

MINUTES OF THE MEETING OF THE STAFFING AND REMUNERATION COMMITTEE HELD ON TUESDAY, 18TH APRIL, 2017

PRESENT:

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

80. 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.

81. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS (IF ANY)

There were no apologies for absence.

82. URGENT BUSINESS

There were no new items of urgent business.

83. DECLARATIONS OF INTEREST

There were no declarations of interest.

84. DEPUTATIONS / PETITIONS / PRESENTATIONS / QUESTIONS

There were no such items.

85. MINUTES

RESOLVED

That the minutes of the meeting of the Staffing and Remuneration Committee held on 7 February 2017 and of the special meeting of the Staffing and Remuneration Committee held on 10 March 2017 be approved as a correct record and signed by the Chair.

86. REVIEW OF CORPORATE FUNCTIONS AND THE CORPORATE LEADERSHIP GROUP

The Committee considered the report on the review of the corporate functions and the Corporate Leadership Group, which was presented by Zina Etheridge, Interim Chief

Executive. In response to a question from the Committee, the Interim Chief Executive outlined the changes to posts at Corporate Leadership Group level as set out at paragraph 6.7 of the report.

The Committee asked about the costings associated with the changes; it was reported that the changes in the corporate structures were anticipated to achieve the £400k savings in 2017/18 as set out in the report of the Chief Executive to the previous meeting. Details of the costings for the changes within the Regeneration and Planning Directorate were still being finalised, but it was confirmed that these would be met within existing budgets.

RESOLVED

That the Committee note the permanent changes proposed to staffing in the corporate functions and the changes to the leadership structures within the Regeneration and Planning Directorate.

87. SENIOR MANAGERS PAY REVIEW

The Committee considered the report on the outcomes from the April 2017 Senior Manager Pay Review, as presented by Ian Morgan, Reward Strategy Manager.

In response to a question from the Committee regarding whether the 76 individuals represented on the My Conversation outcomes at appendix A to the report represented the total senior management cohort, Mr Morgan advised that these were only those staff who had gone through the full Pay Review process and therefore did not include those who had been in post for less than 6 months.

The Committee asked for clarification on the comments of the Chief Finance Officer as set out in the report; Mr Morgan advised that across the organisation, the cost impact of the pay award as outlined in the report would be within the agreed 2% benchmark, however within individual directorates the average increases may be slightly below or above the agreed 2%.

It was noted that a further review would be undertaken in October 2017, and a report would be brought back to the Committee once this had been completed.

RESOLVED

That the Committee note the outcomes of the Senior Manager Pay Review for April 2017.

88. REFORM OF LEGISLATION GOVERNING OFF-PAYROLL IN THE PUBLIC SECTOR (IR35) - LBH IMPLICATIONS

The Committee considered the report on the reform of legislation governing off-payroll in the public sector (IR35), as presented by Richard Grice, AD Transformation and Resources. The report focussed on the key risk areas for the Council; the Committee was advised that to date 13 of the Council's 159 off-payroll workers had left the organisation, of whom six had cited IR35 as the reason for leaving. It was noted that

the full impact of the legislation on the Council would not be known until five or six months had elapsed, and that a further review would be brought back to the Committee in due course.

In response to a question from the Committee regarding individuals who would be out of scope for IR35, it was confirmed as an example that someone working for the Council on a specified, strictly time-limited project or providing specialist expertise would be considered out of the scope of the IR35 legislation. With regard to the risk to the Council in respect of the requests to increase worker day rates, it was confirmed that the Council was currently negotiating with nine individuals regarding day rates, in specialist areas of expertise.

The Committee asked about the 159 off-payroll workers reported, and where within the Council these staff were based. It was reported that the majority of these were agency social workers, with consultant and interim posts making up 38 of the 159 posts.

In response to a question from the Committee, it was confirmed that the deadline for the Council to complete assessment of its off-payroll workers was the end of April 2017.

The Committee asked about the particular risk identified in respect of lawyers leaving the authority, and it was reported that because IR35 only applied to public sector bodies, there was a potentially greater impact on any areas where individuals had the option to choose to work outside of the public sector. It was noted that this had not happened as yet, but that the Council would continue to monitor these areas as they would remain a potentially higher risk.

Cllr Gideon Bull, attending the meeting as an observer, spoke at the Chair's discretion and asked for clarification of the impact on off-payroll workers of the change in legislation. Mr Grice advised that the situation for each individual would be different, but that, for example, individuals who had previously been engaged by the Council via personal service companies would lose some benefits by moving onto the Council's payroll, for example in relation to expenses claimable. It was confirmed that the additional costs to the Council arising from the changes largely related to the costs associated with administering payroll for individuals who had previously been off-payroll, and the accrual of staff benefits by those who had not previously been directly employed by the Council.

The Committee noted that the reform would have a significant impact on the Council's ongoing efforts to reduce the number of consultants and interim staff employed by the Council.

RESOLVED

That the Committee note the content of the report.

89. STATUS OF COUNCIL AND EMPLOYEE JOINT CONSULTATIVE COMMITTEE

The Committee considered the report on the status of the Council and Employee Joint Consultative Committee, as presented by Richard Grice, AD Transformation and Resources.

The Committee asked about the status of any vote taken by the CEJCC once it was an informal body, and it was confirmed that, in accordance with the proposed terms of reference at section 2 of the CEJCC constitution, the body would have the ability to make recommendations to the relevant Council Committee (which would in general be the Staffing and Remuneration Committee) but that votes taken at the CEJCC would not be binding.

The Committee asked for examples of a matter that required an emergency meeting of the CEJCC to be convened at 3 working days notice, as provided for at paragraph 5.4 of the CEJCC constitution; it was reported that this would be an extremely unusual occurrence – it may provide for a need for an urgent meeting where a sudden issue relating to imminent strike action had arisen, however in almost all cases it would be expected that any such issue would have been addressed before it got to that stage.

In response to a question from the Committee it was confirmed that the Trade Unions had been fully engaged in the process of proposing a new constitution for the informal CEJCC and approved the proposal as put forward in this report.

The Committee asked about paragraph 8.4 of the proposed Constitution, and whether this was unduly restrictive in relation to unions only being able to attend a meeting where business affecting that union was being discussed – it was clarified that this paragraph related specifically to the provision for regional or district union officials to attend meetings; the local workforce representatives of the unions on the Committee would be entitled to attend all meetings.

In response to questions of clarification from the Committee it was reported that Soulbury staff were specialist employees based in schools, that votes of the CEJCC would require a majority on each side in order for a vote to pass (as opposed to a simple majority) and that the appropriate Provincial Council machinery as referred to in paragraph 12.1 of the Constitution referred to the dispute resolution mechanism at Greater London level.

RESOLVED

That the Committee:

- a) Approve the proposal to dissolve CEJCC as a sub-committee with immediate effect; and
- b) Approve the establishment of the CEJCC as an informal body with immediate effect as set out in the draft constitution at Appendix A to the report.

90. NEW ITEMS OF URGENT BUSINESS

There were no new items of urgent business.

91. DATE OF NEXT MEETING

26 June 2017, 7pm.

The meeting closed at 7.45pm.

CHAIR: Councillor Raj Sahota

Signed by Chair

Date