

MINUTES OF THE STAFFING AND REMUNERATION COMMITTEE MEETING HELD ON TUESDAY, 2ND FEBRUARY, 2021, 7.00 - 8.10 pm

PRESENT: Councillor Dhiren Basu (Chair), Councillor Julie Davies (Vice-Chair), Councillor Paul Dennison, and Councillor Yvonne Say.

1. FILMING AT MEETINGS

The Chair referred to the notice of filming at meetings and this information was noted.

2. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS (IF ANY)

Apologies for absence were received from Cllr Matt White.

3. URGENT BUSINESS

There were no items of urgent business.

4. DECLARATIONS OF INTEREST

There were no declarations of interest.

5. DEPUTATIONS / PETITIONS / PRESENTATIONS / QUESTIONS

There were no deputations, petitions, presentations, or questions.

6. MINUTES

RESOLVED

That the minutes of the Staffing and Remuneration Committee meeting held on 1 December 2020 and the minutes of the special Staffing and Remuneration Committee meetings held on 9 November 2020 and 7 December 2020 be confirmed and signed as a correct record.

7. PAY POLICY STATEMENT 2021/22

Ian Morgan, Reward Strategy Manager, introduced the report which sought approval for the Pay Policy Statement 2021-22. It was explained that the Council was required to produce an annual Pay Policy Statement to comply with the requirements of the Localism Act 2011. It was explained that the statement set out various provisions, including those relating to the remuneration of the lowest paid employees, payments on termination, and the re-employment of employees. It was noted that, if agreed, the statement would be presented to Council for approval. It was added that the Council had a responsibility to update and publish the Pay Policy Statement as soon as possible.

The Committee noted that, under paragraphs 5.4 - 5.6 of the Pay Policy Statement, the Council employed Educational Psychologists and Education Advisers and Inspectors based on the pay scales recommended by the Soulbury Committee and employed teachers based on the national Teachers Pay and Conditions (TPAC); it was enquired whether this was done in practice and how many people were employed under each category. The Reward Strategy Manager explained that the Council had a number of positions that were based on Soulbury and TPAC but it was noted that some of these could be vacant at any given time and there were only a small number of people in each of the categories.

The Committee noted that the Council could make market allowance payments in certain circumstances, such as where it had proved difficult to fill a post or where there was a skills shortage; it was enquired how market allowance payments were monitored. The Reward Strategy Manager stated that this would be determined by the Reward Strategy Manager, Chief People Officer, and ultimately by the Chief Executive.

It was noted that the Pay Policy Statement included a commitment for the Council to work towards all workers in the supply chain being paid the London Living Wage (LLW) and it was asked how this was monitored. It was explained that the responsibility for ensuring that the Council paid its employees the LLW was overseen by the Reward Strategy Manager and the Payroll Manager and it was confirmed that all employees were paid the LLW. It was noted that ensuring the LLW was paid to workers in the supply chain was largely the responsibility of the Procurement Team, with the Commissioning Team leading on some items. The Chief People Officer explained that, as contracts were renewed, the Procurement Team sought to stipulate payment of the LLW in contracts. It was noted that any questions about this process could be directed to Barry Phelps, Head of Procurement.

RESOLVED

1. To approve the draft Pay Policy Statement 2020/21, attached at Appendix A to the report.
2. To authorise the Director for Customers, Transformation & Resources, after consultation with the Chair of the Committee, to make such amendments to the Pay Policy Statement as considered minor.
3. To remit the Pay Policy Statement for endorsement by Full Council on ~~22nd~~ **18th** March 2021.

8. IMPLEMENTING TRANS EQUALITY POLICY

The Chair introduced the item and highlighted that there was a slightly amended Appendix 2 which had been circulated to the Committee and published on the Council's website. Dan Paul, Chief People Officer, introduced the report and noted that this was the second time that the Trans Equality Policy had been considered by the Committee, the first time being in December 2019. It was explained that the Council had a strong commitment to improve equality and diversity in the workforce

and to create a workforce that was free from bullying, harassment, and discrimination. The Council had committed to being an inclusive employer and undertook Stonewall Workplace Equality Index benchmarking each year; through this, there had been a recurring recommendation to introduce a Trans Equality Policy which was considered best practice across local government.

It was noted that, after consideration by the Committee in 2019, the policy had been amended and a detailed Equalities Impact Assessment (EIA) had been undertaken. The EIA balanced the rights of various protected groups and concluded that the policy would positively impact on protected groups and enhance equality in Haringey. The Chief People Officer explained that the Trans Equality Policy, the practice notes, and the EIA had all been through the detailed policy design and approval process which included consultation with Trade Unions. It was stated that the adoption of the policy was strongly recommended by officers who considered that it would advance equality in the workplace.

Cllr Davies stated that the adoption of a Trans Equality Policy was overdue and that the current proposal was a significant improvement from the version that was presented to the Committee in December 2019. She commented that the operational parts of the policy should be approved, subject to minor amendments. However, Cllr Davies was not satisfied with the list of resources, as policies generally did not include this sort of information and a number of the organisations listed no longer existed, and the glossary, as it contained overly detailed and potentially controversial definitions. She suggested that the Committee should approve the Trans Equality Policy and practice notes, subject to minor amendment, and that officers should investigate whether the list of organisations and glossary needed to be included.

Cllr Say enquired why the Trans Equality Policy was not included within a general equalities policy and noted that she had concerns about some of the wording used in the policy. She stated that the glossary would require regular updates and that some of the organisations in the list of resources no longer existed and some might not be endorsed by the Council. Cllr Say also expressed concerns that the EIA had involved Trade Unions, London Councils Human Resources (HR) Policy Network, and the Legal Team but that it had not involved any women's groups.

The Chief People Officer noted that there were not policies for each protected group but highlighted that Trans people faced unique challenges which merited protection through this specific policy. It was added that, in the past, there had been specific policies in response to particular issues and that these had been adapted or subsumed into other policies as society changed; it was considered important to have a Trans Equality Policy at this point in time. It was added that consultees felt strongly that the practice notes and glossary were required. It was noted that, in the future, it was likely that parts of the policy could be changed or removed. The Chief People Officer acknowledged that this glossary may require more frequent updates but he was happy to commit to reviewing it more regularly if required. It was added that the staff were very clear about the need for a Trans Equality Policy and that, although the Council did not have a women's group, the Trade Unions had been consulted and strongly supported the policy. It was also noted that there had been discussions with Trade Unions about the demand for a women's group and that, if established, this would be supported.

It was enquired whether minor amendments could be made to the Trans Equality Policy. The Chief People Officer explained that the Council had a specific process for policy development; policies were developed by HR with external advice and these were then put out for consultation with Trade Unions and any relevant groups. It was explained that it would not be possible for the Committee to make amendments to the policy which had been widely consulted on as any changes would have to be revisited. The Chief People Officer strongly encouraged the Committee to approve the Trans Equality Policy with the commitment that the practice notes and glossary would be regularly reviewed.

Cllr Dennison supported the introduction of the Trans Equality Policy, practice notes, and glossary but noted that he had some suggestions in relation to the practice notes and enquired whether any of these could be delegated to officers. In relation to the Rights of Trans Staff in section 4.3, it was noted that there were rights to use toilets and changing facilities that aligned with gender identity but it would be useful to add a requirement to provide the relevant facilities. The Chief People Officer explained that there had been specific discussions with the Property and Asset Management Team in relation to changing existing facilities where possible. In addition, there were specific requirements for new facilities to have a lockable private cubicle with a washbasin; it was noted that further detail was included in the EIA.

Cllr Dennison added that, in relation to Documentation in section 4.5, it was acknowledged that there were some limitations relating to the requirements of HMRC but it was enquired whether the Council could amend or remove a person's title on payslips; it was noted that this could be useful for staff in certain situations, such as mortgage applications. In relation to Roles and Responsibilities in section 5, it was noted that all staff would receive training but it was suggested that undertaking the training should be listed as a responsibility for all staff. It was commented that, throughout the document but mainly under Communication in section 4.6, there were references to staff who were transitioning during their employment and it was enquired whether there could be more detail relating to people who were potentially joining or leaving the organisation; it was suggested that applicants for job interviews could be asked for their title or pronouns.

The Chief People Officer stated that he would investigate whether it was possible to make the suggested changes to payslips and that it may be possible to develop the other points. It was noted that the Committee was recommended to delegate minor changes to the Trans Equality Policy and accompanying documents to the Director for Customers, Transformation, and Resources, after consultation with the Chair of the Committee.

Cllr Davies commented that it was important to ensure that no-one was negatively impacted by the policy. She stated that the organisation would need to put arrangements in place to make sure that those who required single sex spaces were listened to and noted concerns that the Council did not have a women's network. It was added that there was scope within the proposed policy for staff to receive significant disciplinary action as a result of a mistake, which was potentially unfair, and that it would be important to support staff to undertake training.

Cllr Davies expressed dissatisfaction that the Committee had been presented with a policy but was unable to make any amendments. She noted that more work was required to improve the glossary and list of resources especially regarding the inclusion and definition of intersex, to include women's groups in the consultation, and to include intersex staff or groups in the consultation. Cllr Davies also noted her surprise that there was no Trans Equality Policy for schools or other workplaces where Council staff were employed and that the Trade Unions had not addressed this. She explained that she supported the policy, subject to rigorous checking, with the caveat that the glossary and list of resources should be referred back to the Committee and that minor amendments were considered.

The Chief People Officer explained that the Council had an agreed process for policy development and it was important to follow this process. It was noted that it was not possible to make substantive changes at this stage but the recommendations proposed that minor amendments to the Trans Equality Policy were delegated to the Director and the Chief People Officer could discuss proposed amendments with members of the Committee; it was highlighted that this only related to minor amendments and not major amendments or deletions. It was added that this had been an emotive issue to consult on, that significant time and resources had been invested into the policy, and that consultees strongly felt that the wording of the policy was important; the Chief People Officer expressed reluctance in making anything other than minor amendments.

The Committee expressed concerns that the Committee was not included in the consultation process for policy development and requested that future policies were circulated to the Committee, formally or informally, before they were presented for final approval. It was also commented that it would be beneficial to clarify the process for suggesting amendments and for any re-consultation.

RESOLVED

1. To approve the Trans Equality Policy ready for implementation with effect from 1st March 2021. To note that staff training on the policy would be incorporated into the Council's wider diversity and inclusion training programme.
2. To authorise the Director for Customers, Transformation & Resources, after consultation with the Chair of the Committee, to make such amendments to the Trans Equality Policy as considered minor.

9. PEOPLE REPORT - DECEMBER 2020

Ian Morgan, Reward Strategy Manager, introduced the report which provided a quarterly update on relevant workforce data in order to support informed, strategic decision making. It was explained that Appendix A to the report presented information relating to the number of staff, composition of the workforce, starters and leavers, and sickness. Appendix B presented a copy of the employment profile which showed some analysis of each directorate and activities relating to recruitment and retention and formal procedures.

It was noted that off payroll interims and consultants should be employed for a short time period and it was enquired whether it was possible to monitor the length of contracts for these individuals. The Reward Strategy Manager explained that no agency worker was engaged for more than three months and that any extensions to this time period were subject to a formal process with Director approval. It was noted that it was challenging to analyse the average length of employment as some workers could undertake multiple assignments or may have a break during an assignment. It was commented that these concerns were known and were taken into account for the insourcing of resourcing.

It was also noted that there had been a marked decrease in sickness rates between June 2020 and December 2020 and it was enquired whether there was a specific cause for this. The Reward Strategy Manager noted that there was likely an impact relating to Covid-19. It was explained that no worker directly or indirectly impacted by Covid-19 should suffer any detriment and some absences had now been categorised in a slightly different way as a Covid-19 related absence. It was added that this information was being tracked and that, if any trends emerged, these would be considered and discussed later in the year.

It was commented that the Committee had received a presentation on the impact of Covid-19 on the general health of employees in June 2020 and it was asked whether this subject had been reassessed. The Chief People Officer noted that continual improvements were being made for employees and this included a new process for ordering equipment for home working and a contract to supply desks for those who needed one. It was noted that a staff survey had not been conducted recently but there had been all staff discussions, including discussions about the future of the workplace after the Covid-19 pandemic. It was suggested that an update report could be brought to the Committee after March 2021.

It was noted that there would be changes to off payroll working rules (IR35) in April 2021 which would require organisations to determine whether there was a genuine case for people being self-employed; this would result in a change to the tax burdens for a number of interims and it was enquired whether the Council was prepared to ensure compliance. The Reward Strategy Manager stated that the Council was prepared for ensuring compliance in relation to IR35. It was noted that the responsibility for the tax bill in cases of pseudo-employment would fall on the Council rather than individuals and there was an awareness of the rules within the wider organisation, including the Chief People Officer, Director of Finance, and Audit Team. The Chief People Officer explained that these rules would be introduced to the private sector in April 2021 but that the rules had applied to the public sector for several years, although there would be a change in the tax burden. It was noted that the Council had established processes and had been making decisions relating to IR35 for some time.

RESOLVED

To note the report.

10. PERFORMANCE RELATED PAY

Dan Paul, Chief People Officer, delivered a brief verbal update; it was explained that the Committee had previously approved the re-linking of senior management annual pay inflationary increases to the national terms and conditions and the national negotiations. It was noted that the current pay structure, which was set up in 2016, was intended to allow for contribution based pay increases for senior management but that this had not occurred. It was explained that the rest of the workforce had received annual increments across the pay structure but this had not happened for senior managers. It was noted that this position was currently under review and the main considerations were that the pay system needed to be fair as well as affordable. Although there was no formal update at present, the issue was being considered by the relevant people, including the Head of Paid Service and Section 151 Officer.

Following a question from the Committee, the Chief People Officer clarified that senior management had received no pay increases other than increases based on inflation. It was noted that there had been no progression through pay scales for senior managers as there had been for the rest of the workforce. It was currently being considered whether progression through senior management pay scales should be linked to performance or contribution.

It was noted that senior managers, such as the Head of Paid Service and Section 151 Officer, were considering how progression might work and it was enquired whether there would be any external or independent input on this policy. The Chief People Officer noted that these considerations were at an early stage and that independent input may be required; it was stated that there were known experts in this area and that it would be important to have advice from someone who was not impacted by the proposed system.

RESOLVED

To note the update.

11. NEW ITEMS OF URGENT BUSINESS

There were no new items of urgent business.

12. EXCLUSION OF PRESS AND PUBLIC

RESOLVED

That the press and public be excluded from the meeting for consideration of items 13-14 as they contained exempt information as defined in Section 100a of the Local Government Act 1972 (as amended by Section 12A of the Local Government Act 1985); para 1; namely information relating to an individual.

13. EXEMPT MINUTES

RESOLVED

That, subject to an amendment, the exempt minutes of the Staffing and Remuneration Committee meeting held on 1 December 2020 be confirmed and signed as a correct

record and that the exempt minutes of the special Staffing and Remuneration Committee meetings held on 9 November 2020 and 7 December 2020 be confirmed and signed as a correct record.

14. NEW ITEMS OF EXEMPT URGENT BUSINESS

There were no new items of exempt urgent business.

CHAIR: Councillor Dhiren Basu

Signed by Chair

Date