



HUMAN RESOURCES AND COUNCIL TAX COMMITTEE

AGENDA

DATE:	Thursday, 23 February 2023
TIME:	7.30 pm
VENUE:	Committee Room - Town Hall, Station Road, Clacton-on-Sea, CO15 1SE

MEMBERSHIP:

Councillor Chapman BEM (Chairman)
Councillor Griffiths (Vice-Chairman)
Councillor Amos
Councillor Baker

Councillor Calver
Councillor S Honeywood
Councillor Morrison

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DATE OF PUBLICATION: Wednesday, 15 February 2023

AGENDA

1 Apologies for Absence and Substitutions

The Committee is asked to note any apologies for absence and substitutions received from Members.

2 Minutes of the Last Meeting (Pages 1 - 6)

To confirm and sign as a correct record, the minutes of the last meeting of the Committee, held on 11 October 2022.

3 Declarations of Interest

Councillors are invited to declare any Disclosable Pecuniary Interests or Personal Interest, and the nature of it, in relation to any item on the agenda.

4 Questions on Notice pursuant to Council Procedure Rule 38

Subject to providing two working days' notice, a Member of the Committee may ask the Chairman of the Committee a question on any matter in relation to which the Council has powers or duties which affect the Tendring District **and** which falls within the terms of reference of the Committee.

5 Report of the Assistant Director (Finance & IT) - A.1 - Formal Confirmation of Council Tax Amounts for 2023/24 following the notification of the Precepts from the Major Precepting Authorities (Pages 7 - 14)

To set out and seek confirmation of the final Council Tax amounts for 2023/24 including the precepts issued for 2023/24 by Essex County Council and the Police, Crime and Fire Commissioner for Essex.

6 Career Track and Apprenticeships - Oral Update

The Committee will receive an oral update regarding the Council's Career Track and Apprenticeship provision services.

7 Report of the Assistant Director (Partnerships) - A.2 - Pay Policy Statement 2023/2024 (Pages 15 - 30)

To present the Council's Pay Policy Statement for 2023/24.

8 Report of the Assistant Director (Partnerships) - A.3 - Volunteer Policies (Pages 31 - 64)

To introduce a suite of proposed policies to support the volunteering activities within the Council namely, a Volunteer Policy and an Employee Volunteering and Public Duties Policy which, if agreed, will be implemented by the Council.

9 Exclusion of Press and Public

The Committee is asked to consider passing the following resolution:

“That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of Agenda Item 10 on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 3 and 4 of Part 1 of Schedule 12A, as amended, of the Act.”

10 Exempt Minutes of the Last Meeting (Pages 65 - 70)

To confirm and sign as a correct record, the exempt minutes of the last meeting of the Committee, held on 11 October 2022.

Date of the Next Meeting

The next meeting of the Human Resources and Council Tax Committee will be held on a date to be announced in due course.

Information for Visitors

FIRE EVACUATION PROCEDURE

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**MINUTES OF THE MEETING OF THE HUMAN RESOURCES AND COUNCIL TAX
COMMITTEE,
HELD ON TUESDAY, 11TH OCTOBER, 2022 AT 7.30 PM
IN THE COMMITTEE ROOM, TOWN HALL, STATION ROAD, CLACTON-ON-SEA,
CO15 1SE**

Present:	Councillors Chapman BEM (Chairman), Griffiths (Vice-Chairman), Amos, Baker and Morrison
Also Present:	Councillor G L Stephenson
In Attendance:	Anastasia Simpson (Assistant Director (Partnerships)), Carol Magnus (Organisational Development Manager)(except item 20), Ian Ford (Committee Services Manager), Katie Wilkins (Human Resources and Business Manager)(except item 20) and Keith Durran (Committee Services Officer)
Also in Attendance	Michelle Kirk (Director) and Katy Frith (HR Consultant) both from the East of England Local Government Association participated in the meeting via MS Teams (except item 20)

11. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillors Calver and S A Honeywood. There were no substitutes.

12. MINUTES OF THE LAST MEETING

It was moved by Councillor Baker, seconded by Councillor Griffiths and:-

RESOLVED that the Minutes of the last meeting of the Committee, held on Thursday 7 July 2022, be approved as a correct record and be signed by the Chairman.

13. DECLARATIONS OF INTEREST

Councillor Griffiths stated for the public record that he was a member of the GMB union and a Shop steward but that he had no involvement with Tendring District Council in that capacity.

14. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38

No Questions on Notice pursuant to Council Procedure Rule 38 had been submitted on this occasion.

15. REPORT OF ASSISTANT DIRECTOR (PARTNERSHIPS) - A.1 - DEFENCE EMPLOYER RECOGNITION SCHEME UPDATE REPORT

The Committee gave consideration to a report of the Assistant Director (Partnerships) (A.1) which updated it work that had been undertaken to date, and activities planned, to support the armed forces/veteran community; including Tendring District Council's (TDC) participation in the Defence Employer Recognition Scheme (ERS).

Members were aware that the ERS encouraged employers to support Defence personnel and to inspire others to do the same. The scheme encompassed bronze, silver and gold awards for employer organisations that pledged, demonstrated or advocated support to Defence and the armed forces community, and aligned their values with the [Armed Forces Covenant](#) (*the Armed Forces Covenant was a promise by the nation ensuring that those who served or who had served in the armed forces, and their families, were treated with fairness and respect in the communities, economy and society they served or had served with their lives*).

Councillor Chris Amos had been appointed as TDC's Armed Forces Member Champion in 2017 and he attended meetings of the Civil Military Partnership Board (Essex).

The Committee was reminded that TDC had renewed its commitment to the Armed Forces Covenant in February 2022, in a decision made by the Leader of the Council; which had recognised the value serving personnel, reservists, veterans (*including our Chief Executive*) and military families brought to the Authority and local community. The covenant focussed on helping members of the armed forces community to have the same access to Government and commercial services and products as any other citizen. This support was provided in a number of areas including:

- *Education and family well-being;*
- *Having a home;*
- *Starting a new career;*
- *Access to healthcare;*
- *Financial assistance; and*
- *Discounted services.*

Members recalled that, at the last update provided to this Committee in February 2019, the Council had held ERS Bronze award status, and was working with the Armed Forces Development Officer at Colchester Borough Council to attain Silver status; which this Authority had been successful in achieving in Summer 2019.

Since then this Council had continued to demonstrate its commitment in this regard, and in July 2022 TDC had received Gold status in the ERS scheme. Gold criteria were more stringent than for Silver, including promoting the scheme to other employers. It included:-

- *must have signed the [Armed Forces Covenant](#);*
- *the employer must have already stated their intent to be supportive by using the ERS website to register at the Bronze level;*
- *the employer must proactively demonstrate that service personnel/armed forces community are not unfairly disadvantaged as part of their recruitment and selection processes;*
- *the employer must actively ensure that their workforce is aware of their positive policies towards defence people issues. For example, an employer nominated for support to the Reserves must have an internally publicised and positive HR policy on Reserves;*
- *within the context of Reserves the employer must have demonstrated support to mobilisations or have a framework in place. They must demonstrate support to training by providing at least five days' additional unpaid/paid leave (wherever possible not to Reservist employees' financial disadvantage); and*

- *the employer must not have been the subject of any negative PR or media activity.*

To achieve Gold award status, awarded to the Council in July 2022, the Authority had had to demonstrate that:

- *it had signed the [Armed Forces Covenant](#);*
- *an existing relationship with their National Account Manager/REED/appropriate defence representative;*
- *it was already demonstrating support by holding a valid ERS Silver Award;*
- *it could proactively demonstrate their forces-friendly credentials as part of their recruitment and selection processes. Where possible, it should be engaged with [Career Transition Partnership](#) (CTP) in the recruitment of service leavers and have registered for the [Forces Families Jobs](#) (FFJ) portal;*
- *it actively ensures the workforce is aware of their positive policies towards defence people issues. For example, an employer nominated for support to the Reserves must have an internally publicised and positive HR policy on Reserves;*
- *it must be an exemplar within their market sector, advocating support to defence people issues to partner organisations, suppliers and customers with tangible positive results;*
- *within the context of Reserves it must have demonstrated support to mobilisations or have a framework in place. They must provide at least ten days' additional leave for training, fully paid, to the Reservist employee;*
- *it must not have been the subject of any negative public relations or media activity.*

To achieve this a revised Reserve Forces Training Mobilisation Policy had been adopted by TDC in April 2022 which granted Reservists ten days' additional paid leave for training, up from the five days that been offered previously.

It was reported that TDC was one of just 38 local government organisations to hold Gold status, and one of 48 organisations altogether in the East Anglia region.

Officers were keen to continue this work, not only to support the priorities outlined in the Armed Forces Covenant; but also the Council's recruitment priorities. Colchester Barracks discharged around 400 highly trained and skilled military personnel each year, a number of whom remained in the local area; and the Council was keen to tap into this talent pipeline. Being an ERS Gold Award holder added to the organisation's employer brand, and the opportunity to be seen as an employer of choice by potential applicants, particularly from that cohort.

Other activity taken to support the Council's objectives and the ERS Gold status, included:

- *Regular annual civic events including services for Remembrance Sunday, Armed Forces Day, the Veterans' Tea Dance and other services or flag raisings (all in conjunction with the Clacton Royal British Legion);*
- *In addition the Council had supported the Chairman of the Council in staging a Veterans' Day event in early August 2022;*
- *Attendance by the Armed Forces at the Tendring Jobs and Skills Fair (2019), and the 2022 Tendring Skills Fair;*
- *Continued links to the Career Transition Partnership;*

-
- *Continued priority given to ex-forces personnel within their housing band for those on the social housing register;*
 - *Ran an event in week one of the 2022 Tendring4Growth Business Fortnight to promote the Armed Forces Covenant, ERS, and general benefits of employing Armed Forces personnel, to local employers – this built upon a similar event held in March 2019;*
 - *An Armed Forces discount was available on leisure services;*
 - *Workshops held for staff to raise awareness of the signing of the Armed Forces Covenant and possible benefits;*
 - *TDC had signed up to the Essex Family Friendly Employer scheme – this supported in particular those who had partners in the military; and*
 - *Established a buddy scheme where existing TDC staff who were from an Armed Forces background could support any new starters from the same background to help with their transition.*

The Committee placed on record its gratitude for all of the dedication and commitment demonstrated by those Officers who had played their part in enabling this Council to achieve a Gold Award under the Defence Employer Recognition Scheme.

Having considered the contents of the update report:-

It was moved by Councillor Baker, seconded by Councillor Amos and:-

RESOLVED that the contents of the Assistant Director (Partnerships)'s report be noted.

16. REPORT OF ASSISTANT DIRECTOR (PARTNERSHIPS) - A.2 - UPDATED WORK PLACEMENT PROCEDURE

The Committee considered a report of the Assistant Director (Partnerships) (A.2) which presented it with the revised Work Placement Procedure. The intention of that procedure was primarily to detail the Authority's work placement arrangements in order to ensure that the Council remained compliant with legislation and adhered to best practice.

Members were made aware that the purpose of updating the Work Placement Procedure was to ensure that the procedure was clear and covered all legislative requirements to support an effective work placement arrangement for Tendring District Council.

The procedure aimed to provide information about Tendring District Council's work placement process and what measures were put in place to assess the risk and ensure that all safeguarding measures were in place. It was also designed to provide the framework to enable a positive work placement.

The Procedure set out:-

- *a clear description of the Council's commitment and definition towards Work Placements;*
- *an overview of Tendring District Council's Work Placement scheme;*
- *risk assessment and safeguarding requirements; and*
- *supporting documentation for the procedure.*

In addition, it provided specific guidance to support managers who wished to take on a Work Placement individual.

The Committee was informed that UNISON had been consulted on the revised Work Placement Procedure and had offered its agreement with, and support for, the revision of this procedure.

In order to ensure that the Council maintained its high standard of procedures that supported local young people in gaining valuable experience and understanding of a work environment:-

It was moved by Councillor Morrison, seconded by Councillor Baker and:-

RESOLVED that the Human Resources and Council Tax Committee notes and endorses the updated Work Placement Procedure.

17. EXCLUSION OF PRESS AND PUBLIC

It was moved by Councillor Baker, seconded by Councillor Griffiths and:-

RESOLVED that under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of Agenda Items 8, 9 and 10 on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 3 and 4 of part 1 of Schedule 12A, as amended, of the Act.”

18. EXEMPT MINUTE OF THE LAST MEETING

It was moved by Councillor Griffiths, seconded by Councillor Amos and:-

RESOLVED that the Exempt Minute of the last meeting of the Committee, held on Thursday 7 July 2022, be approved as a correct record and be signed by the Chairman.

19. REPORT OF ASSISTANT DIRECTOR (PARTNERSHIPS) - B.2 - SALARY AND MARKET REVIEW: REPORT COMMISSIONED FROM EELGA

RESOLVED that the Committee -

- (a) notes the findings of the EELGA report; and
- (b) notes that it may be asked to support market forces requests for the roles highlighted to which this has not yet been applied.

20. REPORT OF THE CHIEF EXECUTIVE - B.1 - MARKET FORCES REPORT FOR POSTS WITHIN THE HUMAN RESOURCES TEAM

RESOLVED that -

- (a) the Market Forces Supplement be applied with immediate effect to the posts within Human Resources requiring either the Advanced Diploma or the Associate Diploma in People Management qualification(s);

- (b) the application of the Market Forces Supplement is discretionary and will be decided by the Assistant Director (Partnerships), in consultation with the Chief Executive as the Head of Paid Service; and
- (c) the Supplement be applied for a period of up to two years.

The meeting was declared closed at 8.31 pm

Chairman

HUMAN RESOURCES AND COUNCIL TAX COMMITTEE

23 FEBRUARY 2023

REPORT OF ASSISTANT DIRECTOR FINANCE AND IT

A.1 FORMAL CONFIRMATION OF COUNCIL TAX AMOUNTS FOR 2023/24 FOLLOWING THE NOTIFICATION OF THE PRECEPTS FROM THE MAJOR PRECEPTING AUTHORITIES

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To set out and seek confirmation of the final Council Tax amounts for 2023/24 including the precepts issued for 2023/24 by Essex County Council, Essex Fire and Essex Police.

EXECUTIVE SUMMARY

At its meeting on the 14 February 2023, Council considered the Executive's Budget and Council Tax proposals for 2023/24 and as part of this process the Council Tax for District and Parish / Town Council Services was approved.

Once the precepts are received from the major precepting authorities, the Human Resources and Council Tax Committee has the delegated responsibility to agree the total Council Tax for 2023/24. The total Council Tax for the year is made up of the District and Parish / Town Council amounts approved by Council on 14 February 2023 and the corresponding amounts agreed by the major precepting authorities. Legislation requires this formal confirmation even though the process is dictated by legislative formulae and there is no actual judgement or choice to be made.

The precepts from the major precepting authorities for 2023/24 result in the final Council Tax amounts, as set out in **Appendix C**, for formal confirmation by the Committee.

RECOMMENDATION(S)

It is recommended that:

(a) The precepts issued by Essex County Council, Essex Fire and Essex Police set out in Appendix A attached to this report are noted; and

(b) that the amounts of Council Tax for 2023/24 shown at Appendix C for each of the categories of dwellings are confirmed.

REASON(S) FOR THE RECOMMENDATION(S)

To confirm the Council tax amounts for 2023/24 in accordance with the Local Government Finance Act 1992.

ALTERNATIVE OPTIONS CONSIDERED

The alternative option would be for this to be agreed at full Council, but the timing of this decision would require a change to our usual timetable for Council meetings.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

Confirmation of the council tax amounts is the final step in the Council's budget setting process and therefore will have direct implications for the Council's ability to deliver on its objectives and priorities. Council tax income is a key income stream in the Council's 10 year forecast which seeks to establish a sound and sustainable budget year on year through maximising income whilst limiting reductions in services provided to residents, business and visitors.

LEGAL REQUIREMENTS (including legislation & constitutional powers)

The arrangements for setting and collection of council tax are defined in the Local Government Finance Act 1992.

The confirmation of the council tax amounts following the receipt of precepts from the major precepting authorities is delegated to the Human Resources and Council Tax Committee (Delegated Powers Part 3.19).

FINANCE AND OTHER RESOURCE IMPLICATIONS

This report forms part of the Council's budget setting process and follows on from the final budget proposals agreed by Full Council on 14 February 2023. The implications of the wider budget proposals are set out in that report.

The impact on the Council's financial position if this decision is delayed are set out in the section on Associated Risks and Mitigations.

USE OF RESOURCES AND VALUE FOR MONEY

The following are submitted in respect of the indicated use of resources and value for money indicators:

A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;	This is the final step in the budget/council tax setting process, these issues were covered in detail in the report A1 Executive's Proposals - General Fund Budget and Council Tax 2023/24 which went to Council 14 February 2023.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and	As above
C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.	As above

MILESTONES AND DELIVERY

This reports forms part of the Council's wider budget setting process and follows the final budget proposals agreed by Full Council on 14 February 2023. Following this decision the

council tax bills can be prepared and dispatched.

ASSOCIATED RISKS AND MITIGATION

Legislation requires this formal confirmation even though the process is dictated by legislative formulae and there is no actual judgement or choice to be made.

The risk arises if this decision is either delayed or not made at all. The Council would have to continue meeting it's contractual and legislative financial commitments (including paying the precepts to the major precepting authorities) but without being able to collect Council Tax to cover these outgoing costs. This would cause serious financial difficulties.

OUTCOME OF CONSULTATION AND ENGAGEMENT

Consultation on the Council's element of council tax takes place as part of the Council's approach to developing the budget and is set out in detail in the report A1 Executive's Proposals - General Fund Budget and Council Tax 2023/24 which went to Council 14 February 2023.

EQUALITY IMPLICATIONS

There are no direct implications regarding the confirmation of council tax amounts. However, the ability of the Council to appropriately address such issues will be strongly linked to its ability to fund relevant schemes and projects. The funding stream provided by council tax income significantly contributes to enabling the Council to deliver on these areas.

SOCIAL VALUE CONSIDERATIONS

There are no direct considerations that arise from the confirmation of council tax amounts.

IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2030

There are no direct implications regarding the confirmation of council tax amounts. However, this issue will be considered when relevant schemes and projects provided for within the budget are being approved.

OTHER RELEVANT IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder	No direct significant direct issues
Health Inequalities	No direct significant direct issues
Area or Ward affected	This affects all areas, the tax amounts for each Parish/Town area are set out in Appendices B and C.

ANY OTHER RELEVANT INFORMATION

None.

PART 3 – SUPPORTING INFORMATION

CONFIRMATION OF COUNCIL TAX AMOUNTS 2023/24 - AGGREGATION OF PRECEPTS

Although the calculation of the Council's Council Tax Requirement is a function of the full Council and may not be delegated, the final confirmation of the Council Tax amounts is delegated to the Human Resources and Council Tax Committee. Legislation requires this formal confirmation even though the process is dictated by legislative formulae and there is no actual judgement or choice to be made.

In respect of the Council Tax for District and Parish / Town Councils' Services for 2023/24, these were approved by Full Council on 14 February 2023 and are set out in **Appendix B**.

The Council Tax amounts for 2023/24 expressed as Council Tax Band D equivalents for each of the major precepting authorities are as follows:

Precepting Authority	Council Tax Amount	Increase
Essex County Council	£1,450.17	3.50%
Essex Fire Services	£80.28	6.57%
Essex Police Services	£233.46	6.84%

When added to the amounts relating to the District and Parish / Town Council Services as approved by Council on 14 February 2023, the average Band D Tax totals **£1,998.60** for 2023/24. **Appendix A** sets out the full precept details.

Appendix C sets out for confirmation the 2023/24 Council Tax amounts including the precepts from the major precepting authorities by property band for the unparished and parished areas of the district.

PREVIOUS RELEVANT DECISIONS TAKEN BY COUNCIL/CABINET/COMMITTEE ETC.

Executive's Proposals – General Fund Budget and Council Tax – 2023/24 - Item A.1 Council 14 February 2023

BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL

None

APPENDICES

Appendix A - Precepts on the Collection Fund

Appendix B - District and Parish/Town Council Tax Amounts 2023/24 (as approved by Council on 14 February 2023)

Appendix C - County, Fire, Police, District and Parish/Town Council Tax Amounts 2023/24

REPORT CONTACT OFFICER(S)	
Name	Richard Bull
Job Title	Corporate Finance Manager
Email/Telephone	rbull@tendringdc.gov.uk 686525

PRECEPTS ON THE COLLECTION FUND

2022/23			2023/24		
49,892.2		Council Tax Base	51,050.0		
Amount	Council Tax		Amount	Council Tax	Change in Tax
£'000	£		£'000	£	%
9,398	188.37	Total Net Budget	14,142	277.02	
(3,477)	(69.69)	Less Government Support/Business Rates	(3,755)	(73.55)	
5,921	118.68	Net District Council Expenditure	10,387	203.47	
3,191	63.96	Less Collection Fund deficit	(784)	(15.36)	
9,112	182.64	District Council Services	9,603	188.11	2.99%
8,540	171.18	District General Expenses	8,959	175.50	2.52%
572	11.46	District Special Expenses	644	12.61	10.03%
9,112	182.64	Council Tax Requirement (TDC)	9,603	188.11	2.99%
2,273	45.56	Parish Council Services	2,378	46.58	2.24%
11,385	228.20	Council Tax Requirement (incl. parishes)	11,981	234.69	2.84%
69,905	1,401.12	County Council Services	74,031	1,450.17	3.50%
3,758	75.33	Essex Fire Services	4,098	80.28	6.57%
10,903	218.52	Essex Police Services	11,918	233.46	6.84%
95,951	1,923.17	Total Average District Tax	102,028	1,998.60	3.92%

Band	Essex County Council £	Essex Fire Services £	Essex Police Services £
A	966.78	53.52	155.64
B	1,127.91	62.44	181.58
C	1,289.04	71.36	207.52
D	1,450.17	80.28	233.46
E	1,772.43	98.12	285.34
F	2,094.69	115.96	337.22
G	2,416.95	133.80	389.10
H	2,900.34	160.56	466.92

DISTRICT AND PARISH/TOWN COUNCIL TAX AMOUNTS 2023/24

Band	A	B	C	D	E	F	G	H
Multiplier	(6/9)	(7/9)	(8/9)	(9/9)	(11/9)	(13/9)	(15/9)	(18/9)
Parished or Unparished Area								
Unparished Area:								
Clacton	132.03	154.03	176.04	198.04	242.05	286.06	330.07	396.08
Parishes of :								
Alresford	177.07	206.59	236.10	265.61	324.63	383.66	442.68	531.22
Ardleigh	161.53	188.45	215.37	242.29	296.13	349.97	403.82	484.58
Beaumont-cum-Moze	139.48	162.73	185.97	209.22	255.71	302.21	348.70	418.44
Great Bentley	203.93	237.92	271.91	305.90	373.88	441.86	509.83	611.80
Little Bentley	136.17	158.87	181.56	204.26	249.65	295.04	340.43	408.52
Bradfield	212.18	247.54	282.91	318.27	389.00	459.72	530.45	636.54
Brightlingsea	161.77	188.74	215.70	242.66	296.58	350.51	404.43	485.32
Great Bromley	155.54	181.46	207.39	233.31	285.16	337.00	388.85	466.62
Little Bromley	128.17	149.53	170.89	192.25	234.97	277.69	320.42	384.50
Little Clacton	170.34	198.73	227.12	255.51	312.29	369.07	425.85	511.02
Elmstead	162.29	189.33	216.38	243.43	297.53	351.62	405.72	486.86
Frating	144.25	168.29	192.33	216.37	264.45	312.53	360.62	432.74
Frinton and Walton	181.03	211.20	241.37	271.54	331.88	392.22	452.57	543.08
Harwich	153.71	179.33	204.95	230.57	281.81	333.05	384.28	461.14
Lawford	186.11	217.12	248.14	279.16	341.20	403.23	465.27	558.32
Manningtree	158.98	185.48	211.97	238.47	291.46	344.46	397.45	476.94
Mistley	171.20	199.73	228.27	256.80	313.87	370.93	428.00	513.60
Great Oakley	163.22	190.42	217.63	244.83	299.24	353.64	408.05	489.66
Little Oakley	152.42	177.82	203.23	228.63	279.44	330.24	381.05	457.26
Ramsey and Parkeston	184.65	215.42	246.20	276.97	338.52	400.07	461.62	553.94
St Osyth	172.57	201.33	230.09	258.85	316.37	373.89	431.42	517.70
Tendring	150.21	175.25	200.28	225.32	275.39	325.46	375.53	450.64
Thorpe-le-Soken	162.65	189.75	216.86	243.97	298.19	352.40	406.62	487.94
Thorrington	148.59	173.36	198.12	222.89	272.42	321.95	371.48	445.78
Weeley	151.42	176.66	201.89	227.13	277.60	328.08	378.55	454.26
Wix	166.25	193.96	221.67	249.38	304.80	360.22	415.63	498.76
Wrabness	137.25	160.13	183.00	205.88	251.63	297.38	343.13	411.76

COUNTY, FIRE, POLICE, DISTRICT AND PARISH/TOWN COUNCIL TAX AMOUNTS 2023/24

Band	A	B	C	D	E	F	G	H
Multiplier	(6/9)	(7/9)	(8/9)	(9/9)	(11/9)	(13/9)	(15/9)	(18/9)
Parished or Unparished Area								
Unparished Area:								
Clacton	1,307.97	1,525.96	1,743.96	1,961.95	2,397.94	2,833.93	3,269.92	3,923.90
Parishes of:								
Alresford	1,353.01	1,578.52	1,804.02	2,029.52	2,480.52	2,931.53	3,382.53	4,059.04
Ardleigh	1,337.47	1,560.38	1,783.29	2,006.20	2,452.02	2,897.84	3,343.67	4,012.40
Beaumont-cum-Moze	1,315.42	1,534.66	1,753.89	1,973.13	2,411.60	2,850.08	3,288.55	3,946.26
Great Bentley	1,379.87	1,609.85	1,839.83	2,069.81	2,529.77	2,989.73	3,449.68	4,139.62
Little Bentley	1,312.11	1,530.80	1,749.48	1,968.17	2,405.54	2,842.91	3,280.28	3,936.34
Bradfield	1,388.12	1,619.47	1,850.83	2,082.18	2,544.89	3,007.59	3,470.30	4,164.36
Brightlingsea	1,337.71	1,560.67	1,783.62	2,006.57	2,452.47	2,898.38	3,344.28	4,013.14
Great Bromley	1,331.48	1,553.39	1,775.31	1,997.22	2,441.05	2,884.87	3,328.70	3,994.44
Little Bromley	1,304.11	1,521.46	1,738.81	1,956.16	2,390.86	2,825.56	3,260.27	3,912.32
Little Clacton	1,346.28	1,570.66	1,795.04	2,019.42	2,468.18	2,916.94	3,365.70	4,038.84
Elmstead	1,338.23	1,561.26	1,784.30	2,007.34	2,453.42	2,899.49	3,345.57	4,014.68
Frating	1,320.19	1,540.22	1,760.25	1,980.28	2,420.34	2,860.40	3,300.47	3,960.56
Frinton and Walton	1,356.97	1,583.13	1,809.29	2,035.45	2,487.77	2,940.09	3,392.42	4,070.90
Harwich	1,329.65	1,551.26	1,772.87	1,994.48	2,437.70	2,880.92	3,324.13	3,988.96
Lawford	1,362.05	1,589.05	1,816.06	2,043.07	2,497.09	2,951.10	3,405.12	4,086.14
Manningtree	1,334.92	1,557.41	1,779.89	2,002.38	2,447.35	2,892.33	3,337.30	4,004.76
Mistley	1,347.14	1,571.66	1,796.19	2,020.71	2,469.76	2,918.80	3,367.85	4,041.42
Great Oakley	1,339.16	1,562.35	1,785.55	2,008.74	2,455.13	2,901.51	3,347.90	4,017.48
Little Oakley	1,328.36	1,549.75	1,771.15	1,992.54	2,435.33	2,878.11	3,320.90	3,985.08
Ramsey and Parkeston	1,360.59	1,587.35	1,814.12	2,040.88	2,494.41	2,947.94	3,401.47	4,081.76
St Osyth	1,348.51	1,573.26	1,798.01	2,022.76	2,472.26	2,921.76	3,371.27	4,045.52
Tendring	1,326.15	1,547.18	1,768.20	1,989.23	2,431.28	2,873.33	3,315.38	3,978.46
Thorpe-le-Soken	1,338.59	1,561.68	1,784.78	2,007.88	2,454.08	2,900.27	3,346.47	4,015.76
Thorrington	1,324.53	1,545.29	1,766.04	1,986.80	2,428.31	2,869.82	3,311.33	3,973.60
Weeley	1,327.36	1,548.59	1,769.81	1,991.04	2,433.49	2,875.95	3,318.40	3,982.08
Wix	1,342.19	1,565.89	1,789.59	2,013.29	2,460.69	2,908.09	3,355.48	4,026.58
Wrabness	1,313.19	1,532.06	1,750.92	1,969.79	2,407.52	2,845.25	3,282.98	3,939.58

HUMAN RESOURCES AND COUNCIL TAX COMMITTEE

23 FEBRUARY 2023

REPORT OF ASSISTANT DIRECTOR (PARTNERSHIPS)

A.2 PAY POLICY STATEMENT 2023/24

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To present the Council's Pay Policy Statement for 2023/24.

EXECUTIVE SUMMARY

The Localism Act 2011 Section 38 (1) requires the Council to prepare a Pay Policy Statement each year. The Pay Policy Statement must articulate the Council's approach to a range of issues relating to the pay of its workforce, particularly its senior staff (*or 'Chief Officers'*) and its lowest paid employees.

The matters that must be included in the statutory Pay Policy Statement are as follows:

- A local authority's policy on the level and elements of remuneration for each Chief Officer.
- A local authority's policy on the remuneration of its lowest-paid employees (*together with its definition of "lowest-paid employees" and its reasons for adopting that definition*).
- A local authority's policy on the relationship between the remuneration of its Chief Officers and other Officers.
- A local authority's policy on other aspects of Chief Officers' remuneration: remuneration on recruitment increases and additions to remuneration, use of performance related pay and bonuses, termination payments and transparency.

The Pay Policy Statement 2023/24 has been designed to give an overview of the Council's framework regarding pay and rewards for staff within the Council. This framework is based on the principle of fairness and that rewards should be proportional to the weight of each role and each individual's performance. The framework also aims to ensure the ability of the Council to recruit talented individuals whilst ensuring value for money for the residents of Tendring.

The Conditions of Employment with Tendring District Council, including pay, in the main conform to those established for local government generally by the National Joint Committee (NJC). Agreements reached by the NJC are 'collective agreements'.

The HR & Council Tax Committee will recall that the Council worked with the East of England Local Government Association last year to carry out an independent review of our pay structure. This led to some options to support best use of the NJC pay spine in alignment with the employment market. These included, salary and benefits benchmarking, improved marketing of vacancies and employment offer and expanding our well-established "grow your own" ethos. These options are currently being considered as part of the Assistant Director change programme.

There is limited change reported in the 2023/24 Statement with the exception of the application of the agreed 2022/23 pay award. There are particular significant changes at the bottom end of the pay spine following agreement between National Employers and National Unions of an increase of £1,925 on all NJC pay points 1 and above (*a percentage increase of between 10.5% and 4.04% across the pay spine*).

Furthermore, as part of the 2022/23 pay award, the NJC has agreed that from 1 April 2023, Spinal Column Point (SCP) 1 will be permanently deleted from the NJC pay spine. Therefore, any employees currently placed on SCP 1 will be assimilated across to SCP 2 from this date.

The Committee should also note that work is underway to update the Council's Allowances Policy, specifically around out of hours responses to emergency incidents. This policy supplements the Pay Policy Statement, however, is not the subject of this report.

This Statement will be published on the Council's website following each review and approval by Full Council.

RECOMMENDATION(S)

It is recommended to Human Resources & Council Tax Committee that the Pay Policy Statement 2023/24, set out in Appendix A, be adopted.

REASON(S) FOR THE RECOMMENDATION(S)

In order to comply with the requirements of the Localism Act 2011, Section 38, (1) the Council must adopt and publish an annual Pay Policy Statement.

ALTERNATIVE OPTIONS CONSIDERED

There is no alternative option to consider, as this is a statutory requirement that the Council must comply with.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The Council's annual consideration and formal adoption of a Pay Policy Statement is part of the Council's governance framework and provides transparency for the residents of Tendring, therefore, contributing to the Corporate Plan 2020/24 priority requirement of 'strong finances and governance'.

The framework identified in the Pay Policy Statement aims to ensure the ability of the Council to recruit talented individuals, thus contributing to the Corporate Plan 2020/24 priority of 'delivering high quality services'.

LEGAL REQUIREMENTS (including legislation & constitutional powers)

Schedule 2 of Part 3 of the Constitution delegates to Full Council the preparation and approval of a Pay Policy Statement for the upcoming financial year in accordance with Chapter 8 of the Localism Act 2011.

Supplementary provisions relating to Statements

- (1) A relevant authority's Pay Policy Statement must be approved by a resolution of the authority before it comes into force.
- (2) Each Statement must be prepared and approved before the end of the 31 March immediately preceding the financial year to which it relates.
- (3) A relevant authority may by resolution amend its Pay Policy Statement (*including after the beginning of the financial year to which it relates*).
- (4) As soon as is reasonably practicable after approving or amending a Pay Policy Statement, the authority must publish the Statement or the amended Statement in such manner as it thinks fit (*which must include publication on the authority's website*).

FINANCE AND OTHER RESOURCE IMPLICATIONS

The Conditions of Employment with Tendring District Council in the main conform to those established for local government by the NJC, commonly known as the 'Green Book'. Agreements reached by the NJC are 'collective agreements' and if they are incorporated into employees' contracts of employment, then the changes take effect automatically.

The Pay Policy for 2023/24 provides updated information on the Council's pay spine and remuneration arrangements.

There is limited change reported in the 2023/24 Statement with the exception of the application of the agreed 2022/23 pay award. There are particular significant changes at the bottom end of the pay spine following agreement between National Employers and National Unions of an increase of £1,925 on all NJC pay points 1 and above (*a percentage increase of between 10.5% and 4.04% across the pay spine*).

At the time of writing, the position regarding the pay award for 2023/24 remains outstanding between National Employers and National Unions.

USE OF RESOURCES AND VALUE FOR MONEY

External Audit expect the following matters to be demonstrated in the Council's decision making:

- A) *Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;*
- B) *Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and*
- C) *Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.*

As such, set out in this section the relevant facts for the proposal set out in this report.

The following are submitted in respect of the indicated use of resources and value for money indicators:

<p>A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;</p>	<p>Tendring District Council recognises in the context of managing public resources, remuneration at all levels needs to be of an adequate level in order to secure and retain high quality employees dedicated to the service of the public, whilst ensuring value for money to the public purse.</p> <p>The primary aim of the Pay Policy is to set a framework to attract, retain and motivate staff to ensure the organisation can perform at its best.</p>
<p>B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and</p>	<p>Publication of the annual Pay Policy Statement is a statutory requirement for the authority. In line with the Localism Act 2011 section 38 (1), this must be approved by Full Council and published on the Council's website.</p> <p>The Council follows the transparency requirements on remuneration as set out in the Local Government Transparency Code 2015.</p> <p>The Council's annual Statement of Accounts is published on the authority's website this includes a detailed analysis of the pay, benefits and pension entitlements for Chief Officers.</p> <p>Our transparency pages also include a full list of monthly salaries information across all pay bands.</p>
<p>C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.</p>	<p>As a major employer in the district, the Council's ambition is to contribute to building a more prosperous local community by modelling good employment practice, including ensuring fairness in the way that it pays and rewards its existing and future employees.</p>
<p>MILESTONES AND DELIVERY</p>	
<p>(a) Human Resources & Council Tax Committee 23 February 2023 (b) Full Council 2 March 2023 (c) Publication to TDC Website 3 March 2023</p>	
<p>ASSOCIATED RISKS AND MITIGATION</p>	
<p>By not adopting the Council's Pay Policy Statement 2023/24, the Council would be in breach of legislation thereby risking reputational damage.</p> <p>The Council would also not be able to comply with Section 41 of the Localism Act 2011 (<i>requirement for determinations relating to terms and conditions of Chief Officers to comply with Pay Policy Statement</i>) in appointing officers on such reasonable terms and conditions as the authority thinks fit.</p>	

OUTCOME OF CONSULTATION AND ENGAGEMENT

Full consultation has taken place with the local Unison Branch Executive and they are supportive of the proposed statement for 2023/24 and its adoption.

EQUALITIES

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society.

In line with the Public Sector Equality Duty, public bodies such as the Council must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

The Council is committed to being an inclusive employer in all of its people policies and practices.

In determining the pay and remuneration of all of its employees, the Council will comply with all relevant employment legislation.

The Council ensures its pay structures and all pay differentials can be objectively justified through the use of the NJC job evaluation mechanism (*with the exception of Chief Officer remuneration*) which directly determines the relative levels of posts in grades according to the requirements, demands and responsibilities of the role.

Since 2018, the Council has been required to publish mandatory gender pay gap reporting in order to meet the requirements of the Equality Act 2010 (*Specific Duties and Public Authorities*) Regulations 2017.

Data for the 2023/24 reporting period shows the following:

- At an organisational level, male and female employees represent 43% and 57% respectively.
- Each reporting quartile is broadly representative of the overall staff ratio for the organisation, within a tolerance of 3%.
- There is no material disparity at each pay level within the organisation, when viewed within the context of the UK average (*ONS October 2021*).

The Council's pay gap will continue to be subject to review and if any substantial gaps are identified as the Council interprets data, a suitable action plan will be prepared.

SOCIAL VALUE CONSIDERATIONS

The Council aims to lead by example as a major local employer. This includes following recognised best practice and keeping up to date with legislation.

Examples of this include being a Disability Confident Leader and an Employer Recognition Scheme Gold Award holder; both of these commit the authority to being an advocate in these areas.

IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2030

This report has no direct implication on the Council's aspiration to be net zero by 2030.	
OTHER RELEVANT IMPLICATIONS	
Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.	
Crime and Disorder	N/A
Health Inequalities	N/A
Area or Ward affected	None directly.
ANY OTHER RELEVANT INFORMATION	
None	

PART 3 – SUPPORTING INFORMATION

BACKGROUND
The Localism Act 2011 required this Council to produce a Pay Policy Statement by 31 March 2012 and every subsequent financial year thereafter.
PREVIOUS RELEVANT DECISIONS TAKEN BY COUNCIL/CABINET/COMMITTEE ETC.
Full Council adopted the Pay Policy Statement for 2022/23 at its meeting on 25 January 2022.
BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL
Chief Officer Structure Chart.

APPENDICES
Appendix – Pay Policy Statement 2023/24.

REPORT CONTACT OFFICER(S)	
<i>Include here the Name, Job Title and Email/Telephone details of the person(s) who wrote the report and who can answer questions on the content.</i>	
Name	Katie Wilkins
Job Title	HR & Business Manager
Email/Telephone	kwilkins@tendingdc.gov.uk 01255 686315

Tendring District Council Pay and Reward Policy

2023/24

A.2 APPENDIX

Introduction

Section 38 (1) of the Localism Act 2011 requires local authorities to produce an annual Pay Policy Statement. The provisions within the Act do not seek to change the right of each local authority to have autonomy on pay decisions, however, it emphasises the need to deliver value for money for local taxpayers.

This statement is approved by Full Council and published on the Council's website at the earliest opportunity.

Tendring District Council recognises in the context of managing public resources, remuneration at all levels needs to be of an adequate level in order to secure and retain high quality employees dedicated to the service of the public, whilst ensuring value for money to the public purse. The Council's vision includes the provision to adopt a reward strategy that is modern, sustainable, fair and transparent and rewards its workforce appropriately for their contribution to the Council.

The Council follows the transparency requirements on remuneration as set out in the Local Government Transparency Code 2015. This Code was issued to meet the government's desire to place more power into citizens' hands to increase democratic accountability and make it easier for local people to contribute to the local decision-making process and help shape public services.

Part of the Code includes publishing information relating to the remuneration of senior officers within a local authority. A full list of senior remuneration and monthly salaries information across all pay bands is available and published on the Council's website www.tendringdc.gov.uk.

The Council's Statement of Accounts includes details of all Chief Officers pay.

The HR Committee has responsibility for the terms and conditions of service for all staff and ensures that remuneration is set within the wider pay context giving due consideration to the relationship between the highest and lowest paid in the organisation.

The matters that must be included in the statutory Pay Policy Statement are as follows:

- A local authority's policy on the level and elements of remuneration for each Chief Officer (*for Tendring District Council this comprises the Chief Executive, and Management Team for the authority, which includes the Monitoring Officer and the Section 151 Officer*).
- A local authority's policy on the remuneration of its lowest-paid employees (*together with its definition of "lowest-paid employees" and its reasons for adopting that definition*).
- A local authority's policy on the relationship between the remuneration of its Chief Officers and other officers.
- A local authority's policy on other aspects of Chief Officers' remuneration: remuneration on recruitment, increases and additions to remuneration, use of performance related pay and bonuses, termination payments and transparency.

Purpose of the Statement

The Pay Policy Statement 2023/24 has been designed to give an overview of the Council's framework regarding pay and rewards for staff within the Council. The framework aims to ensure the ability of the Council to recruit talented individuals whilst ensuring value for money for the residents of Tendring.

Tendring District Council requires high calibre leaders within the organisation to deliver high quality public services, especially in difficult fiscal conditions. Taxpayers should be assured of value for money, with public resources not used inefficiently on excessive senior salaries. The primary aim of the Pay Policy is to set a framework to attract, retain and motivate staff to ensure the organisation can perform at its best. Research shows that individuals are attracted, retained and engaged by a range of both financial and non-financial rewards, so a coherent link between reward and the overall approach to people management leads to the best possible outcome.

Managing Remuneration

Tendring District Council has a fair, equitable and transparent approach to remuneration in accordance with equal pay legislation. This includes incremental progression based on length of service and more proactively on:

- Achieving annual performance levels;
- Development progression against defined frameworks (Career Progression for many posts).

Determination of Grade and Salary for Chief Officers and lowest paid Employees

The Council's Pay Policy is influenced by a number of factors which include market information, market forces and budgetary position. Pay ranges are revisited from time to time to ensure they remain appropriate when benchmarked against external independent appropriate compensation surveys, applicable to each role.

The Council has adopted the National Pay Grades, as set out by the National Joint Council (NJC), and is subject to the national negotiations regarding pay and conditions of service (*commonly known as the 'Green Book'*). Within the current pay structure there are 21 Pay Bands and 81 Incremental Pay Points.

However, as part of the 2022/23 pay award, the NJC has agreed that from 1 April 2023, Spinal Column Point (SCP) 1 will be permanently deleted from the NJC pay spine. Any employees currently placed on SCP 1 will be assimilated across to SCP 2. Therefore, from this date, there will be 80 Incremental Pay Points.

Apprentices are not included as they have a contract for learning and training with the Council, rather than an employment contract and are paid according to the Government approved apprenticeship pay rates.

The values of the SCP's are updated by the national pay awards and the Council is notified of any changes by the National Joint Council for Local Government.

Employees who are new to the Council and Local Government are usually appointed at the first point of the salary banding, save for exceptional circumstances.

National Single Status and the NJC Job Evaluation Scheme have been adopted by the Council with locally agreed conventions, which at the time of adoption were negotiated and agreed with local union officials. Training has been provided by the Regional Employers (EELGA) to ensure that there are a sufficient number of managers and union officials within the organisation who have the skills to implement and apply job evaluation within the Council. This Job Evaluation Scheme is recognised by employers and trade unions nationally and the scheme allows for robust measurement against set criteria resulting in fair and objective evaluations.

Chief Officers are not subject to the NJC Job Evaluation Scheme. Chief Officers pay is subject to benchmarking, with pay rates set to attract and retain key employees. The agreement of pay is subject to Equal Pay legislation.

As part of the Senior Management Review undertaken in 2020, it was agreed that Chief Officers would move away from incremental progression to career graded posts, whereby performance is assessed and reviewed annually according to the competency criteria within the job description and career grade. This process includes a panel evaluation process and moderation.

The authority's highest paid employee is the Chief Executive with a salary range of £130,203 - £139,365.

With effect from 1 April 2020, an allowance for the role of Deputy Chief Executive was introduced. This allowance is payable if/when the Chief Executive requires a Deputy Chief Executive to cover particular roles and functions in their absence. The current rate of this allowance is £3,000 per annum. From April 2022 and moving forward, this allowance and that paid for the Statutory Officer roles (*Monitoring Officer and Section 151 Officer*) are index linked to the NJC inflationary awards.

Car mileage, motorcycle and bicycle payments for all employees are paid at the Inland Revenue Rate. This is currently £0.45/mile (*for the first 10,000 miles, after which a rate of £0.25/mile is applicable*) for car mileage, £0.24/mile for motorcycles, and £0.20/mile for bicycles.

Use of the Inland Revenue Rate enables the Council to have a fair and consistent rate of reimbursement for business mileage across the Council.

On official business, and to encourage Officers to car share on business journeys, the Council has also adopted the additional 5p per passenger, per mile in accordance with Inland Revenue guidance.

Other allowances payable within the Council include the following:

- Committee Attendance
- Overtime Payments
- Standby Payments

AAAA

- Disturbance Payments
- First Aider Payments

The Council's Allowances Policy, supplements the Pay Policy Statement this, recognises that on occasion officers will be required to respond outside of standard working hours to provide services to its residents.

The principles of this policy are as follows:

- To ensure staff are paid in a consistent way throughout the organisation;
- To compensate staff providing a contractual out of hour's standby service to meet the Council's statutory duties;
- To ensure that payment structures are fair and sustainable for the future;
- The Council wants to be a responsible employer to meet the health and safety and well-being needs of staff by encouraging the use of TOIL for recovery from supporting service delivery outside of standard working hours.

Within Tendring District Council there are three distinct categories of service provision:

- 1) Services that have 24 hour, 7 day a week scheduled provision;
- 2) Services that are delivered predominantly during standard office hours, but also provide a standby service outside of these hours. Standby is used to address calls that require attention which cannot wait until standard opening hours;
- 3) Services delivered during standard office hours, occasionally needing to provide an extra response on an ad hoc basis.

In addition, the Council has a statutory requirement to maintain an Emergency Response service for the district. Officers who support this service (*in an on-call capacity*) are referred to as First Call Officers.

Furthermore, the Council's Emergency Planning Manager holds a staff call down list, whereby, staff are stood up when an emergency incident occurs.

A review of the Emergency Planning allowances is currently being undertaken, any changes to rates of payment will be fully outlined in the Council's Allowances Policy.

The following overtime arrangements were introduced from 1 April 2018:

- Staff up to SCP 43 (the top of Grade 11) can claim overtime. Overtime will only be paid if the time off is not an option for operational service delivery. Overtime must be authorised in advance by the relevant Corporate Director;
- Overtime will be paid at plain rate only for Category 2 and 3 services;
- Category 1 services may be paid enhanced rates of overtime for evenings, weekends and bank holidays for those staff having already worked 37 hours any one week.

The Council does not currently operate any bonus schemes.

With effect from 1 April 2020, the Council adjusted subsistence rates to mirror HMRC rates of reimbursement and to ensure alignment with mileage payments. Any payment is made on production of actual receipts and subsistence payments are only allowable when an Officer is working outside of the District.

The current rates of reimbursement are as follows:

Working outside of the District for more than 5 Hours - £5

Working outside of the District for more than 10 Hours - £10

Working outside of the District for more than 15 Hours, or if the travel is ongoing after 8pm - £25

In a personal capacity as (Deputy/Local/Acting) Returning Officer, the holder of the post of Chief Executive is separately remunerated in respect of his statutory duties at Parliamentary, European Parliamentary, Referendums, County, Police and Crime Commissioner and District and Parish Council Elections.

Fees for conducting Parliamentary, European Parliamentary Elections, Police and Crime Commissioner Elections and National Referendum are determined by way of a Statutory Instrument.

In respect of acting as Deputy Returning Officer at elections of County Councillors, reference is made to the Scale of Fees and Expenses payable at Elections of County Councillors determined by Essex County Council.

The fee for undertaking the role of Returning Officer in respect of District and Parish Council Elections is by reference to the Scale of Fees and Expenses payable to the Returning Officer at elections of District and Parish Councillors.

During the 2021/22 financial year, remuneration received by the holder of the post of Chief Executive in relation to Returning Officer duties was £12,224.

The Council is an admitted body of the Local Government Pension Scheme and Essex County Council administers the Pension Scheme for the Council.

Transparency within Tendring District Council

Existing legislation already requires the Council to publish statements regarding remuneration each year. The Council's Statement of Accounts includes a detailed analysis of the pay, benefits and pension entitlements for all Chief Officers.

The Council will continue to publish this information on an annual basis and it is readily available to view on the Council's website www.tendringdc.gov.uk. This information also includes a structure of the Council's Chief Officers.

Following the 2022/23 pay award, remuneration for the lowest spinal column point on the authorities' pay scale is £20,258 per annum, which is equivalent to £10.50 per hour. Following the deletion of SCP 1 (*as outlined above*) this will rise to £20,441 per annum, which is equivalent to £10.60 per hour.

By comparing the midpoint of the highest paid post (£134,784) and the lowest SCP on the latest agreed pay scale, post April 2023, £20,441, a multiple of 6.60 can be calculated, which is comfortably in range of the pay multiple cap for Local Government pay as detailed in the Hutton Review of Fair Pay in the Public Sector.

The Council aims to keep this multiple under review to ensure that it is kept at an appropriate level.

The current median pay for 'Chief Officers' (*excluding the Chief Executive*) is £79,717 (*this is based on full time equivalent annual salary, excluding election fees*).

The current median pay for employees (*excluding Chief Officers and the Chief Executive*) is £31,681.

The Council publishes a monthly report of salaries paid, by pay band and the number of staff within each pay band on the Tendring District Council website- www.tendringdc.gov.uk.

Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017

Since 2018, the Council has been required to publish mandatory gender pay gap reporting in order to meet the requirements of the Equality Act 2010 (*Specific Duties and Public Authorities*) Regulations 2017. The Council has a requirement to publish data including the following:

- The mean gender pay gap;
- The median gender pay gap;
- *The mean bonus gender pay gap;*
- *The median bonus gender pay gap;*
- *The proportion of males and females receiving a bonus payment;*
- The proportion of males and females in each quartile band.

Three of the above requirements will not be applicable, as the Council does not operate bonus schemes for Officers.

The challenge within Tendring District Council and across the UK is to eliminate any gender pay gap. If any gaps are determined, as the Council interprets data, an action plan will be prepared.

Data for the 2022/23 reporting period shows the following:

Mean difference across Gender

The difference between the male and female mean hourly rate is £0.78. The male mean hourly rate is 5.8% higher than the female mean hourly rate.

Median difference across Gender

The difference between the male and female median hourly rate is £0.00.

At an organisational level, male and female employees represent 43% and 57% respectively.

Each reporting quartile is broadly representative of the overall staff ratio for the organisation, within a tolerance of 3%.

Our data shows there is no material disparity at each pay level within the organisation, when viewed within the context of the UK average (*ONS October 2021*).

This information is published on the Council's website as well as a designated Government website.

Off-Payroll working in the Public Sector (IR35)

Due to the requirement for particular specialist skills or due to peaks in workloads, the Council occasionally engages the services of agency workers or consultants for short term assignments.

With effect from 1st April 2017, HMRC updated the requirements and regulations for off payroll workers within the public sector. From this date, individuals working through their own company in the public sector are no longer responsible for determining the application of intermediaries' legislation and paying the relevant tax and NICs. This responsibility was moved to the public sector employer.

The Council has undertaken and reviewed the current status of all workers with individual agencies and HMRC, all of which are compliant with the legislation.

Severance Payments

The Council has adopted policies regarding severance payments. Full details can be found in the following;

- Organisational Change and Redundancy Policy;
- Flexible Retirement Policy.

In the case of the Organisational Change and Redundancy Policy the authority looks to ensure that the policy is workable, affordable and reasonable having regard to foreseeable costs.

For severance, all policies and payments are the same for the "lowest paid employee" and the Chief Officers of the Council.

Tendring District Council needs to ensure sufficient flexibility in order to respond to unforeseen circumstances and there may be occasions when the Council has to take a pragmatic approach to severance. Any enhanced severance agreements will not be entered into without the advice of the External Auditor and will adhere to current legislation.

Other Rewards

The Council has both financial and non-financial rewards for staff; in order to reflect the different expectations and priorities of staff as follows:

- Access to the Local Government Pension Scheme for all staff;
- Learning & Development;
- 'Salary Sacrifice' schemes, such as a cycle to work scheme (*being tax efficient and at nil cost to the Council*);
- Health schemes – the Council has been able to offer a number of Weight Management courses and Health Checks for employees in partnership with ACE and PROVIDE and at nil cost to the Council;
- Occupational Health and a fully funded Employee Assistance Programme;
- Additional career development opportunities – secondments, special projects, flexible working and recognition through awards such as the Celebration of Success and STARS events;
- Free car parking;
- Flexi time scheme;
- Discounted gym membership;
- Additional days annual leave granted after 5 years of continuous service with Tendring District Council.

There are no rewards that only benefit Chief Officers within the Council.

Review of the Pay Policy Statement

The Localism Act stipulates that the Council's Pay Policy Statement should be kept under regular review on an annual basis. This includes a publication of the salaries of the most senior employees within the organisation compared to the lowest paid employees.

The Human Resources & Council Tax Committee and Full Council approve this Policy.

The Human Resources & Council Tax Committee will take responsibility for the role of the Council's Remuneration Panel. In fulfilling this role the Committee will ensure that decisions will be based on the following:

- Supporting the achievement of the Council's aims;
- Taking account of wider public sector pay policy and good practice;
- Are proportionate, fair and equitable and support equal pay principles;
- Taking account of appropriate pay differentials;
- Attracting, retaining and motivating Officers of the right quality and talent;
- Taking account of the resources required in transitioning to any revised arrangements.

Other Policies

The Council has a number of policies that could have a financial benefit and should be read in conjunction with this Pay Policy Statement including the following:

AAAA

- Allowances Policy;
- Organisational Change and Redundancy Policy;
- Market Forces Policy;
- Flexible Retirement Policy;
- Acting Up Policy;
- Relocation Policy;
- Long Service and Retirement Gifts Policy.

All of the above policies apply equally to all employees of Tendring District Council irrespective of their seniority.

HUMAN RESOURCES & COUNCIL TAX COMMITTEE

23 FEBRUARY 2023

REPORT OF ASSISTANT DIRECTOR (PARTNERSHIPS)

A.3 VOLUNTEER POLICIES

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To introduce to the Human Resources & Council Tax Committee a suite of proposed policies to support the volunteering activities within the Council namely, a Volunteer Policy and an Employee Volunteering and Public Duties Policy which, if agreed, will be implemented by the Council.

EXECUTIVE SUMMARY

The purpose of introducing a suite of Volunteer Policies is to outline the Council's commitment to encouraging members of the local community to undertake voluntary roles with the Council and to support existing employees who wish to undertake voluntary work within the local community or for charitable institutions.

The Council recognises that by encouraging and supporting volunteers, it is able to increase the services it offers, help build relationships with the local community, develop employees/volunteers and improve how the Council is perceived within the local community.

Employees who volunteer can share the skills that they have developed at work to help the community, and also learn new skills through volunteering. This may include, for example, leadership qualities; and improve their morale, physical health and work-life balance.

The Policies outline: -

- Our commitment to volunteering, volunteers and employees who volunteer in our local community;
- The recruitment, induction and management of volunteers;
- Conflict of interest considerations where existing staff request to volunteer for external bodies in the local community;
- Guidance on time off or changing working hours for existing staff who wish to volunteer; and
- Key policies and procedures that need to be considered when supporting volunteers.

These policies should be read in conjunction with the Work Placement Policy (October 2022), which was endorsed by the HR and Council Tax Committee at its meeting on the 11 October 2022.

Unison has been consulted on the full suite of Volunteer Policies and have offered agreement and support for their implementation.

Furthermore, consultation on the Volunteer Policy has taken place with Payroll (*for insurance purposes*), Public Realm as a significant host of volunteers and Health & Safety colleagues (*for Risk Assessment purposes*). All of whom have offered agreement and support of its implementation.

RECOMMENDATION(S)

It is recommended to the Human Resources & Council Tax Committee that the Volunteer Policy (January 2023) and the Employee Volunteer and Public Duties Policy (January 2023), as set out in Appendices A and B respectively, be adopted.

REASON(S) FOR THE RECOMMENDATION(S)

In order to comply with the requirements of Part 3 of the Council's Constitution, and the delegated powers within, the HR & Council Tax Committee are required to approve these policies as follows:

"Human Resources; The discharge of the following Part II – miscellaneous functions as set out in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended), and as detailed in Appendix 1 to Part 3 of the Constitution: Agreement of key personnel policies."

ALTERNATIVE OPTIONS CONSIDERED

There is no alternative option to consider, as these policies outline the Council's statutory obligations with regard to the engagement of volunteers, and employees who undertake voluntary public duties.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The adoption of the Volunteer Policies consolidates the Council's commitment to serving and engaging with the local community and service users. Both policies provide transparency for the residents of Tendring and employees on the authority's position when engaging individuals as volunteers. Therefore contributing to the Corporate Plan 2020/24 priority requirement of developing 'community leadership through partnerships, building sustainable communities for the future, and growing an inclusive economy'.

In addition, the Volunteer Policy aims to ensure the ability of the Council to recruit talented volunteers, thus contributing to the Corporate Plan 2020/24 priority of 'delivering high quality services'.

LEGAL REQUIREMENTS (including legislation & constitutional powers)

There is no statutory requirement on the Council to have a Volunteer Policy, however the Council has a number of statutory obligations when engaging the services of volunteers, as

follows:

Equality Act 2010
Health and Safety at Work Act 1974
Health and Safety (Training for Employment) Regulations 1990
Management of Health and Safety at Work Regulations 1999
HSE Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013
Data Protection Act 2018
Employment Rights Act 1996
Immigration and Asylum Act 1999
Criminal Justice Act 1991
Rehabilitation of Offenders Act 1974

Furthermore, the Employee Volunteering and Public Duties Policy outlines our statutory requirements when allowing staff time off for public duties.

As this suite of policies is new, it is appropriate for the HR & Council Tax Committee to approve these in accordance with the delegated powers as set out in Part 3 of the Council's Constitution.

FINANCE AND OTHER RESOURCE IMPLICATIONS

The Volunteer Policy provides for volunteers to receive out of pocket expenses and equipment, as necessary.

In addition, the Employee Volunteering and Public Duties Policy provides for paid time off for employee's undertaking certain public duties and unpaid time off or flexible working arrangements which might result in resource and financial implications for the Council. However, these should be minimal and managed within existing budgets.

USE OF RESOURCES AND VALUE FOR MONEY

It is envisaged that to implement these Volunteer Policies, minimal additional resources will be required. Where additional financial costs and resources are required, for example a manager's time to recruit, support and develop a volunteer, the benefit and contribution of the volunteer would outweigh any cost to the Council.

The following are submitted in respect of the indicated use of resources and value for money indicators:

A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;	A volunteer is a person who freely gives their time, skills and experience without expectation of financial reward. The Council does not aim to introduce volunteers to replace paid staff but instead to complement their work and extend our services.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and	The Volunteer Policy will ensure that volunteers are properly integrated into the organisational structure and that mechanisms are in place for them to contribute to Council's work, whilst minimising risk.

	A Volunteer Agreement which outlines the Council's responsibilities to the volunteer and their responsibilities to the Council will be signed by all parties.
C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.	Volunteering provides the following benefits for the individual: <ul style="list-style-type: none"> - An introduction to a public sector organisation; - Opportunities to develop interests and skills through experience and training; - Opportunities to learn new skills and to put them into practice with support from the team; - The chance to gain experience within a supportive environment (<i>this can be valuable looking for paid work and a reference</i>).
MILESTONES AND DELIVERY	
(a) Agreement of Work Placement Procedure on 11 October 2022 (b) Human Resources & Council Tax Committee 23 February 2023 (c) Officer Decision 28 February 2023 (d) Publication to TDC Website 1 March 2023	
ASSOCIATED RISKS AND MITIGATION	
<p>By not adopting the Volunteer Policy there are minimal risks to the Council, however there could be reputational damage where individuals wishing to volunteer within the Council are not treated fairly and consistently. Furthermore, the policy provides a framework to outline the Council's responsibilities to the volunteer and their responsibilities to the Council.</p> <p>The Employee Volunteering and Public Duty Policy outlines certain statutory obligations for the Council. Failure to follow these statutory obligations could result in legal action being taken by an employee against the Council.</p>	
OUTCOME OF CONSULTATION AND ENGAGEMENT	
Full consultation has taken place with the local Unison Branch Executive and they are supportive of the full suite of Volunteer Policies.	
EQUALITIES	
<p>The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society.</p> <p>In line with the Public Sector Equality Duty, public bodies such as the Council must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.</p>	

The Council is committed to being an inclusive employer in all of its people policies and practices, which it extends to volunteers.

In determining the Volunteer Policies, the Council will comply with all relevant employment legislation and identified best practice.

As a Disability Confident Leader, the Council will proactively identify and facilitate ways to recruit and involve individuals who have a disability. The Council will take an active leadership role in encouraging and working with local communities and employers to involve individuals with disabilities in voluntary activities, and to support employees who wish to volunteer for local charities.

Having undertaken an Equality Impact Assessment, the conclusion is that the proposal does not impact on the protected characteristics.

SOCIAL VALUE CONSIDERATIONS

The Volunteer Policy will promote growth and development opportunities for all within the local community and ensure that they have access to opportunities to develop new skills and gain meaningful employment.

Whilst the Employee Volunteering and Public Duty Policy encourages employees who volunteer to share the skills that they have developed at work to help the local community.

The Council aims to lead by example as a major local employer. This includes following recognised best practice and keeping up to date with legislation.

Examples of this include being a Disability Confident Leader and an Employer Recognition Scheme Gold Award holder; both of these commit the authority to being an advocate in these areas.

IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2030

This report has no direct implication on the Council's aspiration to be net zero by 2030.

OTHER RELEVANT IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder	Not applicable
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Health Inequalities	Not applicable
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Area or Ward affected	Not applicable
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ANY OTHER RELEVANT INFORMATION

The Council's Reservist Policy outlines in further detail our commitments to those serving as a Reservist.

The Advisory, Conciliation and Arbitration Service (Acas) provide further advice and guidance on engaging volunteers and time off work for public duties.

PART 3 – SUPPORTING INFORMATION

BACKGROUND

The Council recognises that the involvement and contribution of volunteers within the Council can:

- Help reflect and build a bridge between us and the community we serve;
- Help us engage with hard to reach service users;
- Service users may engage differently with volunteers (peers) than with staff; and
- Volunteers may bring diversity which enriches the Council.

The adoption of these Volunteer Policies will provide clear guidance to managers, employees, prospective and current volunteers to encourage the involvement of volunteers and voluntary activities.

They demonstrate the Council's overall commitment to, and recognises the value of volunteering and voluntary activities.

The implementation of the policies will be supported by the training, coaching and mentoring of managers to enable them to be effective Volunteer Supervisors, which will maximise the benefits of engaging volunteers within the Council.

PREVIOUS RELEVANT DECISIONS TAKEN BY COUNCIL/CABINET/COMMITTEE ETC.

The Work Placement Policy - October 2022 which was endorsed by the HR and Council Tax Committee at its meeting on the 11 October 2022.

BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL

There are no background papers or published reference material associated with this report.

APPENDICES

Appendix A – Volunteer Policy January 2023

Appendix B – Employee Volunteering and Public Body Policy January 2023

REPORT CONTACT OFFICER(S)

Include here the Name, Job Title and Email/Telephone details of the person(s) who wrote the report and who can answer questions on the content.

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VOLUNTEER POLICY

A.3 APPENDIX A

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1. PURPOSE OF THE POLICY

Tendring District Council encourages and welcomes volunteers to ensure our services meet the needs of our residents, and increases our contact with the local community it serves.

A volunteer is a person who freely gives their time, skills and experience without expectation of financial reward. Tendring District Council recognises the significant benefits that volunteers bring and in return hopes to provide an opportunity for volunteers/students to exercise their skills and undertake new experiences.

This policy sets out the relationship between a volunteer and the Council, and promotes the Code of Conduct for volunteers.

Throughout the policy, reference is made to volunteers; this term will be used to include Student Placement Volunteers who are placed by an education establishment to undertake a period of work experience. Where a volunteer is on a Work Placement, this policy should be read in conjunction with the Work Placement Procedure.

2. PRINCIPLES AND VALUES

This volunteering policy is underpinned by the following principles:

- The Council will ensure that volunteers are properly integrated into the organisational structure and that mechanisms are in place for them to contribute to Council's work.
- The Council does not aim to introduce volunteers to replace paid staff but instead to complement their work and extend our services.
- The Council expects that staff at all levels will work positively with volunteers and, where appropriate, will actively seek to involve them in their work.
- The Council recognises that volunteers require satisfying work and personal development and will seek to help volunteers meet these needs, as well as providing the training for them to do their work effectively.
- The Council is proud of our commitment to equal opportunities and seeks to create a diverse and inclusive working environment for staff and volunteers.
- The Council understands and recognises the value of volunteering and the opportunity it provides to meet other people and will encourage team working in a friendly, supportive atmosphere.

3. STATUS OF VOLUNTEERS

A volunteer is not an employee and will not have a contract of employment with the Council.

Upon the successful selection of a volunteer/student, an agreement will be issued; this agreement is not intended to be a legally binding agreement, nor is it intended to create an employment relationship between both parties.

Any agreement is in honour only. In all circumstances, the volunteer/student is not bound to work, and the Council is not bound to find work for any volunteer/student.

The provision of payment, benefits in kind or inappropriate training may all indicate employment and also trigger the requirement to pay the minimum wage under the national Minimum Wage Act.

Other considerations to be aware of include the following:

- The organisation will be held liable if the volunteer is acting in breach of instructions or outside of their authorised duties.
- There is employment case law where volunteers have been deemed to be workers as the volunteer agreement mirrored that signed by employees within the organisation e.g. detailing hours, training, work facilities and agreement to other conditions of service.
- Volunteers who are under 18 will be subject to the Work Placement Procedure guidelines.
- The department needs to consider what activities the volunteer will do and who will provide supervision and support.

The Volunteering Policy does not apply to Elected Councillors. There may be occasions when Officers are undertaking pieces of work in a specific ward e.g. community safety action days , tree planting or litter picking and an Officer and Ward Councillor agree for the Ward Councillor to be involved . However, any involvement should not be used for political promotion.

4. WHY VOLUNTEER FOR TENDRING DISTRICT COUNCIL?

Volunteers within Tendring District Council, have the opportunity to make a real difference to the organisation, and to the District as a whole. During the course of the period of volunteering/student placement, the benefits may include:

For the volunteer/student

- An introduction to a public sector organisation;
- Opportunities to develop interests and skills through experience and training;
- Opportunities to learn new skills and to put them into practice with support from the team;
- The chance to gain experience within a supportive environment (*this can be valuable looking for paid work and a reference*).
- An opportunity to meet other people and to work as a team
- Improve the community they live in

For the Council

- To have a person giving freely of their time, skills, experience without expectation of financial reward;
- Volunteers can bring a wealth of skills and that can benefit the Council and community;
- Volunteers/students can often bring new ideas into the organisation;
- Volunteers often bring other 'life skills' into the organisation.

5. THE MANAGER'S / VOLUNTEER SUPERVISOR'S RESPONSIBILITIES

5.1. Preparing for Volunteers

Before involving volunteers in any role, the manager will ensure that the following are in place to ensure their safety and efficiency:

- A role description will be created for each volunteer opportunity. These will be available to ensure that potential volunteers, staff and the Council as a whole are clear on the purpose of the role and the main tasks and responsibilities. This will also provide a basis for support and supervision (*a template for a role description can be found in Appendix A*).
- A suitable trained and experienced manager will be responsible for recruiting, inducting, supervising, developing and supporting the volunteer. This person will be known as the 'Volunteer Supervisor'.
- The Volunteer Supervisor will ensure that volunteers have access to the necessary equipment to carry out their duties/tasks.
- The Volunteer Supervisor must ensure the necessary insurance is in place to protect volunteers whilst in their voluntary role, and the necessary policies and procedures are followed (*or steps put in place to ensure they are followed*).
- The Volunteer Supervisor must note the potential health and safety and data protection issues that need to be considered for the specific volunteer role.
- The Volunteer Supervisor must consider any costs relating to involving a volunteer including expenses, equipment and ensuring budget provision is in place with the Accountancy Team.

The Volunteer Supervisor must consider additional factors if the potential volunteer is under 18 years old. Further guidance can be found in section 6 of the Policy and the Work Placement Procedure.

5.2. Involving Volunteers: Recruitment and Selection Process

5.2.1 Promotion

The Council will ensure that all volunteer opportunities are promoted widely to increase accessibility of a diverse range of interested parties. Our recruitment will include but not be limited to online promotions through the Council's website and social media.

The Council's recruitment process will be a fair and open procedure, promoting equality of opportunity. For example, only essential skills and requirements for the role will be listed in the role description. In addition, reasonable adjustments will be made to accommodate volunteers, for example, allowing a support worker to accompany a volunteer.

5.2.2. Application form

The promotional material will clearly explain how a volunteer can get involved. An example advert is found in Appendix B.

The first step for volunteers is to fill in a short application form that asks for personal contact information, why the volunteer is interested in the role and how they meet the skills criteria. The application form (*as found in Appendix C*), once completed, should be returned to the Human Resources Team. The Volunteer Supervisor will be available to support the individual complete the application form and other documentation, and provide advice on the procedure.

5.2.3. Interview

All volunteers identified as 'suitable' (*from the application form*) will be invited to an informal interview. It is at this stage the volunteer and the Council can identify the suitability of the role to the volunteer and identify next steps (*either being invited to join the team or 'saying no'*).

5.2.4. References

If an individual is identified as suitable for a volunteer role, two references will be obtained. Where possible, these will be from individuals who have worked with the volunteer (*whether in an employment or voluntary capacity*), however, it is acknowledged this is not always possible and character references will be accepted. Although, a character referee must not be a friend or family member, rather someone that is known to the individual in a professional capacity.

5.2.5. Criminal Records Checks (DBS)

The Council will carry out criminal records checks (DBS) for any role that it deemed necessary, for example, working with children and young people or vulnerable people. Further information is available from the Human Resources Team.

Individuals who have a criminal conviction should not be deterred from applying for a volunteering role. The Council is committed to supporting the rehabilitation of offenders in accordance with the Council's Recruitment of Ex-Offenders Guidance. Individuals should be encouraged to discuss any concerns they might have with a member of the Human Resources Team.

5.2.6 Proof of Identity

Individuals will be asked to provide proof of identity. This should not be confused with proof of eligibility to work, as volunteers are not required to prove they are able to work in the UK. Following the informal interview and receipt of two references, the prospective volunteer will be asked to provide specific documentation as proof of their identity.

5.2.7 Volunteer Agreement

Following the receipt of two satisfactory references, proof of identity and Disclosure Bureau Service certificate (DBS), the volunteer will be sent a Volunteer Agreement which outlines the Council's responsibilities to them and their responsibilities to the Council. The Volunteer Agreement will also include the Code of Conduct. These documents can be found in Appendix D.

5.2.8 Saying no and referring volunteers on

The Council recognises that volunteers are an important part of their work and service, but also recognises that volunteers placed in roles not suited to their needs or interests can be

detrimental to the Council's service and to the volunteer's motivation and development. If during the application and interview process a volunteer has been identified as not suitable to the role then the manager will offer individuals an opportunity to identify other roles within the Council (*if available*) or will refer the individual to a volunteering service, such as Community Voluntary Services Tending (CVST).

5.3 Managing volunteers

The Council are committed to the ongoing support of volunteers to ensure that they are able to carry out their role, the following elements are essential to 'managing our volunteers':

5.3.1 Induction

All volunteers will undergo a six-week induction (*excluding short-term placements, such as work placements*) which is intended to help them be safe and to understand the environment they are volunteering in as well as to ensure they know where to seek help and support at all times. This induction will include:

- The background of the Council;
- The volunteer role and how this fits into the Council's and department's work;
- Ensure the volunteer understands the Code of Conduct, the Volunteer Agreement and their hours, responsibilities and tasks;
- Where the volunteer will work, resources available and who they will work with;
- Access to all relevant policies and procedures, such as health and safety, safeguarding, expenses, etc. (*See Section 5*);
- An individual risk assessment is undertaken for the volunteer;
- Day to day support from the Volunteer Supervisor or relevant identified person. This could include daily task sheets or shadowing opportunities.

As a minimum, the Volunteer's Induction should include the elements in Appendix E.

5.3.2. Training

Tending District Council recognises that its volunteers are a valuable resource, and it is committed to their training and development to achieve their maximum potential in their roles within the Council.

The Volunteer Supervisor will ensure that any mandatory training that is required for the role is clearly explained to the volunteer during their recruitment interview. The Council will provide any training essential to the role prior to the volunteer undertaking related tasks, for example, safeguarding training or manual handling.

The Council will give volunteers the opportunity to attend the same training that staff of the Council attends (*dependent on availability and suitability to role*).

5.3.3. Support

The Volunteer Supervisor will be responsible for providing ongoing and regular support sessions. The Council recognises that volunteers have different preferences and availability and so are open to this being an informal process agreed upon between the Volunteer Supervisor and the individual volunteer.

The Council requires that volunteers have an informal discussion **regularly** with their Volunteer Supervisor to discuss their work and any concerns either party might have. The Volunteer Supervisor should keep a record of these meetings, including actions and outcomes.

5.3.4. Record keeping

The Volunteer Supervisor will keep an accurate file of each volunteer. Files will include the volunteers personal contact information, their application form, role description, signed agreement, record of their interview, training attended, record of all support meetings and any concerns or complaints. This file will be treated in accordance with the Data Protection Act (1998).

5.3.5. Recognition

Although volunteers have chosen to give up their time to help the Council we understand that recognition of their contribution is vital in helping them to be part of the team, see the difference they make and to encourage others to volunteer. Where possible the Council will promote the contribution that volunteers make to our work, through internal newsletters, press releases and through our social media. The Volunteer Supervisor must ensure explicit consent is obtained from the volunteer before their name and / or photo is used on social media or other public forums.

5.3.6. Saying goodbye

The Council understands that volunteers move on for a number of reasons and so have identified steps to take to ensure a process that is smooth and beneficial to both parties. Volunteers may leave because of another opportunity, because they no longer consider the role suitable or because we have identified they are not suitable to our role. In any case the Council will:

- Arrange a support meeting with the Volunteer Supervisor (*or other identified party if necessary*) to establish the reasons for leaving or the issues we have;
- If issues can be resolved we will create an action plan to follow. This may include further training and more support;
- If the issues cannot be resolved then the volunteer may be offered an alternative role if available and appropriate;
- If the volunteer cannot be placed elsewhere an exit interview (*see Appendix F*) will be carried out to explain to the volunteer why they have been asked to leave, to thank them for their time and refer on to other volunteer services such as the CVST;
- Volunteers will be provided with a reference.

6. POLICIES AND PROCEDURES

The Council recognises that volunteers are a part of our team and should be protected and bound by Council's policies and procedures that are designed to keep all interested parties safe and ensure work is carried out to a high and consistent standard. For information about each policy please see Council's Volunteer's Handbook. Important policies to read include:

- Safeguarding
- Health and Safety

- Equality and Diversity
- Problem Solving and Complaints
- Confidentiality and Data Protection

6.1. SAFEGUARDING

All Volunteer Supervisors must ensure that volunteers are aware of, and have received, the appropriate training in the Council's Safeguarding Policy.

The Council follows the procedures outlined by the Disclosure and Barring Service to ensure the safety of children and vulnerable adults. A volunteer wishing to participate in an activity that is outlined in the DBS Criteria cannot participate in the Volunteering Activity until the Council has received a cleared DBS.

6.2. HEALTH AND SAFETY

The Health and Safety at Work Act 1974 (HSWA) protects employees and others who may be affected by work activities. This includes those volunteering for, or on behalf of the Council. The Council has a duty of care to avoid exposing volunteers to health and safety risks. All volunteers will be made aware of the Council's Health and Safety Policies and Procedures and any practical safety concerns as part of their induction. Volunteers are expected to comply with the Council's Health and Safety Procedures.

All volunteer roles will be risk assessed, covering both the tasks involved and the environment in which they will be conducted. In addition, where a volunteer makes us aware of a pre-existing medical condition or disability, an individual risk assessment may also be necessary. The Volunteer Supervisor should ensure appropriate risk assessments are carried out, and are completed, before any volunteering commences. More guidance and training is available from the Health and Safety Team.

All volunteers will be given appropriate training, safety equipment and Personnel Protective Equipment (*at no cost to the volunteer*) and information to carry out their roles safely as per the content of the completed risk assessments.

If the volunteer is on a work placement (*as outlined in the Council's Work Placement Policy*) and / or is under the age of 18, the Health and Safety (Training for Employment) Regulations 1990 and Management of Health and Safety at Work Regulations 1999, volunteer/ placement will apply. It is essential that:

- Students are properly prepared and briefed on the potential hazards in the workplace and any control measures provided to reduce or eliminate risk or injury before they start work.
- The allocated supervisor for the student and their colleagues, are aware of what is expected of them and their legal responsibilities.

It is important to be aware that more than the standard level of supervision may be required, to ensure that they work safely.

It will be the responsibility of the Volunteer Supervisor to report and record any accidents, incidents or near misses to the Health & Safety Team in accordance with HSE Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013.

6.3 EQUALITY AND DIVERSITY

Tendring District Council is a Disability Confident Leader, and are committed to equal opportunities and fair treatment for all. Whilst volunteers are not employees and are therefore not protected as employees under the Equality Act, it is not acceptable to discriminate against them. The Council will ensure that volunteering opportunities are inclusive and available to all. Volunteers still have a right not to be discriminated against, in the same way as a customer or service user has this right.

Any decisions made about a volunteer's suitability for a role, or regarding their ongoing volunteering within the Council, will be made fairly and in line with equality legislation.

There is an expectation that all our volunteers will adhere to the Council's equality policies, ensuring that their own conduct when carrying out volunteering tasks does not discriminate against others or breach equality legislation. Volunteers are advised to read the Volunteer Handbook and Code of Conduct for Volunteers.

6.4 PROBLEM SOLVING AND COMPLAINTS

As volunteers are not employees, they are unable to use the Council's Grievance Policy and Procedure. However, if a volunteer feels they have been wronged, or has a complaint they are entitled to use the Council's Complaints Procedure. Complaints by volunteers should be raised in the first instance with their Volunteer Supervisor and dealt with informally where possible. Where appropriate, the complaint will be investigated fully by the Supervisor, or if the complaint is against their own Supervisor, by another Volunteer Supervisor or line manager.

If a complaint is made against a volunteer, this will be investigated by the relevant Supervisor. Every attempt will be made to resolve the matter as quickly and informally as possible. The volunteer will be given the opportunity to respond to any complaint. If the issue cannot be satisfactorily resolved, then the volunteer may be told their services are no longer required with immediate effect. In such situations, advice must be sought from the HR Team before a final decision is made.

6.5 CONFIDENTIALITY AND DATA PROTECTION

All Volunteer Supervisors must ensure that during induction, volunteers are aware of the Council's Confidentiality and Data Protection Policies. If their role requires, volunteers must receive appropriate training.

6.6 EXPENSES FOR VOLUNTEERS

The Council does not want anyone to be financially disadvantaged as a result of volunteering. Volunteers are not paid for their time but are entitled to be paid for any out-of-pocket expenses, these are as follows:

- Travel;
- Postage and telephone costs if working from home;
- Essential equipment (*if not provided*).

Volunteers should provide receipts for any expenses they incur, and submit these to their Volunteer Supervisor.

It is important that volunteers do not receive any type of reward or payment other than expenses, as they may see this as a salary and they could be classed as an employee or worker. This would then give them some employment rights.

6.7 INSURANCE

The Council's liability insurance policies include activities of volunteers and liability towards them. The Council does not insure the volunteer's personal possessions against loss or damage. Where the volunteer drives as part of their voluntary activity, and use their own vehicle, they must ensure they possess the relevant class of insurance. Further guidance should be sought from the volunteer's own insurance company.

7. VOLUNTEERS WHO ARE UNDER 18 YEARS OLD

In addition to the Health and Safety requirements noted in section 5.2, the Council must consider additional factors if the volunteer is under the age of 18 years old in relation to their safety and wellbeing.

The Department for Children, Schools and Families provides guidance on safeguarding young people during work experience. The guidance states that where the employer does not have regular unsupervised access to the student, there is not a requirement for those staff to have undergone a DBS (Disclosure and Barring Service) check. However, DBS checks must be in place in certain circumstances and the Volunteer Supervisor should refer to the Work Placement Procedure for further information and / or seek advice from the HR Team.

8. STAFF WHO WISH TO VOLUNTEER

Staff members volunteering for a different team/service within the Council will be treated the same as an external volunteer and according to this Policy. Where an employee of the Council wishes to volunteer either internally or externally, this will be supported in accordance with the Volunteering and Public Duties Policy.

9. VOLUNTEERS IN RECEIPT OF BENEFITS

It is the responsibility of the volunteer to establish whether volunteering is going to affect their entitlement to any social security benefits. Further advice should be obtained from the Department of Work and Pensions (DWP), Job Centre Plus or Citizens Advice Bureau.

APPENDIX A – ROLE DESCRIPTION

ROLE DESCRIPTION

Tendring
District Council



Title of Role:

Department:

Reports to:

Overview of Role Description

Main Tasks and Responsibilities

- 1)
- 2)
- 3)
- 4)
- 5)

Keys skills and knowledge required

- 1)
- 2)
- 3)



Volunteer For Your Local Council - Tendring District Council

Can you give some time to help support your local community?

We are currently looking for enthusiastic volunteer to help with*add details about the tasks and responsibilities and whether any skills and experience is necessary.*

Please note, that due to the nature of this role where you will be working with children or vulnerable adults, you will be required to complete a Disclosure Bureau Service check (DBS) which will share whether you have any spent convictions or cautions. (only include if necessary for the specific role)

For more information about the role and details how to apply, please visit of Council website <https://www.tendringdc.gov.uk/>. You will be asked to complete a brief volunteer application form and then if we have a suitable role for you we will invite you to an informal interview where we *will discuss with you the role in more detail, the amount of time that you are able to commit to volunteering, when you will be available, and how your availability and skills fit with our service needs.*

Tendring District Council is proud to be a Disability Confident Leader, and are committed to equal opportunities and fair treatment for all. If this form of communication is not suitable for you, please contact us at (email and phone number), or ask someone to contact us on your behalf.

Add relevant LOGO to promotional materials.

APPENDIX C – VOLUNTEER APPLICATION FORM



Volunteer Application Form Tendring District Council
Name
Address
Under 18?
Contact Telephone number
Email address
Volunteering role applied for:
How did you find out about this opportunity?
Which days and times are you available to volunteer?
How many hours a week do you wish to work?
Do you have any experience that may be relevant to this role?
Employment status Employed/Retired/Unemployed/Student/Other
<i>If employed, please provide the name and address of your current employer and tell us your job title:</i>
Medical Declaration Please tell us about any medical conditions you have that may affect your ability to undertake this volunteer role

<p>Details of your Next of Kin</p>
<p>Reference 1</p> <p>Details of someone who can provide a reference. This person must not be a partner or family member.</p> <p>Name</p> <p>Address</p> <p>Telephone</p> <p>Email</p>
<p>Reference 2</p> <p>Details of someone who can provide a reference. This person must not be a partner or family member.</p> <p>Name</p> <p>Address</p> <p>Telephone</p> <p>Email</p>
<p>Proof of identity (Office use)</p>
<p>Criminal Record Declaration</p> <p>Please complete this section only if you have a criminal conviction which is not considered as spent under the rehabilitation of offenders act.</p> <p>Disclosure of a conviction does not automatically exclude applicants from consideration. The offence will only be taken into account if it is considered to be one which would make you unsuitable for the type of work to be done. Tendring District Council welcomes applications from ex-offenders as part of its equal opportunities policy. Many of our posts, for example those concerned with working with young people or handling considerable sums of money, involve work where an ex-offender might be in a potentially vulnerable position unless consideration of the person's background has been made from the outset. For this reason we ask you to give details of any criminal conviction which is not considered as spent under the Rehabilitation of Offenders Act 1974 (as amended). The information you provide will be treated as strictly confidential and will be considered only in relation to the job for which you are applying.</p> <p>Nature of offences</p> <p>Date sentence passed</p>

Sentence(s) or orders given by the court

Name and address of court

I certify that the information provided on this application form is correct and agree that it should form part of the basis of my engagement. I authorise Tendring District Council to Check the information I have supplied. I understand that falsification of information may lead to withdrawal of any offer of work and/or dismissal without notice.

To the best of my knowledge all the particulars I have given are true. I understand that any false statement may disqualify me from volunteering or make me liable for dismissal.

Where a valid email address has been provided, any correspondence will be sent via this form of communication.

Signature

Date

APPENDIX D – VOLUNTEER AGREEMENT

VOLUNTEER/STUDENT PLACEMENT AGREEMENT

This volunteer agreement is a description of the arrangement between us, Tendring District Council, and you, (enter the volunteer's name) in relation to your voluntary work.

We appreciate you coming to volunteer with us here, at Tendring District Council, and want to ensure that your experience with us is a rewarding and positive one. This agreement sets out our commitment to you and what we ask from you in return. It is not intended to be legally binding and may be stopped at any time by either party.

As a volunteer your time and commitment are greatly appreciated, but this is a voluntary role and you will not be paid for the work that you do. You always have the right to decline any task we ask you to undertake. You will also be provided with a volunteer role description and handbook to help you but if you have any questions, please do raise them with your Volunteer Supervisor.

Tendring District Council is committed to:

- Giving you a positive experience.
- Providing you with an induction when you start your role to introduce you to how the organisation works, and your role in it.
- Providing a named person who will be your point of contact whilst volunteering.
- Providing support throughout your volunteer experience through regular meetings with your Volunteer Supervisor and informal feedback.
- Explaining the standards we expect; and encouraging and supporting you to achieve and maintain them.
- Being flexible in relation to your volunteering hours, recognising your need for holiday time, and other commitments.
- Honouring the time commitment you have agreed to give us, and not to expect more from you unless offered and agreed.
- Providing training required to undertake the role.
- Reimbursing agreed out-of-pocket expenses following procedures set out in the Volunteer Handbook.
- Providing adequate training and information to ensure you know what to do to stay safe, in accordance with our Health and Safety Policy.
- Providing adequate insurance cover for you whilst undertaking volunteering approved, and authorised, by us.
- Ensuring that you are treated fairly and in accordance with our Equality and Diversity Policies.

- Trying to resolve fairly any issues or difficulties you may have whilst you volunteer with us before they become problems. In the event of an unresolved problem, to offer an opportunity to discuss the issue in accordance with the relevant policies.
- Following up on any feedback or questions you may have regarding your involvement as a volunteer.

The volunteer (named below) is committed to:

- Performing your volunteering role to the best of your ability;
- Providing two referees and proof of identity;
- Meeting time commitments as agreed and informing your Volunteer Supervisor if you are unable to attend;
- Following Tendring District Council’s policies and procedures and adhere to the Council’s Volunteering Code of Conduct (*see below*);
- Maintain confidentiality of any information received;
- If applicable, ensure that you inform your car insurance company you are using your own car as part of your volunteering role;
- Returning any equipment when your volunteering role ends.

This agreement is not intended to be a legally binding contract between us and may be stopped at any time by either party. We would like to take this opportunity to thank you for committing your time and experience to the role and hope that it will be a rewarding and enjoyable experience. Welcome to Tendring District Council.

Signed..... (volunteer)

Signed (on behalf of Tendring District Council)

Date

APPENDIX E – THE CODE OF CONDUCT

Tendring District Council expects all its volunteers (to whom these rules equally apply) to conform to a set of rules of conduct when they are volunteering, or in any way representing the organisation.

Volunteers are expected to behave with respect and consideration towards one another, to their Volunteer Supervisor and to any person with whom they come in contact with during the course of their volunteering. They should adhere to their agreement and should undertake the tasks allotted to them to the best of their application and ability. Some of the rules, which apply to all employees and volunteers, are shown below:

- *Volunteers should have proper regard to the terms of their placement;*
- *There should be proper, authorised and safe use of equipment, time and property;*
- *Volunteers should satisfactorily follow the instructions given for performing the function of their role;*
- *Volunteers should satisfactorily perform any reasonable request appertaining to their function by an authorised manager;*
- *In the event of absence, it is essential that the Volunteer Supervisor is contacted;*
- *All safety rules should be adhered to;*
- *Safety equipment should be used at appropriate times;*
- *Volunteer's conduct, whilst volunteering, should be of an acceptable standard;*
- *The drinking of alcohol or the taking of non-prescription drugs on the premises is not permitted;*
- *Threatening or violent behaviour or language towards another volunteers, employees or customers is not permitted;*
- *Behaviour or actions that would in any way jeopardise the safety or wellbeing of other volunteers, employees or customers is not permitted;*
- *Gambling on Tendring District Council premises or whilst volunteering is not permitted;*
- *Smoking whilst in Tendring District Council premises is not permitted;*
- *The making of long or numerous personal telephone calls is not permitted;*
- *Volunteers shall not use behaviour or language that is insulting or discriminatory, particularly concerning race, age, sex or disability;*
- *Disclosure of confidential or personal information concerning the work of Tendring District Council or its volunteers, employees, or Councillors is not permitted;*
- *Harassment of individuals, whether sexual or otherwise, is not permitted.*

APPENDIX F – VOLUNTEER INDUCTION CHECKLIST

Volunteer Induction Checklist –The should be *adapted by the Volunteer Supervisor to suit the needs of the individual Volunteer role*

Please tick relevant boxes

Name of Volunteer: _____

- | | |
|--|---|
| <ul style="list-style-type: none"><input type="checkbox"/> Check volunteer work area for:<ul style="list-style-type: none">• Essential equipment or clothing• Stationery equipment items, desk, chair, telephone• Note any problems and take action• Whether the volunteer requires any additional needs or support<input type="checkbox"/> General welcome: Briefly introduce a few colleagues, e.g., key colleague.<input type="checkbox"/> ID Cards (Please arrange with Reception for a visitors pass to be used) | <ul style="list-style-type: none"><input type="checkbox"/> Tour of the premises to include (as appropriate)<ul style="list-style-type: none"><input type="checkbox"/> Toilets;<input type="checkbox"/> Location of managers/key colleagues;<input type="checkbox"/> Kitchen/rest room facilities;<input type="checkbox"/> Notice boards;<input type="checkbox"/> Location of equipment and stationery;<input type="checkbox"/> First aid box and first aiders;<input type="checkbox"/> Fire alarms, fire equipment, fire exits, assembly points;<input type="checkbox"/> Security of building including security codes, ID cards, keys etc;<input type="checkbox"/> Any Hazards that need addressing? |
|--|---|

Ensure that the volunteer understands, or is aware of applicable procedures relating to the following:

- Hours of volunteering
- Breaks, e.g. lunch
- Who to contact if the volunteer is not able to attend as agreed
- The Council's Policies and Procedures (available on Council's intranet site)
- Role specific tasks e.g. use of telephone, use of equipment
- Confidentiality of information/files
- Security of personnel and personal property
- Security of premises
- Computer systems – including Council's website/intranet sites

HEALTH AND SAFETY

Ensure that the volunteer understands, or is aware of procedures relating to the following:

- Fire Risks and prevention
- Fire Drill/Evacuation Procedure.
- Accident Prevention.
- Reporting Accidents.
- Procedures in the event of an accident.
- Violence at work.
- Reporting dangerous and threatening incidents.
- Lone working

APPENDIX G - VOLUNTEER EXIT INTERVIEW FORM

VOLUNTEER EXIT INTERVIEW FORM

Name of Volunteer	
Leaving Date	

Reasons for leaving
Positive points about the assignment
Negative points about the assignment
Volunteer's assessment of how the assignment might progress and lessons learnt:
Volunteer Supervisor's recommendation for change (if applicable)
Conclusions

Volunteer		Interviewer (if applicable)	
Signed		Signed	
Date		Date	

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EMPLOYEE VOLUNTEERING AND PUBLIC DUTIES POLICY

Issued by – Human Resources
Updated – January 2023

A.3 APPENDIX B

TENDRING DISTRICT COUNCIL

VOLUNTEERING AND PUBLIC DUTIES POLICY

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1. INTRODUCTION

- 1.1 Tendring District Council supports employees who wish to undertake volunteer work within the local community or for charitable institutions. Supporting volunteers helps the Council to build relationships with the local community and improve how it is perceived within it. Employees who do volunteer work can use the skills that they have developed at work to help the community; learn new skills including, for example leadership qualities; and improve their morale, physical health and work-life balance.
- 1.2 The purpose of this policy is to outline the Council's commitment to supporting employees who wish to undertake voluntary work within the local community or for charitable institutions. The policy aims to ensure employees who wish to volunteer are clear where there could be a possible conflict of interest and what process to follow if they wish to take time off to undertake their volunteering role or a voluntary public duty.

2. CONFLICT OF INTEREST

- 2.1 In most situations, employees will undertake any voluntary work in their private time or by using their annual leave and/or flexitime. The Council would not wish to intrude in any way on employees' private time or interests.

However, employees should ensure that any voluntary work does not give rise to a conflict of interest. Some posts are politically restricted and employees who occupy these should ensure they are aware of the restrictions that apply. Similarly, employees should not undertake voluntary work with an organisation that operates in competition to the Council. Employees are also required to check how the voluntary work would fit with the Council's Code of Conduct.

- 2.3 Employees are encouraged to disclose if they are undertaking any voluntary work which may give rise to a conflict of interest with their role within the Council. If an employee fails to disclose a conflict of interest, this may be deemed a disciplinary matter and will be investigated in accordance with the Council's Disciplinary Procedure.
- 2.4 If the employee is unclear whether their voluntary work could cause a conflict of interest, they should seek advice from their manager or a member of the HR Team.

3. TIME OFF WORK OR CHANGES TO WORKING HOURS

- 3.1 The Council recognises that some staff may wish to take time off during their normal working hours or work flexibly to enable them to undertake their voluntary role.
- 3.2 The employee may be entitled to the following time off for voluntary work:
 - Up to a maximum of five days unpaid leave a year to carry out voluntary work. In exceptional cases, the Head of Service/Assistant Director can grant additional days of unpaid leave, where it is considered that the voluntary work has direct benefits for the local community.
 - Allowed to work flexible hours to undertake voluntary work.
- 3.3 There are separate arrangements for employees who wish to take time off to undertake voluntary public duties, as outlined in Section 5 of this policy.

- 3.4 If an employee would like to request unpaid leave or flexible working arrangements to undertake their voluntary role they should discuss their request with their manager, in the first instance. When considering whether to grant the employee's request, the manager will take into account the nature of the voluntary work, the impact on the service and the time/flexible hours requested.
- 3.5 The employee's manager may arrange a meeting with the employee to consider whether the employee's request should be agreed.

4. REFUSING REQUESTS

- 4.1 The Council reserves the right to refuse employees' requests to take unpaid leave or change their working arrangements to undertake voluntary work. A request may be refused if it is believed, for example, that:
- There will be a detrimental impact on the business needs of the employee's service or team;
 - Work within the service or team cannot be rearranged to accommodate the employee's varied hours;
 - The employee's individual performance levels are likely to suffer;
 - The costs of resourcing the new arrangements will be too great.
- 4.2 Any request to undertake voluntary work either in the employee's private time or normal work time will be refused if it is considered there is a conflict of interest.
- 4.3 The employee will have the right of appeal to a Head of service/Assistant Director, if their request is refused. The appeal must be exercised within five working days of receipt of the formal refusal. The Head of Service/Assistant Director's decision will be final.

5. PUBLIC DUTIES

- 5.1 Staff who are involved with the local community will be provided with reasonable time off for public duties subject to prior written agreement of their Head of Service/Assistant Director e.g. Justice of the Peace, Service in Non-Regular Forces, School Governor and such like. The Council's policy regarding paid time-off is set out below.

5.2 Service in Non-Regular Forces (Territorial Army)

Employees attending summer camp should be granted ten days paid leave of absence. Additional leave may be granted for training days where the employee has been unable to accommodate these in their own time, but it must be noted that it is usual for such days to be arranged to coincide with the employee's normal non-working hours. Further information is available in the Council's Reservist Policy.

5.3 Justice of the Peace (Magistrates)

Section 50 of the Employment Rights Act 1996 gives the employee the right to take reasonable time of work to undertake duties as a magistrate. A magistrate is required to sit for at least 26 half-day court sittings a year and is not paid but is reimbursed for expenses and any financial loss.

Paid leave to undertake public duties including Justice of the Peace should be granted up to a maximum of 18 days a year.

5.4 Special Constables

Special Constables are unpaid and are required to volunteer for a minimum number of hours a month (*normally 16*) to work alongside Police Officers.

The employee will be entitled to paid leave up to ten days a year if they are a Special Constable.

5.5 Lay Observers and Visiting Committees

From 1 October 2018, the [Time Off for Public Duties Order 2018](#) extends the right to time off for public duties under section 50 of the Employment Rights Act 1996 to:

- *Members of a panel of lay observers, appointed under section 81(1)(1)(b) of the Criminal Justice Act 1991. These are volunteers who monitor conditions for prisoners under escort and in court custody.*
- *Members of Visiting Committees, for the immigration and detention estate, appointed under section 152(1) of the Immigration and Asylum Act 1999.*

This list of public duties is not exhaustive. Further advice can be obtained from the Human Resources Team.

The Council will ensure that it complies with statutory guidance for all time off arrangements relating to public duties.

This policy does not form part of the employees terms and conditions of employment and will be reviewed and if necessary, revised in light of statutory requirements, best practice and organisational need.

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By virtue of paragraph(s) 3, 4 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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