

## PERSONNEL COMMITTEE MINUTES - 15 MARCH 2018

**Present:** Councillor Lovelock (Chair);  
Councillors Brock (in place of Councillor Page), Skeats and Terry.

**Also Present:** Warren King, Ita McGullion, Kiaran Magee, Roger Morris and Shella Smith.

**Apologies:** Councillors David Absolom and Page.

### **15. CHAIRS' ANNOUNCEMENT: INTERIM HR/PAYROLL SERVICES MANAGER & HEAD OF HR**

The Chair welcomed the newly appointed Head of HR, Shella Smith, who would be joining the Council on 16 April 2018 from Basingstoke and Deane Borough Council. The Committee also expressed its appreciation to Warren King, Interim HR/ Payroll Services Manager who would be leaving the Council to take up a new role as the Head of HR at Alexander Devine's Children's Hospice in Maidenhead. Warren was thanked for all his work during the previous four and a half years with Reading and wished every success in his new appointment.

### **16. MINUTES**

The Minutes of the meeting held on 9 November 2017 were confirmed as a correct record and signed by the Chair.

### **17. PROCEEDINGS OF THE LOCAL JOINT FORUM**

The Chief Executive submitted the proceedings of the Local Joint Forum meeting held on 9 November 2017.

**Resolved - That the proceedings of the Local Joint Forum meeting be received.**

### **18. PAY POLICY 2018/19**

Warren King, Interim HR/Payroll Services Manager, submitted a report on the development of the Pay Policy 2018/19, in preparation for its submission to full Council on 27 March 2018. A copy of the Pay Policy Statement 2018/19 was appended to the report. The report stated that Local Authorities were required under Section 38(1) of the Localism Act 2011 (the Act) to prepare a Pay Policy Statement that articulated the Council's policy towards the pay of the workforce, particularly senior staff and the lowest paid employees.

The report explained that each local authority was an individual employer in its own right and had the autonomy to make decisions on pay that were appropriate to local circumstances and which delivered value for money for local taxpayers. Section 40 of the Act required authorities, in developing their Pay Policy Statement, to have regard to any guidance that had been published by the Secretary of State. This included Communities and Local Government guidance on Openness and Accountability in Local Pay and the Code of Recommended Practice for Local Authorities on Data Transparency (as amended). The Act required Councils to produce a Pay Policy

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Statement annually that was accessible for council tax payers to be able to take an informed view of whether local decisions on all aspects of remuneration were fair.

**Resolved - That the draft Pay Policy 2018/19 be recommended to Council on 27 March 2018 for approval.**

### **19. BUYING ANNUAL LEAVE POLICY**

Warren King, Interim HR/Payroll Services Manager, submitted a report on the updated policy on buying annual leave, which would aim to promote the policy and make it easier to apply and take up. The revised policy on buying additional annual leave was appended to the report for approval.

The significant changes to the existing policy were:

- That staff could buy additional leave after 6 months continuous service with the Council rather than having to wait for 12 months;
- Staff would be able to apply for additional leave at any time of the year, rather than at set times; and
- Staff would be able to make a one off purchase for a particular amount of days, or make a permanent commitment to buying additional leave days every year, the scheme would no longer be limited to a permanent arrangement to purchase extra days leave each year.

**Resolved - That the revised Buying Annual Leave Policy, as appended to the report, be approved and made available to staff on IRIS or on request from their manager.**

### **20. GENDER PAY GAP**

Warren King, Interim HR/Payroll Services Manager, submitted a report on the Council's requirement in accordance with the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 as an employer with 250 or more employees to publish statutory gender pay gap calculations every year on 31 March. The calculations must be published on the Council's website as well as a government website. The report set out the figures that would need to be published with an analysis of the information by 30 March 2018, which showed that the Council's mean (2.21%) and median (3.83%) gender pay gap compared favourably with the national average of 18.1%. The full details of the information to be published were set out in the report for consideration.

**Resolved - That the gender pay gap calculations be noted and the action set out in Section 5 of the report be agreed.**

### **21. EQUALITY AUDIT 2016/17**

Warren King, Interim HR/Payroll Services Manager, submitted a report that set out a statistical summary of the equal opportunities monitoring under the Council's Equality Monitoring Framework for the financial year 2016/17. The data tables were attached to the report at Appendix 1.

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The report explained that the audit was a component of the Council's Equal Opportunity and Fair Treatment Policy and would be presented annually, in the form set out in the Equality Monitoring Framework, to provide background data that would assist and inform the work of the Committee as well as providing an equalities context and focus for ongoing discussions with internal and external stakeholders.

The report stated that the framework contained key employment profiles which the Council had to measure by law and also included other profile data based on previous national performance indicators (PIs) outturns where relevant. In addition, data from the report would assist each directorate in setting its own targets based on their clients, customers or service users.

The report explained that the agreed framework reporting heads were:

- All Council Staff by directorate, gender, ethnic origin and disability;
- All Council Staff by gender, ethnic origin and disability across salary bands;
- Proportion of female, BME and disabled job applicants;
- Female, BME and disabled applicants as a proportion of their relative cohorts, who progressed to shortlisting to appointment compared with male, white and non-disabled applicants;
- Proportion of female, BME and disabled employees accessing Council training by directorate, training type, compared to male, white and non-disabled employees;
- Proportion of female, BME and disabled employees involved in Council procedures, compared to male, white and non-disabled employees;
- Staff turnover data analysed by gender and ethnicity;
- The 'protected characteristics' of Council Staff, as defined by the 2010 Equality Act.

The statistical summary for each of these areas was detailed in Appendix 1 and the report highlighted the following points:

- The proportion of women employed by the Council had remained almost static at 78.4%, with 92.4% in schools but only 46.2% in the Directorate of Environment and Neighbourhood Services (DENS);
- The proportion of black and minority ethnic (BME) staff had increased from 15.3% in 2015/16 (the figure of 21.7% reported to Personnel Committee on 8 December 2016 (Minute 21 refers) had been recorded incorrectly) to 16.1%, which compared with a 23% BME economically active population within the Borough;
- The proportion of employees who had declared a disability had increased from 2.9% to 3.2% but this was in comparison to a 6% economically active population within the Borough;
- In 2016/17 there had been 4002 applications for 352 appointments, compared with 4716 applications for 426 appointments in 2015/16. Of the applications in 2016/17, 64.6% were from women, 39.7% from BME applicants and 5.3% from people with a declared disability.

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The tables also showed comparisons of gender, ethnicity and disability across salary bands and this indicated that there were around 59-73% female employees in all salary bands except for band 1 and those bands 10 and above. The overall number of employees who had declared a disability was relatively even across most of the bands with the exception of band 9 and above. The level of BME employees in the higher earnings bands had increased from 5% to 14% but still remained relatively low in the more senior roles.

**Resolved -**

- (1) That the report be noted;**
- (2) That a report be submitted to a future meeting exploring the possible reasons behind the low number of BME staff employed in senior posts and action that could be implemented to address this issue.**

### **22. KENNET DAY NURSERY FEE INCREASE**

Ita McGullion, Under 5s Care Manager, presented a report providing the Committee with details of the Kennet Day Nursery's budget for 2018/19 and proposed an increase in fees for the Nursery from April 2018. The report explained that the last proposal to increase fees had been in September 2017 and also required the nursery to deliver a £20,000 profit, which would require a consistent 87+% occupancy level throughout the year to achieve this target. In the 2016-20 budget proposals it had also been agreed that the Nursery would further increase its profit to £30,000 for 2018/19.

**Resolved -**

- (1) That the fee structure be increased by 4% to apply from April 2018 as follows:**  
  
**£228.55 per week - £45.27 per day (RBC Users);**  
**£250.75 per week - £49.66 per day (Non RBC Users);**
- (2) That the current discount of £2 a day for siblings and the current additional charge of £2 a day for children under 2 years of age be continued unchanged in 2018/19.**

### **23. APPOINTMENT OF CHILDREN'S COMPANY CHIEF EXECUTIVE**

The Chair of the Committee was of the view that consideration of the following item was a matter of urgency as defined in section 100B (4)(b) of the Local Government Act 1972 (as amended) and should be considered at this meeting, because the arrangements to be followed for the appointment of the Chief Executive of the Children's Company had only recently been finalised with the DfE and Children's Commissioner. A decision could not wait until the next scheduled meeting because the appointment panel was due to take place on 17 and 20 April 2018.

Zoe Hanim, Head of Customer Care & Transformation, submitted a report seeking approval to constitute a panel for the appointment of the Chief Executive of the

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Children's Company. The Chief Executive of the Company would also act as the Director of Children's Services (DCS) for Reading Borough Council, the appointment of which fell within the definition of a chief officer of the Council requiring the Personnel Committee's appointment process to be followed. The appointment of the DCS would meet the statutory requirement for every top tier local authority to appoint an officer to this role, in accordance with Section 18 of the Children Act 2004. The report also sought a delegation to the Chief Executive to establish further panels outside the prescribed Personnel Committee process to deal with appointments that may need to be made prior to those posts transferring to the Children's Company. The Committee was also asked to note the composition of the interview panel to appoint the Chair of the Children's Company, which would consist of the Commissioner, a DfE representative, the Chief Executive of the Council and the Leader of the Council.

The Committee considered that it would be appropriate for the appointment panel for the Chief Executive of the Children's Company and DCS to include a representative from an opposition group on the Council, in the interest of openness and transparency of the process and to make it more consistent with the Council's practice to have cross-party representation when making senior management appointments.

### **Resolved -**

- (1) That the composition of the interview panel to appoint the Chair of the Children's Company, consisting of the Commissioner, a DfE representative, the Chief Executive of the Council and the Leader of the Council (or nominee), be noted;**
- (2) That a Panel consisting of the Children's Commissioner, the Chief Executive of the Council, the Chair of the Children's Company, if available, and the Leader of the Council (or nominee), be authorised to appoint and confirm the terms of the offer of an appointment to the preferred candidate to the post of Chief Executive of the Children's Company and to act as the local authority's Director of Children's Services;**
- (3) That, in relation to (2) above, the DfE be recommended to expand the composition of the appointment panel to include Councillor Skeats, in her capacity as the Leader of the Conservative Group and member of the Personnel Committee, in the interest of openness and transparency of the process and to make it more consistent with the Council's practice to have cross-party representation when making senior management appointments;**
- (4) That the Chief Executive be given delegated authority to establish suitably constituted panels, in consultation with the DfE, Children's Commissioner and Chair of the Personnel Committee, as necessary, to make decisions relating to appointments that the local authority may need to make, prior to the posts being transferred to the Children's Company.**

**24. EXCLUSION OF THE PRESS AND PUBLIC**

**Resolved -**

That pursuant to Section 100A of the Local Government Act 1972 (as amended) members of the press and public be excluded during consideration of the following item, as it was likely that there would be disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A (as amended) to that Act.

**25. EARLY RETIREMENTS AND REDUNDANCIES**

The Interim HR and Payroll Services Manager, the Monitoring Officer and the Head of Finance submitted a joint report, which set out 3 requests for dismissal on the grounds of redundancy and a retirement on the grounds of the efficiency of the service.

The proposals, together with the financial implications, were set out in a schedule appended to the report on the following basis:

- The financial case was given which represented the highest cost to the Council. In most cases this included discretionary added years on pension (where payable), as this represented a direct and ongoing cost to the Council. This was in accordance with the Council's current practice of considering redundancy and retirement terms up to the maximum limit of discretion, where applicable. The Committee was asked to approve individual proposals subject to a maximum ceiling on the exercise of discretion;
- The financial implications were costed on the basis of the estimated figures, which were subject to final confirmation. The figures might be affected by changes to final salary, pensionable service, age or date of leaving. The Committee was asked to approve the proposals on the basis of the estimated figures, subject to any individual proposal being brought back to Committee if the confirmed costs were more than 10% in excess of those reported;

The report sought approval for the payment of a compensation package in the case of the proposed terminations of employment on grounds of redundancy and efficiency, subject to the conclusion of all outstanding matters, including ongoing consultation with the employee and their representatives, and efforts to secure alternative employment, where appropriate.

**Resolved -**

- (1) That the dismissal of employment on the grounds of redundancy of employees A, B and D and the early retirement of employee C on the grounds of efficiency of the service be approved on the terms set out in the schedules appended to the report subject to the conclusion of all outstanding matters in each case, including ongoing consultation with the employees and their representatives and efforts to secure alternative employment, where appropriate;

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- (2) That the proposal set out in (1) above be approved on the basis of the financial implications set out in the report, and that authority to conclude the proposal be delegated to the Head of Finance, Monitoring Officer and HR and Payroll Services Manager (acting jointly) within that framework, and subject to the maximum ceiling identified for the proposal;
- (3) That the current terms for agreeing compensation packages in specific cases of early retirement or termination of employment on the grounds of redundancy or efficiency be confirmed.

(Exempt information as defined in Paragraph 1).

(The meeting commenced at 6.30pm and closed at 7.08pm).