

AT A MEETING of the Employment in Hampshire County Council Committee of
HAMPSHIRE COUNTY COUNCIL held at the Castle, Winchester on
Wednesday, 22nd November, 2017

Chairman:

* Councillor Stephen Reid

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| * Councillor Keith Evans | * Councillor Roy Perry |
| Councillor Christopher Carter | * Councillor Stephen Philpott |
| * Councillor Adrian Collett | |
| * Councillor Judith Grajewski | |
| * Councillor Keith House | |

*Present

7. APOLOGIES FOR ABSENCE

Apologies were received from Cllr Chris Carter

8. DECLARATIONS OF INTEREST

Members were mindful that where they believed they had a Disclosable Pecuniary Interest in any matter considered at the meeting they must declare that interest at the time of the relevant debate and, having regard to the circumstances described in Part 3, Paragraph 1.5 of the County Council's Members' Code of Conduct, leave the meeting while the matter was discussed, save for exercising any right to speak in accordance with Paragraph 1.6 of the Code. Furthermore Members were mindful that where they believed they had a Non-Pecuniary interest in a matter being considered at the meeting they considered whether such interest should be declared, and having regard to Part 5, Paragraph 2 of the Code, considered whether it was appropriate to leave the meeting whilst the matter was discussed, save for exercising any right to speak in accordance with the Code.

9. MINUTES OF PREVIOUS MEETING

The minutes of the last meeting were reviewed and agreed.

10. DEPUTATIONS

No deputation requests were received.

11. CHAIRMAN'S ANNOUNCEMENTS

The Chairman had no announcements on this occasion.

12. **MEMBERS' ALLOWANCES SCHEME FOR 2018/19 & MEMBERS' ALLOWANCES SCHEME FOR 2018/19, 2019/20, 2020/21 & 2021/22**

The Committee considered the report of the Chief Executive setting out the recommendations of the Independent Remuneration Panel (IRP) with regard to the Members' Allowances Scheme for 2017/18 together with a Scheme for 2018/19, 2019/20, 2020/21 and 2021/22.

The report was introduced and the legal ability of the Council to make a new Scheme or to amend an existing Scheme was confirmed. Members noted that in doing this, the Council had a responsibility to ask the IRP for recommendations and to have regard to these in reaching a decision. The recommendations of the IRP were set out in the appendix to the report.

With reference to the report, the Committee considered a number of specific points recommended by the IRP, along with the general principle that the Scheme be set for a four year period with adjustments to be made in accordance with an agreed index.

With regard to the Special Responsibility Allowance (SRA) for the Assistant to the Executive – Rural Affairs Champion, the IRP had considered supporting information about the role and its development over the past 12 months. . It was highlighted that the increasing role of Town and Parish Councils would likely cause the significance of the position and the workload to increase going forward. With this in mind, the Committee agreed to support the recommendation of the IRP for no increase and supported a further review in 12 months, to allow consideration of any change in the role.

The IRP recommendation for no change to the formula for the calculation of the SRA for opposition spokespersons was noted and accepted by the Committee. It was agreed that comparison in the value of the opposition spokesperson SRA before and after the introduction of the formula would be investigated.

Recommendations for the introduction of an SRA for Co-opted Scheme Member Representatives on the Hampshire Pension Fund Panel and Board were considered and supported.

The Committee considered the recommendations of the IRP regarding childcare and dependents' carers allowances, in particular the need to balance responsibility for public money with a fair level of support to enable elected Members to carry out their duties and the provision of an efficient means for reclaiming costs. With this in mind a range of options were discussed, including paying the actual cost of care, linking it with the national living wage and linking it with the rate paid by the County Council for similar care provision. It was noted that Members' expense claims were spot checked and therefore relied largely on self-policing. It was proposed and agreed that it was desirable that allowances should be reflective of actual cost, whilst retaining an open, efficient and transparent process, and that officers should review and advise on appropriate means to identify a cap. It was furthermore agreed that the cap could differ between childcare and dependents' carers claims.

The recommendation for the provision of an index equivalent to grade H and above for Council staff by which future amendments to the Scheme should be made until 2021/22 was acknowledged and supported. It was agreed that this should include the posts technically outside of the Members' Allowances Scheme, such as Chairman and Vice-Chairman of the Council. The clarification of time limits for the claiming of expenses was also supported.

Resolved:

1. That the EHCC Committee recommend to the County Council that approval be given to amendment of the Members' Allowances Scheme for 2017/18 and to a Members' Allowances Scheme for 2018/19, 2019/20, 2020/21 and 2021/22, which takes into account the recommendations of the Independent Remuneration Panel and the views of the EHCC Committee. Namely:

With regard to the Members' Allowances Scheme 2017/18

- That the SRA for the position of Assistant to the Executive – Rural Affairs Champion remain at £4,345 per annum being 25 per cent of an Executive Cabinet Member SRA, to be reviewed in 12 months time.
- That the SRA for Minority Group Spokespersons remains in line with the formula adopted by the full Council on 20 February 2014, subject to review in the future and on submission of a business case evidencing how the role has developed.

With regard to the Members' Allowances Scheme 2018/19, 2019/20, 2020/21 and 2021/22

- That an SRA of £675 per annum be payable to the Co-opted Scheme Member Representatives of the Hampshire Pension Fund Panel and Board from 1 April 2018.
- That the Basic Allowance and Special Responsibility Allowances payable to Members be increased in line with any nationally agreed pay award for staff at grade H and above from 1 April 2018 and thereon annually for 2019/20, 2020/21 and 2021/22.
- That in future any allowances payable under other legislation be adjusted in line with any adjustment to allowances under the Members' Allowances Scheme.
- That further consideration be given to revising Childcare and Dependents' Carers Allowances reflective of actual costs, retaining an efficient and transparent approach in line with the County Council's payment processes, but subject to an upper limit.

2. That the proposal in regard to clarification of the procedure for claiming Members' expenses referred to at paragraph 5.1 is agreed.

13. **HAMPSHIRE COUNTY COUNCIL PAY STATEMENT - FINANCIAL YEAR 2018/19**

The Committee considered a report of the Chief Executive regarding the County Council's annual pay statement.

It was confirmed that the Council has a legal responsibility to publish an annual pay statement, that this did not set any pay policy but was a reflection of what was in place already. A query was raised regarding severance payments and it was explained by the Monitoring Officer that this was a complex area but the position was in accordance with current legislation.

The recommendations in the report were considered and it was resolved:

1. That the EHCC Committee recommends to the County Council approval of the Pay Statement as detailed in this report and at Appendix A, setting out the County Council's policies in respect of pay accountability for the financial year 2018/19 in accordance with the requirements of the Localism Act,
2. That the EHCC Committee recommends to the County Council that it remains the appropriate Committee to agree Chief Officer remuneration, for Chief Officers above Grade K, including individual salary offers in respect of any new Chief Officer appointments, any changes to Chief Officer salaries after appointment and any severance packages for Chief Officers leaving the County Council, in accordance with the Pay Statement.
3. That the EHCC Committee delegates authority to the Chief Executive, in consultation with the Chairman of the EHCC Committee, to make any changes to the draft Pay Statement consequential upon any changes to legislative requirements or other statutory guidance or changes to salaries of staff determined prior to consideration of the Pay Statement by full Council.

14. LEGISLATION UPDATE

The Committee considered the report of the Director of Corporate Resources regarding recent and pending legislative changes.

The report was introduced and key points relating to exit payments and the calculation of redundancy pay were highlighted.

The recommendations in the report were considered and it was resolved:

1. To note the developments on the Gender Pay Gap report.
2. To note the developments in relation to Exit Payment amendments.
3. To agree the proposed clarification in the Redundancy Policy
4. That a further update is provided at March 2018 meeting of EHCC

15. EHCC APPRENTICE PAY FRAMEWORK

The Committee considered a report of the Director of Corporate Resources regarding the Apprentice Pay Framework.

The context of the apprenticeship levy was set out and it was confirmed that the new framework encouraged apprenticeships to be possible at all grade levels and therefore in consultation with schools the current pay framework which focussed on apprenticeship pay at sub grades A and B needed to be withdrawn.

It was noted that a small number of schools had indicated a preference for using lower national minimum wage rates and explained they were free to do so at their own risk of equal pay challenge. The Committee welcomed publicity of a decision on the framework to school governors in order to highlight the risks and their responsibilities..

The recommendations in the report were considered and it was resolved:

That EHCC Committee:

1. Agree the adoption of a new Apprentice Pay Framework to be fully implemented on 1st April 2018, and that the Framework operates within existing EHCC pay scales. A detailed transition plan for all current apprentices on Grade Minus arrangements will be developed to transfer to newly created apprentice roles and positions in accordance with the new pay framework outlined in this paper.
2. Agree the withdrawal of the existing EHCC Apprenticeship 'grade minus' policy, this having been developed specifically as part of the Hampshire Youth Investment Programme.
3. Agree that the current 'Apprentice First' policy be formally extended from the current grades A-C to all roles appointed on EHCC terms & conditions, grades A-K.
4. Note the right of schools under the School Staffing Regulations (2009) to appoint staff, the flexibility that this affords them in the context of the Apprenticeship Levy and the associated risks.
5. Note the right of the Local Authority under the Scheme for Financing Schools (2015) (Section 6) to charge to a school's budget any awards by courts and industrial tribunals against the authority, or out of court settlements, arising from action or inaction by the governing body contrary to the authority's advice.
6. The County Council should write formally to school governors outlining the risks of paying outside of the policy and that the Council would use the right of the Local Authority under the Scheme for Financing Schools (2015) (Section 6) to charge to a school's budget any awards by courts and industrial tribunals against the authority, or out of court settlements, arising from action or inaction by the governing body contrary to the authority's advice.
7. Agree that a technical amendment be made to SAP to include the statutory Apprentice and age-related National Minimum and Living Wage rates as detailed in appendix 1. If approved, this facility would also be available to non maintained schools.

16. **PAY UPDATE**

The Committee considered a report of the Director of Corporate Resources regarding pay in Hampshire County Council.

The context of the EHCC pay scheme not being aligned with the National Joint Committee (NJC) scheme was set out and it was explained that this made the application of nationally agreed pay uplifts more complicated when they were not on the basis of a universal percentage increase. It was clarified that further

details of national changes were awaited to be able to understand the extent of the challenge.

The recommendation was considered and it was resolved to note the update provided in the report.

Chairman,