



General Purposes Committee

Tuesday 21 January 2014 at 7.00 pm

Boardroom - Brent Civic Centre, Engineers Way,
Wembley, HA9 0FJ

Membership:

Members

Councillors:

Butt (Chair)
R Moher (Vice-Chair)
Brown
Hirani
Hopkins
Kansagra
Lorber
McLennan
J Moher
Pavey

first alternates

Councillors:

A Choudry
Jones
Beck
Van Kalwala
Sneddon
Colwill
Hunter
Al-Ebadi
Chohan
Arnold

second alternates

Councillors:

Krupa Sheth
Kabir
Matthews
Aden
Green
BM Patel
Leaman
Naheerathan
S Choudhary
Mrs Bacchus

For further information contact: Bryony Gibbs, Democratic Services Officer
020 8937 1355, bryony.gibbs@brent.gov.uk

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit:

democracy.brent.gov.uk

The press and public are welcome to attend this meeting

Agenda

Introductions, if appropriate.

Apologies for absence and clarification of alternate members

Item	Page
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Members are invited to declare at this stage of the meeting, any relevant financial or other interest in the items on this agenda.

2	Minutes of the previous meeting	1 - 4
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3	Matters arising	
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4	Deputations (if any)	
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5	Appointments to Sub-Committees / Outside Bodies	
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6	Review of Polling Districts and Polling Places	5 - 18
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The Electoral Administration Act 2006 and the subsequent Review of Polling Districts and Polling Places Regulations 2006 require each electoral registration authority in England, Scotland and Wales to carry out a review of both its polling district boundaries and its polling places every four years. This report concerns the third such review to take place in Brent, informs members of feedback to the review and makes recommendations for future electoral arrangements in the borough.

Wards Affected:

All Wards

Contact Officer: Fiona Ledden,
Director of Legal and Procurement

Tel: 020 8937 1292

fiona.ledden@brent.gov.uk

7	Calculation of Council Tax Base 2014/15	19 - 22
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This report sets out council tax base calculations to be used for 2014/15. The level of council tax base set is used in the calculation of the council tax for 2014/15. Regulations require that the council tax base is set by 31st January prior to the start of the financial year.

Wards Affected: **Contact Officer:** Mick Bowden, Deputy
Director of Finance
All Wards Tel: 020 8937 1460
mick.bowden@brent.gov.uk

8 Calculation of Business Rates Income 2014/15 23 - 28

This report sets out the calculation of the estimated income from National Non Domestic Rates (NNDR), also known as Business Rates, to be used for 2014/15. This figure is used in the calculation of the council tax for 2014/15. Regulations require that the calculation is agreed by 31st January prior to the start of the financial year.

Wards Affected: **Contact Officer:** Mick Bowden, Deputy
Director of Finance
All Wards Tel: 020 8937 1460
mick.bowden@brent.gov.uk

9 Gifts and Hospitality Policy and Procedures 29 - 40

Whilst reviewing all of our HR policies and procedures, the opportunity has been taken to update the current Gifts and Hospitality policy, in line with legal changes and best practice. This report provides details of the proposed new gifts and hospitality policy which will replace the current policy and the supporting operational arrangements.

Wards Affected: **Contact Officer:** Cara Davani,
Director, HR
All Wards Tel: 020 8937 1909
cara.davani@brent.gov.uk

10 Whistleblowing Policy and Procedures 41 - 50

Human Resources is currently reviewing all of the council's employment policies and procedures. The revised Whistleblowing policy is part of this review. There are no proposals to make any significant changes to the existing policy. However, the opportunity has been taken to clarify the purpose of the policy and to ensure that it accords with current legislation and best practice.

Wards Affected: **Contact Officer:** Cara Davani,
Director, HR
All Wards Tel: 020 8937 1909
cara.davani@brent.gov.uk

This report provides details of the proposed new Pay Policy and associated procedures which will replace the current arrangements. There are no proposals to make any significant changes to the current arrangements. Whilst reviewing all of our HR policies and procedures the opportunity has been taken to bring together all the different pay arrangements operating within the council into a single policy document.

Wards Affected:

All Wards

Contact Officer: Cara Davani,
Director, HR

Tel: 020 8937 1909

cara.davani@brent.gov.uk

12 Any other urgent business

Notice of items to be raised under this heading must be given in writing to the Democratic Services Manager or his representative before the meeting in accordance with Standing Order 64.



Please remember to **SWITCH OFF** your mobile phone during the meeting.

- The meeting room is accessible by lift and seats will be provided for members of the public.



LONDON BOROUGH OF BRENT

MINUTES OF THE GENERAL PURPOSES COMMITTEE Thursday 7 November 2013 at 7.00 pm

PRESENT: Councillor Butt (Chair), Councillor R Moher (Vice-Chair) and Councillors Mrs Bacchus, Chohan, Hopkins, Kansagra, Lorber and McLennan

Also present: Councillor J Moher

Apologies for absence were received from: Councillors Brown, Hirani and Pavey.

1. **Declarations of personal and prejudicial interests**

None declared.

2. **Minutes of the last meeting**

RESOLVED:-

that the minutes of the previous meeting held on 4 September 2013 be approved as an accurate record of the meeting.

3. **Matters arising**

None.

4. **Deputations**

None.

5. **Time off policy and procedures**

The Committee considered a report that provided details of the proposed new Time Off Policy which would replace the current arrangements. The report was introduced by Cara Davani, Operational Director of Human Resources (HR). She explained the new policy would replace existing policies for: annual leave; special leave; maternity leave; paternity leave; adoption leave and parental leave. She continued that it would be expedient both from a management and employee perspective to bring the leave arrangements together into a single policy document. Members heard that under the current arrangement, staff in post prior to 1992 received three weeks paternity leave and those in post after 1992 received two weeks' leave. The Operational Director added that there were no proposals to change any of the leave arrangements other than to offer a consistent paternity leave entitlement of three weeks to staff regardless of length of service. Members heard that the rationalisation would reflect the Council's commitment to support parental

responsibilities in an even handed way without having any detrimental impact on service delivery and departmental budgets.

In the ensuing discussion Members emphasised that special leave for jury service should be for actual sitting days and that staff should be required to return to work for those days when they would not be required. Members also felt that within the present climate it was not appropriate to offer twelve months special unpaid leave to staff and considered instead that a period not exceeding three months would be more appropriate.

The Operational Director undertook to clarify the wording for additional leave days, review the rules for judiciary service for consistency looking at best practice and to amend the policy to ensure that special unpaid leave would not exceed a period of three months.

RESOLVED:

- (i) that the new time off policy and procedures be agreed;
- (iii) that special unpaid leave period should be amended from twelve months to a period not exceeding three months;
- (ii) that the Operational Director, Human Resources (or Deputy), in consultation with the Leader and then with the relevant trade unions, be authorised to make such other changes as may be necessary from time to time to the time off policy and associated procedures so as to ensure that they remain relevant and 'fit for purpose'.

6. **Restructure of senior management of the Council**

Members considered a report that recommended some changes to the senior management structure agreed by this Committee in March 2013. Members heard that the review had arisen as a result of difficulties which emerged in the recruitment and selection process for two of the Strategic Directors. The review had also taken account of the increasing complexity and possible costs of the changes envisaged for adults' social care.

Christine Gilbert, Interim Chief Executive in introducing the report stated that successful appointments had been made to most of the senior management roles in the new structure agreed by this Committee in March 2013. She continued that Gatenby Sanderson, the consultants engaged to recruit to the vacant posts of Strategic Director, Governance and Corporate Services and Strategic Director, Education, Health and Social Care had reported a low response/quality rate following interviews and testing. The recruitment consultants had therefore decided that there were insufficient high calibre candidates to produce an appropriate shortlist and in some cases, the candidates expected a much higher salary than was being offered by the Council for each post. Gatenby had continued to search over the summer unsuccessfully.

The Interim Chief Executive therefore proposed to delete those two posts and in reference to the structure chart appended to the report, to create the post of Strategic Director, Children and Young People and also the post of Strategic

Director, Adults. She clarified that the post of Strategic Director, Children and Young People would have management responsibility for the Operational Director, Early Help and Education and Operational Director, Children's Social Care. This post would also carry more general strategic responsibility as a champion for children and young people across all council services. The post of Strategic Director, Adults, would have management responsibility for adult social care with more general strategic responsibility for adults across all council services.

During discussions, Members queried the cost of the recruitment exercise and the rationale behind the proposed changes. The Interim Chief Executive was asked to clarify the circumstances under which secondments from central government would be used to undertake senior level projects.

The Interim Chief Executive responded that the recruitment cost for each post was approximately £15,000 and that further reductions would be negotiated for the recruitment of the Strategic Director, Adults if possible. The Interim Chief Executive clarified that suitably qualified personnel, who would be further assessed, would be sought from government agencies on secondment for periods of between three and six month period. She then clarified the reporting lines in the proposed structure including that of the Director of Public Health and recommended the new structure becoming live, in line with business requirements, no later than March, 2014. Members noted that where vacant posts needed to be filled, existing acting up arrangements for Children's and Families and Adult Social Care would remain in place until permanent appointments had been made to posts in the new structure.

RESOLVED:

that the revised structure be agreed as follows:

- (a) deletion of the posts of Strategic Director, Governance and Corporate Services and Strategic Director, Education, Health and Social Care;
- (b) deletion of the post of Operational Director, Adult Social Care;
- (c) establishment of the new post of Strategic Director, Adults;
- (d) establishment of new post of Strategic Director, Children and Young People;
- (e) the reporting line changes as outlined in paragraphs 4.8 of the report from the Interim Chief Executive.

7. Appointments to Sub-Committees / Outside Bodies


None.

8. Any other urgent business

None.

The meeting closed at 7.50 pm

M BUTT
Chair

 Brent	<p style="text-align: center;">General Purposes Committee 21 January 2014</p> <p style="text-align: center;">Report from the Director of Legal and Procurement</p>
<p>For Action Wards affected: ALL</p>	
<p style="text-align: center;">Review of Polling Districts and Polling Places</p>	

1.0 Summary

- 1.1 The Electoral Administration Act 2006 and the subsequent Review of Polling Districts and Polling Places Regulations 2006 require each electoral registration authority in England, Scotland and Wales to carry out a review of both its polling district boundaries and its polling places every four years. This report concerns the third such review to take place in Brent, informs members of feedback to the review and makes recommendations for future electoral arrangements in the borough.

2.0 Recommendations

- 2.1 That the former Brent Town Hall polling place in Barnhill ward be replaced in 2014 by temporary huts in the vicinity of the town hall and that negotiations be held with the new owners for the use of part of the building as a polling place in future years.
- 2.2 That properties in Tanfield Avenue in polling district CDU 1 be transferred to CDU2 polling district.
- 2.3 That, in view of the unavailability of the Father O'Callaghan Centre in Fryent ward, the polling place for polling district NFR1 be the Holy Innocents Church Hall.
- 2.4 That properties in Salmon Street in polling district NFR6 be transferred into NFR4.

- 2.5 That properties in Chadwick and Fry Roads in polling district CHA2 be transferred to polling district CHA4.
- 2.6 That the polling place at St John's United Reform Church in Kenton ward be replaced by St Gregory's Science College.
- 2.7 That the polling place at Moberly Sports and Education Centre in Queen's Park ward be replaced by ARK Franklin Academy (formerly Kensal Rise School).
- 2.8 That properties in Mortimer Road in polling district HQP2 in Queen's Park ward be transferred to HQP3.
- 2.9 That properties in North Way and Tintern Avenue in polling district NQY3 in Queensbury ward be transferred to NQY5.
- 2.10 That the polling place at St Joseph's Social Club in Tokyngton ward be replaced by the Civic Centre.
- 2.11 That properties in Lincoln, Napier and Scarle Roads and part of Chaplin Road in polling district NWC2 in Wembley Central ward be transferred to NWC3.
- 2.12 That the polling places approved at this meeting be adopted for the Municipal and European Parliamentary elections on 22 May 2014.
- 2.13 That in the event of any polling station becoming unavailable before the May 2014 elections, authority be delegated to the Democratic Services Manager to make any further changes required to polling places for these elections in consultation with the leaders of the three political groups on the Council.

3.0 Detail

3.1 The Electoral Administration Act 2006 and the subsequent Review of Polling Districts and Polling Places Regulations 2006 require each electoral registration authority in England, Scotland and Wales to carry out a review of both its polling district boundaries and its polling places every four years. Members are asked to make a decision on new electoral arrangements in time for any changes to be incorporated into the Revised Register for Brent being published on 17 February 2014.

3.2 Polling districts, polling places and polling stations may be defined as follows:

A **polling district** is a geographical sub-division of an electoral area, i.e. a UK Parliamentary constituency, a European Parliamentary electoral region, a ward or an electoral division.

A **polling place** is a geographical area in which a polling station is located. However, as there is no legal definition of what a polling place is, the geographical area could be defined as tightly as a particular building or as widely as the entire polling district. Most commonly in Brent, it has been defined as the premises inside which voting takes place.

A **polling station** is the actual area where the process of voting takes place, and must be located within the polling place designated for the particular polling district.

- 3.3 The Council was obliged to give notice of the review and to consult with interested parties, including organisations with a particular interest and expertise in advising on access to buildings for people with different types of disability.
- 3.4 Notice of the consultation was sent to all members of the Council, to local MPs, MEPs and the GLA member for Brent and Harrow. In addition, Harrow Association for Disabled People, Scope and Brent Mencap were invited to submit comments on the Council's existing electoral arrangements and, if they wished, to suggest alternatives. The consultation period ran from 1 October to 6 December 2013. The Returning Officer for the London Borough of Camden, who is responsible for the Hampstead and Kilburn parliamentary constituency, was also invited to submit comments.
- 3.5 As part of the review, the Returning Officer for Brent was also obliged to prepare a report on arrangements for the authority. That report has been posted on the Council's website at <http://www.brent.gov.uk/pdreview>. All elected representatives for Brent were notified of the report when it was posted on the website.
- 3.7 The Returning Officer's report has made recommendations for alternative polling station locations where existing venues have become unavailable and some adjustments to polling district boundaries where districts have outgrown the capacity of the polling station location. A summary of the Returning Officer's proposals and comments received during the consultation period follow.

3.8 **Alperton Ward**

The polling station locations for Alperton ward are considered to be suitable for electors. The polling districts were adjusted at the last statutory review and are considered to be suitable without further amendment. While polling district NAL2 has a large number of electors, the polling place at Alperton Baptist Church Hall on Ealing Road has proved to be capable of containing three polling stations.

3.9 **Barnhill Ward**

The old Brent Town Hall will not be available as a polling place in 2014 and possibly also in future years. As no suitable alternative permanent location has been identified, I am recommending that for 2014 temporary huts be placed in the vicinity of the town hall building and that discussions be held with the new owners about using part of the building as a polling place in future years.

Since the last review the Progressive Synagogue Hall in polling district NBA2 has been sold to new owners and the building is no longer available as a polling place. At the last election the polling station for this district was a temporary hut located in the car park at Preston Road. This is a central and frequently visited location for electors in the area and was considered a

satisfactory replacement in the absence of a permanent building being available. I am recommending that this arrangement be retained.

3.10 **Brondesbury Park Ward**

Willesden Green Library is currently unavailable to be used as a polling station. Until it re-opens and is once again available for use as a polling place, I have identified and am recommending as a replacement a community room at George Furness House on Grange Road, nearby to the current polling station location.

This polling district (HBP1) is too large for one polling station but would create very small stations if it were divided into two. I am proposing instead that electors in Sidmouth Road be transferred into polling district HBP3 whose two polling stations at Queen's Park Community School can easily accommodate the additional 200 electors. As one side of Sidmouth Road is currently in HBP3, this would take the whole road into the same polling district.

The usual accommodation at Queen's Park Community School will not be available in 2014 as a result of planned building works. Discussions with the school about an alternative space are ongoing but are expected to be successfully resolved.

The Acting Returning Officer for Camden, in which this ward lies, has indicated his approval of the proposed arrangements.

3.11 **Dollis Hill Ward**

At the time of the last review, Crest Girls Academy was the polling station for CDO2. When it was temporarily unavailable, Kingfisher Youth and Community Centre was selected as a replacement and has proved to be a successful choice. It fronts onto Crest Road, is fully accessible and I am recommending that it be retained. Otherwise the arrangements for Dollis Hill ward are considered to be satisfactory for electors and no changes to the boundaries or polling places are proposed.

A ward councillor has written to indicate her approval of the existing arrangements.

3.12 **Dudden Hill Ward**

Since the last review, the site of the former Neasden Library has been acquired by new owners who have agreed that part of the building can be used as a polling place. However this polling district has grown to the extent that it is now too large for one polling station. Transferring the 260 electors in Tanfield Avenue into CDU2, whose polling station is at St Catherine's Church on the corner of Tanfield Avenue would resolve this without any net increase in polling stations or causing inconvenience to electors.

A local resident has responded to the consultation indicating support for the existing polling places and particularly argued for the retention of the polling district CDU6 which at one time was merged with the existing polling district CDU4. She stated that when this polling district did not exist electors in that area were disadvantaged by having to travel to Gladstone Park School.

3.13 **Fryent Ward**

The polling place for NFR1, the Father O'Callaghan Centre, is currently undergoing major refurbishment which will make it unavailable for the elections in 2014. While it will be available for elections in future years, an immediate replacement is clearly needed. As no alternative permanent location has been identified, I am recommending that for 2014 the current polling place for NFR2, the Holy Innocents Church Hall, be also used for NFR1. This venue is capable of accommodating an additional polling station. Consideration may be given at the next review as to whether this adjustment should become permanent.

The 2036 electors in polling district NFR6 are served by two polling stations. If the almost 250 electors in Salmon Street were transferred into NFR4, only one station would be required in NFR6 while the single station at St Robert Southwell could accommodate the influx. This would create a net reduction of one polling station without any inconvenience to electors.

3.14 **Harlesden Ward**

The arrangements for Harlesden ward are considered to be generally satisfactory for electors. However CHA2 district where there is just one polling station at Leopold School could be reduced to a more suitable size by transferring 180 electors in Chadwick and Fry Roads into CHA4. The polling place for CHA4, St Matthew's Hall on St Mary's Road, where there are currently two polling stations, would be capable of absorbing the additional electors.

3.15 **Kensal Green Ward**

The arrangements for Kensal Green ward are considered to be satisfactory for electors and no changes to the boundaries or polling places are proposed.

A local resident has commented that the polling places are overall in the right place and was particularly in favour of retention of Newman College in CKG2 on Harlesden Road and Harlesden Assembly in CKG6 on Purves Road.

3.16 **Kenton Ward**

The arrangements for Kenton ward would have been considered to be satisfactory for electors. However St John's United Reform Church will not be available in 2014 and possibly not at all in the future. I have identified and am recommending as a replacement St Gregory's School on Donnington Road which is located a short distance from St John's United Reform Church. One of the ward councillors has indicated his approval of this proposal.

3.17 **Kilburn Ward**

At the time of the last review, electors in HKi2 district voted at the College of North West London site in Glengall Road. When that building ceased to be available, Kilburn Square Housing Co-operative on Victoria Road, already the polling station for HKi3, was successfully used for both districts. The current arrangements for Kilburn ward are considered to be satisfactory for electors

and no changes to the boundaries or polling places are proposed. The Acting Returning Officer for Hampstead and Kilburn constituency, in which Kilburn ward lies, has indicated his approval of the current arrangements.

A local resident has written to support the use of Christchurch School in polling district HKi1 as a polling place and its benefit to elderly electors living nearby. Comments were also made about its lack of accessibility for wheelchair users at the last election. This has been properly noted and a suitable ramp will be in place for the 2014 and future elections.

3.18 **Mapesbury Ward**

The arrangements for Mapesbury ward are considered to be satisfactory for electors and no changes to the boundaries or polling places are proposed.

3.19 **Northwick Park Ward**

Sudbury Pavilion, the polling place for NNP4, is due to undergo refurbishment in early 2014 and may not be available in 2014. If it is unavailable there is available space in front of the building in which to locate two temporary huts. Otherwise I am recommending the retention of the pavilion as a polling place for future elections.

The arrangements for Northwick Park ward are otherwise considered to be satisfactory for electors and no changes to the boundaries or polling places are proposed.

3.20 **Preston Ward**

The arrangements for Preston ward are considered to be satisfactory for electors and no changes to the boundaries or polling places are proposed.

3.21 **Queen's Park Ward**

The polling station for HQP5, Moberly Sports & Education Centre in Kilburn Lane, will not be available in 2014. Although just outside the polling district, ARK Franklin Academy (formerly Kensal Rise Primary School) on Harvist Road would be a viable and suitable alternative. It is already being used as a polling station for HQP3 and has the capacity for an additional station.

Both HQP2 and HQP3 districts are slightly too large to have just one polling station but their division would create small stations. I propose that the boundary be altered between the two so that one side of Mortimer Road (around 200 electors) is transferred from HQP2 to HQP3 thereby making HQP2 a single station district and creating two viable stations in HQP3.

There have been two comments from a ward councillor and a local resident submitted during the consultation period supporting the reinstatement of Mapes House as a polling station. These premises were last used as a polling place in 2009 when there were seven polling districts in Queen's Park rather than the current five. At the time Mapes House was used as a polling place, there were difficulties with access for disabled people. Moreover its

position in the north eastern corner of the existing polling district is much less convenient for voters than the existing polling place at Salusbury School which is more centrally located and on a road that many residents will use regularly as part of their normal day. For these reasons, I am not recommending any change to the existing electoral arrangements.

The Acting Returning Officer for Hampstead and Kilburn constituency, in which Queen's Park ward lies, has indicated his approval of the recommended arrangements.

3.22 **Queensbury Ward**

The polling districts in NQY3 and NQY5 are both too large for a single station. I am recommending that the 320 electors in North Way and Tintern Avenue be transferred from NQY3 to NQY5. This would allow the retention of a single station in NQY3 and two reasonably sized stations in NQY5. As these two roads are in fact geographically closer to Roe Green School, the polling place for NQY5, this adjustment should be beneficial to voters.

A comment was received from a local resident during the consultation period stating that the polling station at Kingsbury Library Plus on Kingsbury Road was too remote for voters living in Honeypot Lane. The distance is in fact around half a mile which is considered to be reasonable and by no means the longest distance between elector and polling station in the borough.

The same person also stated that the polling place in district NQY2, a temporary hut on Burnt Oak Broadway, is in the wrong location and should be moved to perhaps Holmstall Avenue on the grounds that it is remote for electors. No suitable permanent building in this district has been identified as a suitable polling place and there has been a polling station in the same location for several years. It would be difficult to locate a hut in another part of this predominantly residential polling district. The current location is on the nearby main road along which electors might normally travel in the course of the day.

I do not support either of the comments made and am recommending that the existing arrangements remain in place subject to the minor re-drawing of a district boundary as described above.

3.23 **Stonebridge Ward**

The arrangements for Stonebridge ward are considered to be satisfactory for electors and no changes to the boundaries or polling places are proposed.

A response was received from a local resident during the consultation period welcoming the use of Stonebridge Hub in place of Stonebridge School.

Another local resident stated that, while generally happy with the existing arrangements, there had been reports of queues at the former Centre for Staff Development on Brentfield Road in CST3 district. There are currently 2800 electors in the district which should be comfortably served by two polling stations. I am not aware of previous problems with queues at this location although of course there is a peak period in the early evening which accounts for around half of all polling station votes and during which some queues do

briefly form at many polling stations. The possibility of queues in polling stations is taken seriously and polling station staff are trained before every election on how to deal with this issue if it should arise.

3.24 Sudbury Ward

The arrangements for Sudbury ward are considered to be satisfactory for electors and no changes to the boundaries or polling places are proposed.

3.25 Tokyngton Ward

St Joseph's Social Club on Empire Way has been used as a polling place for several years. There are some problems with access which have been exacerbated by the growth in size of the polling district (CTO2). I am recommending that this polling place be replaced by an area in the Civic Centre. A suitable space has been identified in the area occupied by the Registrar for Births, Deaths and Marriages.

3.26 Welsh Harp Ward

The arrangements for Welsh Harp ward are considered to be satisfactory for electors and no changes to the boundaries or polling places are proposed.

3.27 Wembley Central Ward

Polling district NWC2 has grown beyond the capacity of its polling place at Ealing Road Library. This can be resolved by moving around 500 electors in Napier, Scarle, and Lincoln Roads and part of Chaplin Road into polling district NWC3 whose polling station Barham Primary School would be capable of accommodating additional electors. This would require the net addition of one polling station at Barham School but would balance the electorate between the two districts more satisfactorily.

3.28 Willesden Green Ward

The arrangements for Willesden Green ward are considered to be satisfactory for electors and no changes to the boundaries or polling places are proposed.

4.0 Financial Implications

4.1 The cost of Council elections and by elections is met by the local authority. For all other elections, funding is provided either by the government or the Greater London Authority.

4.2 The total cost for the hire of premises at the Greater London Authority elections in 2012 was £40,234. Temporary huts averaged out at £1065 each. In addition each polling station obviously has to be staffed by at least two persons and, in the case of huts, power, toilet facilities and ramps have to be provided. The total costs associated with the provision of polling stations in 2012 amounted to a little under £189,703, the average cost per polling station being £1157.

4.3 The recommendations in this report make a net reduction of five polling stations which will create an estimated saving of around £5,785 at current prices in the cost of elections.in the authority.

5.0 Legal Implications

5.1 The review referred to in this report is a legal requirement placed on the authority by the Electoral Administration Act 2006 and the Review of Polling Districts and Polling Places 2006.

6.0 Diversity Implications

6.1 The purpose of the review is to ensure that no elector is discouraged from voting because of any inconvenience placed in his or her way by the choice of polling station location in their area. The accessibility of premises for all electors is taken into consideration as a matter of normal procedure.

Background Papers

Documents submitted during the consultation period of the Review of Polling Places and Polling Districts.

Contact Officer

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Fiona Ledden

Director of Legal and Procurement


Ward	Polling District	Current Polling Place	Electorate	No of Polling Stations	Recommendation
Alperton	NAL1	Lyon Park Infants School	2145	2	No change
Alperton	NAL2	Alperton Baptist Church Hall	3590	3	No change
Alperton	NAL3	Alperton Community School Annexe	2706	2	No change
Alperton	NAL4	Abbey Estate Community Centre	1544	1	No change
Barnhill	NBA1	Preston & Mall Y&C Centre	1229	1	No change
Barnhill	NBA2	Hut at Preston Road Car Park	1512	1	No change
Barnhill	NBA3	Parish Hall, Church of the Ascension	1894	2	No change
Barnhill	NBA4	Former Brent Town Hall	2931	2	Temporary huts in vicinity of Town Hall
Barnhill	NBA5	Chalk hill Primary School	1219	1	No change
Barnhill	NBA6	English Martyrs Church Hall	1668	1	No change
Brondesbury Park	HBP1	Willesden Green Library	1702	2	George Furness Hall and a boundary change
Brondesbury Park	HBP2	Stember Hall Scouts Hut	1156	1	No change
Brondesbury Park	HBP3	Queen's Park Community School	1931	2	Boundary change
Brondesbury Park	HBP4	North West London Jewish School	2051	2	No change
Brondesbury Park	HBP5	Landau House Community Centre	1553	1	No change
Dollis Hill	CDO1	Braintcroft School	3152	2	No change
Dollis Hill	CDO2	Kingfisher Y&C Centre	897	1	No change
Dollis Hill	CDO3	Our Lady of Grace Junior School	2630	2	No change
Dollis Hill	CDO4	Our Lady of Grace Infants School	1485	1	No change
Dudden Hill	CDU1	Former Neasden Library	1734	1	Boundary change
Dudden Hill	CDU2	Hut at St Catherine's Church	922	1	Boundary change
Dudden Hill	CDU3	Northview School	843	1	No change
Dudden Hill	CDU4	Gladstone Park School	2963	2	No change
Dudden Hill	CDU5	Hut in Car Park, St Mary's Church	1775	1	No change
Dudden Hill	CDU6	Hut opposite Cassandra Court	1375	1	No change

Ward	Polling District	Current Polling Place	Electorate	No of Polling Stations	Recommendation
Fryent	NFR1	Father O'Callaghan Centre	1473	1	To be polling station for NFR2 in 2014
Fryent	NFR2	Holy Innocents Church Hall	1082	1	Unavailable in 2014
Fryent	NFR3	Hut outside Pizza Hut, Kingsbury Rd	1162	1	No change
Fryent	NFR4	St Robert Southwell School	1093	1	Boundary change
Fryent	NFR5	Hut outside 205-209 Edgware Rd	1085	1	No change
Fryent	NFR6	Fryent Primary School	1851	1	Boundary change
Fryent	NFR7	Oliver Goldsmith Primary School	1157	1	No change
Harlesden	CHA1	Church End & Roundwood Centre	1393	1	No change
Harlesden	CHA2	Leopold Primary School	1606	1	Boundary change
Harlesden	CHA3	St Joseph's RC Primary School	1880	2	No change
Harlesden	CHA4	St Matthew's Hall	2141	2	Boundary change
Harlesden	CHA5	Harlesden Primary School	2790	2	No change
Kensal Green	CKG1	John Keble Primary School	935	1	No change
Kensal Green	CKG2	Newman Catholic College	1550	1	No change
Kensal Green	CKG3	All Souls' Church Hall	1239	1	No change
Kensal Green	CKG4	Furness Primary School	2025	2	No change
Kensal Green	CKG5	St Mark's Church Hall	1384	1	No change
Kensal Green	CKG6	Harlesden Assembly	1809	1	No change
Kenton	NKE1	Lindsay Park Baptist Church Hall	1782	1	No change
Kenton	NKE2	Claremont High School	1549	1	No change
Kenton	NKE3	Uxendon Manor Primary School	1080	1	No change
Kenton	NKE4	St John's United Reform Church	2666	2	St Gregory's School
Kenton	NKE5	Mount Stewart Junior School	1537	1	No change
Kilburn	HKI1	Christchurch School	2116	2	No change
Kilburn	HKI2	Kilburn Square Housing Co-op	2503	2	No change
Kilburn	HKI3	Kilburn Square Housing Co-op	1663	1	No change

Ward	Polling District	Current Polling Place	Electorate	No of Polling Stations	Recommendation
Kilburn	HKI4	The OK Club	2935	2	No change
Kilburn	HKI5	Marian Community Centre	1670	1	No change
Mapesbury	CMA1	Mora Primary School	2503	2	No change
Mapesbury	CMA2	Anson Primary School	1961	2	No change
Mapesbury	CMA3	St Gabriel's Hall	1259	1	No change
Mapesbury	CMA4	St Gabriel's Hall	2419	2	No change
Mapesbury	CMA5	Watling Gardens Community Centre	1470	1	No change
Northwick Park	NNP1	Hut opposite 86 Northwick Avenue	748	1	No change
Northwick Park	NNP2	St Cuthbert's Church Hall	3193	2	No change
Northwick Park	NNP3	Byron Court Primary School	1578	1	No change
Northwick Park	NNP4	Sudbury Court Pavilion	2091	2	Possible use of temporary huts in 2014
Northwick Park	NNP5	St George's Church Hall	1714	2	No change
Preston	NPR1	Preston Park Primary School	3343	2	No change
Preston	NPR2	Huts on Pellatt Road	1958	2	No change
Preston	NPR3	Preston Manor High School	1437	1	No change
Preston	NPR4	Wembley Primary School	3181	2	No change
Queen's Park	HQP1	Manor Special School	1991	2	No change
Queen's Park	HQP2	Princess Frederica School	1677	1	Boundary change
Queen's Park	HQP3	ARK Franklin Academy	1745	2	Boundary change
Queen's Park	HQP4	Salusbury Primary School	2702	2	No change
Queen's Park	HQP5	Moberly Sports & Education Centre	1520	1	ARK Franklin Academy
Queensbury	NQY1	Queensbury Methodist Church Bdg	2995	2	No change
Queensbury	NQY2	Hut outside Mecca Club	1005	1	No change
Queensbury	NQY3	White Cross Hall	1688	1	Boundary change
Queensbury	NQY4	Kingsbury Library Plus	1331	1	No change
Queensbury	NQY5	Roe Green Primary School	1686	2	Boundary change

Ward	Polling District	Current Polling Place	Electorate	No of Polling Stations	Recommendation
Queensbury	NQY6	Kingsbury Resource Centre	1440	1	No change
Stonebridge	CST1	Children's Centre	2127	2	No change
Stonebridge	CST2	Mitchell Brook School	878	1	No change
Stonebridge	CST3	Centre for Staff Development	2882	2	No change
Stonebridge	CST4	Brentfield Primary School	1376	1	No change
Stonebridge	CST5	Stonebridge Hub	2626	2	No change
Stonebridge	CST6	Church Hall, Brentmead Gardens	331	1	No change
Sudbury	NSU1	Sudbury Methodist Church Hall	2256	2	No change
Sudbury	NSU2	LNER Sports & Social Club	1004	1	No change
Sudbury	NSU3	Sudbury Baptist Church Hall	2013	2	No change
Sudbury	NSU4	Sudbury Primary School	2267	2	No change
Sudbury	NSU5	St John's Community Centre	2054	2	No change
Tokington	CTO1	Hut on North End Road	737	1	No change
Tokington	CTO2	St Joseph's Social Club	3122	2	Brent Civic Centre
Tokington	CTO3	Oakington Manor Primary School	2208	2	No change
Tokington	CTO4	St Michael's Church Hall	2378	2	No change
Tokington	CTO5	Eisley Primary School	2001	2	No change
Welsh Harp	CWH1	Hut on Mallard Way	1133	1	No change
Welsh Harp	CWH2	Fryent Primary School	1275	1	No change
Welsh Harp	CWH3	St Andrew's New Church Hall	1431	1	No change
Welsh Harp	CWH4	Wykeham Primary School	1624	1	No change
Welsh Harp	CWH5	St Margaret's RC School	1559	1	No change
Welsh Harp	CWH6	Hut on Crispian Close	798	1	No change
Welsh Harp	CWH7	Woodfield School	1079	1	No change
Wembley Central	NWC1	Copland Community School	3045	2	No change
Wembley Central	NWC2	Ealing Road Library	3336	2	Boundary change

Ward	Polling District	Current Polling Place	Electorate	No of Polling Stations	Recommendation
Wembley Central	NWC3	Barham Primary School	1459	2	Boundary change
Wembley Central	NWC4	Methodist Church Hall	2046	2	No change
Willesden Green	CWG1	St John & St Francis School	2798	2	No change
Willesden Green	CWG2	St Mary Magdalen's School	3247	2	No change
Willesden Green	CWG3	Kings Hall	3209	2	No change

 Brent	<p>General Purposes Committee 21 January 2014</p> <p>Report from the Chief Finance Officer</p>
<p style="text-align: right;">Wards Affected: ALL</p>	
<p>Calculation of Council Tax Base 2014/15</p>	

1. Summary

- 1.1 This report sets out council tax base calculations to be used for 2014/15. The level of council tax base set is used in the calculation of the council tax for 2014/15. Regulations require that the council tax base is set by 31st January prior to the start of the financial year.

2. Recommendations

2.1 To agree that:

- (i) The collection rate for the council tax for 2014/15 is set at 96.25%.
- (ii) In accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 1992, the amount calculated by the council as its council tax base for 2014/15 is set at 79,205.

3. Detail

3.1. Background

- 3.1.1. The calculation of the tax base is one of the main stages in the process of setting the council tax, which is scheduled for the Council Meeting on 3rd March 2014.
- 3.1.2. Under regulations issued in 1992, the calculation must be carried out by 31st January prior to the start of the financial year
- 3.1.3. The calculation is initially based on the council tax base return submitted to the Department of Communities and Local Government in October 2013, which is used in Government grant calculations. For 2014/15 the tax base used in grant calculations is 81,900 Band D equivalent properties. This reflects the decision taken at the Council meeting on 18 November 2013

regarding discounts and premiums and the proposed council tax support scheme being considered by Council on 20 January 2014.

- 3.1.4. The 81,900 figure assumes 100% collection of council tax. In practice, actual amounts collected will vary principally due to non-collection of council tax and changes in the numbers of properties in the borough. The council tax base set by the council takes account of what is expected to be collected eventually, not just by the end of the financial year in question.
- 3.1.5. Any adjustment to the tax base figure will have an effect on the precept from the GLA (i.e. if the tax base figure increases, then the precept from the GLA would increase accordingly – currently the GLA precept accounts for 22.25% of the total council tax bills in Brent).

3.2. Council Tax Collection Rate

- 3.2.1 Between 2001/02 and 2012/13 the council's collection rate was set at 97.5% as an assessment of the amount to be collected for the relevant year. For 2013/14 this was reduced to 96% to take account of the anticipated impact of households formerly receiving council tax benefit who now have to pay at least part of their council tax bill.
- 3.2.2 In-year collection levels have improved in recent years from 93.2% in 2006/07 to 95.9% in 2012/13 (arrears collection will continue for several years after the end of the financial year). However as anticipated the rate has dropped in 2013/14. By the end of November 2013, 74.3% of 2013/14 council tax had been collected, as against a comparable figure of 76.0% at November 2012. The estimate at the start of the year was that the final in year collection figure would be 94.0%. Given the instalment payments due to the end of March, it is now anticipated that the final figure will be around 94.5%. (people formerly receiving Council Tax Benefit have been allowed to pay over 12 monthly instalments, rather than ten from April to January, so the reduction in collection compared to last year should narrow). Therefore collection has held up slightly better than expected, so there is some scope to increase the eventual collection assumption. It is possible that collecting arrears on former CTB cases may still be difficult, but there is some scope to increase the 96% collection assumption to 96.25%. This has the effect of increasing the Council Tax income assumption feeding in to the overall budget for the Council.
- 3.2.3 If an over-optimistic assumption of the achievable collection rate is made, at some later stage a deficit in the Collection Fund will have to be declared, resulting in the need to increase the level of Council Tax in that year. Alternatively if the assumed collection rate is exceeded, a surplus could be declared later on. For 2014/15 it is considered prudent to assume an overall eventual collection level of 96.25%.
- 3.2.4 It is therefore recommended that the Council Tax collection rate be set at 96.25%.

3.3 Setting the Council Tax Base

3.3.1 The tax base for 2014/15 is as follows:

- Band D equivalent properties on the return to the DCLG (attached as Appendix A = 81,900);

Plus

- 281 (relating to the Band D equivalents of extra income from having no discount for long term furnished properties. The DCLG form assumes 50%, but authorities have the discretion to give a zero discount, as Brent does)

Plus

- 110 (relating to additional amounts raised from charging a premium of 50% on long term unfurnished empty properties)

Multiplied by:

- The estimated rate of collection (96.25%)

3.3.2. This produces the following calculation:

$$(81,900 + 281 + 110) \times 96.25 = 79,205$$

4 Financial Implications

4.1 The proposed council tax base for 2014/15 of 79,205 represents an increase of 2,014 over the figure for 2013/14. This will form part of the overall calculation of the Council's budget.

5. Legal Implications

5.1. The Council Tax Base is the equivalent number of Band D dwellings (after taking account of discounts and exemptions) which would raise the same amount of tax as the actual number of liable dwellings in the borough, with their actual spread of bands. The Band D equivalent total is then multiplied by the estimated collection rate for the year, to give the Council Tax Base figure. In the Council Tax calculation process to be undertaken at Full Council on 25th February 2013 this figure will be used to calculate the amount of tax to be levied for a Band D dwelling. The Council Tax level for each valuation band is then calculated by a fixed ratio which each band bears to the Band D figure. The Council's Constitution currently requires that the calculation of the Council Tax Base be carried out by the General Purposes Committee.

5.2 Section 11A of the 1992 Local Government Act enables the Secretary of State to designate by regulations:

- (i) Categories of properties in respect of which the discount available in respect of empty properties may be reduced to a percentage of at least 10% (section 11A(3)); and
- (ii) Categories of properties in respect of which the discount may be reduced to any percentage or eliminated entirely (section 11A(4)).

In the Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003 the Secretary of State has designated furnished dwellings which are not the sole or main residence of an individual for the purposes of section 11A(3) (except caravan pitches and boat moorings) and unfurnished unoccupied properties for the purposes of section 11A(4).

Sections 11 and 12 of the Local Government Finance Act 2012 give billing authorities the discretion to vary the discounts applicable to specific classes of empty properties, second homes and long term empty properties from 1 April 2013.

6. Diversity Implications

- 6.1. The proposals in this report have been subject to screening and officers believe that there are no diversity implications arising from it.

7. Staffing Implications

- 7.1. None arising directly from this report.

8. Background Information

Local Government Finance Act 2012


The Local Authorities (Calculation of Council Tax Base) Regulations 2012.

Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003

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CONRAD HALL

Chief Finance Officer

 Brent	<p>General Purposes Committee 21 January 2014</p> <p>Report from the Chief Finance Officer</p>
<p style="text-align: right;">Wards Affected: ALL</p>	
<p>Calculation of Business Rates Income 2014/15</p>	

1. Summary

- 1.1. This report sets out the calculation of the estimated income from National Non Domestic Rates (NNDR), also known as Business Rates, to be used for 2014/15. This figure is used in the calculation of the council tax for 2014/15. Regulations require that the calculation is agreed by 31st January prior to the start of the financial year.
- 1.2. At the time of writing the report the Government has not finalised the precise details of the calculation for 2014/15, to take account of the changes to business rates announced in the Autumn Statement in December 2013.

2. Recommendations

- 2.1 To agree the estimated income from NNDR for 2014/15 be set at £113.82m. Brent will retain 30% of this figure, equalling £34.146m (with 50% being paid to central government and 20% to the Greater London Authority),
- 2.2. To delegate to the Chief Finance Officer authority to amend these figures to reflect any changes necessary once the final guidance from the Government has been produced.

3. Detail

3.1. Background

- 3.1.1. The Local Government Finance Act 2012 entailed major changes to the funding of local government, including the introduction of local Business Rates retention. Previously all business rates collected were paid to central government, in the form of the national NNDR pool. The government then redistributed the nationally collected amount to local authorities according to a very complicated formula for spending need. From 2013/14 this system has changed, with 50% of the income still being paid to central government and then redistributed to local authorities, but with

the other 50% being retained locally. In the case of London, the Greater London Authority (GLA) receives 20%, leaving London boroughs with the remaining 30%.

- 3.1.2. The Department for Communities and Local Government (DCLG) calculated a baseline figure as the starting point for the estimate of NNDR income to be raised by each local authority in 2013/14. The figure for Brent was £102.078m, of which Brent would keep £30.623m. However because Brent used to receive more from the pool than it paid in, it receives a “top-up” payment (£46.534m in 13/14) to bring it back to the position it would have been had the changes not been introduced.
- 3.1.3. If there is growth in the total business rates collected in the borough then Brent will keep 30% of that growth. However if there is a decline Brent will need to meet 30% of the shortfall.
- 3.1.4. The estimate for the actual income figure (or net rate yield) for 2014/15 is based on a return to the DCLG called the NNDR1. Normally, this has to be finalised by 31 January, and calculates the amounts to be paid to central government and to the GLA during the course of the year, as well as the figure to be used as part of Brent’s budget setting process. However because of various changes introduced in the Autumn Statement (including extension of small business relief, and a £1,000 reduction in the rates bills for most retail establishments) there has been a delay in the DCLG issuing the NNDR1 form for 2014/15. The government has stated that local authorities will be fully reimbursed for the cost of these changes and has produced a draft NNDR1, which has been used as the basis for producing the figures in this report. It is possible that as more details are released by the DCLG, it might be necessary to amend the calculation, so it is recommended that the Chief Finance Officer be given delegated responsibility to amend the figure in this report if appropriate.

3.2. Estimating the net rate yield for 2014/15

- 3.2.1. The starting point is the aggregate rateable value for Brent as at 31 December 2013. (£278.529m) This is a fixed figure based on the VO’s valuations for all properties at Brent at that date. A multiplier is then applied to this rateable value as set by central government (the rate in the pound charged for that year, which for 2014/15 will be 47.1p in the £). This gives a figure of £131.187m.
- 3.2.2. Estimating the income figure is extremely difficult, as there are many factors which can significantly affect the overall figure. These include:
 - Changes in rateable value from new properties entering rating or properties being taken out of rating
 - Revaluations due to the backlog of appeals which, if successful, will be backdated in most cases to April 2010 (see paragraph 3.4.1)
 - Empty and charitable reliefs
 - Losses in collection

All figures quoted in the sections below relate to the overall figures (i.e. Brent’s share would be 30% of the figures mentioned).

- 3.2.3. Because there are so many uncertainties, it is inevitable that the final figure at the end of 2014/15 will be different to the estimate. A further calculation is required at the end of each year of a surplus or deficit on the NNDR part of the collection fund (as is also done for Council Tax). If the estimate agreed in this report proves too high, a

deficit will need to be declared, with Brent bearing 30% of the deficit, central government 50% and the GLA 20%. If the final figure is higher than the estimate, then a surplus will be declared with the relative shares being the same as for a deficit.

3.3. Changes in total rateable value (estimated net growth)

3.3.1. This figure relates to changes anticipated from the total rateable valuation as at 31 December 2013 over the 12 months to December 2014 from new or deleted properties. This is very difficult to predict because it is not possible to accurately assess the valuations the VO will give to new properties, or how long it will take the VO to give a valuation. Therefore the figure used can only be an estimate.

3.3.2. In 2013 there was a large increase in rateable value, due principally to the new Civic Centre and most of the occupied units in the new London Designer Outlet, as well as some new warehouses. The likely increase for 2014 is much lower, but it is still anticipated that there will be some growth (e.g. the remaining units at the London Designer Outlet). An allowance has been made for an increase in rateable value of £2m, which equates to £942k of income.

3.4. Adjustments due to appeals

3.4.1. There are currently around 1,000 appeals outstanding against the 2010 VO valuations, which account for 24% of the total rateable value (approximately £68m of rateable value). Many of these will be unsuccessful or lead to small reductions, and some will not be settled until after the 2014/15 year. However, it should be noted that the government has committed to dealing with 95% of outstanding appeals by July 2015. It is likely that there will be some successful appeals leading to significant reductions and these will be backdated in most cases to April 2010. The DCLG has indicated that it will allow the costs of backdated refunds (from April 2010 to March 2014) to be spread over five years, to avoid large fluctuations in income and this has been reflected in calculating the overall figure for the year. An allowance has been made for £11.5m of refunds to be made, which is the best estimate available at present.

3.5. Empty rate relief

3.5.1. There are various types of empty rate relief, which reduce the net rate yield. The figure will vary, partly due to economic conditions (e.g. properties owned by companies entering liquidation receive 100% relief). A figure of £5.5m has been used, which is largely based on the figure for 2013/14, allowing for known changes.

3.6. Charity relief

3.6.1. Organisations which are charities or charity equivalent automatically receive 80% relief. In addition discretionary relief can be granted to charities on the remaining 20% of the bill, and to non-profit making organisations. An allowance has been made of £7.45m, based on the 2013/14 figure and anticipated changes in 2014.

3.7. Losses in collection

3.7.1. This relates to amounts which are considered irrecoverable, and which will need to be written off. A figure of £2.1m has been used, based on the average figure over recent years.

3.8. Final estimate

- 3.8.1. Using the figures outlined above, gives a final estimated rate yield for Brent for 2014/15 of £113.82m. Brent's 30% share of this is £34.146m.

4. Financial Implications

- 4.1 It is proposed that the estimated retained business rate figure for Brent of £34.146m will be used in the overall budget calculation for the Council. This figure exceeds the equivalent figure for 2013/14 of £31.892m by £2.254m.

5. Legal Implications

- 5.1. Section 5 and Schedule 3 to the Local Government Finance Act 2012 make amendments to the Local Government Act 1988 and they will effectively introduce a new system of Business Rates retention whereby local authorities share in any growth or contraction in the net rate yield for their authority. The aim of the change is to incentivise local authorities to seek to increase the rates yield of their area (e.g. by encouraging business expansion).
- 5.2. Under the changes, central government will retain 50% of the income (previously it received 100%). In London the GLA receives 20%, and the boroughs the remaining 30%. Some boroughs (tariff boroughs where income exceeds the previous share received from the national pool) will have limits on the income they can retain, but for top-up boroughs including Brent there is no limit. Therefore Brent will retain 30% of any business rates growth, but will also have to bear 30% of any reduction.
- 5.3. Under the Non Domestic Rating (Rates Retention) Regulations 2013 authorities are required to estimate the net yield (i.e. business rates income) for their authority for the following year, by January 31st of each year. This estimate will be used to calculate the shares of income to be paid to central government and in London to the Greater London Authority, as well as the share to be retained by the local authority itself. The latter figure then feeds in to the overall budget for the Council, and the calculation of the Council Tax to be charged to local taxpayers.

6. Diversity Implications

- 6.1. The proposals in this report have been subject to screening and officers advise Members that there are no diversity or public sector equality duty implications arising from the proposals in this report.

7. Staffing Implications

- 7.1. None arising directly from this report.

8. Background Information

Local Government Finance Act 2012

The Non Domestic Rating (Rates Retention) Regulations 2013.

Anyone wishing to inspect the above documents should contact David Huberman, Finance Manager, Brent Financial Services, Brent Civic Centre, Engineers Way, Wembley, Middlesex HA9 0FJ. Telephone 0208-937-1478.

CONRAD HALL

Chief Finance Officer

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General Purposes Committee
21 January 2014

Report from the HR Director

Wards affected:
ALL

Gifts and Hospitality Policy and Procedures

1.0 Summary

- 1.1 Whilst reviewing all of our HR policies and procedures, the opportunity has been taken to update the current Gifts and Hospitality policy, in line with legal changes and best practice. This report provides details of the proposed new gifts and hospitality policy which will replace the current policy and the supporting operational arrangements.

2.0 Recommendations

- 2.1 The General Purposes Committee is asked to:
- a. agree the new Gifts and Hospitality Policy and Procedures.
 - b. authorise the HR Director, in consultation with the Leader and the relevant trade unions, to make such other changes as may be necessary from time to time to the Gifts and Hospitality policy and associated procedures to ensure they remain relevant and 'fit for purpose'.

3.0 Detail

- 3.1 The council regularly reviews its HR policy framework to align its policies and procedures to the organisational objectives, incorporate legislative changes and to reflect current modern HR practice.
- 3.2 The Bribery Act 2010 has replaced the Corruption Acts and provides the legal framework for the new policy. The Bribery Act is particularly complex and only a broad description of the offences have been included in the policy. These are sufficiently detailed, however, to enable the proper application of the policy. The Act will be referred to by the Audit team when required, to support the operational arrangements of the policy. The policy document is attached to the report for the Committee to consider.

- 3.3 The Bribery Acts require the widest coverage of people involved in delivering council services. In future the policy will also apply to agency and interim staff.
- 3.4 The proposed policy provides greater clarity on the type of function/hospitality/gift which can or cannot be accepted. For example, a working meal, or function at which other local authorities are represented for the purpose of a demonstration remain acceptable. An invitation to attend a function of a recognised professional institute, or an institute where the invitation is made by a private organisation, or invitations to social/sporting events where these are deemed to be genuinely part of the life of the community may be accepted. This includes the receipt of Wembley Stadium event tickets, which are allocated through a ballot process. All of these require management approval and must be recorded in the register. The policy equally makes clear hospitality which must be refused, such as expensive meals. A clearer specification of what constitutes a gift which has a token monetary value has also been incorporated.
- 3.5 The above clarifications ensure that the council's policy is fully compliant with the new legislation.
- 3.6 Introduction of the revised policy will be supported by an electronic recording system which will also facilitate regular monitoring.
- 3.7 CMT members are responsible for monitoring the consistent application and use of the policy in their service areas on a quarterly basis, and addressing any concerns.
- 3.8 Audit and Investigations will be responsible for monitoring the application of the policy on an annual basis. Audit will review the online register and raise concerns with the operational directors to ensure the proper and consistent use of the policy.

4.0 Implementation Date

- 4.1 It is recommended that the policy becomes live on 17th February 2014. This is to allow time for feedback from the managers briefing distributed on February 11th.

5.0 Financial Implications

- 5.1 There are no financial implications that impact on budgets from the review of the gifts and hospitality Policy.

6.0 Legal Implications

- 6.1 The Bribery Act 2010 replaces existing historic corruption acts and provides the legal framework for the gifts and hospitality policy.

7.0 Diversity Implications

- 7.1 The policy and procedure is applicable to all staff and provides a consistent approach to implementing gifts and hospitality arrangements, ensuring compliance with legal requirements. The policy will also ensure that the integrity of the council is maintained at all times. The gifts and hospitality policy will be continually monitored to ensure it is implemented fairly and consistently and in the best interest of the local community.

8.0 Staffing/Accommodation Implications

- 8.1 The updating of the gifts and hospitality policy will ensure that employees are clear about how to respond to the offer of gifts and hospitality and in so doing protect both the interests of the organisation and its employees. There are no other implications in addition to those otherwise set out in the report. Consultation has taken place with the HR Improvement Group and CMT who have endorsed the approach. The trade unions have been consulted on this policy and their feedback has been considered when reviewing the policy.

Background Papers

Existing Gifts and Hospitality Policy
Code of Conduct for council employees
Anti Fraud and Bribery Policy
The Bribery Act 2010

Contact Officers

Cara Davani
HR Director

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Gifts and Hospitality Policy and Procedures

January 2014



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1. Aims and Objectives:

This policy operates in conjunction with the council's Code of Conduct for employees, disciplinary policy and the anti-fraud and bribery policy. It sets out clear advice in relation to the behaviour of employees if they are offered gifts or hospitality.

A clear policy on the acceptance of gifts and hospitality and a transparent gifts and hospitality register play an important role in ensuring the maintenance of standards and compliance with the Nolan Committee's seven principles of public life.

The Bribery Act 2010 requires the council to have an adequate framework in place to prevent corruption. This policy forms part of the framework.

The policy and procedure applies to all permanent and temporary employees of the council.

Any breach of this policy could lead to disciplinary action and may constitute gross misconduct.

2. Definition

The gifts and hospitality policy sets out the council's standards for the acceptance or refusal of gifts and hospitality offered to, or received by, the employee or members of their family.

3. Legal Context

The Bribery Act 2010 makes it an offence to seek, accept or agree to accept a financial or other advantage as an inducement or reward to perform a function improperly. In simple terms, for public employees, agency and contracted staff it is a crime to seek or accept a financial or other advantage in return for making a decision, granting an award or performing any other public function, regardless of what decision is made. The maximum sentence for a bribery offence is 10 years imprisonment.

The Bribery Act 2010 also makes it an offence for employees to offer or pay bribes and both the individual and the organisation may be prosecuted.

The Local Government Act 1972 makes it an offence for employees to accept any fee or reward (including gifts) for their employment other than their proper pay, and on conviction employees are liable to be fined.

4. The policy

The general expectation with regard to gifts and hospitality is set out in the employee Code of Conduct. The relevant extract is outlined below:

- avoid corruption and the suspicion of it
- do not ask for, or accept, bribes of any sort
- never seek or take any reward or favour for providing council services apart from your pay
- do not take a reward from anyone who has, or might have, a business relationship with the council, or anyone who stands to lose or gain from a council decision
- do nothing that could be seen as likely to improperly influence your work, your decisions or your impartiality
- comply with the council's policy on gifts and hospitality
- tactfully refuse any gifts of more than token value from an organisation or individual with which the council does, or may do, business
- do not accept hospitality exceeding a minimum level of common courtesy from an organisation or individual with which the council does, or may do, business other than in accordance with the council's policy on gifts and hospitality
- record any offers of gifts and hospitality.

The council's standard is that:

- all offers of financial reward of whatever amount to employees / agency / interim staff or to members of their family must be refused
- all offers of an advantage which could be construed to have any financial value to employees / agency / interim staff or to members of their family must be refused
- all offers of gifts other than those of a token value (set out in section 4) to employees / agency / interim staff must be refused
- all offers of hospitality to employees / agency / interim staff, other than in those circumstances set out in section 4, must be refused

Whilst in some cases the intention in making an offer may not have been corrupt, it is likely to be inappropriate to professional relationships in the public sector owing to the danger of undue influence in decision making. The acceptance of such offers may also invite suspicion about the honesty and integrity of the council or its employees and lead to accusations against them of corruption or improper motives.

Examples of gifts which are considered by the council to be of a token monetary value include:

- Inexpensive pens
- Pocket diaries
- Calendars
- Cheap promotional material from a supplier/contractor, i.e. coasters, post-it notes
- Cheap consumable goods e.g. boxes of chocolates which may be shared with the team

These gifts may be accepted and their refusal/acceptance does not need to be recorded in the register.

There may be occasions when a gift is offered and refusal would cause offence, for example if it is offered by a delegation from an overseas government/department and the expected norm is to give a gift. In such circumstances the gift may be accepted on behalf of the council. The gift must be retained for use by the council or department to which it was given. A record must be made in the register.

Examples of gifts which are considered not to be of a token monetary value and must be refused, include:

- Free membership or subscriptions (i.e. sports or other clubs)
- Event/Theatre/concert/opera tickets
- Free travel/holiday accommodation
- Bottles of alcohol

These gifts must not be accepted and their refusal needs to be recorded in the register.

Examples of hospitality which may be accepted include:

- A working meal provided to allow the council to discuss, or to continue to discuss, business with an organisation. The hospitality may be provided by organisations with whom the council does business;
- Hospitality offered at an event where an employee needs to receive or give information or represent the council;
- An invitation from an established or prospective contractor/partner to a product/service demonstration where other local authorities are represented;
- An invitation to attend a function of a recognised professional association or institute where the invitation is made by a private organisation;
- Offers of hospitality at a social/sporting occasion if these are genuinely part of the life of the community, or the council should be seen to be represented and where there is a clear benefit to the council and/or to the community. It should also be established that there is no conflict of interest.
- On occasion, the council are provided with tickets to events at Wembley Stadium. These are allocated amongst the council by ballot, and must be recorded in the register. Where a conflict of interest is identified, those employees will not be eligible for entry into the ballot.

These examples of hospitality may be accepted with management approval and a record must be made in the register.

There are levels of hospitality which may be offered by an organisation / company / person with whom the council does or may do business or who is seeking a decision from the Council which must be refused.

Examples of hospitality which must be refused, include:

- Extravagant and/or frequent meals;
- Hotel vouchers, use of company flat or hotel suite offered in connection with attendance at a meeting, function or event.

There may be occasions where hospitality exceeding a minimum level of common courtesy may be accepted if it helps to further the council's interest. In such cases, approval of the relevant line manager is required. In the case of the Chief Executive, approval must be given by the Leader. Approval must be recorded on the prescribed forms.

If an employee is in any doubt as to the integrity of the offer of a gift or hospitality, it should be refused even if this policy would otherwise permit its acceptance.

5. The Procedure

- The council operates an electronic register of gifts and hospitality. An e-form is available and this is to be completed by the employee as soon as practicable after the offer is made, refused or accepted. All approaches must be recorded within 15 working days.
- Any documentation, i.e. email, letter is to be electronically appended to the register entry.
- If appropriate, entries will form part of a workflow system and be authorised/reviewed by the relevant manager.

6. Roles and Responsibilities

- CMT members are responsible for monitoring the consistent application and use of the policy in their service areas on a quarterly basis, and addressing any concerns.
- Audit is responsible for monitoring the application of this policy on an annual basis. This will be undertaken by Audit reviewing registers held in service areas and raising any concerns in respect of the application and consistent use of the policy.
- Audit will report to CMT and the HR Improvement Group on an annual basis.
- Operational directors must ensure that all their staff, including permanent, temporary, interim and agency are fully aware of their responsibilities in relation to the treatment of offers of gifts and hospitality.

Employees must make a record, in a format which may be prescribed from time to time by the council of any offer of gifts, hospitality, financial reward or advantage. The record will include:

- the name of the employee to whom the offer was made
- the date the offer was made
- who made the offer
- how the offer was made together with a copy of any material in which the offer was made
- the date of refusal
- a record of return or disposal of the item if relevant

- if accepted, the date accepted and the name of the manager whose authority was obtained for the acceptance
- the rationale for accepting the item.

The record must be made as soon as practicable after the offer was made and no later than fifteen working days.

Where an employee is in any doubt about accepting a gift/hospitality this should be discussed with their manager prior to acceptance.

Where cash/monetary gift, or some other gift above a token monetary value has been delivered to a workplace the relevant supplier must be contacted and return of the item arranged. A record should be made in the register of this and the actions taken to arrange return and the date of return. If an item cannot be returned, i.e. is perishable or the identity of the supplier is not known, it should be offered to the Mayor's Charity and a record of this made in the register. The employee will be required to obtain a receipt of the donation and append this to the register entry.

Failure to comply with the requirements of the gifts and hospitality policy may result in disciplinary action.

7. Links to other policies

Existing Gifts and Hospitality policy
Code of Conduct for employees
Anti-Fraud and Bribery Policy

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General Purposes Committee 21 January 2014

Report from the HR Director

Wards affected:
ALL

Whistleblowing Policy and Procedures

1.0 Summary

Human Resources is currently reviewing all of the council's employment policies and procedures. The revised Whistleblowing policy is part of this review. There are no proposals to make any significant changes to the existing policy. However, the opportunity has been taken to clarify the purpose of the policy and to ensure that it accords with current legislation and best practice.

2.0 Recommendations

2.1 The General Purposes Committee is asked to:

- a. Agree the new Whistleblowing Policy and Procedures
- b. Authorise the HR Director, in consultation with the Leader and then consultation with the relevant trade unions, to make such other changes as may be necessary from time to time to the Whistleblowing Policy and associated procedures to ensure they remain relevant and 'fit for purpose'.

3.0 Detail

3.1 The council regularly reviews its HR policy framework to align its policies and procedures to the organisational objectives, incorporate legislative changes and to reflect current modern HR practice.

3.2 The current Whistleblowing Policy and Procedures have been reviewed in light of improvements identified in the application of the policy and changes to the legal framework which supports the policy. The policy document is attached to the report for the Committee to consider.

3.3 Key points to note in the new policy are:

- Clarification of the policy to ensure there is no confusion between whistleblowing and other council policies.

Meeting
Date

Version no.
Date

- Emphasis has been placed on the parameters which define a legitimate whistleblowing disclosure to counteract concerns raised that the current policy lacked clarity and that inappropriate disclosures, such as employment grievances, were being brought under the Whistleblowing Policy.
- In line with changes to the legal framework, the new policy specifies that all disclosures must be made in good faith, and in the public interest.

4.0 Implementation Date

4.1 It is recommended that the policy becomes live on 17th February 2014. This is to allow time for feedback from the managers briefing distributed on February 11th.

5.0 Financial Implications

5.1 There are no specific financial implications.

6.0 Legal Implications

6.1 The policy is underpinned by the Employment Rights Act 1996 and Enterprise and Regulatory Reform Act 2013.

7.0 Diversity Implications

7.1 The policy and procedure is applicable to all staff and provides a framework that encourages and enables employees to raise serious concerns in the workplace. It also makes clear that the council will not tolerate harassment and victimisation and will take action to protect employees when a concern is reported in good faith. Whistleblowing action in this regard is consistent with the council's duties under the equalities legislation protecting employees who may raise concerns. The application of the policy will be continually monitored to ensure it remains fit for purpose.

8.0 Staffing/Accommodation Implications

8.1 The council is committed to the highest standards of openness, probity and accountability. The Whistleblowing Policy and Procedure provides a framework to help employees express concerns on practices which they, in good faith, perceive to be improper, unethical, inappropriate or illegal. There are no other implications in addition to those otherwise set out in the report. CMT and the HR Improvement Group have been consulted on the policy and procedure and have endorsed the changes. The trade unions have also been consulted and their feedback has been taken into consideration in reviewing the policy.

Background Papers

Existing Whistleblowing Policy and Procedure
Enterprise and Regulatory Reform Act 2013
Benchmarking with other local authorities.

Contact Officers

Cara Davani, HR Director

Staff Whistleblowing Policy and Procedures

January 2014



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1. Introduction

Employees are often the first to realise that there is something seriously wrong but may not feel confident to express their concerns. The council recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the malpractice.

The council is committed to the highest standards of openness, probity and accountability and strongly encourages employees to come forward and raise concerns about any aspect of the council's work. The council expects the highest standards of behaviour from all of its employees, Elected Members and its contractors and will ensure concerns can be raised without fear of reprisals or victimisation internally within the council, rather than overlooking a problem or raising the matter externally. There is both a legal and moral duty to speak up about something which is improper, unethical or inappropriate in order for the council to investigate and remedy the wrongdoing.

The council has put in place a whistleblowing policy to encourage and enable employees to raise serious concerns and talk to someone confidentially who can help. The council will not tolerate harassment and victimisation and will take action to protect employees when a concern is reported in good faith.

The council's designated Whistleblowing Officer is the Head of Audit and Investigations.

This is a staff whistleblowing policy. Members of the public are able to bring disclosures under other arrangements within the council.

2. Aims of the Policy

The aims of the policy are to:

- encourage all improper, unethical or inappropriate behaviour to be identified and challenged at all levels in the organisation;
- ensure all employees feel supported in speaking up in confidence and reporting matters they suspect may involve anything improper, unethical or inappropriate;
- provide a clear procedure for reporting concerns and receive feedback on any action taken;
- manage all disclosures in a timely, consistent and professional manner;
- provide assurance that all disclosures will be taken seriously, treated in confidence and managed without fear of retaliation;
- re-assure employees that they will be protected from possible reprisals or victimisation if they have reasonable belief that they have made a disclosure that is in the public interest.

3. Scope

Whistleblowing disclosures should only concern matters which are in the public interest and are made in good faith.

This policy is intended to cover concerns that fall outside the scope of other policies, although the council reserves the right to determine which policy is appropriate. The following are outside the scope of this policy:

- Matters that concern day-to-day issues relating to an employee's employment including terms and conditions, issues relating to harassment and bullying, or a complaint about another employee which would normally be referred to the employee's line manager in the first instance, or if necessary can be pursued using the council's grievance policy;
- Matters that would normally be dealt with by the council's collective bargaining arrangements with its recognised trade unions;
- Complaints from the public that relate to standard of service delivered by the council or its contractors, which should be reported through the council's complaints procedure or specific reporting procedures where they exist for some services.

The Policy is designed to deal with concerns that relate to specific issues that are in the public interest. Only genuine concerns should be reported.

Whistleblowing means a disclosure of information where the individual making the disclosure reasonably believes that one or more of the following matters is happening, took place in the past or is likely to happen in the future. This is not an exhaustive list of examples:

- a criminal offence
- a failure to comply with a legal obligation
- a miscarriage of justice
- a danger to the health and safety of an individual
- damage to the environment
- any conduct which may damage the council's reputation
- deliberate concealment of information relating to any of the above.

4. Reporting in Good Faith

If a disclosure is made in good faith, but is not confirmed by investigation, no action will be taken against an employee.

Employees should not make reports which they do not reasonably believe to be true, which are malicious, or which they know are outside the scope of public interest. Disciplinary action may be taken against an employee who makes a disclosure frivolously, maliciously, for personal gain or knowingly in bad faith.

Any investigation into disclosures of potential malpractice under this policy will not influence or be influenced by any disciplinary or redundancy procedures

that already affect an individual. Disciplinary, capability, grievance or managing attendance procedures will not be halted as a result of an individual whistleblowing.

5. Confidentiality and Support

All concerns raised will be treated in confidence and every effort will be made not to reveal the identity of the employee who has raised a concern/disclosed information. However, in some circumstances it may not be possible to maintain confidentiality; if, for example, an employee is required to come forward as a witness.

The council will take steps to minimise any difficulties employees may experience as a result of raising a concern. If an employee is required to give evidence in criminal or disciplinary proceedings the council will arrange for advice and support to be given on the proceedings.

The council will not tolerate harassment and victimisation and will take steps to protect individuals who raise concerns in good faith.

It is acknowledged that employees need to be assured that concerns will be properly addressed and subject to legal constraints the council will provide information about the outcome of any investigation.

6. Anonymous Disclosures

This policy encourages employees to put their name to the concerns they are raising. Concerns expressed anonymously are often much more difficult to investigate. For example, the Council is likely to need to contact the employee for further information or to verify the details provided.

Due to the difficulty of verifying anonymous reports, the Council will only investigate anonymous reports where the disclosure is of a nature serious enough to result in a police investigation.

7. Protection

The Employment Rights Act 1996 provides individuals with protection from victimisation, dismissal or any other detriment provided they have a reasonable belief that what they have reported is true and the report is made in good faith.

The council views harassment or victimisation very seriously and undertakes to ensure that no one who reports any concern under this policy in good faith will be subject to any detriment for coming forward, regardless of whether or not the concern is ultimately substantiated.

In the event that an employee believes that they are being victimised or subjected to a detriment by any person as a result of reporting a concern or assisting with any investigation under this policy, they must inform the council's whistleblowing officer and appropriate action will be taken to protect them from any reprisal.

If any employee is aware of the victimisation or harassment of a whistleblower, they have a responsibility to bring it to the attention of the Whistleblowing Officer.

The council will treat any victimisation or harassment of an employee who has made a report in good faith under this policy as a serious disciplinary offence.

8. Advice

If you wish to receive advice from a relevant professional in the council before making a report under this policy, you should contact any of the following:

Director of Legal & Procurement
HR Director
Operational Director Environment and Protection (for health and safety matters only)
Chief Finance Officer

Alternatively, you may wish to ask for confidential help from your trade union.

9. Reporting a Concern

It is advisable to report a concern as early as possible. A significant delay in reporting the matter may make the subsequent investigation difficult to pursue.

In the first instance concerns should normally be reported a line manager or a more senior manager. An employee reporting a concern will not be expected to prove a disclosure, but will be asked to demonstrate that there are sufficient grounds for the concern and it is made in good faith.

If the employee believes:

- the concern to be extremely serious or sensitive;
- involves senior managers in the service area;
- has been raised with line managers/senior managers previously, but has not been dealt with properly;
- there is reasonable belief that relevant information may be concealed or destroyed if the matter is raised directly with line managers/ senior managers;
- they may be victimised if the matter is raised directly with line managers/senior managers;

the concern should be reported directly to the council's Whistleblowing officer.

Before raising a concern an employee may wish to take advice on the matter from any of those listed above or discuss any concerns with a trade union representative or work colleague. If more than one employee has the same concerns, the disclosure can be a joint report.

Concerns can be raised verbally or in writing. Where possible, the following information should be included:

- an outline of the disclosure, and how it represents information in the public interest;
- names of those believed to be involved in the disclosed offence;
- names of any person who has relevant information;
- details of how the employee became aware of the suspected activities;
- which of the council's policies have been breached;
- names of any person with whom the disclosure may have been shared;
- the employee's name and contact details.

10. How the Council will Respond

The concern/disclosure reported will be logged by the Whistleblowing Officer and the employee will receive an acknowledgement within ten working days, including an outline of the action that will be taken to investigate the issue.

The action the council will take will depend on the nature of the concern. The matter raised may be:

- investigated internally by management, Internal Audit or through the disciplinary or other internal process;
- referred to the police;
- referred to the external auditor;
- form the subject of an independent inquiry.

In order to protect individuals and the council, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns which fall within the scope of a specific policy, e.g child protection or discrimination issues, will normally be referred for consideration under those policies.

Some concerns may be resolved by agreed action without the need for an investigation. If urgent action is required this will be taken before any investigation is conducted.

Where it is necessary to interview the employee(s) raising a concern they may be accompanied at the interview by a trade union representative or work colleague not involved in the area of work to which the concern relates.

11. Contact

Wherever possible, employees will be kept informed of the progress of the investigation and outcome, although it may not be possible to disclose full details of the progress or the outcome of the investigation if provision of details would be inconsistent with obligations of confidentiality in relation to others.

12. External Reporting


A report made externally, ie to the police, media or Member of Parliament, will only be protected under the Employment Rights Act 1996 if the following apply:

- the employee reasonably believed the concern/disclosure to be substantially true;
- the disclosure has not been made for personal gain;
- the disclosure has already been raised within the council, unless the employee had reasonable grounds to believe they would be victimised or that there may be a cover-up or that the matter is exceptionally serious.

13. Further Information and Advice

If an employee requires any further advice or guidance on any aspect of this policy they should contact Human Resources in the first instance.

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 <p>Brent</p>	<p>General Purposes Committee 21 January 2014</p> <p>Report from HR Director</p>
<p>Wards affected: ALL</p>	
<p>Pay Policy and Procedures</p>	

1.0 Summary

1.1 This report provides details of the proposed new Pay Policy and associated procedures which will replace the current arrangements. There are no proposals to make any significant changes to the current arrangements. Whilst reviewing all of our HR policies and procedures the opportunity has been taken to bring together all the different pay arrangements operating within the council into a single policy document.

2.0 Recommendation

2.1 The General Purposes Committee is asked to:

- a. agree the new Pay Policy and Procedures
- b. authorise the HR Director in consultation with the Leader and then consultation with the relevant trade unions, to make such other changes as may be necessary from time to time to the Pay Policy and associated procedures to ensure they remain relevant and 'fit for purpose'.

3.0 Detail

3.1 The council regularly reviews its HR policy framework to align its policies and procedures to the organisational objectives, incorporate legislative changes and to reflect current modern HR practice.

3.2 Currently there is no policy framework document for the council's pay arrangements covering:

- Pay scales, pensions and allowances
- Acting Up and Honoraria Payments
- Secondment Guidelines
- Job Evaluation Guidelines
- Staff Travel Arrangements

There are a number of separate documents which are not connected.

It is considered both from a management and employee perspective that it would be beneficial to bring the pay arrangements together into a single policy document. The policy document is attached to this report for the Committee to consider. There are no major changes proposed to any of the above except to ensure they are 'fit for purpose' and accord with best HR practice. The opportunity has been taken to rationalise and simplify the presentation of the information to make it more accessible and easily understood. Most of the pay entitlements are embedded in statute and/or the various NJC terms and conditions. The council, similar to many other authorities, follows the statutory provisions and NJC conditions although there are areas where the council's arrangements are marginally more generous.

3.3 Currently the council has no parameters for the duration of acting up and honoraria payments. The new policy will limit acting up and honoraria payments to 6 months. In exceptional circumstances, and if a solid business case can be made, this period will be extended to up to 12 months. Any extended arrangements will be in consultation with the HR Director and the relevant Operational Director.

3.4 The new policy clarifies that employees acting up will be placed on the first spinal column point of the pay grade into which they are acting up unless there is an overlap between grades in which case they will be placed on the second spinal column point. A higher spinal column point may be paid subject to the approval of the HR Director and the relevant operational director.

3.5 The current policy limits honoraria payments to two pay scale increments. The new policy allows line manager discretion to make payments up to the value of three pay scale increments. Additional increments may be awarded in exceptional circumstances in consultation with the HR Director and the relevant operational director.

3.6 The new policy has limited the length of the secondment to twelve months other than in exceptional circumstances, where previously there was no specified limit. It is considered that any longer period ceases to be of any discernible benefit to the council.

3.7 As with all the council's policies and procedures the pay policy and associated procedures are designed to ensure that all employees are treated fairly and consistently on all pay related matters.

4.0 Implementation Date

- 4.1 It is recommended that the policy becomes live on 1st April 2014. The launch will be in line with changes to the LGPS Pension Scheme, and any nationally agreed changes to the council's pay scales. Human Resources advisers will be fully briefed to provide support to managers.

5.0 Financial Implications

- 5.1 The changes to honoraria payments will be managed within existing departmental budgets.

6.0 Legal Implications

- 6.1 The council's pay arrangements are underpinned by employment legislation and the Equalities Act as well as the various negotiating committees terms and conditions. The proposed new policy is compliant with the relevant legislation and the various negotiating bodies terms and conditions.

7.0 Diversity Implications

- 7.1 The policy and procedure is applicable to all staff and provides a consistent approach to implementing pay arrangements fairly and is in keeping with the Council's aim to build a flexible workforce where flexibility works both for employees and services. The Pay Policy will be continually monitored to ensure it is implemented fairly across the council.

8.0 Staffing/Accommodation Implications

- 8.1 Brent is moving towards a flexible workforce and the consolidation of the different pay arrangements into a single framework policy will assist the organisation to manage pay arrangements fairly both in the interest of the organisation and employees. There are no other implications in addition to those otherwise set out in the report. Consultation has taken place with the CMT and HR Improvement Group who have endorsed this approach. The trade unions have been consulted on this policy and their feedback has been taken into consideration in the development of the policy.

Background Papers

Existing pay arrangements documentation
Various negotiating bodies terms and conditions
LGPS Regulations
Local pay arrangements

Contact Officer

Cara Davani
HR Director

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Pay Policy and Procedures

January 2014



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Pay Policy and Procedures

1. Introduction

The council recognises the importance of pay systems that are appropriate, transparent, provide value, and ensure that staff are treated fairly and recognised for the contribution they make to the delivery of excellent public services.

The council's pay policy comprises the pay arrangements determined by the various negotiating bodies and local arrangements.

2. The Policy covers:

- Basic Pay Information
- Acting Up & Honoraria Payments
- Job Evaluation Procedure
- Secondments
- Staff Travel

3. BASIC PAY INFORMATION

Most council staff work on a basis of a 36 hour week, working five over seven days.
HAY staff work on a basis of a 40 hour week, working five over seven days.

Pay Scales:

Pay Scales	Categories of staff
GLPC	Administrative, Clerical, Technical, Manual officers
HAY	Senior Managers
Soulbury	Educational Psychologists, Educational Improvement Professionals, Senior and Principle Educational Psychologists, Adviser-Inspectors, Young People's/Community Service Managers
JNC Youth and Community Support Workers	Young People's/Community Service Support Workers
NHS	NHS staff
STPCD	Teachers employed directly by the council
Salaried Management Spine and Tutor Rates	Brent Adult and Community Education Service staff
NJC for Local Government Services	Schools and the Brent Housing Partnership staff
Craft workers	Craft Workers/Fitters

- Pay awards are in accordance with the respective negotiating bodies' guidelines.
- The council has made a commitment to pay all permanent staff the London Living Wage. This does not apply to apprentices.

- Overtime should be agreed in advance with the employee's line manager, and only agreed in exceptional circumstances. An overtime calculator and the 'Authority to Incur Overtime' form can be accessed on the Intranet.
- Staff can view their pay slips and pay history on Interact.
- Council staff are paid on the 15th of each month.
- Increments for all staff on GLPC pay scales are paid annually on 1st April each year. If an employee starts between 1st October and 31st March, they will receive their first annual increment after 6 months service.
- Employees on Soulbury and Teacher pay and conditions of service receive their increments in September, or for each year of employment as a qualified teacher.
- Increments for staff on Hay Grades are paid on the anniversary of joining the council or the anniversary of their appointment to the role.
- Line managers should notify payroll of any changes to an employees pay outside the standard Local Government incremental system.
- Pay on appointment or promotion will usually be at the first spinal column point, unless agreed by the department's Operational Director in consultation with the HR Director. Higher entry points are based on a candidate's relevant skills and experience.

4. Conditions of Service

Employees are employed on a number of different terms and conditions of employment:

Role	Terms & Conditions
Administrative, Clerical, Technical, Manual officers	NJC for Local Government Services
Chief Executive/Chief Officers	JNC for Chief Executive/JNC for Chief Officers
Craft Workers	JNC for Craft and Associated employees
Soulbury	NJC Soulbury Terms & Conditions
School Teachers/Leadership Groups	School Teachers Pay & Conditions – only applies to those employed directly by the council
NHS staff	NHS Terms & Conditions

5. Allowances

For allowances related to leave, such as jury service and special leave, please see the council's time off policy.

Allowances	
Weekend Work	Weekend work is paid at plain time.
Night Time Working	All staff who work between 10:00 pm and 6:00 am are paid time and a third.

Overtime	Overtime rates are time and a half for Saturday, and double time for Sunday.
Mileage Rates	HMRC mileage rates are applicable.
Subsistence	There is a £15 allowance for the cost of an evening meal (after 8:00pm) for those staying overnight on council duties. Managers will have discretion within budgets to cover the costs of people attending conferences or services related visits to other authorities.
First Aid	£102 per annum/ £8.50 per month. This is under review.
On call/standby	There is a standard rate of £75 for each week an employee is on standby, a week being Monday - Sunday. Overtime rates are paid on a pro-rata basis for actual time worked if called out.

6. Pensions

Employees are automatically included in the council pension schemes. Employees can opt out, and will have their contributions refunded if they opt out within three months of joining the scheme.

Pension Scheme	To whom does it apply?
Local Government Pension Scheme	Administrative, Clerical, Technical, Manual officers
School Teachers' Pension Scheme	Teachers employed directly by the council
NHS Pension Scheme	NHS staff

For further details on how to opt out and employer contributions, see the pension scheme starter pack and other pension related forms on the council intranet, or by clicking [here](#).

7. Pay Protection

In the case of redeployment, where an employee has accepted an alternative post one grade below the employee's current grade, the employee will receive their former pay spinal column point for a period of one year. There will be no entitlement to the annual pay award or any incremental progression. When the protected period has ended, the salary will be revised immediately and paid in accordance with the top spinal column point of the grade of the alternative post.

8. Loans

The council runs a season ticket loan scheme, payable via deductions from the employee's monthly salary, and a 'salary sacrifice scheme' which helps employees to purchase bicycles. More information on both can be found in the staff travel policy and procedure document on the Intranet.

9. Workplace Giving

Employees wishing to donate to charity directly from their pay should visit workplacegiving.co.uk.

10. ACTING UP AND HONORARIA PAYMENTS

Our Approach

On occasions it may be necessary to pay staff for additional duties carried out over and above their normal duties and responsibilities. This arrangement sets out the council's approach to paying for additional duties and ensures that a consistent approach is adopted across the council to ensure fairness.

Acting up and honoraria arrangements may cover:

- Long-term sickness absence
- Vacant posts/ posts vacant pending restructuring
- Maternity leave
- Secondments

Acting up and honoraria payments should not exceed 6 months. Where there are exceptional circumstances and a business case can be made for an acting up or honoraria payment over a period of up to 12 months, this should be agreed with the HR Director and the relevant Operational Director.

Employees appointed to act up have no right to the post on a permanent basis and at the end of the acting up appointment will return to their substantive post.

Where the higher-graded post is subsequently advertised, the person acting up may apply for the post in the same way as other candidates, if they so wish.

Where the council undertakes a reorganisation which impacts on an employee receiving an acting up or honoraria payment the additional duties and payment will not be taken into account when matching employees current duties and responsibilities with those of the proposed new job roles. Matching will always be undertaken on the basis of the employee's substantive post. Further information is available in the council's managing change policy, available on the Intranet or by clicking [here](#).

Acting up payments

Acting up payments are paid where:

- a single post has a deputising role included in the job description; or
- a selection process has been conducted to select a suitable candidate to act up.

An employee must be undertaking the full duties and responsibilities of a higher-graded post (other than for reasons of annual leave) for a continuous period of at least four weeks.

Employees invited to act up are generally paid on the first spinal column point of the grade of the acting up post. In exceptional circumstances, entry may be at a higher spinal column point with the agreement of the HR Director and the relevant operational director. Higher entry points are based on a candidate's relevant skills and experience. This is consistent with council policy where an employee is promoted to the higher graded post.

If an employee receiving an acting up payment is absent for a continuous period of at least four weeks because of illness or maternity leave, the acting up payment will cease during the period of absence except during any period of illness prior to the start of maternity leave which is caused wholly or partly by pregnancy.

Honoraria payments

An honorarium may be paid where:

- the duties and responsibilities of a higher-graded post are shared between more than one employee;
- extra duties and responsibilities outside of the employee's job description have been exceptionally onerous;

provided the duties and responsibilities will be carried out by the employee for a continuous period of more than four weeks.

Where duties and responsibilities are shared, the payment will be based on the proportion of the higher-grade post's duties being carried out.

In the case of additional duties outside the scope of the employee's job description, payment will be at the line manager's discretion up to the value of one, two or three pay scale increments. Payment exceeding three increments may be paid in exceptional circumstances in consultation with the HR Director and relevant operational director. Higher entry points are based on a candidate's relevant skills and experience.

If an employee receiving an honorarium payment is absent for a continuous period of at least four weeks because of illness or maternity leave, the honorarium payment

will cease during the period of absence except during any period of illness prior to the start of maternity leave which is caused wholly or partly by pregnancy.

Termination of Acting Up and Honoraria Payments

Acting up and honoraria payment arrangements may be terminated early by either party due to:

- the return of the original postholder;
- unsatisfactory performance;
- poor attendance or disciplinary action;
- restructuring of the service and the deletion of the post.

11. JOB EVALUATION

Introduction

Any requests for job evaluation must be handled in a consistent way to ensure fairness, effectiveness and efficiency.

For detailed guidance and the relevant forms and templates, please see the Intranet or click [here](#).

If you require further advice and support, please email askHR@brent.gov.uk, with 'Job Evaluation' in the subject line. Apart from unusually complicated situations, such as complex restructuring or block requests, the evaluation process should be completed within 5 working days of receiving all the required information.

If a department or service area is under review or restructure, a moratorium on job evaluation will exist.

Our approach

The following guidelines must be followed, to ensure that job evaluation requests are dealt with promptly and appropriately:

Job Description and additional information form (RS1a)

Incorporate all duties and responsibilities into the job description, including supervisory responsibility (along with the number of people supervised). Existing postholders should be consulted in drawing up the revised job description, a signed copy of which should be kept in their HR file.

Form RS1a asks for details which are essential for carrying out evaluations but which are not normally included in the job description. Check and complete all applicable areas before submitting a post for job evaluation.

Person Specification

A person specification is a profile of the required skills and aptitudes, and is derived from the job description. It lists the criteria that will be used in short listing and selecting candidates. It provides:

- a set of criteria against which all applicants can be measured objectively;
- a structured and systematic means for comparative assessment of the applicants;
- a document to ensure that the basis of decision-making is transparent.

The person specification is a live document to be reviewed and amended in line with the job description.

Organisational chart

Include an organisation chart with your application, showing the relationship of the post under consideration to those surrounding it.

Job evaluation request form (JE1)

Ensure that all relevant sections of the job evaluation request form (JE1) are completed.

Where there is a change of post title, providing the post number and job code details (available from the previous job evaluation outcome form, JE3) enables existing post details to be updated correctly.

The postholder and Head of Service should sign the relevant sections to acknowledge their agreement with the revised job description and the evaluation request. Where there is more than one postholder, a separate JE1 must be completed for each.

The process for postholder and line manager job evaluation requests require the same documents be completed.

Employees should be aware that job evaluation can result in a post being re-graded to a higher or lower grade.

If an employee's post is re-graded to a higher-grade, they should usually be placed on the first spinal column point of the new grade or second spinal column point if the grades overlap. When managers consider there is a case to pay a higher spinal column this should be undertaken in consultation with the HR Director and the relevant Operational Director.

If as a result of evaluation an employee's post is re-graded to a lower grade, they will be placed on the top spinal column point of the new grade.

If an employee's post is re-graded to a lower grade, pay protection will apply for one year. During the one year period only the employee will receive their former salary. However there will be no entitlement to the annual pay award or incremental progression.

12. SECONDMENTS

Our approach

The council uses secondments to enhance service delivery, motivate and develop employees, and as a form of personal development that can support career progression. The council recognises three types of secondment:

- **Internal secondments:** a council employee works in a different area of the council whilst still retaining their substantive post;
- **Outgoing secondments:** a council employee works in a different organisation whilst retaining their substantive post with the council;
- **Incoming secondments:** a role at the council is filled by an employee of another organisation who remains employed by, and retains their substantive post with, that organisation.

Secondments may be advertised council-wide only or council-wide and amongst other London Boroughs. External secondment opportunities will usually be advertised on the council Intranet job board.

Any issues that may require action in relation to capability, sickness absence, discipline or grievances will be dealt with in accordance with the council's procedures but managed jointly between the host service/organisation and the seconding employer.

Procedure

Before advertising a short-term vacancy, service managers should consider if the position could be filled by a secondment.

Employees should notify their line manager if they wish to apply for a secondment.

This will allow line managers to consider the potential implications as soon as possible. Employees must get their line manager's approval before applying.

Line Managers should arrange cover for any substantive post where the post holder has gone on secondment. Cover arrangements must allow notice in the case of early termination of the secondment.

An employee who has accepted an offer of secondment will be issued with a letter setting out any different terms of employment that will apply during the period of secondment, otherwise terms and conditions will remain unchanged from their substantive post.

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Complaints against decisions arising from the secondment process will follow the normal process for recruitment complaints as set out in the recruitment and selection policy.

Line Managers should conduct induction, together with scheduled reviews of performance and appraisals, in line with existing council policies. If a secondment is for a short period and it is not possible to conduct an appraisal, a written report should be prepared for the seconding employer to use in their appraisal process.

Secondment Conditions

- Employees must obtain their line manager's written agreement to a secondment.
- The secondment period should not exceed 12 months, unless exceptional circumstances exist, and should not be less than three months in order to allow appropriate time for induction and training for the development of the employee.
- Part-time secondments may allow employees to work on particular projects whilst still carrying out some of the remaining duties of their substantive post, subject to the agreement of their line manager.
- The employee's contract of employment will continue throughout the period of secondment and employee's terms and conditions of service are maintained. However, payment will be relevant to the post seconded to.
- The secondment will end on the date stated and the employee will return to their substantive post, or a suitable alternative post, subject to any organisational changes which may affect the post.
- Employees must be kept aware of any changes in their substantive work area.
- Where their substantive post has been made redundant, the employee retains the same rights as if they had not been seconded.
- There is no automatic right to be appointed to the secondment post if it is subsequently advertised on a permanent basis.
- For information on maternity leave during secondment, please refer to the council's time off policy.
- Where appropriate, secondments will be open to job share.

- Where the employee is currently receiving time off to attend a course of study, this will need to be negotiated with the host service area/organisation.
- Where the council provides financial assistance in respect of a course of study, this will normally remain the responsibility of the seconding employer.

External secondments

Secondments may be offered to partner organisations where mutual benefit may exist or where the specific skills that the role requires may not be available within the council.

Secondments are also possible between council employees and external organisations. A formal secondment agreement must be drawn up between the host organisation, the council and the employee, setting out a range of conditions applicable to the secondment.

The council will invoice the host organisation to meet the employee's salary, pension contributions and any increase in salary that the host organisation and the employee have agreed to be paid during the secondment.

During the secondment, the host organisation will pay the cost of appropriate learning and development fees in respect of the employee, in accordance with their standard practice.

At the end of the secondment, the employee's salary will revert to that payable under the substantive post, including any incremental increases.

Early termination of secondment

The secondee or the host service area/organisation can bring a secondment to an end by giving one month's notice. The reason for ending the secondment should be given in writing by either side.

Incoming secondment arrangements can be terminated immediately by the employing organisation if the secondee ceases to be employed in their substantive role.

Line managers should give secondees one month's notice to terminate the secondment. Similar notice must be given to the seconding employer of the imminent return of the secondee to their substantive post.

13. STAFF TRAVEL

The staff travel policy applies to current employees of the council. Exceptions are agency workers, consultants who are paid via company expense claims and those based in schools.

The council expects that, where possible, staff should travel on public transport. The oyster card policy is available on the Intranet.

With regards to travel on council-related business, employees must:

- Endeavour to find the best value for money journey;
- Book as far as possible in advance to ensure best value;
- Travel second-class or economy;
- Provide relevant evidence of travel before reimbursement;
- Verbally agree mode of travel at the earliest opportunity, and at least 1 day in advance.

Any incidence which creates a contradiction between any of the above criteria, for example if a first-class travel ticket is the cheapest available option, should be discussed with the employee's line manager.

Staff wishing to use a car for council business should sign up to the [ZipCar](#) scheme. The council expects employees to endeavour to use the most environmentally-friendly form of transport available. As such, the council discourages the use of cars, and will only reimburse an employee who has had to use a personal car on council business for efficiency reasons and after consultation with their line manager. Where the employee is required to use their car on council business, reimbursement is set at the HMRC rate.

14. Further information and advice

If an employee requires any further advice or guidance on any aspect of this policy they should contact Human Resources in the first instance.

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