



General Purposes Committee

Monday 22 July 2019 at 5.30 pm

Board Room 2 - Brent Civic Centre, Engineers Way,
Wembley HA9 0FJ

Membership:

Members

Councillors:

M Butt (Chair)
McLennan (Vice-Chair)
Agha
Farah
Colwill
Hirani
Krupa Sheth
Tatler

Substitute Members

Councillors:

Aden, S Choudhary, Kabir, Knight, Miller, M Patel and
Southwood

Councillors:

Kansagra and Maurice

For further information contact: James Kinsella, Governance Manager
Tel: 020 8937 1348, Email: James.Kinsella@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

Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect of expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences** - Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

(a) Anybody of which you are a member or in a position of general control or management, and:

- To which you are appointed by the council;
- which exercises functions of a public nature;
- which is directed is to charitable purposes;
- whose principal purposes include the influence of public opinion or policy (including a political party of trade union).

(b) The interests a of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who is the subject of a registrable personal interest.

Agenda

Introductions, if appropriate.

Item **Page**

1 Apologies for absence and clarification of alternate members

2 Declarations of interests

Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary or personal interests in the items on this agenda and to specify the item(s) to which they relate.

3 Deputations (if any)

To hear any deputations received from members of the public in accordance with Standing Order 67.

4 Minutes of the previous meeting 1 - 4

To approve the minutes of the previous meeting held on 20 May 2019 as a correct record.

5 Matters arising (if any)

To consider any matters arising from the minutes of the previous meeting.

6 Stopping Up Order - Land Fronting Roe Green Hall 5 - 12

To receive a report seeking authority to make a Stopping Up Order for the stopping up of the highway fronting Roe Green Hall, pursuant to section 247 of the Town and Country Planning Act 1990 (TCPA 1990) as amended. Section 247 of TCPA 1990 permits the making of orders for the stopping up of highways necessary to enable development to take place.

Wards Affected:

Queensbury

Contact Officer: Nicolaas Potgieter
Traffic Order Team Leader

Tel: 0208 937 5600

7 Disciplinary & Dismissal Procedure for the roles of Chief Executive, Monitoring Officer and Section 151 Officer 13 - 24

To receive a report seeking approval to make changes to the council's Disciplinary and Dismissal Procedures for the roles of the Chief Executive, Monitoring Officer and Section 151 Officer following recommendations received from the Joint Negotiating Committee for Chief Executives of local authorities.

Wards Affected:

All Wards

Contact Officer: Debra Norman,
Director of Legal and HR, Audit &
Investigations

Tel: 020 8937 1578

Email: debra.norman@brent.gov.uk

8 Gender Pay Gap - Closing the Gap 25 - 38

To receive a report providing information on the make-up of the council's employed workforce across pay quartiles to increase understanding and better inform priority actions r to reduce the gender pay gap (GPG).

Wards Affected:

All Wards

Contact Officer: Martin Williams, Head
of Human Resources

Tel: 020 8937 3209

Email: Martin.Williams@brent.gov.uk

9 Ethnicity Pay Gap - Closing the Gap 39 - 52

To receive a report providing information on the ethnicity make-up of the council's employed workforce across the pay quartiles to increase understanding and better inform priority actions to reduce the ethnicity pay gap (EPG).

Wards Affected:

All Wards

Contact Officer: Martin Williams, Head
of Human Resources

Tel: 020 8937 3209

Email: Martin.Williams@brent.gov.uk

10 Appointments to Sub-Committees / Outside Bodies 53 - 54

To consider any appointments needing to be made in relation to General Purposes Sub Committees.

11 Exclusion of Press and Public

There are currently no items listed on the agenda that will require the exclusion of the press and public.

12 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 60.



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 Monday 20 May 2019 at 4.30 pm

PRESENT: Councillor M Butt (Chair) and Councillors Agha, Farah, Colwill, Hirani, Krupa Sheth, Tatler and Miller.

1. **Apologies for absence and clarification of alternate members**

Apologies for absence were received from Councillor McLennan, with Councillor Miller being present as a substitute.

2. **Declarations of interests**

There were no declarations of interests made by Members.

3. **Deputations (if any)**

There were no deputations received.

4. **Minutes of the previous meeting**

RESOLVED that the minutes of the previous meeting, held on 19 March 2019, be approved as an accurate record.

5. **Matters arising (if any)**

There were no matters arising.

6. **Review of Representation of Political Groups and Appointments**

Councillor Butt, Leader of the Council, stated that at its meeting on 1 May 2019 Full Council reviewed and determined the representation of political groups on its main committees and subsequently agreed appointments in accordance with the wishes of the political groups concerned.

He stated that Committee Members were now required to review and determine the representation of political groups on its Sub-committees as set out in the report and then make appointments giving effect to the wishes of the political groups.

RESOLVED:

- i. The contents of the Review of Representation of Political Groups and Appointments report be noted;

- ii. The size of each Sub-committee to be appointed by the Committee be agreed;
- iii. The allocation of seats to political groups on each of the Sub-committees be agreed in accordance with political balance rules.
- iv. Chairs and Vice-Chairs, Members and Substitutes be appointed to each Sub-committee as outlined in Minute Item 7.

7. Appointments to Sub-Committees / Outside Bodies

Councillor M Butt introduced the item which set out the proposed appointments to the General Purposes Sub-committees for the 2019/2020 Municipal Year.

RESOLVED:

- i. That Members agree the following appointments to the General Purposes Sub-Committees for the 2019/2020 Municipal Year:

SENIOR STAFF APPOINTMENTS SUB-COMMITTEE

M BUTT (C)	LABOUR
MCLENNAN (VC)	LABOUR
COLWILL	CONSERVATIVE
HIRANI	LABOUR
KRUPA SHETH	LABOUR

SUBSTITUTE MEMBERS:

LABOUR: AGHA, FARAH, MILLER, M PATEL, SOUTHWOOD, TATLER
CONSERVATIVE: KANSAGRA, MAURICE

SENIOR STAFF APPEALS SUB-COMMITTEE

M BUTT (C)	LABOUR
MCLENNAN (VC)	LABOUR
HIRANI	LABOUR
KANSAGRA	CONSERVATIVE
KRUPA SHETH	LABOUR

SUBSTITUTE MEMBERS:

LABOUR: AGHA, FARAH, M PATEL, SOUTHWOOD
CONSERVATIVE: COLWILL, MAURICE

BRENT PENSION FUND SUB-COMMITTEE

CHOUHDARY (C)	LABOUR
ADEN (VC)	LABOUR
ABDIRAZAK	LABOUR
DALY	LABOUR
MAURICE	CONSERVATIVE
PERRIN	LABOUR
STEPHENS	LABOUR

CO-OPTED NON-VOTING:

ELIZABETH BANKOLE (UNISON)

SUBSTITUTE MEMBERS:

LABOUR: CHOUDRY, KABIR, MCLEISH, NAHEERATHAN

CONSERVATIVE: COLWILL, KANSAGRA

BRENT PENSION BOARD

FULL MEMBERS:

DAVID EWART (C)
CRANE
KABIR

INDEPENDENT CHAIR
LABOUR
LABOUR

CHRIS BALA
BOLA GEORGE
ROBERT WHEELER
SEBASTIAN STEER

PENSIONSCHEME MEMBER
TRADE UNION (UNISON) MEMBER
TRADE UNION (GMB) MEMBER
EMPLOYER MEMBER (NON-BRENT
COUNCIL)

SUBSTITUTE MEMBERS:

LABOUR: MARQUIS, R. PATEL

8. **Brent Pension Board - Terms of Reference**

Councillor M Butt introduced the report and accompanying appendices which set out proposals for the updating of the Brent Pension Board's Terms of Reference (ToR), pursuant of relevant guidance from the Pension Regulator and the Fund actuary. Whilst the main principles of the ToR were not subject to change, it was noted that the proposed revision would seek greater clarity over the purpose, roles, responsibilities and core functions of the board, in order to reflect the substantial increase in knowledge and experience of the Board since the previous terms were agreed in July 2015 following implementation of the Public Service Pensions Act 2013.

RESOLVED:

- i. That the revised Brent Pension Board Terms of Reference be approved as set out in Appendix B of the report.

9. **Severance Approval**

Councillor M Butt introduced the report which sought the Committee's approval for a severance payment to be made to an officer pursuant of a restructure following their redundancy. Whilst the total amount payable was in excess of £100,000, Members noted that it did not include any additional sums calculated in accordance with the Council's Managing Change Policy and the requirements of the Local Government Pension Scheme.

RESOLVED:

- i. That proposals for a severance payment to be made as set out in Appendix 1 (Part exempt) of the report be approved.

10. **Exclusion of Press and Public**

There were no exclusions of the Press and Public.

11. **Any other urgent business**

None.

The meeting closed at 16.35

COUNCILLOR MUHAMMED BUTT
Chair

 <p>Brent</p>	<p>General Purposes Committee 22nd July 2019</p> <hr/> <p>Report from the Strategic Director, Regeneration and Environment</p>
<p>Stopping Up Order – Land Fronting Roe Green Hall</p>	

Wards Affected:	Queensbury
Key or Non-Key Decision:	Non Key Decision
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	One Appendix A: Stopping Up Order with notice and plan
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Nicolaas Potgieter, Traffic Order Team Leader (Acting) Tel: 020 8937 5542 Email: nicolaas.potgieter@brent.gov.uk

1.0 Purpose of the Report

- 1.1 To seek the authority of the Council’s General Purposes Committee to make a Stopping Up Order (SUO) for the stopping up of the highway fronting Roe Green Hall shown on the plan at Appendix A hatched with solid black lines and identified as the “land to which the stopping up relates” (“Highway Land”) pursuant to section 247 of the Town and Country Planning Act 1990 (TCPA 1990) as amended. Section 247 of TCPA 1990 permits the making of orders for the stopping up of highways necessary to enable development to take place.

- 1.2 An application was received by the Council for the stopping up of the Highway Land pursuant to the planning permission (under application reference number 17/1577 (“Planning Permission”), brief details of which are to provide a community café with outdoor seating and play area along with accessible toilet to the existing place of worship. The Council’s officers have considered the application and believe that the stopping is necessary and acceptable to enable the Planning Permission to be carried out.

2.0 Recommendations

- 2.1 That members note that the draft SUO has been advertised within The London Gazette and Brent and Kilburn Times in accordance with the requirements of Section 252 TCPA 1990. On-site public notices were also placed in the vicinity of the area to be stopped up. In response to the consultation twelve stakeholders have informed the Council that they have:-
- no objections
 - no record of apparatus in the immediate vicinity of the enquiry
 - no strategic additions to the existing network or envisaged any in the immediate future, and
 - no objections were received from the general public.
- 2.2 That members note that Thames Water did not object to the proposal but have underground apparatus in the area. Also that the Church Growth Trust (the applicant) will resolve with Thames Water any diversions or access requirements prior to the SUO being made.
- 2.3 That the Committee approve the making of the SUO and that the notice of making be advertised, subject to written confirmation from Thames Water that an agreement has been reached with the Church Growth Trust (the applicant) to either allow access or divert their services.

3.0 Detail

- 3.1 The Planning Permission of the development of the site was issued on 20 October 2017 following the Council's Planning Committee resolution to grant permission on 18 October 2017.
- 3.2 In order for the development pursuant to the Planning Permission (which includes the development of a single storey front extension and associated landscaping to provide a community café with outdoor seating and play area along with accessible toilet to existing place of worship, and change of use of the meeting rooms and kitchen from residential to form part of the existing place of worship (Use class D1), to be implemented the area of the highway shown on the plan at Appendix A (and being the Highway Land) need to be formally stopped up.
- 3.3 The draft SUO was duly prepared and a notice of proposal was advertised under Section 252 TCPA 1990. A copy of the SUO together with the relevant plan showing the proposed area to be stopped up along with the notice of proposal advertised on 23 May 2019 in the local press and the London Gazette are attached in Appendix A.
- 3.4 Statutory consultees – on whom notice was required to be served, were duly notified of the proposed SUO.
- 3.5 Following which, the Council received twelve responses but no objections or record of apparatus in the immediate vicinity of the site from:
- Atkins Global

- Cadent – Plant Protection
- Colt Technology Services
- ESP Utilities Group Ltd
- London Fire Brigade
- London Underground
- London Underground Infrastructure Protection
- Network Rail
- Turner & Townsend
- Transport for London (TfL)
- Virgin Media
- Zayo Network – JSM Group

3.6 A response from Thames Water did not object to the proposed SUO but confirmed that they have underground apparatus in the area.

3.7 All apparatus owned by a statutory stakeholder situated in the area of public highway to be extinguished will (if necessary) be diverted or moved in consultation with an appointed building contractor and the applicant.

3.8 Members are now requested to approve the making of the SUO which is necessary to proceed with the development, subject to receiving written confirmation from Thames Water that they are satisfied with arrangements with the Church Growth Trust to access or divert their services.

4.0 Financial Implications

4.1 The SUO is estimated to cost approximately £4,500 and will be fully funded by the applicant. There will be no impact on the Council's budget.

5.0 Legal Implications

5.1 Section 247 of the Town and Country Planning Act 1990 (TCPA 1990) permits the making of an order for the stopping up of a highway necessary to enable development to be carried in accordance with a valid planning permission.

5.2. A SUO extinguishes the right of the public so that the land would become private land not public highway land so that the public would no longer have any right to access the land. Compensation is not payable to those adversely affected by the order.

5.3 Officers have taken the Council's legal advice in relation to the SUO and notice. If it is agreed to make the Order, a notice of the making of the Order will be publicised. The SUO will not then be open to further objection by the public or other authorities, except through questioning the validity of the SUO in the High Court.

6.0 Equality Implications

6.1 None specific.

7.0 Consultation with Ward Members and Stakeholders

7.1 Statutory listed Brent Council stakeholders were consulted on the proposed Stopping-Up Order by e-mail and correspondence, as required under the TCPA 1990.

7.2 Local ward Councillors were also consulted.

8.0 Human Resources/Property Implications (if appropriate)

8.1 None specific.

Related Documents

Planning Decision Notice Approval Application No. 17/1577

Report sign off:

Amar Dave

Strategic Director of Regeneration
and Environment



THE LONDON BOROUGH OF BRENT

TOWN AND COUNTRY PLANNING ACT 1990

THE LONDON BOROUGH OF BRENT (STOPPING UP OF HIGHWAYS) (NO. *) ORDER 201*

Made * 201*

THIS ORDER is made by the Mayor and Burgesses of the London Borough of Brent ("The Council") acting in exercise of its powers under Section 247 of the Town and Country Planning Act 1990 ("the Act") as amended by Section 270 and Schedule 22 of the Greater London Authority Act 1999 and of all other powers enabling it in that behalf.

BY THIS ORDER:

1. The Council authorises the stopping up of an area of public highway described in Schedule 1 to this order and shown hatched black on the Deposited Plan ("the Highway"), in order to enable development described in Schedule 2 to this order to be carried out in accordance with the planning permission granted under Part III of the Act by the Council on 20 October 2017 under Application No. 17/1577. ("the Development").
2. Where immediately before the date of this order there is any apparatus of statutory undertakers under, in, on, over, along or across any area of the highway authorised to be stopped up pursuant to this order then, subject to section 261(4) of the Act, those undertakers shall have the same rights as respects that apparatus after that area of the highway is stopped up as they had immediately beforehand.
3. In this order "the Deposited Plan" means the plan deposited in the offices of Highways Infrastructure, 5th Floor North Wing, Brent Civic Centre, Engineers Way, Wembley, Middlesex, HA9 0FJ under Drawing No. S256-008C.
4. This order shall come into force on the date on which notice that it has been made is first published in accordance with section 252(10) of the Act, and be cited as The London Borough of Brent (Stopping Up of Highways) (No. *) Order 201*.

SCHEDULE 1

Description of Highway to be Stopped Up

The area of public highway to be stopped up is shown hatched black on the Deposited Plan and comprises an irregular shaped length of highway fronting Roe Green Hall and bounded by Princes Avenue to the north-west, Bacon Lane to the north-east and Roe Green Hall to the south-east, with a maximum length of 44.00 metres.

SCHEDULE 2

The Development

Single storey front extension and associated landscaping to provide a community café with outdoor seating and play area along with accessible toilet to existing place of worship, and change of use of the meeting rooms and kitchen from residential to form part of the existing place of worship (Use class D1).

The Common Seal of THE MAYOR AND)
BURGESSES OF THE LONDON BOROUGH)
OF BRENT was hereunto affixed in the)
presence of:)

.....
Solicitor



LONDON BOROUGH OF BRENT

SECTION 247 TOWN AND COUNTRY PLANNING ACT 1990

THE LONDON BOROUGH OF BRENT (STOPPING UP OF HIGHWAYS) (NO. *) ORDER 201*

1. **NOTICE IS HEREBY GIVEN** that The Mayor and Burgesses of the London Borough of Brent propose to make an order under Section 247 of the Town and Country Planning Act 1990 ("The Act") as amended by Section 270 and Schedule 22 of the Greater London Authority Act 1999 to authorise the stopping up of an area of public highway described in Schedule 1 to this notice.
2. If the order is made, the stopping up will be authorised only in order to enable the development described in Schedule 2 to this notice to be carried out in accordance with the planning permission granted under Part III of the Act by the London Borough of Brent as the Local Planning Authority on 20 October 2017 under Application No. 17/1577. The effect of this stopping up order would be to extinguish the existing right to access and pass along the right of way on the area of public highway land described in Schedule 1 below.
3. A copy of the draft order and of a plan of the area of public highway land described in Schedule 1 below can be inspected free of charge during normal office hours on Mondays to Fridays inclusive until the expiration of a period of 28 days from the 23 May 2019 (this being the date of publication of this notice) at Brent Customer Services, Brent Civic Centre, Engineers Way, Wembley, Middlesex, HA9 0FJ.
4. Any person may object to the making of the proposed order and persons desiring to object to the making of the proposed order should send a statement in writing of their objection and the grounds thereof, to the Head of Highways and Infrastructure, Highways Infrastructure Services, 5th Floor North Wing, Brent Civic Centre, Engineers Way, Wembley, Middlesex, HA9 0FJ, or via email to trafficorders@brent.gov.uk, quoting the reference TO/23/026bNP, within the period of 28 days from the 23 May 2019.
5. In preparing an objection it should be borne in mind that the substance of it may be imparted to other persons who may be affected by it.

Dated 23 May 2019.

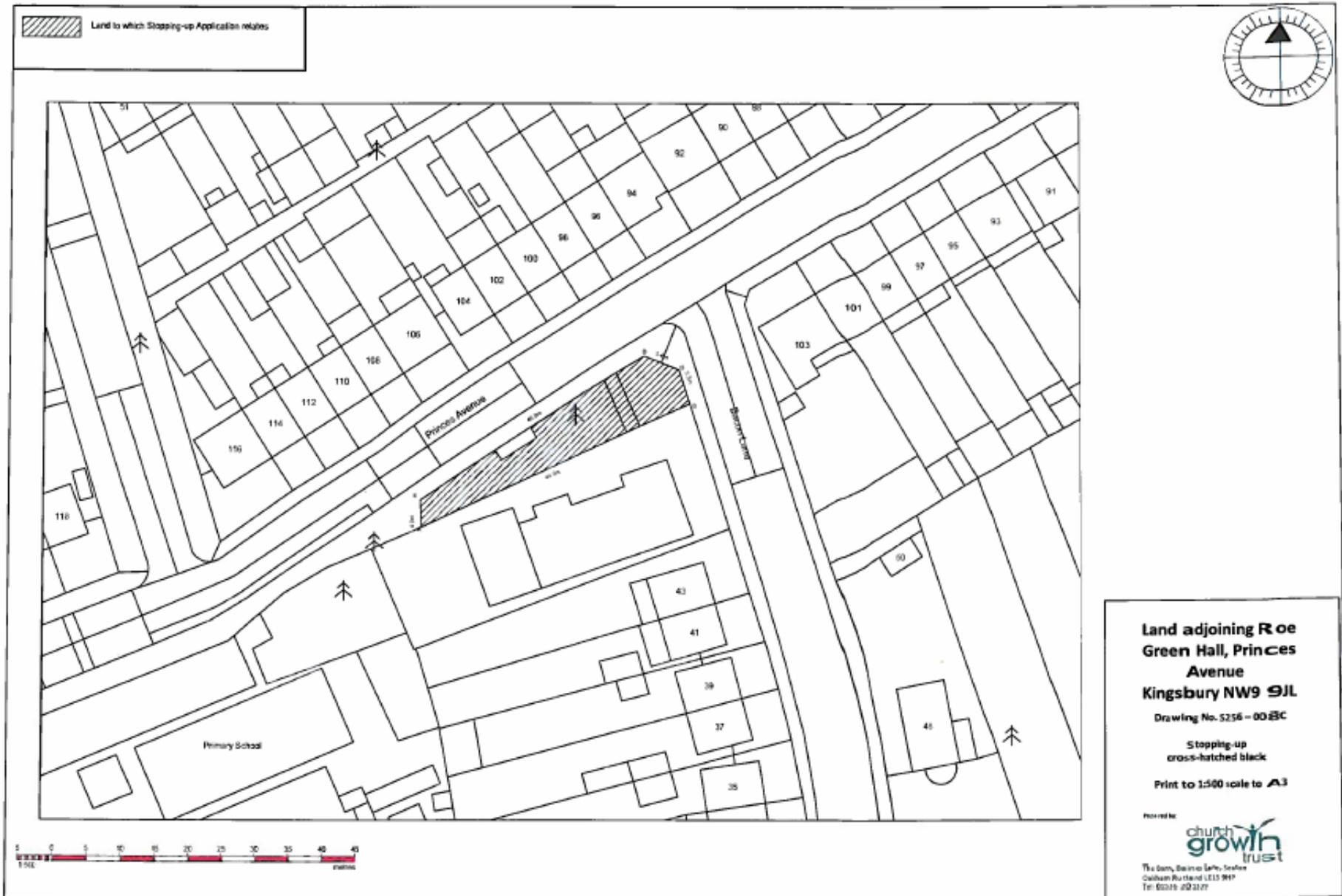
Tony Kennedy
Head of Highways and Infrastructure

SCHEDULE 1

The area of public highway to be stopped up is shown hatched black on the Deposited Plan and comprises an irregular shaped length of highway fronting Roe Green Hall and bounded by Princes Avenue to the north-west, Bacon Lane to the north-east and Roe Green Hall to the south-east, with a maximum length of 44.00 metres.

SCHEDULE 2

Single storey front extension and associated landscaping to provide a community café with outdoor seating and play area along with accessible toilet to existing place of worship, and change of use of the meeting rooms and kitchen from residential to form part of the existing place of worship (Use class D1).



 <p>Brent</p>	<p>General Purposes Committee 22 July 2019</p> <hr/> <p>Report from Head of Paid Service</p>
<p>Disciplinary and Dismissal Procedures for the roles of the Chief Executive, Monitoring Officer and Section 151 Officer</p>	

Wards Affected:	N/A
Key or Non-Key Decision:	N/A
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
No. of Appendices:	One Appendix 1: Disciplinary & Dismissal Policy
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	Debra Norman Director of Legal, HR and Audit & Investigation Tel: 020 8937 1578 Email: Debra.norman@brent.gov.uk

1.0 Purpose of the Report

This report seeks approval from the Committee to make changes to the council's Disciplinary and Dismissal Procedures for the roles of the Chief Executive, Monitoring Officer and Section 151 Officer following recommendations received from the Joint Negotiating Committee for Chief Executives of local authorities.

2.0 Recommendations

- 2.1 To agree the delegation of power to suspend the Chief Executive to the Head of HR, subject to the consultation requirements set out in Appendix 1.
- 2.2 To approve the revised Disciplinary and Dismissal Procedures for the roles of the Chief Executive, Monitoring Officer and Section 151 Officer in Appendix 1.

3.0 Detail

- 3.1 The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 (the Regulations) made changes to matters relating to the dismissal of three statutory Officers, the Head of Paid Service, Monitoring Officer and Section 151 Officer. The intention of this provision is to ensure that these officers can discharge their duties without any fear of being unduly influenced or being dismissed without good reason. The changes required amendments to the constitution and the establishment of a process at the Council which encompassed the new procedures and clarified which officers/committees would be responsible at any stage of the process if required
- 3.2 Following recent experience of use of the new statutory processes elsewhere, the Joint Negotiating Committee for Chief Executives of local authorities wrote in May to all local authorities to remind them about arrangements required or recommended to be in place. The arrangements already adopted in Brent comply with the mandatory requirements.
- 3.3 The Chief Executive's' Handbook however recommends that an elected member should hold the delegated power to suspend a Chief Executive in an emergency. Under section 101 of the Local Government Act 1972, Council may only delegate its non-executive functions to a committee, sub-committee or officer of the Council. Personnel matters are a non- executive function under the Local Authorities (Responsibilities and Functions) (England) Regulations 2000, so cannot be delegated to an elected member. It is recommended therefore that an officer have power to suspend the Chief Executive should this be necessary. This is to ensure that this action can be taken immediately, if necessary, pending a meeting of a member committee being called.
- 3.4 It is therefore proposed that the council's disciplinary and dismissal procedures for the roles of the Chief Executive, Monitoring Officer and Section 151 Officer be amended to provide for this. The proposed amendments are set out in Appendix 1. The opportunity has been taken to also update job title reference.

4.0 Financial Implications

- 4.1 None arising directly from this report.

5.0 Legal Implications

- 5.1 These are set out in the body of the report.

6.0 Diversity Implications

- 6.1 The public sector equality duty, as set out in section 149 of the Equality Act 2010, requires the Council, when exercising its functions, to have "due regard" to the need to eliminate discrimination, harassment and victimisation

and other conduct prohibited under the Act, to advance equality of opportunity and foster good relations between those who have a “protected characteristic” and those who do not share that protected characteristic. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

- 6.2 Having due regard involves the need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic and the need to consider taking steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not share it. This includes removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic.
- 6.3 The amendment to the Disciplinary and Dismissal Procedures for the roles of the Chief Executive, Monitoring Officer and Section 151 Officer proposed in the report does not have any equalities. Any specific equalities implications will be considered at the time of any future use of the procedures.

7.0 Consultation with Ward Members and Stakeholders

7.1 None.

8. Human Resources/Property Implications (if appropriate)

- 8.1. The proposed changes to the Disciplinary and Dismissal Procedures for the roles of the Chief Executive, Monitoring Officer and Section 151 Officer will ensure that should the need to use these procedures arise suspension can be swiftly implemented if necessary.

Report sign off:

Debra Norman
Director of Legal, HR and Audit &
Investigations

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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-Head~~ of HR. In respect of the Chief Executive, the ~~Director-Head~~ of HR will consult the Monitoring Officer and the Chair of the GPC. In respect of the Monitoring Officer or the Chief Finance Officer, the ~~Director-Head~~ of HR will consult the relevant line manager and the Chief Executive.

2.2 It may be necessary to suspend the officer if an allegation is such that if proven it would amount to gross misconduct and may also be necessary in other cases if the continuing presence at work of the officer might compromise the investigation or impair the efficient exercise of the Council's functions. The Head of HR, in consultation as set out in 2.1, will have delegated authority to suspend the officer. Suspensions should be reviewed after a period of two months as recommended by the JNC Handbook.

3. The role of the GPC

3.1 If the ~~Director-Head~~ 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-Head~~ of HR and, in respect of the Monitoring Officer or ~~Chief Finance Officer~~ S151 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-Head~~ 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~~Head 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~~Head 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~~Head 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~~Head 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.

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 Brent	General Purposes Committee 22 July 2019
Report of Director of Legal, HR, Audit & Investigations	
REPORT TITLE Gender Pay Gap – Closing the Gap	

Wards Affected:	N/A
Key or Non-Key Decision:	N/A
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open.
No. of Appendices:	Appendix 1 Proportion of men and women in each pay quartile by pay grade. Appendix 2 Proportion of men and women in each pay quartile by department. Appendix 3 Occupational groups across the council of significant size and their gender make-up. Appendix 4 Internal promotions by quartile and department
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Martin Williams Head of Human Resources 020 8937 3209 Martin.Williams@Brent.Gov.UK

1.0 Purpose of the Report

1.1 To provide the Committee with information on the make-up of the council's employed workforce across pay quartiles to increase understanding and better inform priority actions, to reduce the gender pay gap (GPG).

2.0 Recommendation(s)

2.1 Note the findings from the analysis of the pay quartiles.

2.2 Note that priority actions should focus on the advancement of pay for female employees.

- 2.3 Note that the promotion of data disclosure by employees will remain a priority in order to produce meaningful and good quality data analysis, with communication to all Council staff.

3.0 Detail

- 3.1 In April 2019, a report was considered by Council Management Team (CMT) to provide an overview of the gender pay gap reporting and highlight both existing and proposed initiatives to reduce Brent's GPG.

- 3.2 Brent's GPG for 2018 was median 6.8% and mean 8.2%.

The proportion of women in each pay quartile was as follows:

Upper Quartile (UQ)	56%
Upper Middle Quartile (UMQ)	64%
Lower Middle Quartile (LMQ)	70%
Lower Quartile (LQ)	69%

- 3.3 The pay quartiles are determined by ranking all employees by their hourly rate of pay and dividing the total equally by 4.

- 3.4 As part of the discussion around Brent's GPG position and actions to reduce the gap, CMT asked for a breakdown for each pay quartile.

- 3.5 The data has been broken down and analysed on the following basis:

- Proportion of men and women by pay grade (Appendix 1).
- Proportion of men and of women by department (Appendix 2).
- Occupational groups across the council of significant size and their gender makeup (Appendix 3).
- Starting salaries across all grades for 3 months (January to March 2018) split between men and women.
- Internal promotions by quartile and department (Appendix 4).

- 3.6 The following were the main findings:

By Pay Grade

- There is a greater concentration of men (44%) in the UQ in all HAY grades except two (HAY1 and 2), compared to the concentration of men at the other end of the spectrum in the LQ where 30% are men. This is more in line with the overall proportion of men in the Council, which is approximately 36%.

By Department

- Women are in the majority in every quartile across each department, except:
 - the UQ of the Resources department;
 - the UMQ and the UQ of the Regeneration and Environment department;
 - the UMQ in the Chief Executives department where there is an equal number.

- This means that the representation of men in these departments is greater than the overall proportion of men employed by the Council.

By Occupational Groups

- The main occupational groups used in the analysis were social work (qualified), administration, customer services, IT and planning.
- Most social workers are in the UMQ and UQ and the majority in every quartile are female (excluding social Work Assistant and Personal Adviser roles).
- Generally, in the sample occupational groups in the LQ and LMQ, women are in the majority with Administration, Customer Services and Housing Officer/ Trainee roles.
- In the sample occupational groups, men are the majority in the UMQ and UQ. This is also reflected in specific roles such as those in the IT department (Applications Support Officer roles) and broadly in the Planning roles.

Starting salaries

- Within the 3-month period covered by the analysis of starting salaries across all pay grades, the proportion of men (24%) who received a starting salary above the minimum of their pay grade was greater than the proportion of women (14%). Given the relatively short period covered by the analysis and the sample size, this may not be representative of the general position.

Promotions

- More women than men were promoted in every department except in the Regeneration and Environment and Chief Executives departments.

4.0 Conclusion

There are many differing factors which may have affected Brent's GPG in March 2018. However, the following factors stand out as being most significant:

- Although there is a majority of women in every pay quartile, it is actual salaries of men when compared to women within those quartiles which is contributing to the GPG
- There is a majority of men in all the HAY grades except two.
- Some areas of the council such as the Regeneration and Environment department and the IT service, have a higher concentration of men in the upper and upper middle quartiles.
- Some roles which typically are large in number in the lower and lower middle quartiles, such as Administration Officers, Customer Service Officers (within Libraries' Services and Customer Services) and Housing Options Officers have a higher concentration of women in them.
- In order to gain more meaningful information and identify any on-going patterns, the information collated relating to new joiners' starting salaries across all grades will need to be monitored over a period of time.
- In order to ensure more effective on-going monitoring and therefore more meaningful action, monitoring of internal promotions by gender should continue to be monitored for departments across the Council, as committed to in the GPG Report 2019, whilst extending this to ethnicity groups.

- All the priority actions referred to in the April CMT report are still relevant with some additional actions as outlined below.

5.0 Next Steps

- 5.1 Introduce more frequent monitoring of new joiner starting salaries and internal promotions
- 5.2 Capture additional information as part of the existing approval process for offering higher starting salaries and start reviewing this to identify any potential discrepancies that may require addressing.
- 5.3 Bring a further report on progress to the Committee in 6 months' time to identify the effectiveness of existing initiatives.

6.0 Financial Implications

- 6.1 All existing and proposed initiatives will be implemented within existing budgets

7.0 Legal Implications

- 7.1 The council has a statutory obligation to publish details of its gender pay gap on its website and to also upload details of the pay gap to a government website by 30 March each year.

8.0 Equality Implications

- 8.1 The public sector equality duty, as set out in section 149 of the Equality Act 2010, requires the Council, when exercising its functions, to have "due regard" to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act, to advance equality of opportunity and foster good relations between those who have a "protected characteristic" and those who do not share that protected characteristic. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 8.2 Having due regard involves the need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic and the need to consider taking steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not share it. This includes removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic.
- 8.3 The proposals in this report are intended to narrow the gender pay gap in the council's employed workforce and the impact of the initiatives in this report will be assessed on an on-going basis using data available.

9.0 Human Resources Implications (if appropriate)

- 9.1 The Human Resources implications are contained in the main body of the report.

10.0 Consultation with Ward Members and Stakeholders

10.1 None

Report sign off:

DEBRA NORMAN

Director of Legal, HR, Audit &
Investigations

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		Female	Male	Grand Total
Lower quartile	Scale 1b	0.00%	100.00%	100.00%
	Scale 3	78.38%	21.62%	100.00%
	Scale 4	68.48%	31.52%	100.00%
	Scale 5	81.58%	18.42%	100.00%
	Scale 6	71.74%	28.26%	100.00%
	Scale SO1	50.00%	50.00%	100.00%
	YCU	33.33%	66.67%	100.00%
	Unknown	37.84%	62.16%	100.00%
Lower quartile Total		70.00%	30.00%	100.00%
Lower middle quartile	Scale SO1	66.50%	33.50%	100.00%
	Scale SO2	71.43%	28.57%	100.00%
	Scale PO1	72.73%	27.27%	100.00%
	Band 5	100.00%	0.00%	100.00%
	Main lecturers scale	100.00%	0.00%	100.00%
	Teacher unqualified			
	Scale	50.00%	50.00%	100.00%
	Teachers Main Scale	100.00%	0.00%	100.00%
	Unknown	28.57%	71.43%	100.00%
Lower middle quartile Total		69.25%	30.75%	100.00%
Upper middle quartile	Scale SO2	100.00%	0.00%	100.00%
	Scale PO1	62.41%	37.59%	100.00%
	Scale PO2	64.62%	35.38%	100.00%
	Scale PO3	52.52%	47.48%	100.00%
	Management scale	100.00%	0.00%	100.00%
	Main lecturers scale	87.50%	12.50%	100.00%
	MH Social Worker	80.00%	20.00%	100.00%
	Teachers Main Scale	50.00%	50.00%	100.00%
	Teachers Main Scale			
	B	100.00%	0.00%	100.00%
	Band 6	100.00%	0.00%	100.00%
	YCQ	0.00%	100.00%	100.00%
	Unknown	100.00%	0.00%	100.00%
	Upper middle quartile Total		62.45%	37.55%
Upper quartile	Scale PO3	33.33%	66.67%	100.00%
	Scale PO4	58.24%	41.76%	100.00%
	Scale PO5	46.77%	53.23%	100.00%
	Scale PO6	33.33%	66.67%	100.00%
	Scale PO7	70.83%	29.17%	100.00%
	Scale PO8	55.56%	44.44%	100.00%
	HAY 6	44.44%	55.56%	100.00%
	HAY 5	27.78%	72.22%	100.00%
	HAY 4	36.67%	63.33%	100.00%
	HAY 3a	33.33%	66.67%	100.00%
	HAY 3	42.86%	57.14%	100.00%
	HAY 2	50.00%	50.00%	100.00%
	HAY 1	100.00%	0.00%	100.00%
	Band 7	0.00%	100.00%	100.00%
	Band 8 A	100.00%	0.00%	100.00%
	Band 8 B	0.00%	100.00%	100.00%
	EPSA	100.00%	0.00%	100.00%
	EPSB	100.00%	0.00%	100.00%
	Social work Team manager	100.00%	0.00%	100.00%

Soul	78.95%	21.05%	100.00%
Teacher leadership			
Scale	66.67%	33.33%	100.00%
Management scale	66.67%	33.33%	100.00%
Teachers Upper			
scale	90.00%	10.00%	100.00%
Unknown	25.00%	75.00%	100.00%
Upper quartile Total	55.66%	44.34%	100.00%
Grand Total	64.34%	35.66%	100.00%

Row Labels	Chief Executives Department - L1		Chief Executives Department - L1 Total
	Female	Male	
Lower quartile	66.67%	33.33%	100.00%
Lower middle quartile	77.27%	22.73%	100.00%
Upper middle quartile	50.00%	50.00%	100.00%
Upper quartile	54.29%	45.71%	100.00%
Grand Total	59.14%	40.86%	100.00%

Row Labels	Children and Young People - L1		Children and Young People - L1 Total
	Female	Male	
Lower quartile	84.71%	15.29%	100.00%
Lower middle quartile	74.80%	25.20%	100.00%
Upper middle quartile	78.21%	21.79%	100.00%
Upper quartile	78.46%	21.54%	100.00%
Grand Total	78.51%	21.49%	100.00%

Row Labels	Community Wellbeing - L1		Community Wellbeing - L1 Total
	Female	Male	
Lower quartile	70.83%	29.17%	100.00%
Lower middle quartile	74.56%	25.44%	100.00%
Upper middle quartile	61.15%	38.85%	100.00%
Upper quartile	61.11%	38.89%	100.00%
Grand Total	67.73%	32.27%	100.00%

	Regeneration and Environment - L1	Regeneration and Environment - L1 Total

Row Labels	Female	Male	
Lower quartile	66.67%	33.33%	100.00%
Lower middle quartile	55.42%	44.58%	100.00%
Upper middle quartile	48.08%	51.92%	100.00%
Upper quartile	36.36%	63.64%	100.00%
Grand Total	50.00%	50.00%	100.00%

Row Labels	Resources - L1		Resources - L1 Total
	Female	Male	
Lower quartile	63.37%	36.63%	100.00%
Lower middle quartile	64.34%	35.66%	100.00%
Upper middle quartile	58.42%	41.58%	100.00%
Upper quartile	44.19%	55.81%	100.00%
Grand Total	58.00%	42.00%	100.00%

Appendix 3 - Occupational groups across the council of significant size and their gender makeup

Row Labels	Female	Male	Grand Total
Lower quartile	77.08%	22.92%	100.00%
Administration Officer	89.19%	10.81%	100.00%
Assessment Officer	64.58%	35.42%	100.00%
Customer Services Libraries	78.43%	21.57%	100.00%
Customer Services Officer	86.67%	13.33%	100.00%
Housing Options Officer/Trainee	68.75%	31.25%	100.00%
Planning	40.00%	60.00%	100.00%
Social Work Assistant/Personal Advisor	100.00%	0.00%	100.00%
Lower middle quartile	74.36%	25.64%	100.00%
Administration Officer	75.00%	25.00%	100.00%
Applications Support Officers	20.00%	80.00%	100.00%
Assessment Officer	64.71%	35.29%	100.00%
Customer Services Officer	85.71%	14.29%	100.00%
Housing Options Officer/Trainee	100.00%	0.00%	100.00%
Lecturer	100.00%	0.00%	100.00%
Planning	66.67%	33.33%	100.00%
Social Work Adults	100.00%	0.00%	100.00%
Social Work Assistant/Personal Advisor	60.00%	40.00%	100.00%
Social Work Childrens	85.19%	14.81%	100.00%
Upper middle quartile	66.67%	33.33%	100.00%
Applications Support Officers	27.59%	72.41%	100.00%
Lecturer	85.71%	14.29%	100.00%
Planning	33.33%	66.67%	100.00%
Programme Manager	100.00%	0.00%	100.00%
Social Work Adults	80.43%	19.57%	100.00%
Social Work Childrens	83.08%	16.92%	100.00%
Surveyor Housing	6.67%	93.33%	100.00%
Upper quartile	57.83%	42.17%	100.00%
Applications Support Officers	10.00%	90.00%	100.00%
Planning	33.33%	66.67%	100.00%
Programme Manager	100.00%	0.00%	100.00%
Social Work Adults	65.52%	34.48%	100.00%
Social Work Childrens	82.76%	17.24%	100.00%
Surveyor Regeneration	0.00%	100.00%	100.00%
Grand Total	70.49%	29.51%	100.00%

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Appendix 4 - Internal promotions by quartile and department

By Quartile

Row Labels	Female	Male	Grand Total
Lower quartile	82.35%	17.65%	100.00%
Lower middle quartile	75.00%	25.00%	100.00%
Upper middle quartile	57.66%	42.34%	100.00%
Upper quartile	56.00%	44.00%	100.00%
Grand Total	62.33%	37.67%	100.00%

By Department and Quartile

Row Labels	Female	Male	Grand Total
Chief Executives Department - L1	40.74%	59.26%	100.00%
Lower middle quartile	100.00%	0.00%	100.00%
Upper middle quartile	25.00%	75.00%	100.00%
Upper quartile	50.00%	50.00%	100.00%
Children and Young People - L1	82.54%	17.46%	100.00%
Lower quartile	100.00%	0.00%	100.00%
Lower middle quartile	87.50%	12.50%	100.00%
Upper middle quartile	85.71%	14.29%	100.00%
Upper quartile	72.22%	27.78%	100.00%
Community Wellbeing - L1	71.29%	28.71%	100.00%
Lower quartile	85.71%	14.29%	100.00%
Lower middle quartile	72.22%	27.78%	100.00%
Upper middle quartile	65.38%	34.62%	100.00%
Upper quartile	68.00%	32.00%	100.00%
Regeneration and Environment - L1	40.00%	60.00%	100.00%
Lower middle quartile	100.00%	0.00%	100.00%
Upper middle quartile	23.81%	76.19%	100.00%
Upper quartile	38.89%	61.11%	100.00%
Resources - L1	51.79%	48.21%	100.00%
Lower quartile	0.00%	100.00%	100.00%
Lower middle quartile	61.54%	38.46%	100.00%
Upper middle quartile	52.94%	47.06%	100.00%
Upper quartile	48.00%	52.00%	100.00%
Grand Total	62.33%	37.67%	100.00%

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 Brent	General Purposes Committee 22 July 2019
Report of Director of Legal, HR, Audit & Investigations	
REPORT TITLE Ethnicity Pay Gap – Closing the Gap	

Wards Affected:	N/A
Key or Non-Key Decision:	N/A
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	Appendix 1 Proportion of BAME and White employees in each pay quartile by pay grade. Appendix 2 Proportion of BAME and White employees in each pay quartile by department. Appendix 3 Occupational groups across the council of significant size and their ethnicity make-up. Appendix 4 Internal promotions by quartile and department.
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Martin Williams Head OF Human Resources 020 8937 3209 Martin.Williams@Brent.gov.uk

1.0 Purpose of the Report

1.1 To provide the Committee with information on the ethnicity make-up of the council’s employed workforce across the pay quartiles to increase understanding and better inform priority actions to reduce the ethnicity pay gap (EPG).

2.0 Recommendation(s)

2.1 Note and comment on the findings from the analysis of the pay quartiles.

- 2.2 Note that priority actions should focus on the advancement of pay for Black and Minority Ethnic (BAME) employees.
- 2.3 Note that the promotion of data disclosure by employees will remain a priority in order to produce meaningful and good quality data analysis, with communication to all Council staff.

3.0 Detail

- 3.1 Although there is no current legal requirement to publish ethnicity pay gap information, in the interests of transparency, Brent published information on its pay gap for ethnicity alongside that on its pay gap for gender.
- 3.2 In May 2019, a report was considered by the Council Management Team (CMT) in response to a request to provide further analysis of the gender make-up of the pay quartiles from March 2018 and review priority actions to reduce Brent's Gender Pay Gap (GPG).
- 3.3 At this time, CMT requested a similar report to show a detailed analysis of the EPG to be able to review priority actions for closing the EPG going forward.
- 3.4 Brent's EPG for 2018 was median 14.2% and mean 17.3%. The proportion of BAME employees in each pay quartile was as follows:

Upper Quartile (UQ)	47%
Upper Middle Quartile (UMQ)	65%
Lower Middle Quartile (LMQ)	76%
Lower Quartile (LQ)	77%

- 3.5 The pay quartiles are determined by ranking all employees by their hourly rate of pay and dividing the total equally by 4.
- 3.6 As at March 2018, we did not know the ethnicity of 37% of the workforce as they had chosen not to say. Therefore, this report will focus on the data for those staff for whom we knew their ethnicity.
- 3.7 The data has been broken down for each pay quartile and analysed on the following basis:
- Proportion of BAME and White employees by pay grade (Appendix 1).
 - Proportion of BAME and White employees by department (Appendix 2).
 - Occupational groups across the council of significant size and their ethnic makeup (Appendix 3).
 - Internal promotions by quartile and department (Appendix 4).
- 3.8 The BAME group includes Black, Asian, Mixed and Other groups. The White group refers to White/ British and White/Other groups.

4.0 Findings

- 4.1 The following were the main findings:

- 66% of the workforce belong to the BAME group which means 34% belong to the White group.

By Pay Grade

- Overall BAME employees form the majority in every quartile except the UQ.
- There is a greater proportion of BAME employees in the LQ and LMQs and a more equal proportion in the UMQ when compared to the workforce as a whole
- BAME employees are less well represented in the UQ, where White employees are in the majority with 53%
- Within the UQ, White employees are in the majority in every HAY grade except HAY 2 where there are equal percentages.
- At the other end of the spectrum in the LQ 23% are White, which is lower than the proportion of White employees in the workforce overall.

By Department

- White employees are in the majority in the UQ in all departments except the Community and Wellbeing and Resources departments
- BAME employees are in the majority in the LQ in all departments except in Chief Executives department
- In the Resources department, BAME employees are in the majority in every quartile and in the department overall at 70% which is similar in proportion to the number of BAME employees in the workforce overall
- This is similar in the Community and Wellbeing department, where overall 74% are from the BAME group

By Occupational Groups

- The main occupational groups used in the analysis were social work (qualified), administration, customer services, IT and planning.
- Application Support Officers (IT) and Social Workers have the greatest proportion of BAME employees in the UQ and UMQ
- In the LQ and LMQs, the greatest proportion of BAME employees were in Administration Officer, Assessment Officer (Resources), Customer Services and Social Worker Assistant type roles

Starting salaries

- Given the relatively short period covered by the analysis, the sample size and lack of data disclosure by employees, it has not been possible to report on any meaningful analysis using the starting salaries by ethnicity within this report.

Promotions

- Within all quartiles, BAME employees received the majority of promotions in the previous 12 months, even though there is a greater proportion of White employees in the UQ (53%)
- BAME employees also received the majority of promotions within all departments, except the Regeneration and Environment department where there was an equal percentage of promotions between White and BAME employees, which is similar in proportion to the number of White employees in the department overall (48%)
- The majority of promotions in the UQ in all departments were received by BAME employees, except in the Regeneration and Environment department

- The majority of promotions in the Regeneration and Environment department in the UQ (80%) were received by White employees. The UQ in this department is made up of 67% White employees.

5.0 Conclusion

There are many differing factors which may have affected Brent's EPG in March 2018. However, the following factors stand out as being most significant:

- The higher representation in the LQ and LMQ and lower representation in the UQ of BAME employees in the Council as a whole;
- White employees held the majority in all HAY grades except one;
- The number of promotions in the UQ of the Regeneration and Environment department more closely reflects the 67% majority held by White groups in that quartile;
- The higher concentration of BAME employees in the UQ of the Community Wellbeing and Resources departments ;
- The majority of promotions in every quartile belongs to the BAME groups, with promotions of BAME groups forming the majority in all but one department in the UQ.

6.0 Next Steps

- 6.1 Ongoing campaigns to encourage staff to disclose their ethnicity and other characteristics to enable more meaningful analysis,.
- 6.2 Continue to undertake monitoring of new joiners' starting salaries within all grades, with a particular focus on PO5 and above by ethnicity as well as gender
- 6.3 Capture additional information as part of the existing approval process for offering higher starting salaries and start reviewing this to identify any potential discrepancies that may require addressing with regards to ethnicity as well as gender.
- 6.4 Commence monitoring of the take-up of apprenticeship and mentoring programmes and learning and development by ethnicity as well as gender
- 6.5 A report will be brought back to the Committee on the GPG/EPG for 2019 in advance of this being published.

7.0 Financial Implications

- 7.1 All existing and proposed initiatives will be implemented within existing budgets

8.0 Legal Implications

- 8.1 The council has a statutory obligation to publish details of its gender pay gap on its website and to also upload details of the pay gap to a government website by 30 March each year. It is anticipated that a similar requirement will be introduced in respect of the ethnicity pay gap in the future. Brent currently publishes this data on a voluntary basis.

9.0 Equality Implications

- 9.1 The public sector equality duty, as set out in section 149 of the Equality Act 2010, requires the Council, when exercising its functions, to have “due regard” to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act, to advance equality of opportunity and foster good relations between those who have a “protected characteristic” and those who do not share that protected characteristic. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 9.2 Having due regard involves the need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic and the need to consider taking steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not share it. This includes removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic.
- 9.3 The proposals in this report are intended to narrow the ethnic pay gap in the council’s employer workforce and the impact of the initiatives in this report will be assessed on an on-going basis using data available.

10.0 Human Resources Implications (if appropriate)

- 10.1 The Human Resources implications are contained in the main body of the report.

11.0 Consultation with Ward Members and Stakeholders

- 11.1 None

Report sign off:

DEBRA NORMAN

Director of Legal, HR, Audit &
Investigation

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Appendix 1 - Proportion of BAME and White employees in each pay quartile by pay grade

		BAME	White	Grand Total
Lower quartile	Scale 3	80.77%	19.23%	100.00%
	Scale 4	86.21%	13.79%	100.00%
	Scale 5	75.00%	25.00%	100.00%
	Scale 6	74.40%	25.60%	100.00%
	YCU	100.00%	0.00%	100.00%
	Unknown	63.64%	36.36%	100.00%
Lower quartile Total		76.95%	23.05%	100.00%
Lower middle quartile	Scale SO1	80.15%	19.85%	100.00%
	Scale SO2	73.33%	26.67%	100.00%
	Scale PO1	70.21%	29.79%	100.00%
	Band 5	100.00%	0.00%	100.00%
	Main lecturers scale	100.00%	0.00%	100.00%
Lower middle quartile Total		75.82%	24.18%	100.00%
Upper middle quartile	Scale SO2	75.00%	25.00%	100.00%
	Scale PO1	64.89%	35.11%	100.00%
	Scale PO2	67.39%	32.61%	100.00%
	Scale PO3	60.22%	39.78%	100.00%
	Management scale	60.00%	40.00%	100.00%
	Main lecturers scale	75.00%	25.00%	100.00%
	MH Social Worker	66.67%	33.33%	100.00%
	Band 6	100.00%	0.00%	100.00%
YCQ	0.00%	100.00%	100.00%	
Upper middle quartile Total		64.86%	35.14%	100.00%
Upper quartile	Scale PO3	66.67%	33.33%	100.00%
	Scale PO4	59.46%	40.54%	100.00%
	Scale PO5	47.83%	52.17%	100.00%
	Scale PO6	32.26%	67.74%	100.00%
	Scale PO7	53.66%	46.34%	100.00%
	Scale PO8	50.00%	50.00%	100.00%
	HAY 6	16.67%	83.33%	100.00%
	HAY 5	27.27%	72.73%	100.00%
	HAY 4	15.38%	84.62%	100.00%
	HAY 3a	25.00%	75.00%	100.00%
	HAY 3	0.00%	100.00%	100.00%
	HAY 2	50.00%	50.00%	100.00%
	Band 7	0.00%	100.00%	100.00%
	Band 8 B	0.00%	100.00%	100.00%
	EPSA	20.00%	80.00%	100.00%
	EPSB	0.00%	100.00%	100.00%
	Social work Team manager	0.00%	100.00%	100.00%
	Soul	36.36%	63.64%	100.00%
	Teacher leadership Scale	0.00%	100.00%	100.00%
	Management scale	0.00%	100.00%	100.00%
Teachers Upper scale	50.00%	50.00%	100.00%	

Unknown	100.00%	0.00%	100.00%
Upper quartile Total	46.55%	53.45%	100.00%
Grand Total	65.84%	34.16%	100.00%

Appendix 2 - Proportion of BAME and White employees in each pay quartile by department

Row Labels	Chief Executives Department - L1		Chief Executives Department - L1 Total
	BAME	White	
Lower quartile	33.33%	66.67%	100.00%
Lower middle quartile	87.50%	12.50%	100.00%
Upper middle quartile	36.36%	63.64%	100.00%
Upper quartile	38.89%	61.11%	100.00%
Grand Total	50.85%	49.15%	100.00%

Row Labels	Children and Young People - L1		Children and Young People - L1 Total
	BAME	White	
Lower quartile	82.69%	17.31%	100.00%
Lower middle quartile	64.29%	35.71%	100.00%
Upper middle quartile	69.23%	30.77%	100.00%
Upper quartile	45.83%	54.17%	100.00%
Grand Total	64.56%	35.44%	100.00%

Row Labels	Community Wellbeing - L1		Community Wellbeing - L1 Total
	BAME	White	
Lower quartile	77.12%	22.88%	100.00%
Lower middle quartile	83.46%	16.54%	100.00%
Upper middle quartile	74.71%	25.29%	100.00%
Upper quartile	52.94%	47.06%	100.00%
Grand Total	73.62%	26.38%	100.00%

Row Labels	Regeneration and Environment - L1		Regeneration and Environment - L1 Total
	BAME	White	
Lower quartile	67.39%	32.61%	100.00%
Lower middle quartile	58.70%	41.30%	100.00%
Upper middle quartile	58.33%	41.67%	100.00%
Upper quartile	33.33%	66.67%	100.00%
Grand Total	51.84%	48.16%	100.00%

Row Labels	Resources - L1		Resources - L1 Total
	BAME	White	
Lower quartile	79.78%	20.22%	100.00%
Lower middle quartile	81.58%	18.42%	100.00%
Upper middle quartile	62.82%	37.18%	100.00%
Upper quartile	55.84%	44.16%	100.00%
Grand Total	70.31%	29.69%	100.00%

Appendix 3 - Occupational groups across the council of significant size and their ethnicity make-up

Row Labels	BAME	White	Grand Total
Lower quartile	84.55%	15.45%	100.00%
Administration Officer	71.43%	28.57%	100.00%
Assessment Officer	87.10%	12.90%	100.00%
Customer Services			
Libraries	85.37%	14.63%	100.00%
Customer Services			
Officer	100.00%	0.00%	100.00%
Housing Options			
Officer/Trainee	66.67%	33.33%	100.00%
Social Work			
Assistant/Personal			
Advisor	100.00%	0.00%	100.00%
Lower middle quartile	74.29%	25.71%	100.00%
Administration Officer	75.00%	25.00%	100.00%
Applications Support			
Officers	50.00%	50.00%	100.00%
Assessment Officer	76.92%	23.08%	100.00%
Customer Services			
Officer	90.91%	9.09%	100.00%
Housing Options			
Officer/Trainee	75.00%	25.00%	100.00%
Lecturer	100.00%	0.00%	100.00%
Planning	42.86%	57.14%	100.00%
Social Work Adults	100.00%	0.00%	100.00%
Social Work			
Assistant/Personal			
Advisor	91.67%	8.33%	100.00%
Social Work			
Children's	53.85%	46.15%	100.00%
Upper middle quartile	72.73%	27.27%	100.00%
Applications Support			
Officers	69.57%	30.43%	100.00%
Lecturer	75.00%	25.00%	100.00%
Planning	50.00%	50.00%	100.00%
Programme Manager	60.00%	40.00%	100.00%
Social Work Adults	84.62%	15.38%	100.00%
Social Work			
Children's	77.42%	22.58%	100.00%
Surveyor Housing	37.50%	62.50%	100.00%
Upper quartile	53.19%	46.81%	100.00%
Applications Support			
Officers	60.00%	40.00%	100.00%
Planning	0.00%	100.00%	100.00%
Programme Manager	0.00%	100.00%	100.00%
Social Work Adults	70.00%	30.00%	100.00%
Social Work			
Children's	50.00%	50.00%	100.00%
Surveyor			
Regeneration	33.33%	66.67%	100.00%
Grand Total	74.63%	25.37%	100.00%

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Appendix 4 - Internal promotions by quartile and department

By Quartile

Row Labels	BAME	White	Grand Total
Lower quartile	100.00%	0.00%	100.00%
Lower middle quartile	79.59%	20.41%	100.00%
Upper middle quartile	57.75%	42.25%	100.00%
Upper quartile	60.61%	39.39%	100.00%
Grand Total	65.45%	34.55%	100.00%

By Department and Quartile

Row Labels	BAME	White	Grand Total
Chief Executives			
Department - L1	61.90%	38.10%	100.00%
Lower middle quartile	100.00%	0.00%	100.00%
Upper middle quartile	63.64%	36.36%	100.00%
Upper quartile	55.56%	44.44%	100.00%
Children and Young People - L1	64.29%	35.71%	100.00%
Lower middle quartile	75.00%	25.00%	100.00%
Upper middle quartile	47.06%	52.94%	100.00%
Upper quartile	76.92%	23.08%	100.00%
Community Wellbeing - L1	80.00%	20.00%	100.00%
Lower quartile	100.00%	0.00%	100.00%
Lower middle quartile	90.00%	10.00%	100.00%
Upper middle quartile	68.42%	31.58%	100.00%
Upper quartile	75.00%	25.00%	100.00%
Regeneration and Environment - L1	50.00%	50.00%	100.00%
Lower middle quartile	83.33%	16.67%	100.00%
Upper middle quartile	58.33%	41.67%	100.00%
Upper quartile	20.00%	80.00%	100.00%
Resources - L1	57.50%	42.50%	100.00%
Lower middle quartile	60.00%	40.00%	100.00%
Upper middle quartile	50.00%	50.00%	100.00%
Upper quartile	61.11%	38.89%	100.00%
Grand Total	65.45%	34.55%	100.00%

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APPOINTMENTS TO THE GENERAL PURPOSES SUB-COMMITTEES – 22 JULY 2019

BRENT PENSION FUND SUB COMMITTEE

1. Councillor Abdirazak to be replaced by a vacancy as a full member of the Brent Pension Fund Sub Committee

Subject to confirmation of the above change the amended membership of the Brent Pension Fund Sub Committee will be as follows:

FULL MEMBERS:

CHOUDHARY (C)	LABOUR
ADEN (VC)	LABOUR
VACANCY (NAME TO BE ADVISED)	LABOUR
DALY	LABOUR
MAURICE	CONSERVATIVE
PERRIN	LABOUR
STEPHENS	LABOUR

CO-OPTED NON-VOTING:

ELIZABETH BANKOLE (UNISON)

SUBSTITUTE MEMBERS:

LABOUR: CHOUDRY, KABIR, MCLEISH, NAHEERATHAN
CONSERVATIVE: COLWILL, KANSAGRA

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