

Record of Officer's Decision

The Openness of Local Government Bodies Regulations 2014 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Date of Decision:	10 th March 2023
Decision Maker (Officer):	Anastasia Simpson
Authority for Delegated Decision (Cabinet/Committee Decision or Scheme of Delegation – provide reference):	<p>Part 3, Schedule 3 – Responsibility for Executive Functions delegated to Officers paragraph 4.3 (1) – the Corporate Director has delegated authority to discharge executive functions within their respective service areas (Part 3.38). All delegations are subject to consultation where considered appropriate in the circumstances (paragraph 4.3 (4)(ii) – Part 3.39).</p> <p>Further delegation (Part 3.18) Assistant Director for Partnerships) in consultation with the Chief Executive to authorise minor amendments to Human Resources Policies and Procedures necessary as a result of legislation, national guidance or best practice.</p>
Identify which Portfolio Holder(s)/Committee Chairman consulted?	Agreement of the Chair of the HR and Council Tax Committee will be sought.
Ward Member(s) consulted?	Not Applicable
Is it a Key Decision?	Not Applicable as this decision relates to a Non-Executive Function.
Is it subject to call-in?	Not Applicable as this decision relates to a Non-Executive Function.
Decision Made:	To adopt some minor updates to the Allowances Policy (see <i>Appendix A – changes can be identified in red text</i>). The updates include reference to the long-established committee attendance allowance (<i>previously not included</i>), including its link to the NJC pay award and the extension of entitlements around the authority's out of hours' response to emergency incidents.

Reason for Decision (if a report was produced to support the Decision, refer to or attach it):	To ensure the Council complies with its statutory obligations around Working Time Regulations and National Minimum Wage and that a fair and consistent approach to payments for out of hours services is applied.	
Highlight any associated risks/finance/legal/equality considerations:	<p>This is a policy update which is needed to ensure best practice and continued legal compliance.</p> <p>Following discussion with the Section 151 Officer, it has been determined that in respect of any increased costs in relation to the extension of the emergency out of hours' payments, the services will fund any costs incurred. This will be subject to regular monitoring, and if necessary, a possible longer term response will be considered as part of the regular financial reporting mechanism.</p> <p>At the time of writing, the position regarding the pay award for 2023/24 remains outstanding between National Employers and National Unions.</p>	
Details of any Alternative Options Considered and rejected (together with reasons):	It is considered that there is no alternative option but to implement to updated Allowances Policy to ensure the Council complies with its statutory obligations around Working Time Regulations and National Minimum Wage.	
<p>Details of any declarations of interest (by Portfolio Holder/Committee Chairman who was consulted by the officer, which related to the decision)</p> <p>If relevant, a note of the dispensation granted by the Monitoring Officer:</p>	Not Applicable	
<p>Reason Decision, or supporting Report, is not published:</p> <p><i>Tick one or more of the specific exemptions,</i></p> <p><u>and</u></p> <p><i>Give more information in the final box with regards to why</i></p>		Not applicable – Decision [and report] to be published
		If Report is not to be published – tick one of the following boxes:
		The report supporting the Decision contains confidential information
		The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information:
		<ul style="list-style-type: none"> • Relates to an individual • Likely to reveal the identity of an individual

<i>the exemption applies and outweighs the public interest test (which is in favour of disclosure).</i>	<ul style="list-style-type: none"> • Relating to financial or business affairs of a person or organisation
	<ul style="list-style-type: none"> • Relates to a claim for legal professional privilege in legal proceedings
	<ul style="list-style-type: none"> • Reveals that the Council proposes to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or to make an order or direction under any enactment
	<ul style="list-style-type: none"> • Relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime
	<p><u>And</u> is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information</p> <p>Reasons:</p>

Officer

Signed: *Anastasia Surpsa*

Title: Assistant Director, Partnerships

Date: 10th March 2023