

HUMAN RESOURCES & COUNCIL TAX COMMITTEE

26 FEBRUARY 2024

REPORT OF ASSISTANT DIRECTOR (PARTNERSHIPS)

A.3 PROPOSED CHANGES TO HOW THE COUNCIL USES THE NATIONAL JOB EVALUATION SCHEME (LOCALISED ARRANGEMENTS)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To provide members of the Human Resources and Council Tax Committee with an update on the proposed changes to the Council's localised adoption of the National Job Evaluation Scheme.

EXECUTIVE SUMMARY

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).

The National Job Evaluation and Grading Scheme is used to determine job grades and pay levels for both new and existing posts and is recognised by all parties as the only mechanism within the Council for determining the pay of all posts below the Deputy Chief and Chief Officer level.

The Council adopted the National Job Evaluation Scheme more than a decade ago; at that time, the Council applied a number of Local Conventions - *local interpretations of the wording of a job evaluation scheme, which are usually written down so that they can be applied consistently across all evaluations* - which were negotiated and agreed upon with local union officials. These do not add value to the evaluation score, but the intention was to provide additional clarity for those undertaking evaluation and moderation.

As part of the initial Pay Review research undertaken by East of England Local Government Association (EELGA), the authority's use of the National Job Evaluation Scheme and its Localised Conventions was reviewed to determine suitability in terms of the National Scheme and TDC's employment offer and the wider job market.

EELGA has advised that due to several updates to the National Scheme, the majority of TDC's Localised Conventions may no longer be relevant or are now captured in the wording of the National Scheme, and therefore, these should be removed for clarity and to avoid the risk of contradiction.

On this basis, the authority is proposing to remove the reference to Localised Conventions as

detailed in the '*National Job Evaluation Scheme & Guidance with TDC Local Conventions*' document and replace them with the use of the National Joint Council Factor Plan and Factor Guidance 2020 (*the latest NJC scheme*).

EELGA has further recommended that the Council adopt the use of the '*Assessment Tool for Responsibility Factors*' (*Advisory, Policy and Equivalent - 'hands off' Responsibilities*), which has been introduced as part of the updated National Scheme. This is not a separate factor or a change to the NJC Job Evaluation Scheme but, seeks to act as an aid to ensuring that advisory, policy and similar responsibilities are correctly assessed and allocated to the appropriate responsibility factor.

Several key officers, including HR Officers, Managers and Union Officials have undertaken training by EELGA that focused on the updates to the National Scheme, including the responsibility factors, so the transition to the updated scheme can be achieved successfully. Furthermore, regular 'refresher' training will continue to be delivered to those officers undertaking evaluations on behalf of the authority to ensure they remain compliant with schemes requirements.

The Council will continue to undertake a comprehensive local moderation process as part of its job evaluation arrangements to ensure consistency, fairness and transparency. In addition, the authority will continue with its established 'best practice' approach of ensuring 20% of its evaluations are refreshed annually.

This proposal does not impact existing job evaluation outcomes or grades of posts, this approach, once adopted, will be used to assist with future job evaluations to ensure that our application of the National Job Evaluation Scheme continues to be robust.

It should be noted that the authority will consider revisiting the need for alternative Localised Conventions, should this be recommended as one of the outcomes of the comprehensive EELGA Pay Review.

RECOMMENDATION(S)

That the Human Resources & Council Tax Committee approves:

- a) the proposed removal of the Localised Conventions, as outlined in the National Job Evaluation Scheme & Guidance with TDC Local Conventions document, in line with the recommendations made by EELGA;**
- b) the use of the updated National Job Evaluation Scheme, including the Assessment Tool for Responsibility Factors, for future evaluations; and**
- c) the need to revisit amended Localised Conventions, if recommended by EELGA, upon conclusion of the comprehensive review of the Authority's pay line.**

REASON(S) FOR THE RECOMMENDATION(S)

This report seeks to update members of the HR & Council Tax Committee on the proposed changes to the Council's localised adoption of the National Job Evaluation Scheme.

It is recommended that the use of the current Localised Conventions, as outlined in the National Job Evaluation Scheme & Guidance with TDC Local Conventions document, is removed, and the National Scheme is utilised for the job evaluation process moving forward.

ALTERNATIVE OPTIONS CONSIDERED

The Council is part of the National Terms & Conditions of employment; however, at the time of implementation of the National Job Evaluation Scheme, a number of Localised Conventions were included. It is considered that, in the main, these are now addressed in the updated National Scheme and on this basis, they should be removed.

The Council could continue to apply the current Localised Conventions to the job evaluation process; however, this would be against the recommendation(s) offered by EELGA (*at the point of review*) and risk contradiction to the National Scheme.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

Positive people-related practices will ensure that high standards of conduct and commitment to service are observed by officers, thus contributing to the Corporate Plan 2024-28 priorities of 'Financial Sustainability and Openness' and 'Pride in Our Area and Services to Residents'.

LEGAL REQUIREMENTS (including legislation & constitutional powers)

The Council must ensure compliance with employment legislation, the Equalities Act 2010, and the Working Time Directive.

The Council has a legal duty of care to employees to ensure their health and safety at work, as set out in the Health and Safety at Work Act 1974, the Management of Health and Safety at Work Regulations 1999 and other related legislation.

The National Job Evaluation Scheme measures the 'size,' nature, and level of a job (*not the person doing the job*) based on a series of factor levels. On this basis, its application protects the Council from the risk of 'equal pay' claims.

The Human Resources & Council Tax Committee have responsibility for the discharge of the 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; including the 'decision-making on key Human Resource and Personnel issues not reserved by the Council or delegated to officers'. This extends to the agreement of key personnel policies, including those relating to Pay and Reward

FINANCE AND OTHER RESOURCE IMPLICATIONS	
This is a policy update and therefore there is no cost to the authority other than those incurred as part of the commissioned work by EELGA.	
USE OF RESOURCES AND VALUE FOR MONEY	
It is envisaged that this report does not require additional resources.	
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;	By ensuring best practice is applied to our people practices, including job evaluation, the authority will ensure it attracts and retains the resources required to sustain high levels of service delivery for residents.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and	Regular monitoring of the workforce and review of the authority's people policies (<i>in line with recognised best practice</i>) also ensures compliance with employment legislation and NJC terms and conditions.
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 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. Tendring District Council is also an 'Anchor' organisation; Anchors play a key role in shaping and developing the skills of the local workforce.
MILESTONES AND DELIVERY	
(a) Management Team 6 February 2024 (b) Human Resources & Council Tax Committee 26 February 2024	
ASSOCIATED RISKS AND MITIGATION	
Failure to address the recommendations already provided by EELGA may carry the risk of the authority's Local Conventions contradicting the requirements of the National Job Evaluation Scheme and its validity.	
OUTCOME OF CONSULTATION AND ENGAGEMENT	
The local union branch executive has been consulted on these proposals and is fully supportive of the approach outlined in this report.	
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, and victimisation, 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 its People policies and practices, which it extends to volunteers.

As a Disability Confident Leader and an Anchor Organisation, the Council will proactively identify and facilitate ways to recruit individuals who may experience barriers to employment.

The Council will also take an active leadership role in encouraging and working with local communities and employers to do the same.

Having undertaken an equality impact assessment, the conclusion is that the proposal does not impact the protected characteristics. Furthermore, the National Job Evaluation Scheme measures the 'size,' nature, and level of a job (*not the person doing the job*), based on a series of factor levels such as, knowledge and skills, responsibilities, physical effort and working conditions. On this basis, its application ensures equal pay for work of equal value.

SOCIAL VALUE CONSIDERATIONS

The Council aims to lead by example as a major local employer. This includes, following recognised best practice and ensuring full compliance with legislation.

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

The Council is also an Anchor organisation. Anchor organisations are usually large organisations that are local to the place they operate and have the leverage to maximise social value through their role as workplace developers, employers and procurers, their core businesses (*for example, health and education*), and the linkages they have to the place they operate.

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
Health Inequalities	Not applicable
Area or Ward affected	Not applicable

ANY OTHER RELEVANT INFORMATION

N/A

PART 3 – SUPPORTING INFORMATION

BACKGROUND

The introduction of the National (*Single Status*) Job Evaluation and Grading Scheme (*developed jointly by National Employers and Trade Unions*) provided an analytical and non-discriminatory method of evaluating jobs in Local Government. The Scheme measures the ‘size,’ nature, and level of a job (*not the person doing the job*), based on a series of factor levels such as, knowledge and skills, responsibilities, physical effort and working conditions (**13 factors in total**). See Appendix A.

At the time of Introducing the National Job Evaluation Scheme, the Council applied a number of Local Conventions to support the interpretation of the National Scheme.

Local Conventions is the term given to the local interpretations of the wording of a job evaluation scheme, which are usually written down so that they can be applied consistently across all evaluations.

The Council worked with EELGA last year to carry out an independent review of its 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 our employment offer and expanding our well-established “grow our own” ethos. These options have been considered as part of the Senior Management restructuring.

As part of the Pay Review research undertaken by EELGA, the authority’s use of the National Job Evaluation Scheme and its Localised Conventions were reviewed to determine their suitability in terms of the National Scheme and TDC’s employment offer and the wider job market.

EELGA has advised that due to several updates to the National Scheme, the majority of TDC’s Localised Conventions may no longer be relevant or are now captured in the wording of the National Scheme, and therefore, these should be removed for clarity and to avoid contradiction. This proposal does not impact existing job evaluation outcomes or grades of posts.

The Council has commissioned EELGA to undertake a secondary piece of work to carry out a comprehensive, service wide review of TDC’s pay structure. If adopted, the National Job Evaluation Scheme will be used for any Job evaluations that are recommended as a result of the review (*if applicable*). Further, if EELGA recommend the application of alternative Localised Conventions, these will be considered in consultation with the local union branch.

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

N/A

BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL

N/A

APPENDICES**Appendix A – National Job Evaluation Scheme Factors****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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