



## General Purposes Committee

**Thursday 17 November 2022 at 9.30 am**

Conference Hall - Brent Civic Centre, Engineers Way,  
Wembley, HA9 0FJ

Please note that this meeting will be held in person with all members of the Committee required to attend in person.

This meeting is open to members of the press and public, alternatively meeting proceedings may be followed via the live webcast. The link to attend the meeting is available [HERE](#)

### Membership:

#### Members

Councillors:

M Butt (Chair)  
M Patel (Vice Chair)  
Donnelly-Jackson  
Grahl  
Knight  
Lorber  
Krupa Sheth  
Tatler

#### Substitute Members

Councillors:

Afzal, Akram, Crabb, Farah, Nerva, Rubin and Southwood.

Councillors:

Georgiou and Matin.

**For further information contact:** Natalie Connor, Governance Officer  
Tel: 020 8937 1506, Email: [natalie.connor@brent.gov.uk](mailto:natalie.connor@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](http://democracy.brent.gov.uk)**

## **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
<b>1 Apologies for absence and clarification of alternate members</b>	
<b>2 Declarations of interests</b>	
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.	
<b>3 Deputations (if any)</b>	
To hear any deputations received from members of the public in accordance with Standing Order 67.	
<b>4 Minutes of the previous meeting</b>	1 - 4
To approve the minutes of the previous meeting held on 18 July 2022 as a correct record.	
<b>5 Matters arising (if any)</b>	
To consider any matters arising from the minutes of the previous meeting.	
<b>6 Recruitment and Retention of Children and Young People Social Workers</b>	5 - 12
This report provides the Committee with an update on activity in relation to the recruitment and retention of children and young people social workers.	

**Ward Affected:**  
N/A

**Contact Officer:** Zafer Yilkan, Director (Interim),  
Integration & Improved Outcomes – Children &  
Young People

**7 Zero Hours Report**

13 - 16

This report seeks to provide the Committee with an update on the Zero Hours Justice Campaign.

**Ward Affected:**  
N/A

**Contact Officer:** Martin Williams, Head of  
Human Resources, 020 8937 3209  
[Martin.Williams@brent.gov.uk](mailto:Martin.Williams@brent.gov.uk)

**8 Voluntary Redundancy Scheme Update**

17 - 24

This report seeks to provide the Committee with an update in respect of the council's 2022 Voluntary Redundancy Scheme and seeks approval to make seven severance payments, consisting predominantly of actuarial strain costs relating to the release of a pension, on the basis that the employees' posts are redundant. As the pension strain costs that the council must bear as part of the Pension scheme rules, amount to over £100,000, the General Purposes Committee is asked to approve the payments.

**Ward Affected:**  
N/A

**Contact Officer:** Debra Norman, Corporate  
Director of Governance, 020 8937 1578  
[Debra.Norman@brent.gov.uk](mailto:Debra.Norman@brent.gov.uk)

**9 Appointments to Sub-Committees / Outside Bodies**

To consider any appointments needing to be made in relation to sub committees appointed by the General Purposes Committee.

**10 Exclusion of Press and Public**

The following item is not for publication as it relates to the following category of exempt information as specified under Paragraph 1, Part 1 of Schedule 12A to the Local Government Act 1972, namely: "Information relating to an Individual".

Agenda Item 8: Voluntary Redundancy Scheme Update (Appendix 1 Individual Redundancy Payments)

**11 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 her representative before

the meeting in accordance with Standing Order 60.

**Date of Next Meeting: Monday 12 December 2022**



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. Alternatively it will be possible to follow proceedings via the live webcast [HERE](#)

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## LONDON BOROUGH OF BRENT

### MINUTES OF THE GENERAL PURPOSES COMMITTEE

Held in the Conference Hall, Brent Civic Centre on 18 July 2022 at 9:30am

PRESENT: Councillor M Butt (Chair), Councillor M Patel (Vice-Chair) and Councillors Donnelly-Jackson, Grahl, Knight, Lorber, Krupa Sheth and Tatler.

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

None.

#### 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 Monday 30 May 2022 be approved as an accurate record.

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

There were no matters arising.

#### 6. Stopping Up Order –Aylesbury Street

Nicolaas Potgieter introduced a report from the Strategic Director for Regeneration & Environment seeking authorisation to make a Stopping Up Order for part of a public highway consisting of highway verge near No.2 Aylesbury Street and No.7 West Way, NW10 in order to complete the development of the site which consisted of the erection of a three storey block comprising of nine self-contained flats with amenity space.

Members noted that the draft Stopping Up Order had been advertised in accordance with the necessary statutory requirements, with fourteen of the statutory consultees having responded. Other than the statutory notices it was confirmed that, as was usual practice when dealing with Stopping Up Orders, no other consultation had been undertaken with local residents. Of the statutory consultees, two (Cadent Gas and Virgin Media) had raised initial objections on the basis they had apparatus in the proposed area, although the Committee were advised that both objections had subsequently been resolved.

As a result of concerns highlighted during the meeting in relation to the environmental impact arising from the loss of open space and impact on air quality as a result of the proposed development, for which the Stopping Up Order was being sought, the Committee were assured that these matters had been considered in detail as part of the planning application process, for which consent had been granted. In addition, the Committee noted the work being undertaken across the Council to tackle air quality, promote and support active travel and sustainable transport initiatives as part of the response to the climate emergency supported by other initiatives such as the expansion of the Mayor of London's Ultra Low Emission Zone.

The Chair advised that as additional concerns raised during the meeting in relation to the affordable housing element of the proposed development did not impact on consideration of the Stopping Up Order, these would need to be addressed outside of the meeting.

Having noted the outcome of the consultation undertaken, the Committee **RESOLVED** :

- (1) To note that draft Stopping Up Order had been advertised in accordance with the requirements of Section 247 Town and Country Planning Act 1990.
- (2) To note that the two objections received in response to (1) above from Cadent Gas and Virgin Media had subsequently been resolved.
- (3) On the basis of (1) and (2) above, to approve the making of the Stopping Up Order (SUO) and that a notice of making be advertised.

Councillor Lorber voted against the above decision.

## **7. Severance Payments Approval**

Debra Norman, Director of Legal, HR, Audit and Investigations introduced the report seeking approval for two severance payments, which the General Purposes Committee were required to consider.

In considering the report, members noted that the proposed redundancies had arisen as a result of the Council's senior management restructure and a restructure currently underway within the Oracle Cloud Support Service. Whilst the Oracle Cloud Support restructure was not due to be completed until the end of July 2022 it had been deemed prudent to seek approval for the potential severance payment related to that post to avoid General Purposes Committee needing to consider a further report. Members noted that the payments required approval by General Purposes Committee, as the redundancy and severance payments, when added to the pension strain costs which the Council was required to bear under the Pension scheme rules, totalled over £100,000.

As a result of additional clarification sought at the meeting, members were advised of the basis on which the redundancy, severance and pension strain payments were calculated for those taking redundancy prior to their normal retirement age. Assurance was also provided that the proposed redundancy payments were in accordance with the relevant Council policies and had been

designed to deliver savings within the required payback period whilst also seeking to reflect the service of the individuals concerned within Brent.

In considering the recommendations the Committee noted the details provided within the exempt appendix accompanying the report and **RESOLVED**.

- (1) To agree the severance payments, as detailed within the report.
- (2) To note that the payments in (1) above did not include any element additional to sums calculated in accordance with the council's Managing Change Policy and the requirements of the Local Government Pension Scheme.

Councillor Lorber voted against the above decision.

## **8. Appointment to Sub Committees**

There were no appointments to be considered in relation to any of the General Purpose Sub Committees.

## **9. Exclusion of Press and Public**

There were no items that included exclusion from the Press and Public.


## **10. Any other urgent business**

None.

The meeting closed at 9:57am.

COUNCILLOR MUHAMMED BUTT  
Chair

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	<p><b>General Purposes Committee</b> 17 November 2022</p>
	<p><b>Report from the Corporate Director of Children and Young People</b></p>
<p><b>Recruitment and Retention Payments for Children and Young People’s Social Workers in Looked After Children and Permanency Service.</b></p>	

<b>Wards Affected:</b>	All
<b>Key or Non-Key Decision:</b> <small>(only applicable for Cabinet, Cabinet Sub Committee and officer decisions)</small>	N/A
<b>Open or Part/Fully Exempt:</b> <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
<b>No. of Appendices:</b>	None
<b>Background Papers:</b>	None
<b>Contact Officer(s):</b> <small>(Name, Title, Contact Details)</small>	<p>Zafer Yilkan, Director (Interim), Integration &amp; Improved Outcomes – Children &amp; Young People <a href="mailto:Zafer.yilkan@brent.gov.uk">Zafer.yilkan@brent.gov.uk</a></p> <p>Clare Ebuné , HR Manager <a href="mailto:Clare.ebune@brent.gov.uk">Clare.ebune@brent.gov.uk</a></p>

## 1.0 Purpose of the Report

- 1.1 This report provides the Committee with a further update following the decision in November 2021 to increase the recruitment and retention payments agreed by the Committee in October 2018 to staff in the most hard to recruit teams within the Localities Service.
- 1.2 The report also provides information about the current position regarding social work staff within the Children and Young People’s department overall, with particular reference to recruitment and retention challenges within the Looked After Children and Permanency (LAC & Permanency) Service.
- 1.3 Finally, the report sets out a proposal to extend the arrangements agreed for the most hard to recruit teams within the Localities Service to the six Care Planning Teams in the Looked After Children and Permanency Service. This is to address emerging recruitment and retention challenges. Separately there is a recommendation to increase the maximum amount payable for the provision of relocation packages to key social work qualified posts.

## **2.0 Recommendations**

2.1 That the Committee agree to extend the two recruitment and retention initiatives, which were agreed for the most hard to recruit teams in the Localities Service, to six Care Planning Teams in the Looked After Children and Permanency Service as follows:

- To increase the one-off payment to newly recruited permanent social work staff on grades PO1 – PO7 from £5,000 to £7,500, on satisfactory completion of probationary period and repayable where an employee leaves the council's employment within 12 months of receiving the payment. (Currently, in the Care Planning Teams in the Looked After Children and Permanency Service the one-off payment is only made to social work staff in grades PO3 to PO7).
- To increase retention payments for all qualified social work staff on grades PO1 to PO7 from £1,200 to £4,500 per annum (currently the retention payment is made to social work staff in grades PO3 to PO7).

2.2 That the Committee agrees to increase the maximum amount payable to provide relocation package support to key social work qualified posts from £5,000 to £6,000 in line with cost of living increases.

2.3 That continued discretion is provided to the department in how recruitment and retention payments are offered across the department with a continued focus on hard to recruit to posts.

## **3.0 Detail**

3.1 Previous GP Committee reports in March 2016, October 2018 and November 2021, approved requests to continue to provide a market supplement to Children and Young People's (CYP) social workers as a tool to support the department in retaining key frontline staff and the introduction and subsequent enhancement of recruitment and retention payments to particularly hard to recruit posts and teams. The continuation and enhancement of these payments, alongside other factors such as stable senior leadership, greater training and development opportunities and manageable caseloads for staff has contributed to a growing number of permanent social work qualified staff – although predominantly in management roles.

3.2 Owing to the ongoing national shortage of social workers and a high number of social workers leaving the profession, coupled with increased demand for services since the pandemic, significant structural difficulties remain in recruiting and retaining more experienced social workers and first line social work management staff. Despite this, recent recruitment campaigns have attracted a favourable response, particularly for first line managers. However, particular challenges remain within the six Care Planning Teams in the Looked After Children and Permanency Service as a result of permanent social workers leaving Brent to take up employment either in the agency market or to other London local authorities where there is a more competitive pay and reward structure.

- 3.3 Currently, only 46% of the 30 social work non-management roles in the six Care Planning Teams are permanent and this is now lower than the short and long term teams in the Localities Service. Historically, recruitment and retention within the Looked After Children and Permanency Service has not presented the same level of challenges as the Localities Service. This is a trend also being reported by other local authorities. Work with looked after children requires a high level of face to face contact with young people. It is reported across London that, post-pandemic, social work staff are increasingly seeking roles where they can work from home for longer periods of time.
- 3.4 Whilst filling vacant posts with agency workers increases staff budgetary pressures, the decline in the number of agency workers coming forward and the very limited success in recruiting permanent staff through the current recruitment and retention arrangements, is becoming a particular challenge in the Looked After Children and Permanency Teams with some posts currently vacant.
- 3.5 This is a core statutory service that requires qualified social workers to work with children who are looked after by the Council or subject to care proceedings and court directed activities. The number of vacant posts within the teams has led to a rise in caseload levels. This raises risks to the long-term quality of service delivery if not addressed.
- 3.6 The issue of sufficiency of suitably qualified children's social work staff is recognised as a national issue that the DfE is seeking to address through new routes into social work and better development pathways for future managers. The profession is noted as an occupation that appears on the list of skills shortages to enable overseas recruitment to fill key vacancies.
- 3.7 A screening exercise undertaken by CYP in June 2018 to research packages offered by other London children's services, found the majority had an extensive offer in place to attract new staff, including at social work management level.
- 3.8 Despite the introduction of the recruitment and retention arrangements in 2018 and enhancement to these in 2021 agreed by GP committee and when looking at the overall package offered, this is not as generous as that offered by some other London boroughs. There is also anecdotal evidence from staff who have left the Council recently that the overall package from some councils in the South East region is attracting candidates to relocate.
- 3.9 It is important that Brent is able to compete in what remains an increasingly competitive market place for suitably qualified and experienced social workers.

#### **4.0 Update**

- 4.1 Experience from recruitment activity following the enhancements agreed by GP Committee in November 2021 highlights the particular difficulty faced in recruiting experienced social workers. Only 2 non-management social work roles have been filled in response to traditional advertising methods this calendar year, both within the Localities Service with a further two recruited on permanent contracts via agencies. There has been a more positive outcome from targeting the conversation of existing agency staff, leading to 13 agency

workers moving onto permanent contracts and this approach will continue. The vast majority of the agency conversions have been within the Localities service, encouraged by the retention payments.

- 4.2 To exacerbate matters, over recent months there has been a marked decline in the number of suitably qualified agency social worker candidates coming forward. To help manage the agency market, the 'London Pledge' was introduced, which all 33 London Councils have signed up to. The aim of the pledge is to stabilise and increase the quality of the agency social worker labour market through a range of measures including the introduction of standard pay rates, standardised reference templates and restrictions on staff leaving permanent roles to take up agency social work.
- 4.3 The recruitment activity carried out in 2022 to date suggests the enhanced recruitment and retention arrangements that apply to specific teams in the Localities Services are having a more positive impact although it is too soon to fully assess their effectiveness as the first annual retention payments are not due to be paid until December 2022. The most recent recruitment campaign in the Localities Service attracted 9 applications which is a significant increase from the previous campaign in April 2022. The introduction of new ways of working for social workers in Localities and better managed caseloads are also likely to be contributing factors.
- 4.4 The departmental workforce strategy was refreshed in October 2022 and includes a range of activities to address the ongoing recruitment and retention challenges. The key activities include the social work career progression framework that supports social workers with the intention of 'growing our own' staff such as student social workers, step-up to social work programme, ASYE and the international recruitment of qualified social workers. 5 ASYEs have successfully completed the programme in the last 3 months and a further 6 are in the process of completing it.
- 4.5 Career progression panels have been held every six months since May 2019 with at least 9 submissions being heard at each panel with a number of staff progressing at each into the senior social worker role. The progression framework continues to act as part of the retention strategy with some staff commenting that they had considered leaving Brent before it was put in place.
- 4.6 The Panel meets twice a year and the most recent panel was held in May 2022. There were 6 submissions from staff with 5 being successful, of whom 3 became senior social workers. The next panel will be held later in November 2022.
- 4.7 A further round of international recruitment of 9 qualified Social Workers from Africa took place in late 2021. Retention of international staff remains high – 8 of the 2021 and 7 of the 2019 cohort remain in role. A further round of international recruitment will take place later this year/early next year from India.
- 4.8 The relocation support package of up to £5,000 has been used for international recruitment and includes a number of clearly defined elements including payment of the worker's first month's rent and deposit. The contrast in cost of living has been particularly apparent in the last recruitment round and was a

factor in why 5 overseas candidates who were recruited, subsequently withdrew from the process. In addition, the average rents in north-west London have significantly increased. It is therefore considered that the current maximum amount should be increased. There is significant variance amongst local authorities surveyed, offering relocation support packages ranging from £5,000 - £8,000.

- 4.9 Whilst these and other measures will continue to contribute to the recruitment and retention of permanent staff, short-term measures are required to boost the number of permanent staff in key social work roles, particularly in the Care Planning Teams in the Looked After Children and Permanency Service.
- 4.10 Beyond these initiatives and to address the underlying structural workforce concerns, a corporate project, sponsored by the Corporate Director (CYP), focussed on improving outcomes for the recruitment and retention of social workers is being developed. This work will include reviewing, evaluating and benchmarking incentive packages and other drivers, and exploring options for best use of available budgets for maximising the number of permanent staff in hard to fill posts in the long term. It will also consider staffing challenges within Adult Social Care.
- 4.11 There will be an updated report presented to the Committee by the end of spring 2023, following a review of the impact and effectiveness of the recruitment and retention arrangements with proposals for how these should be organised.

## **5.0 Financial Implications**

- 5.1 Providing incentives to support the recruitment and retention to social work positions within the Looked After Children and Permanency service is an investment which could lead to cost avoidance if permanent staff are retained in place of providing interim cover for agency staff. The additional cost pressure is estimated at £7.2k per year per agency social work staff member.
- 5.2 The cost of a one-off golden hello payment for the current vacant positions will cost in the region of £0.128m (if all posts were filled). It is proposed to fund the golden hellos on a one-off basis from reserves in order that the scheme can be properly evaluated upon conclusion to determine the impact on recruitment. It is not considered affordable to offer this on a permanent basis and needs careful monitoring and consideration prior to offering the scheme again in the future.
- 5.3 The cost of increasing the retention payment from £1,200 to £4,500 for staff on PO1 to PO7 will cost an additional £0.1m and would need to be identified from existing resources, as it would be a recurring cost.
- 5.4 There is no relocation budget currently available. Funding for relocations of future recruitment of overseas staff would need to be managed within the existing resources and a reserve built up to fund the costs if the need arises.

## **6.0 Legal Implications**

6.1 Where a supplement is paid on top of the evaluated grade of a post the potential for equal pay claims arises. The council will need to demonstrate that there is a genuine “material factor” which is neither directly nor indirectly discriminatory based on sex to avoid or defend such claims. The state of the employment market, which may lead an employer to increase the pay of a particular job in order to attract candidates, may constitute an objectively justified economic ground for a pay disparity. Where payments to an employee are on-going the payment must be kept under regular review to ensure that it only continues for as long as it is justified by material market factors.

## **7.0 Equality Implications**

7.1 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.

7.2 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.

7.3 An Equality Impact Assessment was completed in respect of the proposals considered in the previous report to GP Committee in October 2018 with the analysis being based on the characteristics of ethnicity and gender as these were the two most significant types affected by the proposed changes. To ensure the analysis was sufficiently broad it also included staff undertaking similar tasks from the Adult Social Care Service. The overall analysis was that the risks that the criteria for applying the proposed payments disadvantage persons with a protected characteristic were low based on ethnicity and medium based on gender. It was considered that the market evidence, establishing that there was a material factor (namely market conditions for recruitment to the affected posts) justified the pay disparity. The proposal to enhance the recruitment and retention arrangements for staff in the looked after children teams to align them with the hard to recruit teams in the Localities Service reduces the amount of disparity, at least within the Children and Young People Department.

## **8.0 Consultation with Ward Members and Stakeholders**

8.1 Not Applicable (N/A)

## **9.0 Human Resources/Property Implications (if appropriate)**

9.1 The Human Resources implications have been contained within the main body of the report above.

## **10.0 Next Steps**

10.1 There are regular recruitment campaigns and, should the GP committee approve these recommendations, they will be incorporated into the materials. Monthly progress meetings to consider the impact of these initiatives have been set and the overall effectiveness of the proposed changes will be reviewed by the end of spring 2023.

### **Related Documents**


General Purposes Committee, 15 October 2018 and 8 November 2021

**Report sign off:**

***Nigel Chapman***

Corporate Director of Children and  
Young People

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	<p align="center"><b>General Purposes Committee</b> 17<sup>th</sup> November 2022</p>
	<p align="center"><b>Report from Corporate Director of Governance</b></p>
<p><b>Zero Hours Justice Campaign</b></p>	

<b>Wards Affected:</b>	N/A
<b>Key or Non-Key Decision:</b>	N/A
<b>Open or Part/Fully Exempt:</b> <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open.
<b>No. of Appendices:</b>	None
<b>Background Papers:</b>	None
<b>Contact Officer(s):</b> <small>(Name, Title, Contact Details)</small>	Martin Williams Head of Human Resources 020 8937 3209 <a href="mailto:Martin.Williams@brent.gov.uk">Martin.Williams@brent.gov.uk</a>

## 1.0 Purpose of the Report

- 1.1 To provide the Committee with information on the Zero Hours Justice Campaign following Council's decision to support it.

## 2.0 Recommendations

- 2.1 The Committee, if satisfied, is recommended to support the Council's application to become a Silver Member of the campaign.

## 3.0 Detail

- 3.1 At a meeting of Council on 11<sup>th</sup> July 2022 Councillors accepted a motion that the Council become a supporter of the Zero Hours campaign. Subsequent to that decision, a meeting took place between Councillors, Officers and a representative of the Zero Hours Justice organisation to explore how the Council might become a member.
- 3.2 The campaign was founded and funded by philanthropist, Julian Richer, the founder of Richer Sounds and several social justice campaigns and the Good

Business Charter and has been endorsed by the TUC.

- It provides free help and support for Zero Hours workers who cannot access advice anywhere else.
- There is a helpline to provide free help and support.
- The campaign has an Accreditation Scheme to recognise employers who either do not use Zero Hours Contracts at all, or, if they do, implement them in a more ethical and responsible way.

3.3 There are three levels of accreditation: Gold, Silver and a Fairer Hours Employer. The criteria is set out below:

- **Gold - No Zero Hours Gold Employer**
  - Do not and will not employ anyone directly on a zero hours contract
  - Do not and will not employ anyone indirectly on a zero hours contract via any third party contractor or agency. This applies to third parties that provide workers (for example temporary staff, cleaners etc.)
- **Silver - No Zero Hours Silver Employer**
  - Do not and will not employ anyone directly on a zero hours contract
  - Commit to actively encourage any third-party contractors, providers or agencies to phase out the use of zero hours contracts in any services they provide (for example cleaners provided through a contractor or agency etc.)
- **Fairer Hours Employer**
  - Schedule shifts for zero hours workers with at least two weeks' notice;
  - Pay workers in full for shifts cancelled at less than two weeks' notice;
  - Give workers the right to request a fixed hours contract at any time;
  - Review actual hours worked annually and initiate a supportive conversation with every worker with a view to providing a contract at or close to the hours actually worked as soon as you are able.
  - This mirrors the "Fairer Hours" standards of the Good Business Charter, accepted and endorsed by both the TUC and the CBI.

3.4 The Council meets the criteria to be a Silver Employer and during informal discussions with Councilors, the representative of Zero Hours Justice confirmed that to be the case. They also reassured Councilors that where the Council required specialist workers at short notice and without a clear end date that would be within the spirit of the accreditation.

## 4 Conclusion

4.1 The Council prides itself as a good employer and evidence from the recent staff survey underpins that position. Applying for accreditation with Zero Hours Justice would reinforce that position to those outside the Council.

## 5.0 Financial Implications

5.1 There are no financial implications to accepting the recommendations in this report.

## 6.0 Legal Implications

6.1 There are no legal implications to accepting the recommendations in this report.

## **7.0 Equality Implications**

7.1 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.

7.2 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.

7.3 There are currently no equality implications for the proposed policy and process change.

## **8.0 Human Resources Implications (if appropriate)**

8.1 The HR implications are covered in the body of this report.

## **9.0 Consultation with Ward Members and Stakeholders**


9.1 None

**Report sign off:**

**Debra Norman**

Corporate Director Governance

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 <p><b>Brent</b></p>	<p align="center"><b>General Purposes Committee</b> 17 November 2022</p>
	<p align="center"><b>Report from Head of Paid Service</b></p>
<p><b>Voluntary Redundancy Scheme Approvals</b></p>	

<b>Wards Affected:</b>	All
<b>Key or Non-Key Decision:</b>	No
<b>Open or Part/Fully Exempt:</b> <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	This report is partially exempt. Appendix 1 is Not for Publication as it relates to the following category of exempt information as specified under paragraph 1 Schedule 12A of the Local Government Act 1972 namely 'information relating to an individual'.
<b>No. of Appendices:</b>	One Appendix 1 Voluntary Redundancy Figures
<b>Background Papers:</b>	None
<b>Contact Officer(s):</b> <small>(Name, Title, Contact Details)</small>	Debra Norman Corporate Director Governance Tel: 020 8937 1578 Email: <a href="mailto:debra.norman@brent.gov.uk">debra.norman@brent.gov.uk</a>

## 1.0 Purpose of the Report

1.1 This report provides an update to the committee in respect of the council's 2022 Voluntary Redundancy Scheme and seeks approval to make seven severance payments, consisting predominantly of actuarial strain costs relating to the release of a pension, on the basis that the employees' posts are redundant. As the pension strain costs that the council must bear as part of the Pension scheme rules, amount to over £100,000, the General Purposes Committee is asked to approve the payments.

## 2.0 Recommendations

2.1 To approve the severance payments set out in the exempt Appendix to this report.

2.2 To note that none of the payments in respect of individuals pursuant to the

voluntary redundancy scheme include any element in addition to sums calculated in accordance with the council's Managing Change Policy and the strain payments that will arise under the Local Government Pension Scheme as unreduced pensions are required to be paid.

- 2.3 To note the overall outcome of the Voluntary Redundancy Scheme run during September 2022.

### **3.0 Detail**

- 3.1 On 2 August 2018, the General Purposes Committee agreed that the council implement a Voluntary Redundancy Scheme in advance of planning and implementing restructures as part of re-modelling the council to achieve the savings required in the council budget over the following period. The Chief Executive was empowered to agree that the scheme also be run in future years. The 2018 scheme was successful in achieving savings and remodeling of the workforce and also facilitated succession planning and career progression, which was an issue highlighted in a recent staff survey.

- 3.2 This year the council again finds itself needing to undertake significant workforce reform and restructuring in order to achieve savings while continuing to deliver services on which the local community rely. The Chief Executive therefore authorised the running of a further voluntary redundancy Scheme in July 2022.

### **4.0 The recent programme to seek volunteers for redundancy**

- 4.1 Staff were invited to apply for voluntary redundancy as a means of avoiding the need for a programme of compulsory redundancy. The call for volunteers opened in June and closed on the 31 August 2022. 101 staff have applied for voluntary redundancy. It is proposed that employees who it is agreed may take voluntary redundancy under the scheme continue to work until the end of the financial year (31 March 2023) unless, exceptionally, another date is agreed by the Chief Executive. The Council's Trade Unions also supported this approach.

- 4.2 All applications were assessed on the basis of the efficiency of the service and longer term financial considerations. A benchmark period of not more than two years for the cost of the redundancy to be offset by the consequent savings to the council (net of any saving reinvested as part of a restructure) was part of this assessment. A business case was prepared in respect of each application received and these were considered by Departmental Management Teams (DMT). Each business case has considered the cost of the individual redundancy and the savings associated with a deletion of the post, taking into account any associated restructure to ensure that the council can continue to deliver its services after the redundancy is implemented. The Council Management Team considered all the proposals from DMTs.

- 4.3 As a result of this process 45 applications for voluntary redundancy have been agreed. However in 7 cases the cost of severance for the individual is in excess of £100,000 taking into account pension strain costs as an unreduced

pension is required to be paid.

- 4.4 For the avoidance of doubt, no exit payments in excess of normal contractual terms and in accordance with the council's Managing Change Policy, as described below, are proposed as a result of the voluntary redundancy scheme by way of this report.
- 4.5 The council's redundancy payments scheme applies to employees with two or more years' continuous service with a body listed in the Redundancy Payments (Continuity of Employment in Local Government) Modification Order. Calculation of payments under the council's scheme is based on the statutory scheme but actual salary rather than the statutory weekly maximum is used for this calculation. The calculation is as follows:
- 0.5 week's pay for each full year of service aged under 22
  - 1 week's pay for each full year of service between the ages of 22 and 41
  - 1.5 week's pay for each full year of service worked from the age of 41 and over.
- 4.6 This is subject to a maximum 20 years of service (30 x a week's pay is therefore the maximum available). In addition, an additional severance payment, equal to 50% of the redundancy payment so calculated, is currently made to those made redundant in accordance with the council's the council's Managing Change Policy.
- 4.7 Employees who are made redundant who are aged 55 or over and have at least two years of pension scheme membership are normally entitled under the LGPS Regulations to immediate payment of pension benefits without reduction. Where this occurs the council can be required to make an actuarial "strain" payment to the pension fund to reflect the extra cost of paying an unreduced pension for the period up to the scheme member's normal retirement date under the LGPS.
- 4.8 This pension strain can be quite significant so that, for example, someone earning £40,000 p.a. with 30 years' service might attract a total exit payment (including pension strain) in excess of £100,000.
- 4.9 Under the council's own policies, exit payments in excess of £100k (including strain cost) are required to be approved by the Council or by the General Purposes Committee.
- 5.0 Financial Implications**
- 5.1 The applications that have been accepted for voluntary redundancy result in an aggregate payback period of less than two years, net of any savings reinvested as part of a restructure, which is within the agreed benchmark for long term financial considerations.
- 5.2 The net cashable savings from the budgeted establishment arising out of the accepted applications, in the Council's Medium Term Financial Strategy.

## **6.0 Legal Implications**

- 6.1 The council has power to enhance the statutory redundancy scheme and to make severance payments to staff not eligible for that scheme under Regulations 5 and 6 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England & Wales) Regulations 2006 (as amended) where dismissal is for redundancy or efficiency reasons. The Managing Change procedure sets out how the council will exercise these powers.
- 6.2 Under the Redundancy Payments (Continuity of Employment in Local Government) Modification Order, continuous service with bodies listed in the Order is included in the calculation of an employee's continuous employment for redundancy purposes.
- 6.3 The Council's Pay Policy Statements provides that where practicable, and unless the Chief Executive agrees otherwise, termination payments that exceed £100k will normally be agreed by full council or a committee of the council.
- 6.4 Under statutory guidance on the making and disclosure of Special Severance Payments by local authorities in England issued 12 May 2022, where an employee is to receive a special severance payment (defined as a payment which includes elements that are not statutory or contractual or otherwise required) the payment should be referred to Full Council for approval. It is not intended that any such special severance element be included in payments to be made under the voluntary redundancy scheme.
- 6.5 Other legal implications are contained in the body of the report.

## **7.0 Diversity Implications**

- 7.1 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.
- 7.2 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.
- 7.3 An equality assessment has been undertaken in respect of this report.

**Report sign off:**

**Debra Norman**

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