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Human Resources and Council Tax
Committee

5 January 2022

**MINUTES OF THE MEETING OF THE HUMAN RESOURCES AND COUNCIL TAX
COMMITTEE,
HELD ON WEDNESDAY, 5TH JANUARY, 2022 AT 7.30 PM
IN THE COMMITTEE ROOM, IN THE TOWN HALL, STATION ROAD, CLACTON-ON-
SEA, CO15 1SE**

Present:	Councillors Chapman BEM (Chairman), Griffiths (Vice-Chairman), Baker, Calver, Chittock, S Honeywood, Morrison and M Stephenson
Also Present:	Councillor P Honeywood
In Attendance:	Anastasia Simpson (Assistant Director (Partnerships)), Ian Ford (Committee Services Manager), Carol Magnus (Organisational Development Manager), Katie Wilkins (Human Resources and Business Manager) and Matt Cattermole (Communications Assistant)

75. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies for absence or notices of substitution submitted on behalf of Councillors on this occasion.

76. MINUTES OF THE LAST MEETING

It was moved by Councillor M E Stephenson, seconded by Councillor Griffiths and:-

RESOLVED that the minutes of the last meeting of the Committee, held on Wednesday 20 October 2021, be approved as a correct record and be signed by the Chairman.

77. DECLARATIONS OF INTEREST

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

78. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38

No Questions on Notice had been submitted for this meeting of the Committee.

79. JOINT REPORT OF THE DEPUTY CHIEF EXECUTIVE AND THE ASSISTANT DIRECTOR (PARTNERSHIPS) - A.1 - CHANGE TO THE TERMS AND CONDITIONS OF THE POST OF CHIEF EXECUTIVE

The Committee had before it a joint report of the Deputy Chief Executive and the Assistant Director (Partnerships) (A.1) which enabled it to decide whether to recommend a change in the Terms and Conditions of the current Chief Executive post holder by reducing the hours of employment from 37 to 27.75 hours per week (a reduction of 25%). Approval for any such change would have to be formally agreed by Full Council.

Members were aware that the terms and conditions of employment for Chief Executives in local authorities were agreed nationally as part of the Joint Negotiating Committee for Local Authority Chief Executives. The terms and conditions of the current post of the Chief Executive at Tendring District Council had been in place since the appointment of the current post holder on 1st December 2010. In the intervening years the practices of the Council, in line with legislative changes and best practice, had developed to enable more flexible ways of working; this included enabling staff to request reductions in hours and varied work patterns. The terms and conditions of employment for the post of Chief Executive were agreed by Council following the advice and recommendations of the Human Resources and Council Tax Committee.

The report now before the Committee detailed a request to change one element of those terms; namely a reduction in the hours of employment by 25%. It was noted that this change was being proposed, at the request of the current post holder.

Members noted that it was not intended that this request would require cover by the Council's senior management team or other resources, and by accepting the proposed change in hours, the Council would be agreeing to a Chief Executive operating on reduced hours. However, the post holder remained fully committed to Tendring District Council and the reduction of hours would be spread across the full working week ensuring that the Chief Executive continued to be available to the organisation from Monday to Friday. Details of specific practical and operational arrangements would be agreed with the Leader of the Council prior to implementation.

The Committee was made aware that the proposed reduction in hours would result in a salary saving of £43,899.70 per annum for the Council.

The Committee was informed that the Leader of the Council, Councillor Neil Stock OBE, had been consulted regarding this proposed change and he had advised that he fully supported the proposal and he had responded as follows:-

"When Ian Davidson was appointed as Tendring's Chief Executive over a decade ago the Council was in a very sorry state; the Audit Commission had published a damning report that highlighted "issues of probity and perceptions of corruption" within the planning function; decision making was overly bureaucratic and intensely risk-averse, relations between members were overly antagonistic while dealings between members and officers were based on suspicion and mistrust. Fundamentally, the reputation of the Authority across the wider local government world was exceedingly poor.

Ian changed all that. Through his positivity, can-do spirit and tireless determination and enthusiasm Tendring District Council is now widely regarded as one of the best-run and the most ambitious local authorities in the country. We have all played our part in that incredible progress; all the members and officers who have been involved with the Council over the past ten years have done their bit to make it the outstanding local authority that we know today, but it is Ian who has led from the front, who has always demanded the best and who has been the inspiration for all our successes.

So, whilst an employer of the size and scale as Tendring District Council has a duty to consider any reasonable request that a member of staff may make to vary the terms and conditions of their employment, I am especially happy to support this request from our Chief Executive, as quite frankly I think it is the least we owe him. I would also like to

acknowledge that as part of this request he has stated his continued commitment to the Council, and I would like simply to say thank you.”

Councillors Griffiths, Baker, Calver, M E Stephenson and Morrison asked questions regarding this matter which were responded to by either the Assistant Director (Partnerships) or the Organisational Development Manager.

With the permission of the Chairman, Councillor Calver made a statement strongly condemning the vitriolic online abuse that the Chief Executive had been the subject of since this matter had been placed in the public domain. The Chairman endorsed those sentiments.

Having considered the Chief Executive's request and its implications for this Council:-

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

RESOLVED that this Committee -

- (a) notes the request of the current Chief Executive to reduce his hours of employment from 37 hours to 27.75 hours;
- (b) supports the request, acknowledging the reduction of the Chief Executive's availability and that additional cover will not be provided for the reduction in working hours; and
- (c) recommends to Full Council that:
 - (i) the terms and conditions of the employment of the current Chief Executive shall be amended to 27.75 hours per week with effect from 31st March 2022;
 - (ii) this change be reviewed after an initial period of six months operation and then at twelve month intervals following that; and
 - (iii) the post will remain at 37 hours on the Council's establishment.

80. REPORT OF ASSISTANT DIRECTOR (PARTNERSHIPS) - A.2 - PAY POLICY STATEMENT 2022/23

The Committee was aware that the Localism Act 2011 (Section 38(1)) required Tendring District Council to prepare a pay policy statement each year. That pay policy statement was required to 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 had to be included in the statutory Pay Policy Statement were as follows:

- “• *A local authority's policy on the level and elements of remuneration for each Chief Officer.*

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- *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 statement was also required to be published on the Council's website following each review and its approval by Full Council.

It was reported that the Pay Policy Statement 2022/23 had been designed to give an overview of the Council's framework regarding pay and rewards for staff within the Council. The framework was 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 aimed to ensure the ability of the Council to recruit talented individuals whilst ensuring value for money for the council taxpaying residents of Tendring.

Members were reminded that the Council had a statutory and contractual obligation to adopt the NJC pay spine and that the last agreed inflationary pay award of 2.75% (paid across the pay spine) had been awarded for 2020/21. Agreement had yet to be reached between National Employers and National Unions, regarding the Pay Award for 2021/22. On 19 October 2021, the National Employers had agreed by a majority to reaffirm their offer made to National Unions on 27 July 2021 as full and final.

The Committee was informed that the Conditions of Employment with Tendring District Council in the main conformed to those established for local government generally by the NJC, commonly known as the 'Green Book'. Agreements reached by the NJC were 'collective agreements' and if they were incorporated into employees' contracts of employment, then the changes took effect automatically.

It was reported that the Pay Policy Statement for 2022/23 provided updated information on the Council's pay spine and remuneration arrangements. There was limited change reported in the 2022/23 Statement. The Pay Policy Statement for 2022/23 also included Gender Pay Gap Reporting figures, in line with the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017.

A summary of the Council's Gender Pay Gap figures was as follows:

Mean difference across Gender

The difference between the male and female mean hourly rate was £1.02. The male mean hourly rate was 7.7% higher than the female mean hourly rate.

Median difference across Gender

The difference between the male and female median hourly rate was £0.40. The female median hourly rate was 3.5% higher than the male median hourly rate.

UNISON had been consulted on those proposals and had confirmed its agreement as follows:-

“In my capacity as Unison Chairman, I have reviewed the Pay Policy 2022/23 and am happy for it to be adopted”.

Councillor Chapman asked a question pertaining to this matter which was responded to by the Assistant Director (Partnerships).

Following discussion it was moved by Councillor Griffiths, seconded by Councillor Chittock and:-

RESOLVED that this Committee recommends to Full Council that the Pay Policy Statement 2022/23, as set out in the Appendix to item A.2 of the Report of the Assistant Director (Partnerships), be adopted.

81. EXCLUSION OF PRESS AND PUBLIC

It was moved by Councillor Griffiths, seconded by Councillor Baker 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 Item 8 on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 2, 3 and 4 of Part 1 of Schedule 12A, as amended, of the Act.

82. EXEMPT MINUTE OF THE MEETING OF THE HUMAN RESOURCES & COUNCIL TAX COMMITTEE HELD ON WEDNESDAY 20 OCTOBER 2021

Councillor M E Stephenson informed the Committee that this Minute should also have included a reference to the fact that this Council had requested the East of England Local Government Association (EELGA) to undertake a pay review of its staffing pay grades.

It was moved by Councillor M E Stephenson, seconded by Councillor Griffiths and:-

RESOLVED that the exempt minute of the meeting of the Committee, held on Wednesday 20 October 2021, be approved as a correct record and be signed by the Chairman, subject to the inclusion of the aforementioned addition.

83. COUNCILLOR JAYNE CHAPMAN BEM

The Assistant Director (Partnerships) congratulated Councillor Chapman on being awarded the British Empire Medal (BEM) in the New Year Honour's List.

Members gave Councillor Chapman a round of applause.

The meeting was declared closed at 8.02 pm

Chairman

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