



General Purposes Committee

Wednesday 16 December 2015 at 6.00 pm

Board Room 1 - Brent Civic Centre, Engineers Way,
Wembley HA9 0FJ

Membership:

Members

Councillors:

Butt (Chair)
Moher (Vice-Chair)
Denselow
Hirani
Kansagra
McLennan
Pavey
Southwood

Substitute Members

Councillors:

Kabir, Khan, Mahmood, Mashari, McLeish,
J Mitchell Murray and Nerva

Councillors:

Colwill and Maurice

For further information contact: Peter Goss, Democratic Services Manager
020 8937 1353, peter.goss@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**

1 Declarations of personal and prejudicial interests

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

3 Matters arising (if any)

4 Deputations (if any)

5 Appointments to Sub-Committees / Outside Bodies (if any)

6 Disciplinary and Dismissal Procedures for the Chief Executive, Monitoring Officer and Section 151/Chief Finance Officer 5 - 16

The report provides the opportunity to review draft Disciplinary and Dismissal Procedures for the roles of the Chief Executive, Monitoring Officer and Section 151/Chief Finance Officer pursuant to a recent change in legislation and provides an update on new proposals to appoint additional 'independent persons'.

Wards Affected:
All

Contact Officer: Mildred Phillips,
Director HR
mildred.phillips@brent.gov.uk

7 Senior management structure

The report proposes a revised senior management structure for the council.

(Report to follow)

8 Localism Act 2011- Pay Policy Statements 17 - 30

This report is deals with the arrangements that have been put in place in Brent Council to meet the requirements of the Localism Act to produce a

pay policy statement for on an annual basis.

Wards Affected:
All

Contact Officer: Mildred Phillips,
Director HR
mildred.phillips@brent.gov.uk

9 Any other urgent business

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



Please remember to set your mobile phone to silent during the meeting.

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

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LONDON BOROUGH OF BRENT

MINUTES OF THE GENERAL PURPOSES COMMITTEE Wednesday 27 May 2015 at 6.00 pm

PRESENT: Councillor Butt (Chair), Councillor Moher (Vice-Chair) and Councillors Denselow, Hirani, McLennan, Pavey and Kabir

Also present: Councillors Colwill

Apologies for absence were received from: Councillors Southwood

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

None declared.

2. **Minutes of the previous meeting**

RESOLVED:-

that the minutes of the previous meeting held on 25 February 2015 be approved as an accurate record of the meeting.

3. **Matters arising**

None.

4. **Representation of Political Groups on Committees**

A revised report was circulated for the committee's consideration. Fiona Alderman (Chief Legal Officer) explained that subsequent to the circulation of the original report, advice had been obtained which confirmed that the Brent Conservative Group and the Conservative Group should be treated as separate Groups for the purposes of distributing committee seats amongst the political groups.

RESOLVED:

- i) That the size of the sub-committees be noted;
- ii) That the allocation of seats on the sub-committees to each of the political groups as detailed in paragraph 3.5 of the revised report from the Chief Legal Officer be agreed.
- iii) That the following appointments for the 2015/16 municipal year be agreed:

BRENT PENSION FUND SUB-COMMITTEE

(6/1/0)

CRANE (C)

DALY

KHAN

NAHEERATHAN

SHAHZAD

THOMAS

Labour substitutes: DIXON, ENIOLA, EZEAJUGHI, FARAH, FILSON, HARRISON, HYLTON, HECTOR, HODA-BENN, HOSSAIN, PERRIN, WILHELMINA MITCHELL MURRAY

VACANCY

NON-VOTING CO-OPTEEES:

*College of North West London
Employees*

Stephen Holley

Francesca Hammond

SENIOR STAFF APPOINTMENTS SUB-COMMITTEE

(4/1/0)

BUTT (C)

HIRANI

MASHARI

PAVEY

VACANCY

Labour substitutes: SOUTHWOOD, DENSELOW, MCLENNAN, MOHER

STAFF APPEALS SUB-COMMITTEE

(4/1/0)

BRADLEY

KETAN SHETH (C)

MARQUIS

R PATEL

Labour substitutes: NERVA, S CHOUDHARY, COLACICCO, KABIR

VACANCY

5. Appointments to Sub-Committees / Outside Bodies

It was noted that this item had been considered under the report regarding the Representation of Political Groups on Committees.

6. Pensions Board membership

A report detailing the nominations for the Pension Board was tabled for the committee's consideration.

RESOLVED:

- i) That the following nominations for the Pension Board be agreed:
Councillor Choudhary (Brent employer representative 1)
Councillor Kabir (Brent employer representative 2)
Bola George (Trade union representative 1 – Unison)
Euton Stewart (Trade union representative 2 – GMB)
Trevor Dawson (Pension scheme member)
- ii) That authority be delegated to the Chief Finance Officer in consultation with the Director of HR and Chair of the General Purposes committee to appoint to the unfilled positions on the Pensions Board based upon nominations yet to be received or following the Officer interview process for the Independent Chair.
- iii) That any appointments made by officers under delegated authority be reported to the next meeting of the General Purposes Committee.


7. Any other urgent business

None.

The meeting closed at 6.18 pm

M BUTT
Chair

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 <p>Brent</p>	<p>General Purposes Committee</p> <p>16 December 2015</p> <p>Report from the Director Human Resources</p>
<p>For Action Wards Affected: ALL</p>	
<p>Disciplinary and Dismissal Procedures for the Chief Executive, Monitoring Officer and Section 151/Chief Finance Officer</p>	

1.0 Summary

- 1.1 The purpose of this report is two fold. First, to give Members the opportunity to review draft Disciplinary and Dismissal Procedures for the roles of the Chief Executive, Monitoring Officer and Section 151/Chief Finance Officer. These procedures implement a recent change in legislation. Second, to update Members on new proposals to appoint additional ‘independent persons’.

2.0 Recommendations

- 2.1 Approve the proposed Disciplinary and Dismissal Procedures at Appendix 1.
- 2.2 Approve the recruitment process for the appointment of additional independent persons set out in paragraph 3.10 and note that the final appointments will be made by Full Council.

3.0 Detail

New Disciplinary and Dismissal Procedures

- 3.1 On 22 June 2015 the practical requirements of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 (the 2015 Regulations) – which came into force on 11 May 2015 – were reported to Full Council. The 2015 Regulations amend the Local Authorities (Standing Orders) (England) Regulations 2001 (the 2001 Regulations) by removing the requirement for the Council to appoint a ‘designated independent person’ (DIP) before taking disciplinary action against the Chief Executive, Monitoring Officer and Section 151/Chief Finance Officer (referred

to in this report as either the protected officers or protected officer as appropriate).

- 3.2 Under the old rules, the DIP, often a barrister, was appointed to investigate and make a binding recommendation on disciplinary action.
- 3.3. 'Disciplinary action' for these purposes includes any proposal for dismissal of a protected officer for any reason other than redundancy or ill-health. It therefore covers misconduct and competence dismissals.
- 3.4 Under the new rules, the decision to dismiss the protected officers has to be taken by Full Council but not before Full Council has considered, amongst other things, any advice, views or recommendations from a 'panel'. On 22 June 2015, the Full Council established the Dismissal Advisory Panel (DAP), to be comprised of 3 'independent persons', and approved changes to standing orders to meet the requirements of the 2015 Regulations.
- 3.5 An 'independent person' under the new rules is a person appointed under section 28(7) of the Localism Act 2011 to deal with Member Code of Conduct complaints. Thus, the 2015 Regulations have expanded the advisory role of the independent person.
- 3.6 It was noted by Full Council that new disciplinary and dismissal procedures for the protected officers, implementing the requirements of the 2015 Regulations, would be reviewed by this Committee. Accordingly, attached at Appendix 1 are draft procedures for the Committee's approval.
- 3.7 In summary, the procedures confirm that allegations or complaints likely to result in disciplinary action will be reported to this Committee. The Committee will act as the Council's investigation and disciplinary committee and will consider whether there is a case to answer, whether an investigation is necessary, whether to suspend the protected officer and whether to dismiss the allegation or take action short of dismissal or recommend dismissal. If dismissal is recommended all members of the Cabinet will be consulted. If there is no objection to the Committee's recommendation or, notwithstanding an objection the recommendation is reaffirmed, the advice, views and recommendations of the DAP will be sought. Thereafter, Full Council will consider whether to approve a recommendation to dismiss the protected officer. The flowchart annexed to the draft procedures illustrates the process.

Recruitment of additional independent persons

- 3.8 As already noted, the 2015 Regulations have expanded the advisory role of the independent person. Currently, the Council has appointed one independent person to deal with Member Code of Conduct complaints. At the Full Council meeting in June, it was proposed that the Chief Operating Officer explore the possibility of sharing independent persons appointed by other councils with a view to establishing a pool of 5 independent persons from which 3 can be selected to form a panel.
- 3.9 Having made enquiries of other councils, as well as the LGA, the use of independent

persons appointed by other councils is not currently a viable option. The preference seems to be for councils to rely upon independent persons they themselves have appointed. It is proposed therefore that the Council itself appoint additional independent persons.

- 3.10 The recruitment process for independent persons is not prescribed but the final appointment decision is a non-delegable function of Full Council. It is proposed therefore that Members approve the following process: the Director Human Resources to advertise for the role in January 2016; thereafter the Director Human Resources, the Leader and the lead Member for HR matters (i.e. the Deputy Leader) to short-list candidates, conduct interviews and to recommend appointments to Full Council for final approval.

4.0 Financial Implications

- 4.1 The additional independent persons will receive an annual allowance. The 2015 Regulations limit the remuneration that can be paid to independent persons to the level they would normally receive for their Member Code of Conduct role. This is currently £419.

5.0 Legal Implications

- 5.1 The legal implications have been discussed in the body of the report.

6.0 Diversity Implications

- 6.1 None.

Background Papers

None

Contact Officer

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HR Procedures

Disciplinary and Dismissal Procedures for the roles of the Chief Executive, Monitoring Officer and Section 151/Chief Finance Officer



Human Resources

Disciplinary and Dismissal Procedures for the roles of the Chief Executive, Monitoring Officer and Section 151/Chief Finance Officer

Contents

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Annex 1 (Flowchart)

1. Summary and purpose of the procedures

- 1.1 These procedures apply to any disciplinary action to be taken against the Council's Chief Executive (acting as head of the Council's paid service), Monitoring Officer and Chief Finance Officer (Section 151 Officer) only (referred to collectively as the officers or individually as the officer as appropriate). These are all statutory officer roles and because of their statutory responsibilities and duties, the officers are afforded statutory protection over and above the rights that other members of staff are entitled to.
- 1.2 'Disciplinary action' for the purposes of these procedures means any action occasioned by alleged misconduct which, if proved, would, according to the usual practice of the Council, be recorded on the member of staff's personal file, and includes any proposal for dismissal of a member of staff for any reason other than redundancy, permanent ill-health or infirmity of mind or body, but does not include failure to renew a contract of employment for a fixed term unless the Council has undertaken to renew such a contract.
- 1.3 These procedures put into practice the statutory rules set out in the Local Authorities (Standing Orders) (England) Regulations 2001 (the 2001 Regulations) and the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 (the 2015 Regulations). The 2015 Regulations, which came into force on 11 May 2015, amend the 2001 by removing the requirement for the Council to appoint a 'designated independent person' before taking disciplinary action against the officers.
- 1.4 Instead, the decision to dismiss the officers has to be taken by the full council but not before full council has considered, amongst other things, any advice, views or recommendations from a 'panel' (comprising of 'independent persons' appointed in accordance with certain statutory rules). On 22 June 2015, the full council established the Dismissal Advisory Panel (DAP) and approved changes to standing orders to meet the requirements of the 2015 Regulations.
- 1.5 Subject to compliance with the statutory rules, these procedures should be read in conjunction with the Joint Negotiating Committee (JNC) Conditions of Service Handbook for Chief Executives and the JNC Conditions of Service Handbook for Chief Officers as well as other standards, rules, codes and policies of the Council relating to the performance, conduct and behaviour of the officers.
- 1.6 In outline, these procedures confirm that allegations or complaints likely to result in disciplinary action will be reported to the Council's General Purposes Committee (GPC). The GPC will act as the Council's investigation and disciplinary committee and will consider whether there is a case to answer, whether an investigation is necessary, whether to suspend the officer and whether to dismiss the allegation or take action short of dismissal or recommend dismissal. If dismissal is recommended all members of the Cabinet will be consulted. If there is no objection to the GPC's recommendation or, notwithstanding an objection the recommendation is reaffirmed, the advice, views and recommendations of the DAP will be sought. Thereafter, the full council will consider whether to approve a recommendation to dismiss the officer. The process is illustrated using a flowchart at Annex 1.
- 1.7 These procedures replace existing rules and reflect the law and the practice of the Council as at December 2015 and may be amended if the law or good practice changes or in the exercise of the Council's discretion.

2. Initial consideration of allegations or complaints of misconduct

- 2.1 These procedures apply to any disciplinary action to be taken against the officers. This includes allegations or complaints relating to conduct, capability or some other substantial issue. Allegations will initially be considered by the Director of HR. In respect of the Chief Executive, the Director of HR will consult the Chair of the GPC. In respect of the Monitoring Officer or the Chief Finance Officer, the Director of HR will consult the relevant line manager and the Chief Executive.

3. The role of the GPC

- 3.1 If the Director of HR considers that there may be a case to answer, he/she will report the allegation to the GPC. The GPC will consider whether there is a case to answer; whether an investigation is necessary and whether to suspend the officer. The GPC will be advised by the Director of HR and, in respect of the Monitoring Officer or Chief Finance Officer, may also consult the relevant line manager or the Chief Executive. This will be a paper based consideration and not a hearing. The GPC will provide written reasons for its decision.
- 3.2 If the GPC decides there is a case to answer and decides to suspend the officer, it will be on full pay and if the suspension lasts longer than two months from the date it took effect, it will be reviewed by the GPC.
- 3.3 If the GPC decides there is a case to answer, the presumption will be that an investigation is necessary.
- 3.4 The GPC will either itself appoint a person to investigate the allegation or authorise the Director of HR to do so. If an officer of the Council is appointed, he/she must be at least as senior as the officer being investigated. Alternatively, an external person may be appointed to investigate. In the case of the Chief Executive, an external person will always be required as no other employee is sufficiently senior.
- 3.5 Having regard to the nature of the role of the officer, the subject matter of the allegations, the need to ensure that the person appointed has the requisite expertise and the interests of fairness, careful consideration must be given to appointing the right person to investigate.
- 3.6 The terms and scope of the investigation will be set having regard to the principles of fairness, reasonableness and proportionality.
- 3.7 The investigation process will involve putting the particulars of the allegations to the officer and giving him/her the opportunity to respond. Other than in exceptional circumstances, the officer will be invited to attend an investigation meeting at which the officer may be accompanied by a trade union representative or a colleague.
- 3.8 As soon as practicable after the investigation has been concluded and the investigation report has been finalised, the Director of HR will report the outcome to the GPC. At this stage of the process, the GPC's consideration of the allegations will take the form of a hearing. The officer will have the opportunity to make written representations in advance of the hearing and to

make oral representations at the hearing. The officer may be accompanied by a trade union representative or a colleague.

- 3.9 The GPC will decide whether to dismiss the allegation or take action short of dismissal or recommend dismissal. The GPC will provide written reasons for its decision.
- 3.10 If the GPC recommends dismissal, the GPC will consider whether to suspend the officer at this stage or, if appropriate, whether any period of suspension should be extended.

4. Notification to Cabinet

- 4.1 If the GPC recommends dismissal, the Director of HR will notify every member of the Cabinet the name of officer whom it is intended to dismiss; any other particulars relevant to the dismissal and the period within which any objection to the dismissal is to be made by the Leader on behalf of the Cabinet to the Director of HR. If the Cabinet does not object to the proposed dismissal, the proposal will be reported to the DAP (see section 5 below).
- 4.2 If the Cabinet, or any member of the Cabinet does object, the Leader must, within the period specified in the notice, notify the Director of HR of any objection.
- 4.3 Any objection will be reported to the GPC who will reconsider its decision in the light of the objection. If the GPC is satisfied that the objection is material or is well founded, the GPC will decide whether to dismiss the allegation, take action short of dismissal or take such other action as it thinks is necessary to address the objection.
- 4.4 If the GPC is satisfied that the objection is not material or is not well founded or that the objection has been addressed, the GPC may reaffirm its decision to recommend dismissal. The GPC will provide written reasons for its decision. This will be a paper based consideration and not a hearing.

5. The role of the DAP

- 5.1 If the GPC's decision to recommend dismissal is reaffirmed, or in the event that there are no objections, the proposal will be considered by the DAP.
- 5.2 The DAP is a committee of the Council appointed under s102(4) of the Local Government Act 1972 for the purposes of advising the Council on matters relating to the dismissal of the officers. The DAP is therefore an advisory and not a decision making body. It will consist of 3 independent persons appointed to the DAP at least 20 working days before a meeting of full council at which a recommendation to dismiss an officer is going to be considered.
- 5.3 The DAP's consideration of the dismissal proposal will usually be based on the information considered by the GPC and will not be a hearing. The officer or his/her representative will, however, have the opportunity to make written representations in advance of the DAP's meeting and/or to make oral representations at the meeting at which the officer may be accompanied by a trade union representative or a colleague.

- 5.4 The DAP may also request advice from relevant specialists to inform its consideration of the dismissal proposal.
- 5.5 The DAP will set out its advice, views and recommendations to the full council in writing.

6. The meeting of full council

- 6.1 The next and final stage of the dismissal procedure is for members to vote at a meeting of the full council whether or not to approve the dismissal.
- 6.2 Before taking a vote, according to the 2015 Regulations, the full council must take into account, in particular:
 - 6.2.1 any advice, views or recommendations of the Panel;
 - 6.2.2 the conclusions of any investigation into the proposed dismissal; and
 - 6.2.3 any representations from the officer.
- 6.3 The officer will have the right to make written representations in advance of the meeting of full council and to attend the meeting, accompanied by a trade union representative or a colleague, to make oral representations.

7. Appeal

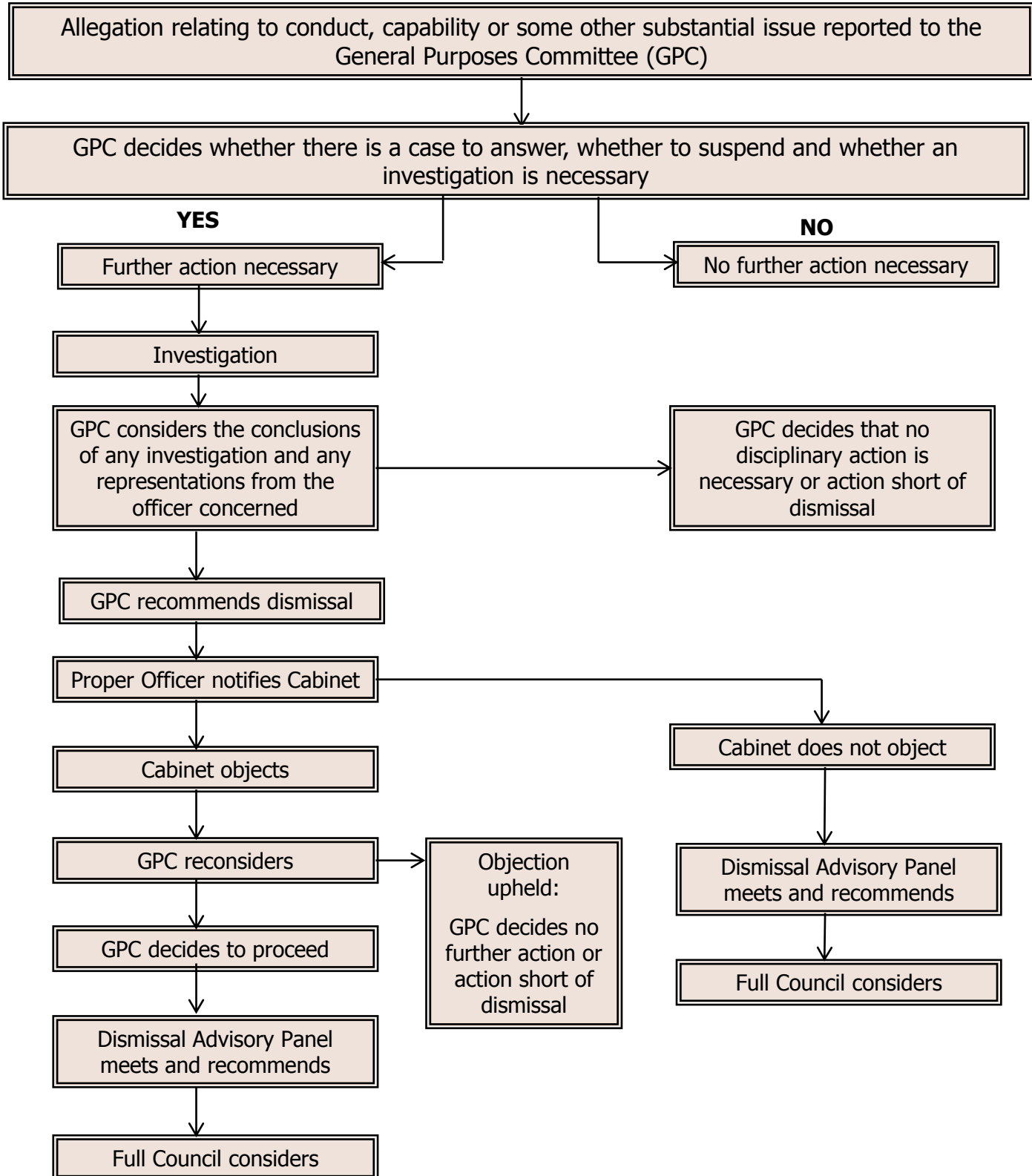
- 7.1 If the full council votes to approve the dismissal, there is no further internal right of appeal as the decision of full council constitutes a review of the GPC's decision and is final.

8. General information


- 8.1 Nothing in these procedures shall prevent the Council from dealing with minor allegations or complaints informally if it is appropriate to do so in all the circumstances of the case. Similarly, if there are substantial mitigating circumstances justifying it, the Council may also deal with allegations or complaints informally.
- 8.2 Further or alternatively, and without prejudice to the legal rights and obligations of the parties, the officer and the Council may agree that conciliation or some other form of dispute resolution procedure should be pursued instead of these procedures.
- 8.3 Any informal resolution of an allegation or complaint should, if appropriate, make clear what specific changes in behaviour and/or performance are expected and within what timescales.
- 8.4 Unless, exceptionally, it would be in the public interest to do otherwise, confidentiality will be maintained throughout the process.

Annex 1

Disciplinary and Dismissal Procedures for the roles of Chief Executive, Monitoring Officer and Section 151/Chief Finance officer



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 <p>Brent</p>	<p>General Purposes Committee 16 December 2015</p> <p>Report from the HR Director</p>
For approval	Wards affected: ALL
<p>Localism Act 2011 – Pay Policy Statements</p>	

1. Summary

- 1.1. Section 38 (1) of the Localism Act 2011 requires England and Welsh local authorities to produce a pay policy statement for on an annual basis. The Act does not apply to local authority schools.
- 1.2. The purpose of this report is to inform General Purposes Committee of the arrangements that have been put in place in Brent Council to meet the requirements of the Act. The Act requires the pay policy statement to be approved by a meeting of Full Council. It is the intention to take the report to the meeting of Full Council in February 2016.
- 1.3. The pay policy statement for the council is attached. The statement is consistent with the specific requirements of the Act detailed in the body of this report and sets out all the factual pay information in relation to those requirements. The Act requires the statement to be produced on an annual basis by the 31st March each year.

2. Recommendation

- 2.1. It is recommended that General Purposes Committee approve the draft Pay Policy Statement attached to this report as an accurate and factual representation of the council's pay arrangements for 2016/17 prior to consideration and approval by the Full Council in February 2016. Any amendments required during the year will be brought back to a future meeting of the General Purposes Committee and Full Council for approval.

3. Detail

Requirements of the Localism Act 2012

- 3.1. The Localism Act 2011, sections 38-43 requires local authorities in England and Wales to publish a pay policy statement for each financial year beginning with 2012-13. This provision of the Act does not apply to staff in local authority maintained schools.

- 3.2. The Act sets out the matters which must be included in an authority's pay policy statement as follows:
- the remuneration of its "chief officers";
 - the remuneration of its "lowest-paid employees" (together with the definition of "lowest paid employees" adopted by that authority for the purposes of the statement, and the reasons for adopting that definition); and
 - the relationship between the remuneration of its chief officers and the remuneration of its employees who are not chief officers.
- 3.3. For the purposes of the statement the Act defines who is included under the term "chief officer". It includes the Head of Paid Services (Chief Executive, the Monitoring Officer, the statutory chief officers (directors) as well as non-statutory chief officers and deputy chief officers (managers who report directly to a chief officer).
- 3.4. Remuneration is also defined widely and includes not just basic pay/salary but also any bonuses, charges, fees e.g. election fees or allowances, benefits in kind, increased enhancements of pension entitlements and termination/severance payments. Remuneration in relation to employees who are not chief officers is also similarly widely defined.
- 3.5. The statement must set out the authority's policy on a number of specific aspects of chief officer remuneration:
- the level and elements of remuneration for each chief officer;
 - the remuneration of chief officers on recruitment;
 - increases and additions to remuneration for each chief officer;
 - the use of performance related pay for chief officers;
 - the use of bonuses for chief officers;
 - the approach to final payments to chief officers when they leave the authority; and
 - the publication of and access to information relating to remuneration of chief officers.
- 3.6. The policy statement must be published on the authority's website and in any other manner the authority considers appropriate. There is no requirement to include specific numerical data on pay and reward within the statement. However, it is necessary to consider how the information in the statement fits in relation to the information authorities are already required to publish. For example, The Local Government Transparency Code 2014.

Brent's Pay Policy Statement

- 3.7. The policy statement for Brent has been prepared incorporating all of the above requirements. The statement is attached to this report. There are no new proposals or policy changes attached to the statement as the information reflects current practice and is strictly factual in nature.
- 3.8. The introduction to the statement refers to the HR Strategy 2014-17 which sets out the overarching objective of having the right people, with the right skills, attitudes and experience, in the right place at the right time to enable the organisation to deliver on its corporate objectives and priorities
- 3.9. Brent's senior managers covered are those in the top three tiers in the management structure - the Chief Executive (Tier 1), Strategic Directors (Tier 2), Operational Directors (Tier 3) and the Chief Legal Officer (which is the Council's

Monitoring Officer is a Head of Service level post). This includes all statutory and non-statutory chief officer posts.

- 3.10. All references to terms and conditions in the statement are factual. Where appropriate a link to the relevant pay policy e.g. the council's pension arrangements has been included.
- 3.11. In keeping with the requirements of the Act the statement will be published on the Internet with links to pay policy and information where appropriate.
- 3.12. As set out in the summary to this report the pay policy statement must be approved by a meeting of the Full Council and published by the 31st March each year. The information the authority is required to publish is factual, based on the current pay arrangements. There are no proposals to make any changes to these arrangements. The Full Council at it's meeting in February 2016 will be requested to approve the Pay Policy Statement for the Financial year 2016/17 as required by the Localism Act.

4. Financial Implications

- 4.1. There are no financial implications arising from this report.

5. Legal Implications

- 5.1. The contents of the statement comply with section 38 of the Localism Act 2011. The approval of the pay policy will satisfy the technical requirements of section 39 of the Localism Act 2011.

6. Diversity Implications

- 6.1. There are no diversity implications arising from this report.

7. Background Papers

- 7.1. None

Contact Officer

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BRENT COUNCIL PAY POLICY STATEMENT

Financial Year 2016/17

April 2016

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BRENT COUNCIL PAY POLICY STATEMENT

Financial Year 2016/17

Purpose

The council's pay policy outlines Brent's policy on pay and benefits for all employees (excluding Schools) and has been developed to meet the relevant statutory provisions of the Localism Act 2011.

The pay policy will be reviewed on an annual basis and any changes will be approved in advance of each new financial year.

The pay policy statement can be amended during the course of any financial year, but only by a resolution of the Full Council. If it is amended during the year to which it relates, the revised version of the statement will be published as soon as reasonably practicable.

Strategic Context

The current and future pay and benefit arrangements are embodied in the council's HR Strategy for 2014/17 which reflects the Borough Plan priorities. The council's Borough Plan and Corporate Plan provide the strategic framework for the council's workforce and people priorities..

The overarching objective for the People Strategy is to have the right people, with the right skills, attitudes and experience, in the right place at the right time to enable the organisation to deliver on its corporate objectives and priorities.

Key strategic aims of the HR Strategy for 2014/17 are:

- Achieving organisational effectiveness and strong performance management
- Recruiting, retaining and rewarding a diverse, highly skilled and motivated workforce
- Valuing diversity and reducing inequalities
- Developing high performing managers and talented staff
- Building the professionalism and skills of the workforce to support service changes and deliver high quality outcomes for local people

The council is committed to being a good employer and maintain its excellent track record in employing a workforce which reflects the community. In order to recruit and retain a high quality workforce, the council will pay its staff at salary levels which will attract top performers. Since the move to the Civic Centre in 2013, significant inroads have been made into introducing new ways of working to support the relocation to new offices.

Review of Employee Benefits

The council's pay arrangements and terms and conditions play a key role in enabling the council to fully realise its objectives and in ensuring the workforce is 'fit for purpose'. The council is committed to fair and equitable pay and benefits arrangements to maintain a flexible, talented and performance focused workforce. The council carried out an equal pay audit in April 2015 which revealed that the gender pay gap was negligible at 0.1%.

Last year as part of the review of HR policies and procedures the opportunity was taken to consolidate all the council's pay arrangements into a single policy document.

Council Pay Rates and Scales

Pay scales are reviewed annually in line with the National Joint Council agreements and are effective from 1st April.

The following pay scales have been adopted by the council:

- GLPC Pay Scales (job evaluated) (main pay scales)
- Senior Manager Pay Scales (job evaluated) (senior managers)
- Soulbury Pay Scales (Education Psychologists, Advisors and Inspectors)
- Youth and Community Service Pay Scales (Young People's and Community Service Managers)
- Teaching Pay Scales (for centrally employed local authority teachers)

Remuneration of Senior Management (Chief Officers)

The council defines its senior management as the top 3 tiers in the management structure. This includes all statutory and non-statutory Chief Officer and Deputy Chief Officer roles. It comprises the Chief Executive, strategic directors and operational directors.

Currently the pay, expenses and declarations of interest are published for the Corporate Management Team which comprises the Chief Executive and the strategic directors. The council appointed a new Chief Executive in September 2015 whose rate of pay is in accordance with the council's senior management pay rates.

The council may, in exceptional circumstances, employ senior managers under contracts for services. The council generally will aim to pay such individuals at a rate consistent with the pay of directly employed staff performing a comparable role although there may be circumstances where a higher rate is warranted over the short term.

Remuneration of Lowest Paid Employees

The council defines its lowest paid employees as those staff paid on the lowest established grade and scale point which in Brent is Scale 2 spinal point 13 of the GLPC Pay Scales currently £17,748 per annum.

London Living Wage

The council has implemented the London living wage. This rate has been applied to all staff who receive less than £9.40 per hour. This does not apply to apprenticeships.

Pay Multiple

The 'pay multiple' is the ratio between the highest paid salary and the lowest/median average salary of the council's workforce. The council's highest paid employee is the Chief Executive. The current median salary is SCP 34 £31,368.

The current multiples are
Lowest salary multiple is 1:11
Median salary multiple is: 1:6

The council has not set a target for a maximum multiple. The pay multiple has remained relatively unchanged from 2015/2016. The council continues to pay the London living wage which has increased marginally. This also reflects capping of the Chief Executive's salary at £191,159 per annum.

Pay Grading

Single Status was introduced in 2009 for staff on the main pay scales. Single Status introduced common job evaluation schemes and pay scales for the council's former

manual workers, administrative, professional, technical and clerical employees with the exception of education psychologists, nursery nurses, youth and community workers, chief officers and the chief executive.

Senior managers including chief officers have locally determined rates of pay which are linked to national negotiations for the determination of pay awards. A revised pay and grading structure for senior managers was introduced on 1st April 2013. The aim of the review was to reduce costs whilst ensuring the council's pay arrangements remained competitive.

Also in 2013 the council rationalised the terms and conditions for senior managers. Those senior management posts which fall within the JNC for Chief Officer definition are employed on JNC terms and conditions and all other senior managers are employed on NJC for Local Government Services terms and conditions with some local variations. The senior management posts which fall within the JNC definition are predominately the strategic directors, other directors with statutory responsibilities and HR Director. This means that the majority of senior managers have terms and conditions which are largely consistent with those for other staff. A number of changes were also made to the JNC for Chief Officer terms and conditions to bring them more into line with the terms and conditions for all other staff.

Local Conventions for the GLPC Job Evaluation Scheme

Virtually all local authorities and organisations that use the GLPC Scheme have local conventions in place. Without local conventions, evaluators may interpret these terms differently – and hence gradings can be affected and consistency lost.

The council in March 2013 introduced local conventions to ensure that the scheme is applied consistently and fairly to all employees.

Public Health Transfer

Following major changes to the public health system, responsibility for public health transferred to local authorities on 1 April 2013. Fifteen staff transferred into the council under NHS terms and conditions including pay. A Director of Public Health has been recruited on Brent terms and conditions.

Pay on Appointment

All employees are normally appointed on the lowest pay spinal column point for their job evaluated grade. Employees may be appointed at a higher point, where they are currently earning more than the lowest pay spine for the role and where it is

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considered that they already possess the skills and experience needed to justify such a higher salary.

The council delegates authority to the Senior Staff Appointments Sub-Committee to make recommendations to the executive on the appointment of all officers at operational director level and above.

Annual Pay Progression

Brent's pay policy is primarily based on evaluated pay grades, which each have a salary range comprising a number of incremental points. Other pay grades are nationally prescribed and also have incremental progression arrangements. Most employees incrementally progress through the pay grade for their job. Progression will normally be one increment (pay spine column point) on the 1st of April each year until the top of the grade is reached for those on the main pay scales (separate arrangements apply during the first year of service where the start date is between 1st October and 31st March) and on the anniversary of joining for those on senior manager pay scales.

Pay progression is subject to satisfactory performance assessed during the annual appraisal process and can be withheld as a disciplinary sanction or where poor performance is being addressed.

Performance Related Pay and Bonuses

Council employees including the Chief Executive and directors do not receive performance related payments or bonuses.

National / Regional Pay Agreements

The council operates the national (JNC/NJC) and regional (GLPC) collective bargaining arrangements for pay and conditions of service for all employees, including senior managers. Pay is increased in line with national and regional pay agreements.

Details of the 2014/16 pay award agreement include:

- an increase of 2.2% for 2014/16 applicable from 1 January 2015
- higher percentage increases on SCPs 5 to 10 to provide a new minimum hourly rate at SCP5 of £7 per hour. This would increase further to £7.06 per hour on 1 October 2015 by the deletion of SCP5 (Brent Council does not pay any staff on SCP 5)
- non-consolidated lump sum payments of between £100 and £325 on SCP5 -25
- 0.45% of new salaries to employees on SCPs 26-49 inclusive

- a commitment to joint working for the future that would ensure the NJC was focused on issues of importance to both employers and employees.

The non consolidated payment was paid to eligible staff in December's salary. Only employees in post on 1 December 2014 were eligible for the payment, which was pro-rata for part-time employees. The pay award for 16/17 is yet to be agreed.

Market Supplements

The council has phased out market supplement payments and has put in place employee benefits as part of the new benefits package to ensure the council remains competitive in the recruitment market. Currently there are only a small number of supplements in existence and these have planned end dates

Fees for Election Duties

Election fees paid to employees (including chief officers) who assist in elections are in line with the rates agreed by the Government whenever general, regional or European elections occur. Where local elections occur fees will be determined using the cross-London agreed rates.

Pension

All non teaching employees are able to join the Local Government Pension Scheme. Teachers are able to join the Teachers Pension Scheme. Benefits for both schemes are paid in accordance with government regulations. NHS employees who transferred to the council under TUPE have access to the NHS Pension Scheme.

Payments on Termination of Employment

In the event that the council terminates the employment of an employee on the grounds of redundancy the terms of the council's redundancy and early retirement arrangements will apply. Termination payments will be subject to any caps introduced by the government.

Re-employment of Employees

Section 7 of the Local Government and Housing Act 1989 requires that every appointment to paid office or employment in a local authority shall be made on merit.

The re-engagement of employees including chief officers who are made redundant is subject to the council's re-engagement arrangements (contained within the council's Managing Change Policy). The policy sets out the minimum period a former

employee must wait before being eligible to work for the council again, as well as outlining other restrictions.

Employees who are made redundant may not be re-engaged within twelve months of their termination of employment for reasons of redundancy. After twelve months the employee may be re-engaged via the normal recruitment procedures either to carry out the same work or a different job. Re-engagement is subject to the approval of the relevant Operational Director and HR Director.

Tax avoidance

All permanent Brent staff including senior managers are paid through payroll which means that all taxes are deducted at source. A review of temporary staff is regularly conducted and it is Brent's policy to cover vacancies through the use of approved agency workers or by appointing staff on fixed term contracts. Temporary workers providing services through their own companies will be carrying out projects and generally not covering permanent roles other than in exceptional circumstances e.g. where interim cover is essential whilst a permanent appointment is recruited. Where these situations do occur they will be limited in duration, usually to less than 6 months.

Publication and access to information

Brent's annual Pay Policy Statement will be published on the website where it can be easily accessed. Information about chief officers remuneration is published on the council's website www.brent.gov.uk in the section Senior Staff Salaries.

For further information on the Council's Pay Policy, please email Miteam@brent.gov.uk

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