05/16	31/03/17		0.4	10	£ 593	£ 47,440	Managing completion of reviews and redesign of adult social care
Consultant	DCE	Adult Social Services	Adults Transformation Project manager	3	10/03/16	24/03/17		0.7	12	£ 510	£ 85,680	Project manage reviews and redesign of adult social care
Consultant	DCE	Children's Services	Financial Modellor	0	14/11/16	31/03/17		1	4	£ 450	£ 36,000	This post is to support the analysis underpinning the MTFS and is a priority for P1. There is no other resource available to be able to undertake these duties and so it was agreed at P1 Budget subgroup that we could recruit an interim.
Consultant	DCE	Children's Services	Resourcing specialist	0	01/10/16	31/03/17		0.8	5	£ 450	£ 36,000	To lead social work recruitment. Role includes developing attraction methods, arranging open evenings, benchmarking costs and candidate liaison.
Consultant	DCE	Commissioning	Finance Consultant	0	01/09/16	31/01/17		1	4	£ 362	£ 28,960	
Consultant	DCE	Commissioning	Interim brokerage manager	5	09/10/15	08/01/17		1	14	£ 600	£ 168,000	
Consultant	DCE	Adult Social Services	Adult Services Transformation Project Manager	3	21/03/16	31/03/17		0.8	12	£ 590	£ 113,280	Project manage closure of day opportunities and implement residential alternatives (Supported Living and Shared Lives)
Interim	REGENERATION	Housing Strategy & Transformation	Development & Enabling Manager	5	27/11/14	31/01/17	Yes	1	26	£ 563	£ 292,500	Responsible for housing supply & enabling and for the implementation of the housing investment & estate renewal strategy including the new build programme. Permanent recruitment to begin in the new year.
Consultant	REGENERATION	Planning	Structural engineer	0	17/11/16	30/01/17		1	2	£ 258	£ 10,320	
Interim	REGENERATION	Planning	Structural Engineer	4	12/01/15	31/03/17	Yes	1	26	£ 246	£ 127,920	Income generation role.
Interim	REGENERATION	Planning	Hd of Transport Policy & Strategy	5	29/10/14	31/03/17	Yes	1	29	£ 387	£ 224,460	To lead the progression of the Haringey Local Plan through to adoption. The plan comprises Alternation to strategic policies; site allocations DPD; development management policies, Tottenham area action plan and Wood Green area action plan.
Interim	REGENERATION	Planning	Head of Development Magagement & Enforcement	1	04/07/16	31/03/17	Yes	1	8	£586	£ 93,760	A competent Head of of Service is crucial to the determination of applications to secure growth in the borough and to deliver thestatutory obligations of the Council.
Consultant	REGENERATION	Property Services	Development Surveyor	0	01/12/16	28/02/17		0.8	2	£ 520	£ 16,640	

Q3 October - December 2016

Appendix 2

Consultant	REGENERATION	Regeneration Strategy	Project Adviser – Development Vehicle	4	12/09/15	30/04/17		0.2	19	£ 870	£ 66,120	Essential project resource for the procurement of the joint venture partner for the HDV, the level of capacity and expertise required was not available elsewhere in the Council. It is anticipated that Cabinet decisions will be made in the Summer.
Interim	REGENERATION	Regeneration Strategy	Programme Manager (Housing Devpt)		12/10/16	31/03/17	Yes	1	5	£ 452	£ 45,200	To act as client side / commissioner ensuring supply initiatives for New Build programme are planned and delivered as coherent programme. Brings expert skills in construction programme planning & delivery not available in current team.
Consultant	REGENERATION	Tottenham Regen	Acquisitions Manager (High Rd West)	0	01/10/16	31/01/17		0.4	3	£ 700	£ 16,800	High Road West acquisition strategy – negotiation and strategy, no capacity in Property to progress, specialist skills required

Report for: Staffing and Remuneration Committee

Item number: 13

Title: Schools
Report authorised by: Richard Grice – Assistant Director, Transformation and Resources

Lead Officer: Victoria Tricarico, Head of People and Change, Human Resources

Ward(s) affected: All

**Report for Key/
Non Key Decision:** N/A

1. Describe the issue under consideration

1.1 This reports presents a number of policies to be recommended by the Council from 8th February 2017 for adoption by the governing bodies of the community, voluntary controlled, community special and maintained nursery schools which the Council maintains and to be implemented by the Council in respect of any unattached teachers it employs. The policies for recommendation are as follows:

- Family friendly suite of policies (incorporating maternity policy, adoption policy, paternity policy, shared parental leave policy, parental leave policy)
- Recruitment policy
- Equality and diversity in employment policy

2. Cabinet Member Introduction

2.1 Not required for the Staffing & Remuneration Committee.

3. Recommendations

3.1. That the Committee approves the model family friendly, recruitment, and equality and diversity in employment policies, attached at Appendix A, B, and C, to:-

- (i) be recommended by the Council from 8th February 2017 for adoption by the governing bodies of the community, voluntary controlled, community special and maintained nursery schools which the Council maintains
- (ii) to be implemented by the Council in respect of any unattached teachers it employs from 8th February 2017.

- 3.2. These new policies will replace any existing policies and guidance that is currently in place.
- 3.3. That the Committee authorises the Assistant Director Transformation and Resources in consultation with the Chair of the Committee to make such amendments to the model family friendly, recruitment, and equality and diversity in employment policies as he considers minor, any such amendments to be reported back to the meeting of the Committee immediately following the making of the amendments.

4. Reason for decision

- 4.1 Having good HR policies and procedures assists in providing schools with a framework to manage Council employees based at the school effectively, and ensures compliance with employment law, but also statutory requirements relating to staff in schools. A full review of schools policies is underway, with full consultation with stakeholders.

5. Alternative options considered

- 5.1 None.

6. Background information

- 6.1 The Council has various model HR policies and procedures that cover its employment relationship with its staff in schools. The decision whether to adopt certain of these policies and procedures lies with the governing bodies of those schools. In the case of these policies and procedures, the Council from time to time recommends a model policy/procedure to these governing bodies for adoption. Owned by Human Resources, these documents are periodically reviewed and will now be presented to the Committee for ratification following a full consultation process with key stakeholders including headteachers, governing bodies, the unions, and the Schools Consultative Group. It is good practice to review HR policies regularly to ensure that these are statutorily compliant and meet the needs of our schools, so that schools may deliver the best possible educational outcomes for children of the borough.

7. Model Family Friendly Policies (Appendix A)

- 7.1 The Haringey schools family friendly policies were last issued in 2004 as the 'Leave and time off, and maternity and childcare arrangements' policy. Since then, there have been considerable changes to the legal framework for maternity, adoption, paternity, and parental leave, including the introduction of shared parental leave. As a result, these policies have undergone an extensive review to make them legally compliant. The review has also focused on ensuring that these complex policies are as user friendly as possible.
- 7.2 Further work is required in relation to other types of leave, for example special and annual leave. Flexible working will also form a new separate policy as the entitlement to request flexible working is now no longer limited to those with responsibility for the care of children or vulnerable adults. These policies will be brought to the Committee in due course.

8 Model Recruitment Policy (Appendix B)

- 8.1 The Haringey schools recruitment and selection procedures and the criminal conviction checks policies were last issued in 2004. Since that time there have been considerable changes to, in particular, the requirements of schools around safer recruitment practices and criminal conviction checks (now called Disclosure and Barring Service (DBS) checks). The two previous policies have also been combined into one recruitment policy as part of a process to reduce and streamline the number of policies to schools.

9 Model Diversity and Equality Policy (Appendix C)

- 9.1 The Haringey schools equal opportunities in employment policy was last issued in 2007. Since that time, a number of changes to legislation (including the introduction of the Equality Act (2010)) and to the requirements on schools have been introduced which have been incorporated into the new policy.

10 Contribution to strategic outcomes

- 10.1 The Council's Corporate Plan sets out an ambitious agenda, and one that will require significant change to deliver. Having robust HR policies and procedures is a key element of how the Council will meet the Corporate Plan objectives by having fair and consistent approaches on how it manages and develops its workforce. Specifically effective people management within schools will also contribute to the achievement of Priority 1.

11 Statutory Officers' comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities Assistant Director of Corporate Governance Comments)

- 11.1 The Assistant Director, Corporate Governance has been consulted in the preparation of this report and makes the following comments.
- 11.2 Legal Services have been involved in the drafting of the Policies. They comply with all relevant legal requirements.

12. Chief Finance Officer Comments

- 12.1 The policies are updated to reflect correct statutory requirements and do not appear to have any financial implication as the entitlements re: occupational pay have not changed in relation to maternity etc and shared parental pay is a statutory requirement. The leave entitlements in the policy have been changed to reflect the correct statutory requirements.

13. Use of Appendices

Appendix A – Haringey Schools Model Family Friendly Policies

Appendix B – Haringey Schools Model Recruitment Policy

Appendix C – Haringey Schools Model Equality and Diversity in Employment Policy

14. Local Government (Access to Information) Act 1985

Not Applicable.

Haringey Schools Policies

Family Friendly Policies

This suite of policies includes:

- Section 1: Maternity policy
- Section 2: Adoption policy
- Section 3: Paternity policy
- Section 4: Shared parental leave policy
- Section 5: Parental leave policy

Date of issue:	XXX
Status: These Model Family Friendly Policies are effective from XXX. A process of consultation with the relevant trade unions has been undertaken. This policy is the recommended policy for adoption by the Governing Bodies of Community and Voluntary Controlled schools. Voluntary aided or foundation schools may also choose to adopt it Advice and support on this policy is available from the Schools HR service.	

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Section 1: Maternity policy

1. Introduction

- 1.1 The purpose of maternity leave is to allow employees to give birth and to recover from giving birth to their baby, as well as to bond with and care for their new child.
- 1.2 The policy applies to all employees but not to agency workers, consultants or self employed staff save that the health and safety aspects of this policy apply to certain qualifying agency workers (see section 21).

2. Maternity leave

- 2.1 Maternity leave is a single continuous period, made up of 26 weeks' ordinary maternity leave and 26 weeks' additional maternity leave. Additional maternity leave follows ordinary maternity leave and there must be no gap between the two.
- 2.2 While it is up to each employee to decide how much maternity leave they wish to take, up to the 52 week maximum, the law requires that a minimum of two weeks' leave must be taken. This is known as compulsory maternity leave.

3. Eligibility for maternity leave

- 3.1 Pregnant employees are entitled to and qualify for 52 weeks Statutory Maternity Leave if they give the correct notice to their employers. The correct notice period that must be given is by the end of the 15th week before the baby is due. All pregnant employees are entitled to 52 weeks' maternity leave, or as much of that period as they wish to take, regardless of their length of service.
- 3.2 Maternity leave is available to all pregnant employees regardless of the hours worked. The amount of maternity pay awarded is dependent upon the employee's length of service.

4. Statutory Maternity Pay

- 4.1 To qualify for Statutory Maternity Pay (SMP) an employee must have been employed without a break for at least 26 weeks by the end of the 15th week before the expected week of childbirth and have average weekly earnings at least equal to the weekly lower earnings limit for National Insurance contributions. SMP is paid for a period of 39 weeks.

- 4.2 The following link provides DirectGov guidance on [Statutory Maternity Pay](#)¹ .

5. Maternity Allowance

5.1 Maternity Allowance (MA) may be available to help an employee take time off to have their baby if they are not eligible to receive SMP (see paragraph 4) from an employer. MA can be paid for up to 39 weeks and is administered by Jobcentre Plus.

- 5.2 The following link provides DirectGov guidance on [maternity allowance](#)² .

6. Occupational Maternity Pay

6.1 Occupational Maternity Pay – Teachers

Qualification for occupational maternity pay entitlements: If a teacher leaves their school/Haringey employment after the start of the 15th week before the week the baby is due, and does not return to work after maternity leave for the relevant qualifying period (i.e. 13 weeks) then they will not be entitled to Occupational Maternity Pay and will qualify for SMP only.

6.1.1 For teachers who joined Haringey Council or a Haringey School before 1 April 1993, local conditions of service apply:

- Either, 28 weeks full pay plus 11 weeks at the standard rate of SMP; or
- 16 weeks full pay plus 24 weeks at half pay (plus the standard rate of SMP will be paid for 23 weeks of the 24 week half pay period).

6.1.2 For teachers who joined Haringey Council or a Haringey school on or after 1st April 1993 and who have been employed continuously by Haringey or an Haringey school for one year at the beginning of the 11th week before the week in which the baby is due, local conditions of service apply:

- Either 14 weeks full pay plus 25 weeks paid at the standard rate of SMP; or
- 8 weeks full pay, plus 12 weeks half pay plus the standard rate of SMP, followed by 19 weeks at the standard rate of SMP

6.1.3 For teachers who do not have one year's continuous service with Haringey or an Haringey school but do have one year's continuous service in Local Government at the beginning of the 11th week before the week in which the baby is due, national conditions of service apply:

- 4 weeks full pay followed by 2 weeks at 90% of the weekly salary

¹ www.gov.uk/maternity-pay-leave/pay

² www.gov.uk/maternity-allowance/overview

followed by 12 weeks at half pay and the standard rate of SMP then 21 weeks at the standard rate of SMP

6.2 Occupational Maternity Pay - Support Staff

Qualification for occupational maternity pay entitlements: Employees must return to work after their maternity leave for the relevant qualifying period (i.e. 3 months).

SMP is payable for 39 weeks. It is paid as part of any full pay, and in addition to any half or no pay maternity entitlement.

6.2.1 For employees who joined the Council before 1 April 1993, local conditions apply:

- Either 28 weeks full pay followed by 11 weeks SMP; or
- 16 weeks full pay and 24 weeks at half pay.

6.2.2 For employees who joined the Council on or after 1 April 1993 and who have been employed continuously by Haringey for one year at the beginning of the 11th week before the week in which the baby is due:

- Either 14 weeks full pay, and 25 weeks SMP; or
- 8 weeks full pay, 12 weeks half pay and 19 weeks SMP.

6.2.3 For employees who do not have one year's continuous service with Haringey but do have one year's continuous service in Local Government at the beginning of the 11th week before the week in which the baby is due, national conditions apply:

- 6 weeks at 9/10ths of a week's pay, plus 12 weeks at half pay, and 18 weeks SMP

7. Other contractual payments and deductions

7.1 Apart from normal salary/wages payments, employees continue to be paid all contractual payments and allowances for the paid (occupational and statutory) part of their maternity leave and all standard deductions will continue to apply.

7.2 If you are in receipt of lump sum car allowance this will be paid in accordance with National terms and conditions of employment for the paid period of your maternity leave up to 52 weeks.

7.3 If an employee has automatic deductions taken out of their salary then they will need to contact the relevant body to arrange for alternative pay methods during any period of unpaid leave i.e. Additional Voluntary Contributions (AVCs) for pension purposes or payments of County Court Judgments.

- 7.4 Contributions to the Teachers' Pension/Local Government Pension fund will cease during unpaid periods of maternity leave. If an employee wishes to continue to pay into the fund during a period of unpaid leave they may elect to pay contributions so that the period of absence will count for pension purposes. For further details, employees should contact their pension provider directly.

8. Notification of pregnancy

- 8.1 Although by law employees are only required to notify their school that they are pregnant and will take maternity leave by the end of the 15th week before the expected week of birth, the employee, the line manager, and the school will benefit if the employee shares the news as early as possible before then.
- 8.2 The school has a duty of care to all employees, and appropriate early notice will mean that the line manager will know that the employee is entitled to paid time off for antenatal care and that particular health and safety rules apply, including a risk assessment being undertaken.
- 8.3 The employee must formally arrange to notify the school of her intention to take maternity leave by the end of the 15th week before her expected week of childbirth, unless this is not reasonably practicable. She must arrange to confirm in writing:
- That she is pregnant;
 - The expected week of childbirth;
 - The date that she wants to start maternity leave (this date cannot be any earlier than 11 weeks before the expected week of childbirth unless the baby is born early).
- 8.4 The employee must also provide a certificate (usually a MATB1) from a registered medical practitioner or a certified midwife, confirming the expected week of childbirth.
- 8.5 Once this written notification has been received, the school must write to the employee, within 28 days of the notice, confirming the expected date of return if she takes her full entitlement to maternity leave.

9. Changing the start date of maternity leave

- 9.1 Once an employee has notified their school of the date that they wish to start their maternity leave, this date may be changed as long as the school is notified of the new start date either at least 28 days before the date the employee originally intended to start maternity leave or at least 28 days before the new date the employee wants to start maternity leave, whichever is the earlier. It would be helpful if employees could give as much notice as possible.

- 9.2 However, if it is not reasonably practicable (for example if the baby is born early and the employee has to start maternity leave immediately) then the employee is not required to give 28 days notice. In these circumstances the employee should notify the school as soon as possible.

10. Antenatal care

- 10.1 Any pregnant employee has the right to paid time off to attend antenatal care arranged on the advice of a registered medical practitioner, midwife or health visitor. This is subject to the production of an appointment card or other such documentation confirming that an appointment has been made (save for the first appointment, in respect of which this is not required). Time off must take account of any necessary travelling arrangements.
- 10.2 There is no requirement to give paid leave to an employee who wishes to accompany their partner attending antenatal care, though sympathetic consideration should be given to allow employees to use annual leave or flexi leave for example. Expectant fathers, partners of pregnant women, and surrogacy parents have a statutory right take unpaid time off to attend up to two ante-natal appointments with the expectant mother. A request to attend the appointment should be put in writing, confirming that the purpose of the time off is to attend the ante-natal appointment and that they qualify on the basis of their relationship with the mother or child.

11. Time off for IVF investigation or treatment

- 11.1 Although there is no statutory right for employees to take time off work for IVF treatment, employers should treat medical appointments related to IVF the same as any other medical appointment under the terms and conditions of the contract of employment. Employers may agree to flexible working arrangements or a combination of paid, unpaid, or annual leave during the treatment.

12. Risk Assessment

- 12.1 During the employee's pregnancy, the school is required to take into account health and safety risks to the new and expectant mother. The school must carry out an initial risk assessment of the employee's job and working environment, examining any risks that might affect the new and expectant mother or that of her baby. Risks may include:
- Heavy lifting or carrying
 - Standing or sitting for long periods without adequate breaks
 - Exposure to toxic substances
 - Long working hours
- 12.2 The employee should be given a copy of the risk assessment and where a

potential risk is identified, reasonable temporary adjustments will be considered as appropriate. Further assessments should be undertaken if the employees job or working environment changes, or as required as the pregnancy progresses.

13. Commencement of maternity leave

- 13.1 Employees may not commence maternity leave earlier than 11 weeks before the expected week of childbirth. If the baby is born prematurely maternity leave begins automatically the day after the birth.
- 13.2 Maternity leave will normally commence on the date confirmed by the employee in her notification. However, if she has not already started her leave, this will be triggered by the birth of her child or a pregnancy related absence from the beginning of the 4th week before the expected week of childbirth. Maternity leave and maternity pay will start on the following day.

14. Premature births and miscarriages

- 14.1 Where a baby is born prematurely, special paid leave arrangements will be granted to cover the period up to the 11th week before the expected date of childbirth. The school's normal maternity conditions will apply thereafter.
- 14.2 If the baby dies or is stillborn after 24 weeks' pregnancy the maternity scheme applies, as noted above. Where miscarriage occurs before 24 weeks' pregnancy, sympathetic consideration should be given to the award of special leave.
- 14.3 If the mother dies before the end of her maternity leave or pay period, then her partner will still be able to access shared parental leave in the same way that they would have been able to had the mother curtailed her maternity leave and pay/allowance before her death. The full amount is available (up to 50 weeks shared parental leave and up to 39 weeks shared parental pay) less the number of weeks of maternity leave (or statutory maternity pay or maternity allowance) taken by the mother prior to her death.

15. Contact during maternity leave

15.1 Reasonable contact

- 15.1.1 An employer and employee are encouraged to maintain reasonable contact during maternity leave to discuss issues such as the return to work. The employee should also be informed of other issues such as job vacancies, significant workplace developments and training opportunities. This degree of contact would not constitute 'work'.

15.2 Keeping in touch days

15.2.1 A woman can take up to ten days' work during her maternity leave without bringing her maternity leave to an end; these are referred to as "keeping in touch" or "KIT" days. Working for part of the day will count as one day towards this entitlement.

15.2.2 Work is defined as any work done under the contract of employment and may include training or any activity undertaken for the purposes of keeping in touch with the workplace. An employer cannot insist that a woman carries out any work and she is protected from suffering a detriment for refusing to do so. Equally, a woman cannot insist on being given any work to do.

15.2.3 Maternity Pay regulations state that maternity leave and entitlement to Statutory Maternity Pay must end if a woman works any more than the ten days allowed.

15.3 Establishing keeping in touch days

15.3.1 An employee cannot carry out any work during the first two weeks following the birth of the child. However, at any other point during a period of maternity leave the employee and line manager may wish to reach an agreement that keeping in touch days will be worked. The ten-day entitlement can be broken up and taken as individual days, or split into a period of days depending on the activity to be completed and local arrangements. It should be noted that a woman's maternity leave would not be extended due to the fact that she has carried out some work during this period.

15.3.2 Keeping-in-touch days help to maintain contact during maternity leave and facilitate an effective re-induction to the workplace.

15.4 Pay for work undertaken during maternity leave

15.4.1 An employee will be paid normal pay for the hours worked during keeping in touch days and this will offset against any remaining entitlement to maternity pay for that period.

15.4.2 Any work done on a particular day is counted as using one KIT day. For example, if an employee agrees to attend a training course and the course lasts two hours, this is counted as having used one KIT day.

16. Re-organisation or redundancy during maternity leave

16.1 If, whilst an employee is on maternity leave, the school is involved in any re-organisation, the employee will be informed and given the opportunity to become involved in the process.

- 16.2 In cases of redundancy, where an employee on maternity leave cannot return to her former job, she is entitled to be offered (before that contract ends) a suitable alternative vacancy, where one is available.
- 16.3 A woman on maternity leave has a special right to be offered a suitable alternative post. Where a group of employees are facing redundancy, a woman taking maternity leave will be offered any suitable vacancy in priority to other employees.
- 16.4 If an employee is offered a suitable alternative vacancy, a trial period will apply, in which she may decide whether the employment is suitable. This period may be extended by written agreement. For further details see the school's policy on restructures and redundancies. The headteacher should seek advice from the school's HR service in such situations.

17. Annual leave and maternity leave

- 17.1 Entitlement to contractual (in the case of support staff) and statutory annual leave (in the case of support staff and teachers) accrues over the whole of the employee's maternity leave period, i.e. during both the paid and the unpaid leave. Statutory annual leave is the employee's entitlement to annual leave under the Working Time Regulations 1998. If the employee is intending to return to work, she may be allowed to take immediately following the end of her maternity leave a proportion of her contractual/ statutory annual leave entitlement for that leave year, subject to the needs of the service.

17.2 Annual Leave Entitlement – All year round support staff

- 17.2.1 In addition to continuing to accrue contractual and statutory annual leave throughout the entirety of their maternity leave, these employees are also entitled to a substitute day's leave for each public holiday that falls during their maternity leave (pro-rata for part time employees). The number of substitute days' leave will be calculated by the school, and the employees are to be allowed to take such leave, either before or after their maternity leave.
- 17.2.2 Where there is not enough time on the employee's return to work before the end of her annual leave year for her to take her remaining annual leave and the leave due to her under clause 16.2.1, she must be allowed to carry over that leave to the next leave year. An employee may be required to take this carried over leave during the remaining periods of school closure after the employee's annual leave entitlement for that leave year has been accommodated. The employee should receive pay for the annual leave carried over.
- 17.2.3 However, outstanding leave should be taken in the leave year of the employee's return to work if there is sufficient time to take it in school closure periods or in term time. Under the Working Time Regulations leave should

be taken in the leave year in which it accrues if possible.

17.2.4 Where employment is continuing, the employee cannot be paid in lieu of untaken statutory annual leave. In general, it is not possible to pay in lieu of statutory annual leave, except on termination of employment.

17.3 Annual Leave Entitlement – Term time only support staff

17.3.1 In addition to continuing to accrue contractual and statutory annual leave throughout the entirety of their maternity leave, these employees are also entitled to a substitute day's leave for each public holiday that falls during their maternity leave (for part time, term time only staff this will be pro-rata). The number of substitute days' leave will be calculated by the school, and the employees are to be allowed to take such leave, either before or after their maternity leave

17.3.2 Annual leave entitlement can be offset by any period of school closure that occurs in the leave year in question i.e. both before and after the maternity leave period.

17.3.2 A term-time only employee should be reminded of her annual leave entitlement and of the policy regarding how this is taken before her maternity leave commences.

17.3.3 If, on a term-time only employee's return from maternity leave, there are insufficient school closure periods to accommodate the employee's outstanding annual leave entitlement (including any leave due to her under clause 16.3.1), the employee must be allowed to take any remaining leave during term time.

17.3.4 Where there is not enough time on the employee's return before the end of her annual leave year for her to take her remaining annual leave and the leave due to her under clause 16.2.1, she must be allowed to carry over her leave to the next leave year. An employee can be required to take this carried over leave during the remaining periods of school closure after the employee's annual leave entitlement for that leave year has been accommodated. The employee should receive pay for the annual leave carried over.

17.3.5 However, outstanding leave should be taken in the leave year if there is sufficient time to take it in school closure periods or in term time. Under the Working Time Regulations leave should be taken in the leave year in which it accrues if possible.

17.3.6 Where employment is continuing, the employee cannot be paid in lieu of untaken statutory annual leave. In general, it is not possible to pay in lieu of statutory annual leave, except on termination of employment.

17.4 Annual Leave Entitlement – Teachers

- 17.4.1 In accordance with the School Teachers Pay and Conditions Documents, annual leave for teachers coincides with those days when the teacher is not required to be available for work (generally periods of school closure) Teachers do not have a contractual entitlement to paid annual leave. Their annual leave year for the purpose of the Working Time Regulations (WTR) runs from 1st September to 31st August.
- 17.4.2 Teachers are entitled to statutory annual leave under the Working Time Regulations (WTR), currently 28 days, to be taken either before or after the maternity leave period, during school closure periods.
- 17.4.3 Annual leave entitlement can be offset by any period of school closure that occurs in the leave year in question i.e. both before and after the maternity leave period.
- 17.4.4 A teacher should be advised prior to commencing her maternity leave, that she has a statutory entitlement to 28 days' annual leave and that this should be taken either before or after the maternity leave during school closure periods. On her return from maternity leave, a teacher must be allowed to take any outstanding statutory leave during term time during that leave year if there are insufficient school closures to accommodate her leave in that leave year.
- 17.4.5 Where the return from maternity leave is so close to the end of the leave year that there is not enough time for a teacher to take all her outstanding statutory annual leave entitlement, a teacher must be allowed to carry over any balance of her leave to the following leave year. A teacher can be required to take this during the remaining periods of school closure after the statutory 28 days' annual leave for that leave year has been accommodated.
- 17.4.6 Where employment is continuing, the teacher cannot be paid in lieu of untaken statutory annual leave. In general, it is not possible to pay in lieu of statutory annual leave, except on termination of employment.

18. Returning to work

18.1 The Right to Return

- 18.1.1 When returning to work after ordinary maternity leave (the first 26 weeks of Statutory Maternity Leave), the employee has the right to the same job and the same terms and conditions as if she had not been absent.
- 18.1.2 When returning to work after additional maternity leave, if it is not reasonably practical for the employee to return to the same job (for example, because the job no longer exists) employees do not have the same right. In that case, the employee should be offered suitable and appropriate alternative work with no less favourable terms and conditions as if she had not been absent.

18.2 Returning to work before the end of maternity leave

- 18.2.1 If the employee wishes to return to work before the end of the full maternity leave period (this will normally be the end date the school confirmed to the employee before maternity leave commenced), the employee must give the school eight weeks' notice of the new return to work date. This notice requirement applies during both ordinary and additional maternity leave.
- 18.2.2 If the employee attempts to return to work earlier than the end of maternity leave without giving the school eight weeks' notice, the school may postpone the return to work until the full eight weeks' notice has been given. However, the school may not postpone the return to work to a date later than the end of the maternity leave period.

18.3 Returning to work later than expected

- 18.3.1 An employee who has notified the school that she wishes to return to work before the end of her maternity leave, as set out in the paragraphs above, is entitled to change her mind. However, in these circumstances she should give the school notice of this new, later, date of return at least eight weeks before the earlier date.
- 18.3.2 If an employee is not well enough to return to work on the expected date then sickness absence must be reported to the headteacher or manager and any necessary certificates provided in the usual way. Appropriate action will be taken in accordance with the School's sickness absence procedure in order to support you back to work as soon as possible.

18.4 Not returning to work after maternity leave

- 18.4.1 An employee who does not wish to return to work after her maternity leave must give the school the notice of termination required by her contract of employment. It will help the school and the manager if the employee gives as much notice as possible.
- 18.4.2 Absence on annual leave, public and privilege holidays, and sickness at full or half pay count towards the notice period.
- 18.4.3 (Duplication of 18.3.2)

18.5 Repayment of maternity pay

- 18.5.1 If an employee does not return to work or does not work the qualifying time period after her return to work as outlined in paragraphs 6.1, and she has received occupational maternity pay in excess of her statutory entitlement, then she will be required to repay the school the occupational maternity pay element of her maternity pay to the school.
- 18.5.2 The employee will not be required to repay statutory maternity pay.

18.5.3 Repayment may be waived in exceptional circumstances at the discretion of the headteacher or other appropriate person.

18.5.4 An employee will not have to repay her maternity pay if she resigns from her school and takes up continuous employment with another Haringey school during the course of, or at the end of her maternity leave.

18.6 Breastfeeding Mothers

18.6.1 Where possible the school will make a room available for breastfeeding mothers to express milk. These arrangements must be made with the headteacher or other nominated person.

19. Appraisal

19.1 All employees participate in the school's performance appraisal scheme and the achievement of stated objectives by an individual over an agreed period might lead to reward, e.g. the award of an increment. It is essential that pregnant employees and those returning from maternity leave must not be disadvantaged. In applying the scheme therefore:

- The period over which targets and objectives are assessed may be reviewed; with an assessment period of less than a year.
- Where practical the manager and employee may complete an assessment immediately prior to commencement of leave where it is known that the absence will span the normal end of year assessment period.

20. Shared parental leave

20.1 If she chooses to do so, an eligible employee can end her maternity leave early and, with her partner or the child's father, opt for Shared Parental Leave instead of Maternity Leave. If they both meet the qualifying requirements, they will need to decide how they want to divide their Shared Parental Leave and Pay entitlement. Further details are contained within the Shared Parental Leave Policy.

21. Agency workers and maternity

21.1 Agency workers who have completed the 12 week qualifying period must not be unreasonably refused time off during working hours to attend appointments for antenatal care, which have been made on the advice of a medical practitioner, a registered midwife or a registered health visitor. Apart from the first appointment, if requested by her employer, the worker must produce a certificate confirming her pregnancy and a document from one of the above, proving that antenatal appointments have been made. Antenatal care

includes classes such as, attending for medical advice, relaxation classes or pre and post birth parenting classes recommended on medical advice.

21.2 Section 11 of this policy “Risk Assessment” shall also apply to pregnant agency workers.

21.3 The duties towards a pregnant agency worker by the school (end user) and the agency are triggered once the worker has notified them that she is expecting or that she has given birth within the last 6 months or she is breast feeding. The agency worker who has completed the 12 week qualifying period will also be entitled to be paid by the agency at the appropriate hourly rate for attending her antenatal appointments.

21.4 Agency workers who have completed the 12 week qualifying period will also have the same rights to accompany a pregnant employee or worker to antenatal appointments described under Section 10.2 of this policy.

Section 2: Adoption Leave and Adoption Pay

1. Introduction

1.1 Children may be adopted by couples who are married, civil partners or unmarried as well as by individuals. Where a couple are jointly adopting they can choose which of them will take adoption leave and pay and the other may take paternity leave and pay. If an individual is adopting they may take adoption leave and pay and their partner may be eligible for paternity leave and pay. This policy also applies to intended parents in surrogacy arrangements, provided they meet the criteria set out below.

2. Adoption leave

2.1 Adoption leave can commence from :

- The date the child starts living with the employee or up to 14 days before the expected placement date (UK adoptions)
- When an employee has been matched with a child to be placed with them by a UK adoption agency
- When the child arrives in the UK or within 28 days of this date (overseas adoptions)
- The day the child's born or the day after (intended parents in surrogacy arrangements)

2.2 Employees are entitled to 52 weeks' adoption leave consisting of 26 weeks' ordinary adoption leave and a further 26 weeks additional adoption leave.

2.3 Only one period of leave will be available irrespective of whether more than one child is placed for adoption as part of the same arrangement.

2.4 If the child's placement ends during the adoption leave period, the adopter will be able to continue adoption leave for up to eight weeks after the end of the placement.

3. Eligibility for adoption leave

3.1 Employees will be entitled to adoption leave from day one of their employment. No qualifying period of employment is required beforehand.

3.2 To qualify for adoption leave and pay an employee must be 'newly matched' with a child for adoption (including "Foster to Adopt")

arrangements) by an approved adoption agency. Employees should inform the school within seven days of being informed that they have been matched with a child. The employee must provide the school with documentary proof to show that they have a right to paid Statutory Adoption Leave. This is to be satisfied by a matching certificate from the relevant adoption agency. The adoption agency providing the certificate must be recognised in the United Kingdom. Adoption leave and pay is not available in circumstances where the employee:

- Arranges a private adoption
- Becomes a special guardian, foster carer (except in “Foster to Adopt” arrangements or kinship carer
- Adopts a stepchild
- Adopts a family member or stepchild.

3.2 Intended parents in a surrogacy arrangement who are entitled to and intend to apply for a Parental Order under the Human Embryology and Fertilisation Act 2008 may be eligible for adoption leave and pay if each parent meets the normal qualifying conditions.

4. Statutory Adoption Pay

4.1 To qualify for Statutory Adoption Pay (SAP) an employee must have been employed without a break for at least 26 weeks by the week that they are matched with the child and have average weekly earnings at least equal to the weekly lower earnings limit for National Insurance contributions. For intended parents in surrogacy arrangements, the conditions are the same, except to qualify for Statutory Adoption Pay the employee must have been employed without a break for at least 26 weeks by the 15th week before the week the baby is due.

4.2 For the first six weeks the employee will be entitled to 90% of their normal earnings. The following 33 weeks will be paid at the statutory adoption rate. The following link provides DirectGov guidance on [Statutory Adoption Pay](#)³.

5. Occupational adoption pay

5.1 For employees who joined the Council before 1st April 1993, and all teachers regardless of start date:

- 24 weeks leave at half pay and 15 weeks at flat rate SMP totaling 39 weeks paid leave from the date of adoption/fostering provided the employee intends to return to work.

³ www.gov.uk/employers-adoption-pay-leave/eligibility

5.2 For employees who joined the Council after 1st April 1993 and who have 1 years continuous service with Haringey:

- 12 weeks leave at half pay and 27 weeks paid at the same rate as SMP totaling 39 weeks paid leave from the date of adoption/fostering providing the employee intends to return to work.

5.3 The same requirements as for maternity leave will apply in relation to exercising a return to work and repayments of pay.

6. Notification of intention to take adoption leave

6.1 Adopters must inform the school of their intention to take adoption leave within seven days of being notified by their adoption agency that they have been matched with a child for adoption, unless this is not reasonably practicable. They will need to:

- Tell the school when they want their adoption leave to start
- Provide documentary evidence of their entitlement to adoption leave and pay⁴. This must include:
 - The employee's name and address and that of the agency
 - The match date – e.g. the matching certificate
 - The date of placement – e.g. a letter from the agency.

6.2 For employees who are the intended parent(s) in surrogacy arrangements, at least 15 weeks before the due date, employees must confirm in writing to the school when the baby is due and when they want to start their leave.

6.3 The school must respond to the employee within 28 days confirming the expected date of return if the full entitlement to adoption leave is taken.

6.4 Adopters will be able to change their mind about the date on which they want their leave and (if applicable) adoption pay to start, providing they tell their manager and inform the school at least 28 days in advance, unless this is not reasonably practicable.

7. Adoption appointments

7.1 An employee who has been notified by an adoption agency that a child is to be placed for adoption with them is entitled to take paid time off during their working hours to attend appointments, such as having contact with the child or meeting with the child's social worker or current carer, up to the date of the placement of the child.

⁴ Supplementary information applies to overseas adoptions including; the relevant UK authority's 'official notification' confirming the employee is allowed to adopt; and the date the child arrived in the UK.

- 7.2 Where a couple are adopting jointly, only one of them is entitled to take paid time off.
- 7.3 The person taking paid time off should be asked to sign a declaration that they have elected to exercise the right to paid time off.
- 7.4 The employee is entitled to take time off on up to five occasions for a maximum of 6.5 hours per appointment. This limit applies irrespective of the number of children being adopted as part of the same arrangement.
- 7.5 Appointments must have been made by or at the request of the adoption agency. The school can ask the employee to provide a document showing that this is the case, and giving details of the date and time of the appointment.
- 7.6 Where a couple are adopting jointly, the employee who has not elected to take paid time off to attend appointments can request to take unpaid leave. This is limited to up to two occasions.
- 7.7 Intended parents in a surrogacy case who meet the conditions set out under the Human Embryology and Fertilisation Act 2008 will also have the right to unpaid leave to attend up to two ante natal appointments.

8. Contact during Adoption Leave

- 8.1 Regulations provide that reasonable contact between the school and employee is permitted and will not bring the adoption leave to an end.
- 8.2 The provisions for “keeping in touch” days mirror those set out for maternity leave (up to a maximum of 10 keeping in touch days).

9. Return to work after adoption leave

- 9.1 Adopters who intend to return to work at the end of their full adoption leave entitlement will not have to give any further notification to the school.
- 9.2 Adopters who want to return to work before the end of their adoption leave period must give the school eight weeks notice of the date they intend to return.

Section 3: Paternity Policy

1. Introduction

- 1.1 Paternity leave is available to employees who are either a father to be or will share the responsibility with a partner for bringing up a child. This includes those who are adopting a child (including “Foster to Adopt” arrangements and Parental Order parents in surrogacy arrangements, where the other parent has chosen to take adoption leave).

2. Paternity leave

- 2.1 Eligible employees are entitled to take either one week or two consecutive weeks' paternity leave. This leave cannot be taken as odd / individual days and must be taken as a one week or two week block.
- 2.2 Employees must take their paternity leave within 56 days from the date of birth of the child, the first day of the expected week of it's birth, or the date of placement where adopting. Paternity leave cannot start before the birth of the baby.
- 2.3 Only one entitlement to leave is available to employees irrespective of whether more than one child is born as a result of the same pregnancy.

3. Eligibility for paternity leave

- 3.1 Employees must satisfy the following conditions to qualify for paternity leave. They must:
- have or expect to have responsibility for the child's upbringing
 - be the biological father of the child or the mother's husband or the mother's partner

4. Statutory Paternity Pay

- 4.1 To qualify for Statutory Paternity Pay (SPP) an employee must have been employed without a break for at least 26 weeks by the 15th week before the expected week of childbirth and have average weekly earnings at least equal to the weekly lower earnings limit for National Insurance contributions. SPP is paid for a period of two weeks.

4.2 The following link provides DirectGov guidance on [Statutory Paternity Pay](#)⁵.

5. Occupational paternity pay

5.1 For employees who joined the Council before 1st April 1993:

- 10 working days full pay.

5.2 For employees who joined the Council after 1st April 1993:

- 5 working days full pay followed by 5 working days SPP.

6. Notification of intention to take paternity leave

6.1 The employee must provide the following information to the school by the end of the 15th week before the expected week of childbirth:

- Confirmation of the expected week of childbirth, (supported by a copy of the MAT B1 maternity certificate) or if the birth has already occurred the date of birth (supported by the birth certificate as soon as it is available) or alternatively a completed SC3 form.
- The length of the leave requested.
- The date that they expect their paternity leave to start.
- Confirmation that they will be responsible for the child's upbringing and will be taking time off to support the child's mother or care for the child.

6.2 An employee will be able to change their mind about when they want to start the leave providing that they inform the school and tell their manager at least 28 days in advance (unless this is not reasonably practical).

⁵www.gov.uk/paternity-pay-leave/pay

Section 4: Shared Parental Leave Policy

1. Introduction

- 1.1 Shared Parental Leave and Shared Parental Pay allows eligible mothers and adopters to volunteer to end their maternity (or adoption) leave and/or pay early and then share the untaken balance of leave and pay with the child's father or their partner as shared parental leave and pay. This enables eligible mothers, fathers, partners and adopters to choose how to share time off from work during the first year after their child is born or placed.

2. Shared parental leave

- 2.1 The mother is obliged to take two weeks compulsory maternity leave immediately following the birth, or placement where adopting
- 2.2 Parents can share the remaining 50 weeks maternity or adoption leave and 37 weeks statutory maternity or adoption pay.
- 2.3 Parents can take shared parental leave at the same time or separately.
- 2.4 Shared parental leave and pay cannot begin any earlier than two weeks after the birth (or placement where adopting) and must be taken within 1 year of the birth or the date that the child was placed with the family (i.e. the day before the child's first birthday or the first anniversary of the placement of an adopted child).
- 2.5 Employees can request leave in a single continuous block (which the school must grant), or to split the leave up into discontinuous blocks (which the school does not have to grant). The employee must provide at least 8 weeks' notice before a block of leave commences. This is known as a "period of leave notice". An employee may submit up to three period of leave notices, so this may enable them to take up to three separate blocks of shared parental leave.
- 2.6 If an employee submits a request for discontinuous leave, the school does not have to agree to the request and will have a two week period to consider the request, during which it may propose alternative dates or refuse the request without proposing alternative dates. If a request for discontinuous leave is declined, then the employee may chose to take the total amount of leave requested in the notice as a continuous block (and may also choose to change the start date, provided at least 8 weeks' notice of the new start date has been given) or withdraw their request and submit an amended one. If an employee withdraws their notice in these circumstances that notice will not count towards their total of three notices.

- 2.7 This school encourages employees to share their plans for Shared Parental Leave with their manager at as early a stage as possible. This will enable discussions of any difficulties a request for discontinuous leave might give rise to and, where possible, consider alternative solutions that would meet the employee's requirements from the start.

3. Eligibility for shared parental leave

3.1 The eligibility conditions for shared parental leave are that:

- The employee has at least 26 weeks' continuous employment by the end of the Qualifying Week (15 weeks before the expected week of childbirth⁶) and is still in employment by the week before the period of leave is to be taken
- The other parent must have worked in the UK (which includes self-employment) in at least 26 of the 66 weeks before the expected week of childbirth (or matched for adoption) and had average earnings of at least £390 in total in 13 of the 66 weeks (not necessarily continuously).

4. Shared Parental Pay

4.1 Dependent upon length of continuous service a mother (or adopter) is entitled to maternity or adoption pay for up to 39 weeks. If this person gives notice to reduce their entitlement before they have received it, then any remaining weeks could become available to their partner as shared parental pay.

4.2 The rate for Shared Parental Pay is determined annually by the government. It is set at the same amount as Statutory Maternity Pay. The following link provides DirectGov guidance on [Shared Parental Pay \(ShPP\)](#)⁷. ShPP is paid at the current rate or 90% of average weekly earnings, if this is lower.

5. Notification of intention to take shared parental leave

5.1 The employee or their partner can only start shared parental leave once the child has been born or adopted and the statutory minimum maternity leave or

⁶ An employee who is adopting (including "Foster to Adopt arrangements), or who is the partner of an adopter, meets the continuity of employment test if he or she has been continuously employed by you for 26 weeks in the week in which the adopter is notified of having been matched with a child for adoption, and is still employed by you in the week before any shared parental leave is due to start. For a parental order parent in a surrogacy arrangement, the continuity of employment test is the same as that which applies to birth parents.

⁷ www.gov.uk/shared-parental-leave-and-pay/what-youll-get

statutory minimum adoption leave has ceased. The mother or adopter must have returned to work, or given notice to curtail their maternity or adoption leave.

- 5.2 The employee (whether it is the mother/adopter or their partner) must provide notification that they are eligible for shared parental leave and/or statutory shared parental pay and that they intend to take this entitlement. They should also provide a copy of the child's birth certificate, where adopting either the matching certificate or placement letter from the agency and in surrogacy arrangements, the Parental Order.
- 5.3 This notice of entitlement must be given at least 8 weeks before any shared parental leave or pay can be taken and include details of:
 - Start and end dates (or expected start and end dates) of the mother's maternity leave
 - The child's expected week of birth (or placement date)
 - The number of weeks that the mother or adopter has taken as maternity or adoption leave (or will have taken, where notice has been given to curtail the leave and pay on a specific future date)
 - How much shared parental leave and pay each of the parents intends to take (this can be changed at a later date and the full allocation does not need to be used).
 - How much Statutory Shared Parental Pay (ShPP) is being claimed (which will be 39 weeks less the amount of statutory maternity pay claimed).
 - How much ShPP will be claimed by each parent (this can be changed at a later date and the full allocation does not need to be used).
 - What will be the start and end dates for each period of the shared parental leave that the employee intends taking.
 - This notice must include a declaration from the employee's partner stating that they meet the statutory conditions for entitlement to shared parental leave and pay.
 - They should provide details of their name, address and National Insurance number, and also state that he or she gives their consent to our employee taking shared parental leave and/or pay and agreement that to process information provided by them.
- 5.4 Having given this notice of entitlement, the employee will need to give a period of leave notice finally confirming the requested start and end date of their leave at least eight weeks in advance of the requested start date. The period of leave notice can be given at the same time as the entitlement notice, or it can be given later, so long as the required notice is given.
- 5.5 The school must advise the employee in writing of the end date of any period of SPL. The employee is expected to return on the next working day after this date. If they are unable to attend work due to sickness or injury, the school's normal arrangements for sickness absence will apply.

6. Changing shared parental leave plans

- 6.1 Leave arrangements that have been notified can be changed where agreed by both parents through a notice to vary the agreed leave. 8 weeks' notice must be given. An employee can give notice to end a period of leave earlier or later than previously notified, or to aggregate a number of discontinuous weeks into a single block or request that a single period of continuous becomes discontinuous periods using a variation notice.
- 6.2 A notice to vary agreed leave counts towards the statutory cap of 3 period of leave notices.
- 6.3 There is no requirement to give 8 weeks' notice if the employee is changing the dates of their shared parental leave because the child has been born earlier or later than expected and the employee wanted (and still wants) to start their shared parental leave a certain length of time (up to 8 weeks) after the birth. The variation will not count as one of the employee's three period of leave notices where it is as a result of the child being born earlier or later than expected.

7. Shared parental leave in touch days

- 7.1 The employee can agree to work or attend training for up to 20 days during SPL without bringing their period of SPL to an end or impacting on their right to claim ShPP for that week. These are known as "Shared Parental Leave In Touch" (SPLIT) days. Any work carried out on a day or part of a day shall constitute a day's work for these purposes and the employee will receive full pay for any day worked. The shared parental leave period is not extended due to SPLIT days being taken during this period. Where the employee is the mother, this is in addition to any KIT days that may have been taken during maternity leave.

8. Terms and conditions during shared parental leave

- 8.1 The contract of employment does not change and employees are entitled to receive all their contractual benefits, except for salary. Any staff benefits continue and contractual annual leave and sickness payment entitlement continues to accrue.
- 8.2 Pension contributions will continue to be made during any period when the employee is receiving ShPP but not during any period of unpaid shared parental leave. Employee contributions will be based on actual pay, while the organisation's contributions will be based on the salary that the employee would have received had they not been taking shared parental leave.

9. Returning to work

- 9.1 The same rights to return to work will apply as per maternity leave: each parent will have the right to return to the same job if they have taken not more than 26 weeks shared parental leave; if they have taken more than 26 weeks shared parental leave, they will have the right to return to the same job as far as reasonably practicable or to a suitable alternative.

Section 5: Parental Leave Policy

1. Introduction

1.1 The aim of parental leave is to allow employees the opportunity to take time off to care for a child. Reasons why an employee may wish to take unpaid parental leave may include wanting to:

- Spend more time with his or her young child and achieve a better balance between their work and family commitments;
- Be with the child during the initial stages of new childcare arrangements;
- Help integrate their child into a new school.

2. Eligibility for parental leave

2.1 Parental leave can also be granted to others with parental responsibilities including foster parents, adoptive parents prior to placement, grandparents with a significant parenting role, special guardianship and step-parents.

2.2 To qualify for parental leave, the employee must:

- have been employed by the school for more than a year
- have been named on the child's birth or adoption certificate or expect to be named
- not be self-employed or a 'worker', e.g. an agency worker or contractor
- not be a foster parent (unless they've secured parental responsibility through the courts)
- want to take the leave in respect of a child who is under 18

3. Notification of parental leave request

3.1 The employee must make every attempt to give the school as much notice as possible with a minimum of 21 days' notice in writing before the day on which they propose to take the leave.

3.2 Parental leave may be granted to employees who have not given the required notice in special circumstances at the discretion of the headteacher.

3.3 Every attempt will be made by the school to avoid postponement. In any event leave shall not be postponed for more than three months, apart from exceptional circumstances, and cannot be where employees in the particular circumstances outlined below have requested parental leave:

4. Amount of parental leave

- 4.1 The statutory right of employees to parental leave is a maximum of 18 weeks' unpaid leave. The entitlement for parental leave applies for each child and can be taken up to their 18th birthday. The maximum amount of parental leave that may be taken in any one year in respect of a child is four weeks' parental leave in blocks of not less than one week, except where the child is disabled, in which case it may be taken one day at a time.

5. Postponing parental leave

- 5.1 The taking of parental leave may be postponed in circumstances where there is a good business reason for doing so, for example the school/service would be unduly disrupted if the employee took leave during the period identified in his/her notice.
- 5.2 In this case, the school must permit the employee to take a period of leave of the same duration and beginning on a date determined in consultation with the employee no later than three months after original start date notified. Managers should discuss the request for leave with the employee with a view to coming to agreement over an alternative. This could be:
- A different pattern of leave – e.g. part time rather than full time.
 - A shorter or longer period of leave.
 - Alternative dates within the three-month period.
- 5.3 Following consultation and not more than seven days after the employee's notice was given to the school, the manager must give the employee notice in writing of the postponement, which states the reason for it and specifies the date on which the agreed period of leave will begin or end.
- 5.4 Parental leave will not be postponed by the school if it is being taken by the father or partner immediately after the birth or adoption of a child or if it would mean that an employee would no longer qualify for parental leave (e.g. postponing until after the child's 18th birthday).
- 5.4 The school shall be sympathetic to flexible parental leave-taking arrangements requested by employees subject to the needs of the services provided to students and the smooth running of the school. Parental leave may be taken:
- As a single block of 18 weeks
 - As a number of shorter periods of a minimum of half day
 - In patterns which provide a part time or reduced hours working arrangement for a period of time equivalent to taking 18 weeks as a single block.

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Haringey Schools Policies

Model Recruitment Policy

(incorporating safer recruitment practice)

Date of issue:	XXX
<p>Status: This Model Safer Recruitment Policy is effective from XXX. A process of consultation with the relevant trade unions has been undertaken. This policy is the recommended policy for adoption by the Governing Bodies of Community and Voluntary Controlled schools. Voluntary aided or foundation schools may also choose to adopt it. Advice and support on this policy is available from the school's HR service.</p>	

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1. Introduction

- 1.1 This school is committed to safeguarding and promoting the welfare of children and young people and expects all staff, contractors, agency workers and volunteers to share this commitment.
- 1.2 The safe recruitment of staff in schools is the first step to safeguarding and promoting the welfare of the children in education. This can only be achieved through sound procedures, good interagency cooperation and the recruitment and retention of competent, motivated employees who are suited to and fulfilled in the roles they undertake.
- 1.3 This policy is to be read in conjunction with [Keeping children safe in education, Statutory guidance for schools and colleges, July 2015](#)¹ (KCSIE). This is statutory guidance from the Department for Education issued under Section 175 of the Education Act 2002, the Education (Independent School Standards) Regulations 2014 and the Education (Non – Maintained Special Schools) (England) Regulations 2011. Schools and colleges must have regard to it when carrying out their duties to safeguard and promote the welfare of children. Where there is any conflict between the interpretation of this Policy and the Guidance, the Guidance shall take precedence and be followed. In the event of any uncertainty advice from the school's HR service or legal services should first be sought. In the event that the Guidance is superseded within the period of time when this Policy is to be reviewed, then the Policy must be taken as being read in conjunction with the superseding Guidance as if the existing Guidance were being followed.

2. Purpose

- 2.2 The purpose of this policy is to clearly set out a recruitment process that aims to:
 - Attract the best possible applicants to vacancies, who operate with integrity and share the values of the school;
 - Deter prospective applicants who are unsuitable for work with children or young people;
 - Identify and reject applicants who are unsuitable for work with children and young people.

¹ www.gov.uk/government/publications/keeping-children-safe-in-education--2

3. Scope

- 3.3 This policy applies to all job applicants, potential and existing workers, as well as governors, contractors and agencies, and volunteers where appropriate.

4. Equality

- 4.1 The recruitment process must always be applied fairly and in accordance with employment legislation and the school's Equality and Diversity in Employment Policy.
- 4.2 This school recognises the value of, and seeks to achieve, a diverse workforce which includes people from different backgrounds with different skills and abilities. The school is committed to ensuring that the recruitment and selection of all who work within the school is conducted in a manner that is systematic, effective and promotes equality of opportunity.
- 4.3 All posts within the school are exempt from the Rehabilitation of Offenders Act 1974 and therefore all applicants will be required to declare both spent and unspent convictions, cautions and bind-overs, and have Enhanced Disclosure and Barring Service clearance. However, certain old and minor offences from criminal record certificates may be excluded. The filtering rules, together with the list of offences that will never be filtered, are available from [DBS Filtering Guide](#)². Where 'soft information' is made available by the Disclosure and Barring Service, this will also be taken into consideration.
- 4.4 The school is committed to ensuring people who have been convicted are treated fairly and given every opportunity to establish their suitability for positions. The disclosure of a conviction or caution does not necessarily mean that an applicant will not be appointed and that the main consideration will be whether the offence would make the person unsuitable for the type of work that they have applied to do.

5. Roles and responsibilities

- 5.1 The governing body will:

- Ensure the school has effective policies and procedures in place for the recruitment of all staff and volunteers in accordance with DfE guidance and legal requirements

² www.gov.uk/government/publications/dbs-filtering-guidance/dbs-filtering-guide

- Monitor the school's compliance with the policies and procedures
- Delegate responsibility to the headteacher to lead in all appointments outside of the leadership group. School governors may be involved in staff appointments. The headteacher may delegate the selection process of staff outside of the leadership group to other managers in the school, but remains responsible for the decision to appoint.

5.2 The headteacher and other managers involved in recruitment will:

- Ensure that the school operates safer recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers who work at the school
- Monitor contractors' and agencies' compliance with this document
- Promote welfare of children and young people at every stage of the procedure
- Ensure that at least one of the recruiting managers involved in each recruitment process has successfully received accredited training in safe recruitment procedures. The school will maintain an accurate record of all staff and governors that have successfully completed safer recruitment training.

5.3 All potential and existing workers, including volunteers will comply with this document.

5.4 All contractors and agencies will comply with safer recruitment pre-employment checks.

6. Recruitment process

6.1 Review of the vacancy

6.1.1 When a vacancy arises, the school will take the opportunity to revisit the job requirements.

6.1.2 This will involve a review of the job description and person specification where it is a like for like replacement role. This review will be undertaken by the headteacher or delegated manager, and may include the role being re-evaluated.

6.1.3 Authorisation for new posts within the organisation is dependent upon funding and budgetary requirements. Where such recruitment has not been accounted for, authorisation will be sought from the governing body.

6.2 Job Descriptions and person specification

6.2.1 All roles have a job description and person specification, which contain the following:

- A definition of the role, together with key duties and responsibilities.
- A description of the range of skills, attributes and qualifications required.
- A statement of the school's commitment to safeguarding and promoting the welfare of children.
- All job descriptions and person specifications will always be strictly relevant to the job, and all criteria must be objective, measurable and justifiable.
- Pay scale or pay range and any allowances attributed to the post (e.g. TLR payment)
- Details of working time arrangements where appropriate, for example term time only or 52 weeks.

6.2.2 A template job description and person specification is at Appendix 1. Model job descriptions are available from the school's HR service.

6.3 Advertising

6.3.1 To ensure equality of opportunity, the school will advertise all vacant posts to encourage as wide a field of candidates as possible. This usually means that posts are advertised externally.

6.3.2 Where there is a reasonable expectation that there are sufficient qualified internal candidates, or where employees are at risk of redundancy, an internal advertisement may be considered appropriate. A clear and transparent recruitment process should be followed in all cases. The schools' reorganisation policy provides more detail of the steps to be taken where employees are at risk of redundancy.

6.3.3 The School Staffing (England) Regulations 2009 specify that the governing body must advertise and head teacher vacancy or post in such manner as it considers appropriate, unless it has good reason not to. It is recommended that the governing body seeks advice from the local authority, before deciding not to advertise.

6.3.4 Adverts should be written to appeal to all sections of the community, clear and concise and written in plain and non-discriminatory language and include:

- Brief requirements of the job.
- A brief description of the school and the location.
- The salary and any other benefits.
- The length of contract (if appropriate, it must be stated whether the appointment is temporary and if so, the reason for this e.g. to cover maternity leave).

- All adverts will indicate that a Disclosure and Barring Service (DBS) check will be undertaken, or refer to an advert on the school's website which states this and includes a commitment statement regarding the safeguarding of children. For example **“The school is committed to safeguarding children and young people, and expects all staff and volunteers to share this commitment. The school follows safe recruitment practices to protect children from risk of harm, and all post holders are subject to a satisfactory enhanced Disclosure and Barring Service (DBS) check.”**
- The closing date. Normally advertisements will have a closing date of a minimum of 10 working days after the date the advertisement appears.

6.3.5 It is advisable for schools to include their commitment to diversity and equal opportunities in the advertisement. All advertisements placed by the Haringey Council include the statement *‘An Equal Opportunity Employer’* and it is recommended that schools adopt a similar statement to incorporate into their advertisements. Haringey Council also places the *‘Positive about disabled people’* logo on all of its advertisements, (the two ticks). This commits the Council to interviewing any candidates with a disability who meet the essential criteria of the person specification. Schools are strongly encouraged to place this on their advertisements as well.

6.4 Applicants

6.4.1 Prospective applicants will be supplied, as a minimum, with the following documents as part of an application pack:

- The job description and person specification;
- The school's child protection policy;
- The school's safer recruitment policy (this document);
- Details of the selection procedure for the post;
- An application form;
- Equal opportunities monitoring form.

6.5 Applications

6.5.1 The school uses standard application forms (standardised for teaching posts, support staff and volunteers). CVs will not be accepted.

6.5.2 The application form includes the following:

- A section for self-declaration of convictions or relevant information³, consent for DBS check, and a statement to say failure to disclose (other than in respect of "protected" convictions or cautions) will result in termination of the post.
- A section for personal details, qualifications, experience and employment history.
- A request for contact details of two referees.
- A requirement for candidates to account for any gaps or discrepancies in employment history. Where an applicant is short-listed, these gaps will be discussed at interview.
- A clear statement that providing false information is an offence and could result in the application being rejected or summary dismissal if the applicant has been selected, and possible referral to the police and other professional regulatory bodies.

6.5.3 If a disabled applicant requests an application pack in an alternative format, such as in Braille or Audio, then this request must be complied with. Please contact the school's HR service for further advice. Where the role is not advertised on the Haringey website, the job advertisement will need to make clear that disabled applicants may request an application pack in alternative format.

6.6 Shortlisting

6.6.1 Shortlisting is the process of analysing all applications and considering them in terms of how far they meet the requirements of the job description and person specification. The criteria must be objective and apply equally to all candidates. No one should be involved in any stage of the selection process if they have a close personal or family relationship or other connection, which may present a conflict of interest with any of the applicants. Staff must declare to the relevant headteacher, any conflict of interest as soon as they become aware of it at any point in the recruitment process. A record of any declaration will be made.

6.6.2 The interview panel should carry out the shortlisting. If possible, all those candidates who meet the essential criteria should be interviewed. Where the application form shows no evidence of meeting one or more essential criteria, no further consideration should be given to that candidate. Where a large number of applicants meet the essential criteria, the desirable criteria should be used to reduce the number of applicants. Decisions should be made purely on the information on the form and assumptions (either positive or negative) should not be made.

³ The disclosure of convictions, cautions or pending cases will not necessarily prevent employment but will be considered in the same way as positive DBS disclosures.

- 6.6.3 Disabled applicants who meet the essential criteria must be interviewed, regardless of the number of applicants. Consideration will be given to making reasonable adjustments for the disabled candidate to compete on an equal basis with candidates who do not share the disabled persons protected characteristic.
- 6.6.4 The shortlisting process must be documented for each applicant (see Appendix 2 for a model shortlisting form). Only candidates who meet all of the essential criteria should be invited for interview. The desirable criteria may be used to reduce the shortlist to a manageable number. It may be appropriate for the criteria to be ranked in order of importance and weighted to reduce the shortlist further.
- 6.6.5 Shortlisted candidates should be contacted as soon as possible and invited to interview (see Appendix 3 for template invitation to interview letter).
- 6.6.6 It is good practice to write to those candidates not shortlisted for interviews (See Appendix 4 for a template not shortlisted letter). However if this is not possible, then there should be a statement in the application pack saying that if people have not heard with 20 working days/by the date of the interview then they should assume that their application is not successful.

6.7 References

- 6.7.1 Two references for short-listed candidates will be requested immediately after short-listing. Wherever possible, both references will be taken up before the selection stage, so that any discrepancies can be explored during the interview process.
- 6.7.2 Where candidates have indicated on their application forms that they do not wish their current employer to be contacted, references will be taken up immediately after interview and prior to any offer of employment being made. Teachers will be expected to provide details of their current headteacher as one of their two referees.
- 6.7.3 References must be in writing, specific to the job for which the candidate has applied and directly from the referee - open references or testimonials are not acceptable. The school will not accept references from relatives or people writing solely in the capacity as a friend.
- 6.7.4 Where necessary, referees will be contacted by telephone or email in order to clarify any anomalies or discrepancies. A detailed written note will be kept of such exchanges.

6.7.5 Reference requests will specifically ask for details of:

- The referee's relationship with the candidate.
- Whether the referee is completely satisfied that the candidate is suitable to work with children and, if not, for specific details of the concerns and the reasons why the referee believes that the person might be unsuitable.
- The applicant's current post and salary.
- The applicant's performance history and conduct including details on any situation where any formal action has been taken using capability procedures within the last two years.
- Any disciplinary procedures for which the sanction is current.
- Any disciplinary procedures involving issues related to the safety and welfare of children, including any in which the sanction has expired and the outcome of those processes.
- Details of any allegations or concerns that have been raised that relate to the safety and welfare of children or behaviour towards children and the outcome of these concerns.

6.7.6 The school uses a standard reference request form to ensure the details outlined above are included.

6.7.7 References will be compared to the application form to ensure that the information provided is consistent. Any discrepancies will be taken up with the applicant at interview or after offer.

6.7.8 Any information about past disciplinary action or allegations will be considered in the circumstances of the individual case.

6.8 Secretary of State Prohibition Orders (teaching roles)

6.8.1 In all cases where an applicant is to undertake a teaching role of any kind a Prohibition Order check will be made using the Employer Access Online Service. This should be performed at the shortlisting stage but will always be made before any offer of employment is made.

6.8.2 Prohibition orders prevent a person from carrying out teaching work in schools, including academies (including 16-19 academies and free schools), local authority maintained schools, non-maintained special schools and independent schools as well as sixth form colleges, relevant youth accommodation and children's homes. A person who is prohibited from teaching must not be appointed to work as a teacher in such a setting.

6.8.3 Prohibition orders are made by the Secretary of State following consideration by a professional conduct panel convened by the National College for Teaching and Leadership (NCTL). Pending such consideration, the Secretary

of State may issue an interim prohibition order if it is considered to be in the public interest to do so.

6.9 Selection techniques including interviews

6.9.1 Selection techniques will be determined by the nature and duties of the vacant post, but all vacancies will require an interview of short-listed candidates.

6.9.2 Interviews will always be face-to-face. Telephone interviews may be used at the short-listing stage but will not be a substitute for a face-to-face interview (which may be via visual electronic link). A template interview scoring sheet is at Appendix 5.

6.9.3 Candidates will always be required to:

- Answer questions relating to their suitability for the role and how they meet the requirements of the job description and person specification;
- Explain satisfactorily any gaps in employment;
- Explain satisfactorily any anomalies or discrepancies in the information available to recruiters;
- Declare any information that is likely to appear on a DBS check; and
- Demonstrate their capacity to safeguard and protect the welfare of children and young people.

6.9.4 Other selection methods may also be used where these are appropriate to the post, for example:

- An observed activity with children;
- In tray exercises can be used to test organising, prioritising and time management;
- Presentations can be used to assess presentation and research skills; and
- Case studies can be used to evaluate problem solving and written communication skills.

6.10 English Fluency

6.10.1 Employees working in a customer-facing role must be able to speak fluent English. This means that they must have a command of spoken English that is sufficient to enable the effective performance of the role. This duty applies to existing staff and new recruits.

6.10.2 The fluency duty does not create a higher standard than already required for Teachers in local authority maintained schools who are already annually appraised against the Teachers Standards.

6.11 Pre-employment checks

6.11.1 All successful applicants are required to:

- Provide proof of identity and right to work in the United Kingdom;
- Complete a DBS application and receive satisfactory clearance;
- Have a satisfactory certificate of good conduct relating to time spent living outside of the UK, where applicable;
- Pass a prohibition from teaching check (see paragraph 6.8);
- Provide actual certificates of professional qualifications, as deemed appropriate by the school;
- Complete a confidential health questionnaire and be deemed mentally and physically fit to perform the role;
- Complete a childcare disqualification declaration; and
- Provide two satisfactory references (see paragraph 6.7).

6.11 Disclosure and Barring Service (DBS)

6.11.1 The school will request an Enhanced DBS Certificate through the school's HR service including a children's barred list check for all staff and volunteers (including governors) engaged in regulated activity.

6.11.2 According to KCSIE regulated activity includes:

- a) Teaching, training, instructing, caring for (see (c) below) or supervising children if the person is unsupervised, or providing advice or guidance on well-being, or driving a vehicle only for children,
- b) Work for a limited range of establishments (known as 'specified places', which include schools and colleges), with the opportunity for contact with children, but not including work done by supervised volunteers;

Work under (a) or (b) is regulated activity only if done regularly.

Some activities are always regulated activities, regardless of their frequency or whether they are supervised or not. This includes:

- c) Relevant personal care or health care provided by or provided under the supervision of a health care professional:
 - Personal care includes helping a child, for reasons of age, illness or disability, with eating or drinking, or in connection with toileting, washing, bathing and dressing;
 - Health care means care for children provided by, or under the direction or supervision of, a regulated health care professional.

6.11.3 When the DBS has completed its check of an applicant's record and, if appropriate, whether or not they are on the children's barred list, the relevant information will be recorded on a certificate (the DBS certificate) that is sent

to the applicant. The applicant must show the original DBS certificate to the school before they take up post.

6.11.4 Individuals can join the DBS Update Service at the point an application for a new DBS check is made, enabling future status checks to be carried out to confirm that no new information has been added to the certificate since its issue. This allows for portability of a certificate across employers.

6.11.5 Before using the DBS Update Service the school will:

- Obtain consent from the applicant to do so;
- Confirm the certificate matches the individual's identity; and
- Examine the original certificate to ensure that it is for the appropriate workforce and level of check, e.g. enhanced certificate/enhanced including barred list information.

6.11.6 The school will refer to the DBS anyone who has been removed from working (paid or unpaid) in regulated activity, or would have been removed had they not left, if there is reason to believe that they pose a risk of harm to a child or vulnerable adult. Further guidance on referrals can be found at www.gov.uk⁴

6.12 Disqualification by association

6.12.1 In line with [Disqualification under the Childcare Act 2006 guidance](#)⁵, relevant staff are disqualified from working in the school when they 'live or work in the same household' as someone who is barred from working with children or young people, even if they would not otherwise be disqualified themselves.

6.12.2 Staff are covered by this legislation if they are employed and/or provide early years childcare (this covers the age range from birth until 1 September following a child's fifth birthday i.e. up to and including reception age) or later years childcare (this covers children above reception age but who have not attained the age of 8) in nursery, primary or secondary school settings, or if they are directly concerned with the management of such childcare. This includes:

- Early years provision - staff who provide any care for a child up to and including reception age. This includes education in nursery and reception classes and/or any supervised activity (such as breakfast clubs, lunchtime supervision and after school care provided by the school) both during and outside of school hours for children in the early years age range; and
- Later years provision (for children under 8) - staff who are employed to work in childcare provided by the school outside of school hours for children who are

⁴ www.gov.uk/government/collections/dbs-referrals-guidance--2

⁵ www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006

above reception age but who have not attained the age of 8. This does not include education or supervised activity for children above reception age during school hours (including extended school hours for co-curricular learning activities, such as the school's choir or sports teams) but it does include before school settings, such as breakfast clubs, and after school provision.

This means that staff employed who work in the following roles are not covered, i.e. staff who:

- only provide education, childcare or supervised activity during school hours to children above reception age; or
- only provide childcare or supervised activities out of school hours for children who are aged 8 or over; and
- have no involvement in the management of relevant provision.

6.12.3 The school will take steps to gather information about whether a relevant member of staff is disqualified by association by asking them to declare any cautions or convictions for a relevant offence; where a care order is issued with respect to a child who has been in the person's care; whether they or anyone living or employed in their household is named on the DBS Children's Barred List. Staff are expected to inform the school immediately should circumstances change and they believe that they may meet the criteria for disqualification by association.

6.12.4 The school will keep a record of those staff who are employed to work in or manage relevant childcare and record the date on which disqualification checks were completed on the Single Central Register.

6.12.5 In the event of information leading to disqualification by association being obtained, the school will follow guidance set out in the Disqualification under the Childcare Act 2006 guidance.

6.13 Proof of identity and right to work in the UK and verification of qualifications and professional status

6.13.1 Successful applicants for all posts will be required to provide proof of identity by producing documents in line with those set out in The Immigration, Asylum and Nationality Act 2006 e.g. passport, birth certificate, driving licence etc. Similar information is also required to undertake a DBS check on the preferred candidate. These checks will be completed by the school's HR service.

6.13.2 The school will verify that successful candidates have actually obtained any qualifications legally required or deemed essential for the job, and as stated in their application by asking to see the relevant certificate, or a letter of confirmation from the awarding body / institution.

6.14 Fitness to undertake the role

6.14.1 A confidential pre-placement medical form must be completed to verify the successful candidate's mental and physical fitness to carry out their work responsibilities.

6.15 Individuals who have lived or worked outside the UK

6.15.1 The school ensures individuals who have lived or worked outside the UK undergo the same checks as all other staff. In addition, the school may take steps to further investigate any relevant events that occurred outside the UK.

6.15.2 When appointing a UK citizen who has lived overseas or a non UK citizen, a Certificate of Good Conduct must be obtained (where possible) from the embassy of the country the applicant has specified they have spent a significant period of time in.

6.15.3 If an applicant is unable to provide a Certificate of Good Conduct, evidence must be presented to show that an attempt to obtain a copy has been made.

6.15.4 Any costs incurred for obtaining a Certificate of Good Conduct must be met by the individual and will not be reimbursed.

6.15.5 If an applicant is unable to obtain a Certificate of Good Conduct then a Risk Assessment Form must be completed and signed off. All other pre-employment checks must be completed.

6.16 Agency and third-party staff and trainee teachers

6.16.1 The school ensures written notification is obtained from any agency, third-party organisation or teacher training institution to confirm that appropriate recruitment vetting checks have been obtained for any individual working at the school in regulated activity.

6.16.2 The school checks the identity of all agency or third party staff on arrival at the school.

6.17 Current staff

6.17.1 The school reserves the right to repeat any check if any information is received that suggests a person may no longer be suitable for continued employment.

7. Offer of Employment

- 7.1 It may be possible to negotiate a provisional start date with the preferred candidate. However, with the exception of the DBS disclosure (unless the DBS Online Update Registration service is available), the pre-employment checks detailed above (i.e. satisfactory DBS Certificate, references, medical checks, prohibition checks, childcare disqualification checks and waivers, copies of qualification and proof of identity) must all be completed before a person's appointment is confirmed.
- 7.2 In the case of DBS disclosures, the certificate must be obtained/verified before or as soon as practicable after the appointment is made. In exceptional circumstances, where an individual starts work before the DBS certificate is available, then the school will ensure that the individual is appropriately supervised and that all other checks, including a separate barred list check, have been completed.
- 7.3 Once all pre-employment checks have been satisfactorily completed / received, The school's service will make an offer of employment and will issue the contract of employment. The contract will be issued as soon as possible but in all circumstances within eight weeks of employment commencing.

8. Unsuccessful Candidates

- 8.1 It is good practice for the headteacher or chair of the interview panel to contact unsuccessful candidates as soon after the interview as possible to offer feedback about the interview.
- 8.2 When giving feedback, it should be:
- Honest and non discriminatory;
 - Related to the individual's performance at the interview;
 - As detailed as possible using examples from the interview; and
 - Constructive and helpful for the individual.

9. Retaining records and data protection

- 9.1 The school must retain all interview notes on all applicants for a 6 month period after notifying unsuccessful candidates, after which time the notes will be destroyed (e.g. shredded).

10. Personal file records

10.1 The school will retain the following information, which will make up part of the personal file for the successful candidate:

- Application form
- References
- Proof of identification
- Proof of academic qualifications
- Evidence of medical clearance from Occupational Health (where applicable)
- Evidence of the DBS clearance (ie: the notification form or certificate reference number, not the actual DBS form or certificate)
- Certificate of Good Conduct (where applicable to DBS checks)
- Positive Disclosure Review sheet (maintained if applicable/agreed)

11. Single central record

11.1 In line with DfE requirements, the school will keep and maintain a single central record of recruitment and vetting checks. The central list will record all staff who are employed at the school, including casual staff, teacher trainees on salaries routes, supply staff whether employed directly or through an agency, volunteers, governors who also work as volunteers, and those who provide regular additional teaching or instruction for pupils but who are not staff members (eg: regular specialist workshop leaders).

11.2 The central record will indicate whether or not the following have been completed:

- Identity checks;
- Qualification checks for any qualifications legally required for the job;
- Checks of right to work in the United Kingdom;
- DBS Enhanced Disclosure and barred list check;
- Prohibition from teaching check;
- Further overseas records where appropriate; and
- Who undertook the check and the date on which the check was completed or the relevant certificate obtained.

11.3 In order to record supply staff provided through an agency on the single central record, the school will require written confirmation from the agency that it has satisfactorily completed the checks described above. The school does not need to carry out checks itself except where there is information contained within the disclosure.

12. Volunteers and regulated activity

- 12.1 The school welcomes the active involvement of parents, volunteers and members of the local community in school life. Parents and carers frequently help at school and on trips and outings on an occasional basis to support the curriculum, closely supervised by a member of staff. These helpers are not considered to be engaged in regulated activity and are therefore not subject to the Safer Recruitment Procedures. Guidelines for parents helping in school will be made available for parent volunteers for example the schools Safeguarding Policy.
- 12.2 However, some volunteers may be engaged in regulated activity and therefore are subject to Safer Recruitment Procedures. Further guidance on how this judgement may be made is contained within the [Keeping Children Safe in Education July 2015](#)⁶.
- 12.3 Governors are required to have enhanced DBS checks.

13. Monitoring and review

- 13.1 The Governing Body will monitor the implementation of and compliance with this policy and procedures. This will include periodic audits of files and records by the Designated Safeguarding Lead and/or Nominated Governor as part of the school's wider Safeguarding Audit (as specified in the Safeguarding Policy).
- 13.2 The school's senior management and the governing body will ensure that action is taken to remedy without delay any identified issues.

⁶ www.gov.uk/government/publications/keeping-children-safe-in-education--2

Appendix 1 - Template job description and person specification

Please complete all sections as comprehensively as possible and state N/A if a section does not apply. This job description and person specification will be used as part of the recruitment process.

Job title	
Post number	
School	
Department	
Responsible to: <i>(give job title of the person to whom the postholder is directly accountable)</i>	
Responsible for: <i>(please give job titles, grades and attach a structure chart)</i>	
Pay and hours:	

1. Purpose of the job

This should be a brief summary

2. Main Responsibilities

This is the most important section. It should list the major areas in which the job must produce results in order to achieve its purpose. You need to explain what is done, how and at what level you expect the postholder to operate within the school.

3. Financial Accountability/Influence

- A. Give an overview of any budgets, expenditure, income for which the postholder has sole or shared accountability, or has some influence over. You need to explain the postholder's responsibilities in this area.
- B. List any external contracts or Service Level Agreements that the postholder manages, monitors or specifies.

4. Additional Information

Provide details of any other factors not already given which affect the job.

e.g. particularly unpleasant working conditions, being the Council's specialist in a specific area, high political sensitivity.

5. We confirm that this form conveys a full and accurate description of the job as at (date)

Postholder name	
Post holder signature	
Date	
Manager name	
Manager signature	
Date	

Person Specification

1. Education, Experience and Working Knowledge

A. List the education, qualifications or training that the ideal postholder would need to perform the full duties of the post effectively. (This information should relate to the qualifications etc. required for the job and may not be the same as those held by the postholder).

e.g. CIPD qualified or equivalent by experience

B. How much work experience over and above any qualification (related and unrelated) would the postholder ideally need before appointment?

e.g. 1 previous experience of working as a member of a team

e.g. 2 substantial management experience at a senior level

C. Details of any specific knowledge required

e.g. good working knowledge of planning regulations and legislation

Appendix 2 – Example short listing record

It is recommended that this or a similar short listing record be kept.

Post	
Reference	
Closing date	

Applicants Name	Appl. No	Shortlisting criteria (add additional columns if required)						Shortlist Y/N
		1	2	3	4	5	6	

Appendix 3 – Example interview invitation letter

Strictly Private and Confidential

Dear

Invitation to Interview

I refer to your recent application for the position of (POSITION DETAILS e.g. Head of Science) and I am pleased to invite you to an interview to be held at (VENUE) on (DATE). A map is enclosed. I also enclose (ADDITIONAL INFORMATION), which provides more information and details about the school.

You should arrive at the School at (TIME), report to Reception, and ask for (CONTACT NAME). (E.g. additional assessment ~ *You should bring with you a recent example of your work, which you should be prepared to discuss as part of the assessment*)

Your interview will last approximately (LENGTH OF INTERVIEW) and the panel will include:

(NAME) (POST) Chair of the Interview Panel

(NAME) (POST) Panel Member

(NAME) (POST) Panel Member

Please let me know as soon as possible if there are any adjustments or arrangements that you may need to assist you in the interview process.

I would be grateful if you would contact (CONTACT NAME) on the above number to confirm your attendance.

Yours sincerely

Appendix 4 – Example not shortlisted letter

Strictly Private and Confidential

Dear

(Details of Post e.g. Head of Science)

I refer to your application for the above post, and regret to inform you that you have not been shortlisted on this occasion.

I would however like to thank you for the interest you have shown in this vacancy and working at the school. If you require any feedback about your application, do not hesitate to contact me.

Yours sincerely

Appendix 5 – Example interview record sheet

It is recommended that this or a similar interview sheet be by each member of the selection panel.

Post	
Reference	
Grade	
Panel member	
Date	

Enter the key criteria (and competencies if appropriate), together with the weighting considered to be appropriate before the interview. (Scores 6 = Excellent, 5 = Very Good, 4 = Good, 3 = Satisfactory, 2 = Adequate, 1 = Unsatisfactory/no evidence)

		Candidates Initials						
KEY CRITERIA REQUIRED (from Person Specification and/ or competencies)	Wtg H/M/L							

Appendix 6 – Example reference request letter

Dear

Reference Request

(Candidates Name) has applied for the position of (Vacancy) at (Location) and has given your name your name as a reference to comment on their suitability for the post.

I enclose a copy of the job description and person specification for your information.

As any offer of appointment is subject to satisfactory references, I would be grateful if you complete the attached pro forma as fully as possible and return it to me in the enclosed pre paid envelope, as soon as possible and by (Date) at the latest. Alternatively you can email it to me at (Email address).

Many thanks for your assistance and if you have any questions do not hesitate to contact me.

Yours sincerely.

REFERENCE REQUEST PROFORMA**Please continue on separate sheet if necessary**

Name of applicant:

Job title (in your employment):

Start date:

Date of leaving (where applicable):

Reason for leaving:

Current or most recent salary or salary point, plus any allowances:

Capacity in which you know/knew the applicant:

Length of time you have known/knew them in this capacity:

In your view, does the applicant's overall performance suggest that they are equipped to fulfil the responsibilities of the post for which they are applying? (Please see enclosed Job Description and Person Specification.) Yes/No

If no, please comment:

Is the applicant (or were they at the date of leaving your employment) subject to any formal disciplinary or capability procedures or sanctions? Yes/No

If yes, please provide details:

In the preceding two years, has the applicant been subject to any formal capability procedures?

Yes/No

If yes, please provide details:

(Regulation 8A of the School Staffing (England) Regulations 2009 requires schools (maintained or academy) to provide this information in relation to teaching posts. For other posts, referees are asked to provide relevant information as part of their obligation to provide a satisfactory and accurate reference.)

Have any allegations or concerns been raised about the applicant that relate to the safety or welfare of children or young people or behaviour towards children or young people? Yes/No

If yes, in accordance with safer recruitment guidance, please include details of the outcomes of those concerns i.e. whether allegations or concerns were investigated, the conclusion reached and how matters were resolved.

Would you re-employ the applicant? Yes/No

If no, please comment:

In your opinion, is there any reason why the applicant should not be employed to work with children or be employed in a school or Pupil Referral Unit environment? Yes/No

If yes, please comment:

Please assess and rate (tick as appropriate) to the best of your knowledge, the applicant's ability, and typical performance in the following areas (continuing on a separate sheet if necessary):

	Excellent	Good	Satisfactory	Not satisfactory
1. Building and maintaining effective working relationships. (If currently or previously employed in a school environment, please assess relationships with pupils, parents, colleagues and the wider school community)				
2. Willingness to learn and develop/continuous professional development.				
3. Flexibility. (For example, willingness to undertake varied tasks and/or new methods commensurate with grade or professional standing)				
4. Team working. (Ability to work co-operatively with colleagues and share responsibility for team outputs)				

5. Ability to prioritise work and meet deadlines				
6. Ability to use own initiative appropriately				
7. Communication, both written and verbal, with varying audiences				
8. Contribution to your organisation/general life of the school				
9. For management or leadership posts only, people management and leadership skills				
For teaching appointments only, quality of teaching (overall, based on lesson observations during current/most recent performance management cycle)				
Outstanding	Good	Requires improvement	Inadequate	
Comments:				
For all appointments, are there any aspects of the role where the applicant may need further development?				
Yes		No		
If yes, please comment:				
Signed:				
Name:				
Position:				
Date:				

Appendix 7 – Example unsuccessful at interview letter

Strictly Private and Confidential

Dear

(Details of Post e.g. Head of Science)

Thank you for attending an interview on (Date of Interview) for the above post. I regret to inform you that you have not been successful on this occasion.

I would however like to thank you for the interest you have shown in this vacancy and working at our school. If you require any feedback about your interview, then do not hesitate to contact me.

Yours sincerely

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Haringey Schools Policies

Equality and Diversity in Employment Policy

Date of issue:	XXX
Status: This Equality and Diversity in Employment Policy is effective from XXX. A process of consultation with the relevant trade unions has been undertaken. This policy is the recommended policy for adoption by the Governing Bodies of Community and Voluntary Controlled schools. Voluntary aided or foundation schools may also choose to adopt it. Advice and support on this policy is available from the Schools HR service.	

1. Introduction

1.1 The Equality and Diversity in Employment Policy details the school's approach to equality and diversity to ensure fair and lawful practices and procedures at all times throughout recruitment and employment. This policy is closely linked to all employment policies and ensures that the school fulfils its obligations as an employer under the Equality Act 2010.

2. Equality and Diversity policy statement

2.1 The school is committed to equality of opportunity throughout employment (including pay, training & development, recruitment and retention) and commits to having in place policies, practices and procedures that promote equality and diversity and anti-discriminatory practices.

2.2 Everyone has the right to be treated with dignity and respect and afforded equality of access to opportunities that are available within the working environment. By valuing diversity, all staff recognise and embrace that everyone has unique identities which will help to ensure that the school can provide the best services to students possible.

3. Scope

3.1 This policy and procedure applies to all employees and prospective employees (job applicants and prospective job applicants) of the school and former employees with regards to the provision of an employment reference.

3.2 The school is also committed to equality in relation to all workers, contractors, sub-contractors, consultants, agency workers, employees seconded from other organisation, governors and volunteers and these groups are expected to adhere to the principles set out in this policy and procedure whilst undertaking work or tasks for the school.

4. Roles and responsibilities

4.1 The Headteacher is responsible for:

- Overseeing the preparation and publication of one or more equality objectives that the school believes it needs to achieve to further the general equality duty. These objectives will be reviewed and updated at least every four years and published on the school's website.
- Agreeing the equality objectives with the governing body and where appropriate including these in the school development plan.
- Producing an annual report on workforce equality and diversity information for the governors that provides the opportunity to consider that information in the context of the school's workforce planning, and so that potential positive action in appropriate areas can be considered.

4.2 All employees are responsible for:

- Complying with this policy and associated policies (such as the Bullying and Harassment Policy and the Code of Conduct), in their own conduct, at all times when dealing with each other, managing staff and in their relationships with children, parents, carers, governors and other stakeholders.
- Treating colleagues, governors, pupils, volunteers, visitors, and members of the public with dignity and respect.
- Embracing a culture that provides supportive and positive working relationships and behaviour, which underpins the school's vision and values.
- Being alert to discrimination and taking action to avoid becoming involved in any form of discrimination.
- Making colleagues aware if their conduct or behaviour is inappropriate and/or reporting this to the headteacher, or, if the inappropriate behaviour comes from the headteacher, the Chair of Governors.
- Providing support to employees who are subject to inappropriate conduct or behaviour.
- Promoting good community and workplace relations to foster and encourage an atmosphere of tolerance and support so that there is no place for behaviours which would negatively impact upon the community or school.
- Informing the school of any reasonable adjustments that may assist them.

5. The Equality Act 2010

5.1 The Equality Act 2010 brings together previous legislation to protect people from discrimination in the workplace and in wider society. The Act covers nine 'protected characteristics' which qualify for protection from discrimination under the act include:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

5.2 The Equality Act 2010 created a general equality duty. This means that when making decisions and developing policies public bodies are required to have 'due regard' to the need to:

- Eliminate discrimination, harassment, victimisation and other conduct that is prohibited by the Equality Act 2010.
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it, which means:

- Removing or minimising disadvantages
- Taking steps to meet different needs
- Encouraging participation when it is disproportionately low
- Foster good relations across all protected characteristics (i.e. between people who share a protected characteristic and people who do not share it).

5.3 To help meet the general equality duty schools in England have two specific duties. These are:

- To publish information to demonstrate how they are complying with the equality duty (see paragraph 6)
- To prepare and publish one or more specific and measurable equality objectives (See paragraph 7)

5.4 Further information on discrimination may be found at [ACAS 'The Equality Act 2010 – Guidance for Employers'](#)¹ and on the [DfE Equality Act 2010 Advice for Schools](#)². Equality is also an important aspect of the Ofsted common inspection framework, see the [Ofsted School Inspection Handbook](#)³ for further details.

6. Equality information

6.1 As part of its obligations under the Equality Act 2010 the school will publish information to demonstrate its compliance with the general equality duty. This information must include, in particular, information relating to people who share a protected characteristic who are:

- its employees, and
- people affected by its policies and practices.

For further information see [Essential Guide to the Public Sector Equality Duty](#)⁴

6.2 In addition, for those schools with 150 or more employees, information on workforce monitoring must be published on their website. Schools must do this annually by the 6 April each year.

¹ www.acas.org.uk/media/pdf/8/a/Equality-Act-2010-guide-for-employers.pdf

² www.gov.uk/government/publications/equality-act-2010-advice-for-schools

³ www.gov.uk/government/publications/school-inspection-handbook-from-september-2015

⁴ https://www.equalityhumanrights.com/sites/default/files/psed_essential_guide_-_guidance_for_english_public_bodies.doc

7. Disability Policy

Disabled Staff Working in Schools

7.1 The Equality Act 2010 defines disability as a physical or mental impairment which has a substantial and long term adverse effect on an individual's ability to carry out normal day to day activities.

7.2 There are some types of physical and mental conditions which might be treated as a disability under the Equality Act 2010, depending on the effect that have on the individual's daily life. This includes:

- Hearing and visual impairments;
- Conditions where the effects vary over time or come in episodes such as osteoarthritis and ME;
- Progressive conditions such as motor neurone disease, forms of dementia and cancer;
- Conditions which affect certain organs such as heart disease and asthma;
- Learning disabilities such as dyslexia and dyspraxia;
- Autistic spectrum disorders;
- Mental health conditions, for example depression, bipolar affective disorders, eating disorders;
- Impairments due to injury to the body or brain.

Reasonable adjustments

7.3 The school will make reasonable adjustments that can assist a disabled employee or potential candidate gain or stay in employment with the school, or a governor gain or keep an appointment on the governing body.

7.4 The adjustments may include physical changes to the workplace (for example changing lighting and adding signage), or the provision of auxilliary aids (for example specialist equipment such as adapted keyboards, voice recognition software, or sign language interpreters).

7.5 The following factors may be taken into consideration to determine how reasonable an adjustment might be:

- How effective it would be in helping the employee overcome a disadvantage;
- How practical it would be for the school to make the adjustment;
- The financial costs and the extent of any disruption;
- The availability of financial or other assistance in making the adjustment.

7.6 Where reasonable adjustments may be necessary the school will discuss this with the individual at a stage at which adjustments will enable access, and ensure good attendance and performance. The employee is entitled to keep a health condition confidential if they wish. However, we encourage employees to disclose conditions either to their headteacher or through the

Occupational Health Service so that we can consider any reasonable adjustments that might be made. Any such information will be treated confidentially, and only shared as necessary to implement the reasonable adjustments.

7.7 The Equality Act 2010 prohibits prospective employers from asking about a job applicant's health except in certain specified circumstances which include to:

- i) establish whether the applicant can take part in an assessment to determine their suitability for the job;
- ii) determine whether any reasonable adjustments need to be made to enable a disabled person to participate in an assessment during the recruitment process;
- iii) find out whether a job applicant would be able to undertake a function that is intrinsic to the job;
- iv) monitor diversity among job applicants.

7.8 Applicants are encouraged to inform the school of any reasonable adjustments that they may need when called to interview.

7.9 Funding for adjustments may be available through the Government's [Access to Work](#)⁵ scheme. It is the employee's responsibility to contact Access to Work to identify what support may be available under this scheme.

7.10 In community schools, the local authority is the employer and it is the authority's budget, rather than the school's, which would be taken into account in relation to capital funding for adjustments to premises.

8. Monitoring & review

8.1 The school will maintain a log of all reported breaches of this policy and review the application of this policy annually with the governing body.

⁵ www.gov.uk/access-to-work/overview