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Havant Borough Council

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JOINT HUMAN RESOURCES COMMITTEE (HBC) AGENDA

Membership: Councillor Smith K (Chairman) Councillor Carter (Vice-Chairman)	
Councillors (EHDC) Glass and Noble	Councillors (HBC) Weeks, Branson, Crellin, Lowe and Scott

Meeting: Joint Human Resources Committee
Date: Tuesday 12 March 2019
Time: 4.00 pm
Venue: Hollybank Room, Public Service Plaza, Civic Centre Road,
Havant, Hants PO9 2AX

The business to be transacted is set out below:

Nick Leach
Monitoring Officer

4 March 2019

Contact Officer: Nicholas Rogers 02392 446233
Email: nicholas.rogers@havant.gov.uk

		Page
1	Apologies for Absence	
2	Minutes	
3	Declarations of Interests	
4	Sabbatical Policy	1 - 10
	To note the report and approve the attached sabbatical policy.	
5	Volunteer Leave Policy	11 - 14
	To note the report and approve the attached revised Volunteer Leave	

Policy.

- | | | |
|-----------|---|----------------|
| 6 | Remuneration Policy | 15 - 26 |
| | To note the report and approve the attached Remuneration Policy. | |
| 7 | Pay Policy Statement | 27 - 46 |
| | To recommend the Pay Policy Statement for each Council to each Full Council for approval. | |
| 8 | Senior Pay Award 18/19 | |
| | Report to follow. | |
| 9 | Trade Union Recognition Agreement | 47 - 58 |
| | To note the content of the report and approve the attached agreements. | |
| 10 | Learning & Development Policy - ITEM WITHDRAWN | |
| | ITEM WITHDRAWN | |

GENERAL INFORMATION

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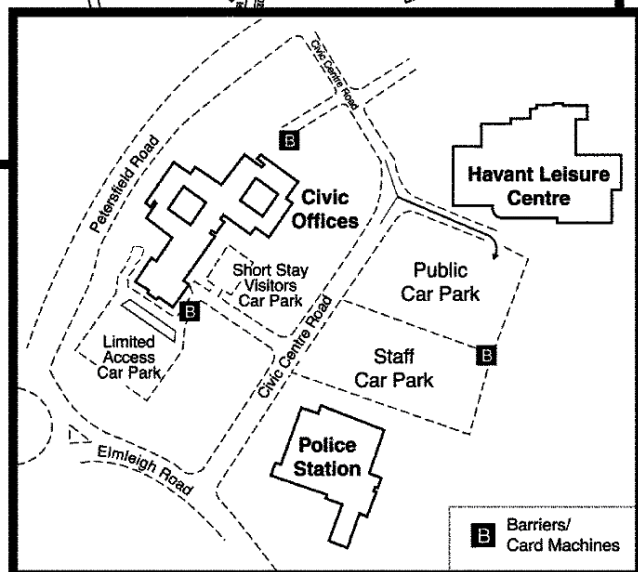
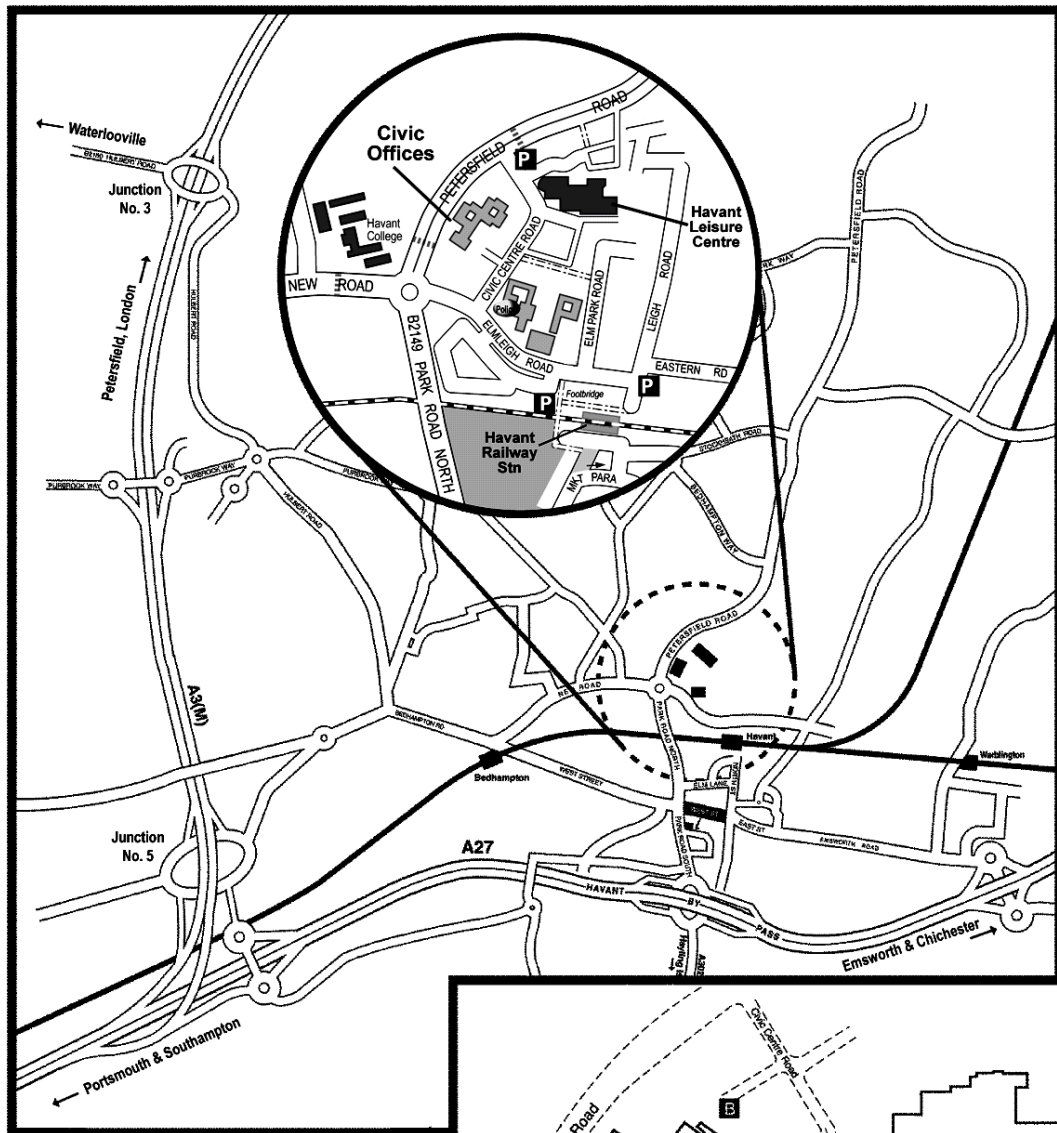
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NON EXEMPT

**EAST HAMPSHIRE DISTRICT COUNCIL
HAVANT BOROUGH COUNCIL**

Joint HR Committee

12th March 2019

**Sabbatical Policy
Marthie Turner (HR Business Partner)**

FOR DECISION

Portfolio: Portfolio Holder for Governance and Organisational Development Cllr Nick Drew (EHDC) and Cabinet Lead for People and Communications Cllr Lulu Bowerman (HBC)

Head of Service: Caroline Tickner (Head of Organisational Development)

Key Decision: No

1.0 Purpose of Report

- 1.1 This report provides the Councils with a comprehensive Sabbatical Policy which has been drafted for use across East Hampshire District Council (EHDC) and Havant Borough Council (HBC)
- 1.2 This Policy is intended to ensure EHDC and HBC has a Sabbatical Policy in place which allows staff to work flexibly to accommodate their life choices and ensure the Councils can retain and maximise talent to best effect.

2.0 Recommendation

- 2.1 Joint HR Committee is asked to note the content of the report and approve the attached Policy.

3.0 Executive Summary

- 3.1 The Councils want to ensure that the approaches to staff taking breaks in their careers are clear, consistent and well understood. Offering the opportunity for staff to take a sabbatical to pursue a professional or personal development goal can have a long term positive effect on staff motivation, retention and development.

- 3.2 Sabbaticals are growing in popularity as an employee benefit. Although similar in nature, sabbaticals differ greatly from career breaks. Sabbaticals involve the employee taking time away from the workplace, typically for a single period of extended leave. They are a period of absence which is mutually agreed between employer and employee. They also provide assurance to the employee of a position on their return as sabbaticals don't require an employee to hand in their resignation.
- 3.3 The benefits of offering sabbaticals can be personal to the individual, but an employer can reap the professional benefits along with the residents of the communities that the Councils serve. There is a lot that an employee can learn/develop whilst on a sabbatical and employers can benefit from a member of staff being upskilled and re-energised on their return. It can also enable an employee to look at things in a fresh light and it can aid with retention as staff become more invested in the organisation and what the organisation has enabled.
- 3.4 There has been plenty of research conducted¹ which demonstrates that sabbatical leave can promote well-being, decrease stress and can provide opportunities for employees to acquire new knowledge and skills. Research has found that leaders who go on sabbatical are able to 'think outside the box' and generate new ideas for change on their return. In addition, the benefits to succession planning and development for those interim leaders who stepped in whilst their manager was on leave provide an opportunity for the next tier of leaders to develop their skills and abilities.
- 3.5 Ensuring that there is a clear policy in place is key to a successful sabbatical for both the employee and the employer. It is important to note that there is no legal obligation for an employer to offer sabbaticals. It is also important that it is made clear that granting a sabbatical is subject to operational needs. Being clear in any policy as to what benefits continue and the employees' rights on their return to work is equally important. Continuity of service can be maintained even when the leave is unpaid providing the absence is the result of a prior arrangement. The drafted policy which can be found at Appendix A covers all of these key points.
- 3.6 Overall there are many benefits to both employers and employees of having a formal sabbatical policy in place and facilitating sabbatical leave for staff. In view of the outsourced HR and Payroll service provided by Capita it is important that absolute clarity can be given to the contractor to ensure correct and consistent advice is given to staff considering a sabbatical and any changes to payments can be made correctly.

¹ D Burkus (2016) – The surprising benefit of work sabbaticals

4.0 Additional Budgetary Implications

- 4.1 There are no additional budgetary implications for unpaid sabbaticals. Paid or part paid sabbatical's will be subject to a business case which will need to be approved by Executive Board including Section 151 sign off. Any additional budgetary implications will be considered within this business case.

5.0 Background and relationship to the Corporate Strategy and Directorate Business Plan/s

- 5.1 The adoption of this Policy will add to the current employer offering and support with skills development and retention. It will also provide clarity to all staff on the Sabbatical Policy and ensure that staff who choose to go on sabbatical are treated fairly and consistently.

6.0 Options considered and reasons for the recommendation

- 6.1 The adoption of this Policy will ensure that decisions on the agreement/non-agreement to sabbaticals are managed fairly and that business cases for paid or part paid sabbaticals are robust and comply with the Councils' own policy.

7.0 Resource Implications

- 7.1 Financial Implications
None

- 7.2 Human Resources Implications
There will need to be HR resource to effectively roll out and embed the policy along with support/advice for decisions on the granting of sabbaticals.

- 7.3 Other Resource Implication
None to report

8.0 Legal Implications

- 8.1 The legal implications associated with the introduction of this Policy relate primarily to the Councils' desire to ensure that the granting of sabbaticals is fair and consistent and does not leave the Councils open to challenge.

9.0 Risks

- 9.1 There is a risk that this policy will not be applied fairly or consistently. Strategic HR will retain oversight of any requests for sabbaticals to mitigate this risk. Approval for a sabbatical will require the agreement of

the Head of Organisational Development and where paid or part paid sabbatical is granted, the Section 151 Officer.

10 Consultation

- 10.1 Consultation has been held with UNISON and agreement reached on the attached Policy.

11 Communication

- 11.1 The Policy will be added to the suite of policies available on AskHR, now in use as part of the Capita delivery of HR services. All staff and managers will be signposted to this addition via the usual communication channels.

Appendices:

Appendix A – Sabbatical Policy

Background Papers: N/A

Agreed and signed off by:

Monitoring Officer: *27th February, 2019*

Deputy S151 Officer: *1st March, 2019*

Director: *27th February, 2019*

Portfolio Holder: *1st March, 2019*

Date: 1st March, 2019

Contact Officer: Marthie Turner
Job Title: HR Business Partner
Telephone: 02392 446325
E-Mail: Marthie.turner@easthants.gov.uk

SABBATICAL LEAVE POLICY

1. POLICY

- 1.1 Permanent employees with five or more years' service at the council will be eligible to apply for unpaid sabbatical leave to undertake, for example, research, further education, travel or volunteering on a temporary basis.
- 1.2 Both full-time and part-time employees with the relevant service are potentially eligible. The purpose of sabbatical leave will normally be linked to personal development outside the usual confines of the job, allowing the employee to return to work with new ideas and enhanced skills. Unless exceptional circumstances apply, sabbatical leave will only be granted once during the course of an employee's employment.
- 1.3 In exceptional circumstances the individual may be granted the right to remain in paid or part-paid employment. This would ordinarily be where the employee would undergo specialist training/further education or seek work experience which enhances their skills/knowledge base
- 1.4 Agreement to paid or part-paid employment would be the decision of the remuneration panel. This panel consists of the Head of Paid Service, Section 151 Officer and the Head of Organisational Development. The remuneration panel's decision will be final.
- 1.5 Any employee who is granted paid or part-paid employment during their sabbatical would be required to pay back to the Council a proportion of the payment made should they leave the Council within 3 years of returning from their sabbatical. 100% of payment in year one, 75% of payment in year two and 50% of payment in year three. This payment would be waived if an employee were to be made compulsory redundant during this period.

2. PROCEDURE

- 2.1 Any eligible employee wishing to make an application for sabbatical leave should do so in writing to their Head of Service/Director, stating the proposed objectives and duration of the sabbatical and the perceived benefits for the council and the employee.
- 2.2 The council will consider any such request against business need and sabbatical leave, where granted, will be entirely at the council's discretion and with such qualifications and conditions as the council sees fit. There is no statutory right

for an employee to be granted sabbatical leave and requests will usually only be granted when they are at no additional cost to the council.

- 2.3 Sabbatical leave will be granted for a minimum of one month and a maximum of one year. This period could be extended by agreement. Employees may request to use some of their annual leave towards their sabbatical leave which will be paid, but the remainder of the period will be unpaid.
- 2.4 Employees who wish to take a prolonged period of absence from work to care for a child have an entitlement to unpaid leave in accordance with the Council's 'Parental Leave' Policy.
- 2.5 Employees who wish to take a prolonged period of absence from work to care for a dependent relative have an entitlement to request unpaid leave in accordance with the Council's 'Other Leave' Policy.

3. IMPACT ON TERMS AND CONDITIONS OF EMPLOYMENT

- 3.1 If an employee is a member of the Local Government Pension Scheme, for any period of unpaid leave, the rules of the Scheme will apply. Currently he or she will be invited to pay contributions based on the pay they were receiving immediately before the unpaid period started, as follows:
- For the first 30 days of any period of unpaid leave, the employee and the employer must pay the contributions which would have been paid if not for the leave of absence.
 - For periods in excess of 30 days (up to a maximum of three years) the employee can choose whether or not to pay pension contributions. If they choose to pay, both the employee and employer must pay the contributions which would have been paid if not for the leave of absence. • Regardless of the employee's choice any additional contributions (e.g. for the purchase of extra pension) must continue to be paid in full.
- 3.2 This will enable the unpaid period to count in full for pension purposes. Employees have up to 30 days after they return to work to decide whether they wish to make up these contributions. Figures can be provided to the employee by the Payroll Team on the amount due before a decision is made.
- 3.3 Any accrued but unused annual leave entitlement for the current leave year must be taken prior to the start of the employee's sabbatical leave. Annual leave will not accrue during any period of unpaid leave and the employee will therefore receive a pro rata leave entitlement, based on complete months worked, for the leave year(s) that the unpaid sabbatical period falls within.

- 3.4 If an employee is due to receive an increment during their period of sabbatical leave, this will be payable on their return to work provided that performance before commencing sabbatical leave has been satisfactory.
- 3.5 During the period of the employee's sabbatical leave, the employee remains an employee of the council on the normal terms and conditions of employment save as amended below.
- 3.6 The following benefits will cease to apply during the unpaid sabbatical period but will resume when the employee returns to work:

3.6.1 Car Loans

Employees with a car loan must contact the Capita HR & Payroll Team before commencing a period of sabbatical leave to agree a revised car loan repayment schedule.

3.6.2 Child Care Vouchers:

Entitlement to Child Care Vouchers will cease during unpaid sabbatical leave. The employee will be eligible to re-join the scheme when they return to work on the conditions that are in place at that time.

3.6.3 Other Allowances:

If the employee is in receipt of a payment for first aider, fire marshal, emergency planning duties or standby, these will cease to be paid during unpaid sabbatical leave. Where applicable, the allowances will be paid on a pro rata basis for complete months worked when the employee returns to work.

3.6.4 Deductions from salary:

During unpaid sabbatical leave, employees will need to make alternative arrangements for any deductions which are usually made from their salary, e.g. for Council Tax, UNISON subscriptions, car loan, etc.

4. CONTINUOUS EMPLOYMENT

- 4.1 The employee continues to be employed during their sabbatical leave period, which counts towards their period of continuous employment for the purposes of entitlement to other statutory employment rights (e.g. the right to a redundancy compensation payment).

5. RIGHT TO RETURN TO WORK

- 5.1 The employee has the right to return to the same job in which he or she was employed under their original contract of employment and on terms and

conditions not less favourable than those which would have been applicable had they not been absent where possible.

- 5.2 However, there can be exceptions to this, as follows. Where it is not practicable by reason of redundancy for the authority to permit the employee to return to work in their original job, the employee shall be entitled to be offered a suitable alternative vacancy, where one exists. Any new job must be suitable to the employee and appropriate to the circumstances, and the capacity and place in which he or she is employed, and the terms and conditions of employment must not be substantially less favourable than if they had been able to return in the job in which they were originally employed.
- 5.3. Suitable alternative employment may also be offered if exceptional circumstances occur (other than redundancy) whilst the employee is on sabbatical leave and would have occurred had the employee not been absent. For example, a reorganisation may occur where it may be necessary to change an employee's post. Any new position offered to the employee must be suitable and appropriate to the circumstances, and the capacity of the individual and the place in which he or she is to be employed and the terms and conditions should not be less favourable. Pay protection will apply as if the employee had not been absent for paid or part paid sabbaticals.
- 5.4 If the employee decides not to return to work following a period of sabbatical leave, they must give notice of their resignation as soon as possible and in accordance with the terms and conditions of their contract of employment.
- 5.5 If the employee wishes to end their sabbatical leave early, they must make a written request to their line manager to do so, giving at least eight weeks' notice wherever possible. If the employee wishes to return to work earlier than the eight week notice period, it is at the manager's discretion to consider such requests and decide whether or not it can be approved subject to business needs.

6. KEEPING IN TOUCH

- 6.1 The employee will be required to keep in contact with his/her line manager whilst on sabbatical leave, usually monthly. This should be agreed with the line manager before sabbatical leave begins. This contact should ideally be by telephone or e-mail, but could alternatively be by post, depending on the employee's access to communications technology whilst they are away on sabbatical leave.

7. WORKING WHILST ON SABBATICAL LEAVE

- 7.1 The employee will not be permitted to take up alternative employment during sabbatical leave without the prior written permission of their Head of Service/

Director. Any request for temporary or casual work should be included in the employee's written application for sabbatical leave.

8. CONDUCT

- 8.1 Employees will continue to be employed by the council during any period of sabbatical leave and must therefore maintain conduct of the highest standard such that public confidence in their integrity is sustained.
- 8.2 All provisions as to confidential information will continue to apply.

9. FURTHER INFORMATION

- 9.1 Employees and line managers can seek guidance or further information about the Sabbatical Leave Policy by contacting the Capita HR team.

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NON EXEMPT

**EAST HAMPSHIRE DISTRICT COUNCIL
HAVANT BOROUGH COUNCIL**

Joint HR Committee

12th March 2019

Volunteer Leave Policy

Caroline Tickner, Head of Organisational Development

FOR DECISION

**Portfolio: Portfolio Holder for Governance and Organisational Development
Cllr Nick Drew (EHDC) and Cabinet Lead for People and Communications Cllr
Lulu Bowerman (HBC)**

Head of Service: Caroline Tickner

Key Decision: No

1.0 Purpose of Report

1.1 This report provides the Councils with a revised Volunteer Leave Policy which has been updated to reflect the wider use of volunteering. This policy is for use across East Hampshire District Council (EHDC) and Havant Borough Council (HBC)

1.2 This Policy is intended to ensure that staff at EHDC and HBC can fully contribute to volunteering and the benefits that this brings regardless of geographical location.

2.0 Recommendation

2.1 Councillors are asked to note the content of the report and approve the revised Policy.

3.0 Executive Summary

3.1 Volunteering continues to provide an opportunity for both staff and communities to benefit. Staff from participation in the community; the development of additional skills; the networks that are created; the new ideas that can be brought back into the workplace and a healthier work/life balance. The communities from the availability of staff to support their organisations in the delivery of their work. In addition to

this volunteering is a great way of creating wider networks in the community and for staff to benefit from these networks and the new ideas that can be generated which can be brought back into the workplace.

- 3.2 A volunteer leave scheme has been in place in both Councils since 2012. The take up to the current schemes has been very low since its' introduction. The revision to the current volunteer scheme enables staff to utilise the scheme regardless of geographical area. This means that wider communities can benefit from the skills that staff bring to volunteering along with enabling staff to develop new skills from their involvement. It is envisaged that staff who live outside of the district/borough may find it easier to volunteer if it is local to their home. The benefits to the organisation of volunteering remain regardless of location. For this reason, the volunteer leave scheme has been updated to reflect this.
- 3.3 The revised scheme still ensures that there are a number of safeguards in place to ensure service delivery is not affected and the benefits of supporting a volunteer leave scheme are realised within EHDC/HBC. These include:
- A volunteer leave form which is designed to ensure that the skills and experience which can be gained through volunteering are brought back into the workplace.
 - A provision for EHDC/HBC to refuse or defer any request for volunteer leave where an employee's absence may compromise service delivery.

4.0 Additional Budgetary Implications

- 4.1 There is no direct additional cost to the Councils through the revision to this scheme.

5.0 Background and relationship to the Corporate Strategy and Directorate Business Plan/s

- 5.1 The adoption of this revised Policy further supports the commitment of the Councils to volunteering.

6.0 Options considered and reasons for the recommendation

- 6.1 The revision to this policy will ensure that the opportunity for paid leave to volunteer will become more accessible to those who wish to volunteer nearer to home. This will support further skills development, enhance well-being and enable staff to become more involved with the community.

7.0 Resource Implications

7.1 Financial Implications

There could be an increase in the use of the volunteer leave policy and therefore indirect costs arise due to loss of officer time. The benefits of the scheme (skills development, engagement in the community and wellbeing) are deemed to far outweigh this.

7.2 Human Resources Implications

Strategic HR resource will be needed to raise awareness of the scheme and encourage the use of it as an employee and organisational benefit.

7.3 Other Resource Implication

Communications resource will be needed to raise the profile of volunteering.

8.0 Legal Implications

8.1 The adoption of the attached scheme is compliant with current legislative requirements.

9.0 Risks

9.1 There is a risk that the scheme is not applied correctly. This will be mitigated through the safeguards that have been put in place and annual reporting to identify any issues/concerns.

10 Consultation

10.1 Consultation has been held with UNISON on broadening out the scheme. There are no concerns that have been raised by either branch. UNISON will be updated on the outcome of Executive Board decisions.

11 Communication

11.1 The Policy will be added to the suite of policies available on AskHR, now in use as part of the Capita delivery of HR services. All staff and managers will be signposted to this addition via the usual communication channels.

Appendices:

Appendix A – Volunteer Leave Policy

Background Papers: N/A

Agreed and signed off by:

Monitoring Officer: *17th January, 2019*

Deputy S151 Officer: *26th February, 2019*

Director: *6th February, 2019*

Portfolio Holder: *26th February, 2019*

Date: 27th February, 2019

Contact Officer:	Marthie Turner
Job Title:	HR Business Partner
Telephone:	02392 446325
E-Mail:	Marthie.turner@easthants.gov.uk

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**EAST HAMPSHIRE DISTRICT COUNCIL
HAVANT BOROUGH COUNCIL**

Meeting name: *Joint HR Committee*

12th March, 2019

REPORT TITLE: Remuneration Policy
Marthie Turner
HR Business Partner

FOR DECISION

Portfolio: Portfolio Holder for Governance and Organisational Development Cllr Nick Drew (EHDC) and Cabinet Lead for People and Communications Cllr Lulu Bowerman (HBC)

Head of Service: Caroline Tickner

Key Decision: No

1.0 Purpose of Report

- 1.1 This report provides the Councils with a comprehensive Remuneration Policy which has been drafted for use across East Hampshire District Council (EHDC) and Havant Borough Council (HBC)
- 1.2 This Policy is intended to ensure EHDC and HBC provide guidance to managers and clarity to staff on all the different aspects of reward and remuneration in place at both Councils.

2.0 Recommendation

- 2.1 Councillors are asked to note the content of the report and approve the attached Policy.

3.0 Executive Summary

- 3.1 The Councils want to ensure that the approaches to reward and remuneration are clear, consistent and well understood. JHR Committee will recall that the Councils do produce a pay policy annually to comply with the Local Government Transparency Act. This

pay policy is written for an outward facing audience and therefore does not contain all of the detail which would be of help for managers operating the policy on a day to day basis. The remuneration policy at Appendix A which has been developed provides the further detail needed for internal use.

3.2 In addition, in view of the outsourced HR and Payroll service provided by Capita it is important that absolute clarity can be given to the contractor to ensure correct and consistent advice is given and payments made.

3.3 There are no changes being made to the reward and remuneration payments but this Policy draws together all the information into one comprehensive document.

4.0 Additional Budgetary Implications

4.1 There is no additional cost to the Councils as there are no changes to current arrangements.

5.0 Background and relationship to the Corporate Strategy and Directorate Business Plan/s

5.1 The adoption of this Policy supports the commitment of the Councils to work together with the contractor and wherever possible, to treat staff consistently.

6.0 Options considered and reasons for the recommendation

6.1 The adoption of this Policy will ensure that remuneration decisions are made robustly and consistently and ensure the Councils' comply with their own policies, legislation and Inland Revenue rules governing payments to employees.

7.0 Resource Implications

7.1 Financial Implications
None

7.2 Human Resources Implications
None to report. This policy provides clarity and will support the effective delivery of HR Service.

7.3 Other Resource Implications
None to report

8.0 Legal Implications

8.1 The legal implications associated with the introduction of this Policy

relate primarily to the Councils' desire to ensure that the mechanisms around reward and remuneration are documented to aid understanding and ensure consistency.

9.0 Risks

- 9.1 As the HR and Payroll service is provided by an outsourced provider, the Councils must ensure through adequate audits that the checks are conducted in a manner which is compliant with all requirements.

10 Consultation

- 10.1 Consultation has been held with UNISON and agreement reached on the attached Policy. It was noted by UNISON representatives that it was a consolidation of existing practice.

11 Communication

- 11.1 The Policy will be added to the suite of policies available on AskHR, now in use as part of the Capita delivery of HR services. All staff and managers will be signposted to this additional policy via the usual communication channels.

Appendices:

Appendix A – Remuneration Policy

Background Papers: N/A

Agreed and signed off by:

Monitoring Officer: *6th February, 2019*

Deputy S151 Officer: *26th February, 2019*

Director: *6th February, 2019*

Portfolio Holder: *11th February, 2019*

Date: *26th February, 2019*

Contact Officer: Marthie Turner
Job Title: HR Business Partner
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Head of OD	Caroline Tickner
Authorised:	March 2019
Revision due:	March 2022

Remuneration Policy

CONTENTS

1. PURPOSE	
2. SCOPE	
3. DETERMINATION OF PAY.....	
4. PAY PROGRESSION.....	
5. PAY ARRANGEMENTS.....	
6. DEDUCTIONS FROM PAY	
7. CALCULATION OF PAY.....	
8. SENIOR MANAGEMENT GRADES.....	
9. SALARY ON APPOINTMENT.....	
10. MARKET RATE SUPPLEMENT	
11. CAREER GRADES	
12. ACTING UP ALLOWANCE.....	
13. HONORARIA.....	
14. LINK TO HOLIDAY ENTITLEMENT	
15. VARIATION IN HOURS	
16. PAY PROTECTION	ERROR! BOOKMARK NOT DEFINED.
17. REDEPLOYMENT.....	
18. ADDITIONAL HOURS / OVERTIME	
19. REVIEWS OF SALARY	
20. RELATED POLICIES / PROCEDURES.....	

1. PURPOSE

- 1.1 This procedure sets out the arrangements for salary, wages and related allowances paid to employees at Havant Borough Council (HBC) and East Hampshire District Council (EHDC). It sets out the basis for determination of salary, how salary levels are arrived at and the method of pay progression. It also provides clarity on the different types of payments that are in place and how/when an employee may receive these during the course of their employment.

2. SCOPE

- 2.1 This procedure applies to all employees of the Councils. As an equal opportunity employer, care is taken to ensure that salaries are applied equally regardless of race, colour, ethnic origin, nationality, religion, gender, sexual orientation, HIV status, disability, marital status, and age, parental or caring responsibilities.
- 2.2 Please contact Capita Payroll or Capita Human Resources for assistance with the contents of this document.
- 2.3 This procedure will be reviewed regularly and may be amended to ensure that it continues to meet legal, nationally/locally agreed or operational requirements.

3. DETERMINATION OF PAY

- 3.1 HBC - The Council operates a nationally agreed pay structure in collaboration with the National Joint Council (NJC) for local government services at Havant Borough Council. New job roles are evaluated using the NJC Job Evaluation scheme. Any re-evaluation of an existing role would also be conducted using this scheme.
- 3.2 EHDC - Local pay and grading arrangements have been agreed at East Hampshire District Council. New job roles are evaluated using the Hay Job Evaluation scheme. Any re-evaluation of an existing role would also be conducted using this scheme.
- 3.3 There are a small number of employees whose pay is set at an individual level. This may be on a fixed point due to the unique nature of the role. There are also groups whose pay is set as an hourly rate and this is most often used for those required on an ad-hoc basis including those doing work to support elections.

4. PAY PROGRESSION

- 4.1 Pay progression is based on increments. Progression up to the maximum of the grade through the incremental salary points normally takes effect from 1st April each year based on satisfactory performance.

- 4.2 New employees and employees promoted internally who commence employment between 1st October and 31st March normally receive their first increment six months after their start date. Following this, the normal annual incremental progression would apply as detailed at 4.1.
- 4.3 Existing employees who are working under a secondment arrangement will be granted an incremental increase relevant to their substantive role, unless the employee has already reached the top of the salary scale for their substantive role.

5. PAY ARRANGEMENTS

- 5.1 All employees are paid monthly into a bank or building society account nominated by the individual as follows;
- EHDC employees are paid on the 24th day of each month.
 - HBC employees are paid on the last working day of each month.
- 5.2 Where the above dates fall on a Saturday, Sunday or public holiday, salary will be paid on the preceding Friday.

6. DEDUCTIONS FROM PAY

- 6.1 For the purposes of the Employment Rights Act 1996, the Council will be entitled to deduct from salary any over payments, loans or advances made to an employee in the course of their employment.
- 6.2 No other deductions, with the exception of statutory deductions¹ may be made without the express authorisation of the employee.

7. CALCULATION OF PAY

- 7.1 For annual salaried employees, a day's pay is calculated by dividing the annual salary by 260, the number of working days in the year.
- 7.2 The monthly salary is the annual salary divided by 12. In the month in which an employee joins or leaves the Council, they will be paid for actual time worked.
- 7.3 For hourly paid employees, the hourly rate is determined by dividing the full-time salary by 52.143 (weeks) and 37 (hours).

8. SENIOR MANAGEMENT GRADES

- 8.1 Senior management grades – Head of Service and above - are evaluated by reference to the Hay framework and are banded outside

¹ (e.g. income tax, national insurance, Child Support Agency payments, Council Tax orders and Court Orders)

of the Councils' pay scales. This is in recognition of additional management/leadership responsibilities and demands.

- 8.2 The senior pay scales are based on a broad band approach and are benchmarked every two years to ensure pay remains competitive in the market place. The national (HBC) and local (EHDC) cost of living pay awards which are applied across the Councils to all grades of staff below senior management do not automatically apply to senior level roles.
- 8.3 A remuneration board is in place to formally ratify senior pay decisions. This board consists of the Head of Paid Service, the Section 151 Officer, the Head of Organisational Development and a Director.

9. SALARY ON APPOINTMENT

- 9.1 Any new employee will normally be appointed to the bottom of the grade for their job. The Head of Service has the discretion to appoint to the spinal point within that grade.
- 9.2 Heads of Service and above will be appointed within the salary band for the role. This is normally at the entry point and an individual would move to the competent rate once they are judged to be meeting the full demands of the role. A separate senior pay policy sets out the arrangements for this group of staff.

10. MARKET RATE SUPPLEMENT

- 10.1 Some jobs may attract a market rate supplement based on external pay and benchmark comparison data. Market rates are not definitive but are an indication of the going rate which is being paid for that type of work at that point in time.
- 10.2 A market rate supplement is only applied in exceptional circumstances and must be agreed by the relevant Director in conjunction with the Head of Organisational Development. Relevant evidence must be provided to warrant the application of a market supplement.
- 10.3 Any agreed market rate supplement must be reviewed annually and is not deemed to be part of base pay.
- 10.4 Market rate supplements can be removed at any point if the data gained from the market determines that the market pay for the role has shifted. The relevant notice would be provided to the employee to remove this supplement.

11. CAREER GRADES

- 11.1 Some jobs are designated as career graded posts. This means that the salary band for the role spans over multiple grades, usually 2-3 grades.

- 11.2 An employee who is appointed to a career graded post can progress through a number of grades (normally two or three) on the basis of professional development, experience and level of responsibility. The route for progression through these grades will be agreed between the line manager and the employee.

12. ACTING UP ALLOWANCE

- 12.1 'Acting up' is where an individual covers some or all of the duties of a more senior post on an agreed temporary basis. When an employee agrees to act up in a higher position, they are entitled to receive additional salary based on the following formula:

- Lowest salary point for the higher post, less their existing salary, multiplied by the % of the higher-level job they are undertaking.
- The percentage is determined by the Head of Service in consultation with Human Resources based on the job description and the percentage of the job description which is being undertaken.

This payment will be incorporated into monthly salary. Example:

Lower salary point for higher level job/additional duties	= £25,500
Existing salary	= £22,000
Percentage of higher level duties	= 85%
Therefore 'Acting Up' allowance would be	
$£25,500 - £22,000 = £3,500 \times 85\%$	= £2,975
This would be payable as £248 per month.	

13. HONORARIA

- 13.1 All employees are expected to perform any other duties commensurate with their job grade as reasonably required from time to time. However, there may be exceptional circumstances where an employee agrees to take on additional duties and responsibilities that may be at the same level as their substantive grade but are beyond the reasonable scope of their normal job remit. In such circumstances, it may be possible to justify a one off honorarium payment.
- 13.2 An honorarium payment should only be considered where there is a justifiable reason and the individual is not eligible for any additional hours or acting up payment or a payment under any other Council policy.
- 13.3 An honorarium payment is a one off token payment to recognise the employee's good will in undertaking duties beyond the scope of their normal job remit and is not intended to be rewarded on a purely hours worked basis.

14. LINK TO HOLIDAY ENTITLEMENT

- 14.1 For all staff appointed after 1 April 2017 the entitlement to annual leave is 25 days increasing to 30 days after 5 years' continuous local government service. The entitlement is irrespective of grade.

Staff who were in service prior to 1 April 2017 can elect to move to this scheme for annual leave with effect from the beginning of the annual leave year (i.e. the next April) if they choose to do so.

- 14.2 Annual leave entitlements for staff who were in service prior to April 2017 and who have not elected to move to the new annual leave arrangements are directly linked to the annual leave entitlement for the grade as shown:

HBC Grades	Basic	With five years' local government service
Grade A to C	23 days	28 days
Grade D to E	24 days	28 days
Grade F to G	26 days	29 days
Grade H to K	27 days	30 days
Heads of Service	31 days	34 days
Directors	33 days	36 days

EHDC Grades - leave shown in days

Grades	Basic	5 years +	10 years +	20 years +	30 years +
1-2	24	29	30	31	32
3	25	30	31	32	33
4	26	31	32	33	34
5-6	27	32	33	34	35
7+	29	34	35	36	37

Heads of Service	31 days	34 days
Directors	33 days	36 days

Part time employees are entitled to leave/public holidays pro-rata to their contracted hours.

15. VARIATION IN HOURS

- 15.1 Where an employee changes their hours of work in agreement with their manager, this is known as a variation. Their salary and leave entitlement will be adjusted accordingly.

16. REDEPLOYMENT, PAY PROTECTION AND REDUNDANCY

- 16.1 The Councils have agreed that where the grade in the previous role is one above the post to which the employee could be redeployed, the former salary will be protected on a “marked time” basis for two years or until any pay awards, pay increments or grade restructuring takes the basic salary of the redeployed basic salary above that of the original redundant post. Any benefits such as annual leave which are associated with that grade are also protected for the same period.

This will be effective for staff employed at East Hampshire District Council from 1 November 2016.

Staff at Havant Borough Council who were employed prior to 1 April 2017 will have a protected entitlement for four years (until 31 March 2021) of three years’ protected pay only.

- 16.2 Pay protection will not normally apply in cases where redeployment is due to medical or capability reasons. In these circumstances, an employee will transfer to the terms and conditions associated with the role at the point at which their notice period would have ended.
- 16.3 From 1st November 2016, using the statutory redundancy payment scheme, the Council will enhance payment by applying a multiplier of 1.5 to actual basic pay in calculating the compensation payment of any member of staff dismissed due to redundancy. This is inclusive of any contractual allowances but not inclusive of any non-contractual ones which are defined as temporary (for example acting-up allowances, honoraria, fair pay payments etc.) Calculations of payments for pension purposes in these circumstances are defined by the LGPS rules.

This will be effective for staff employed at East Hampshire District Council from 1 November 2016.

Staff at Havant Borough Council who were employed prior to 1 April 2017 will have a protected entitlement for seven years (until 31 March 2024) of a redundancy multiplier of x2.

17. ADDITIONAL HOURS / OVERTIME

- 17.1 The Councils do not normally pay overtime. Additional hours worked over and above the contractual hours, agreed in advance with the manager, are normally compensated through flexi-time.
- 17.2 Where there is a likelihood of regular and planned overtime for particular jobs, this must be agreed in advance by the Head of Service. Exceptional overtime must also be agreed in advance by the Head of Service.

17.3 Rates are as follows:

- Saturdays are paid at time and a half
- Sundays are paid at double time
- Bank holidays are paid at double rate for any hours worked during normal working hours. Time worked outside of normal working hours is paid at double time. In addition a half day TOIL is given for up to 4 hours work and a whole days TOIL is given for over 4 hours work.
- Part-time employees are paid at basic rate for all hours worked up to 37 hours per week after which overtime rates would apply
- Attendances at evening meetings are incorporated into flexi-time hours. Overtime does not apply except where meetings extend before 7am and after 7pm.
- Employees who have a contractual working pattern which includes weekends and public holidays will not receive overtime. Time off in lieu is given at a double time rate for hours worked on a public holiday.

18. REVIEWS OF SALARY

- 18.1 An annual pay review is undertaken in collaboration with the NJC and Trades Unions nationally. Any increase is payable from 1st April each year unless otherwise advised. This applies for staff who are HBC employed.

For EHDC staff, an annual pay review is undertaken in collaboration with the locally recognised trade union. Any increase is payable from 1st April each year unless otherwise advised.

19. RELATED POLICIES / PROCEDURES

- Annual Pay Policy Statements
- Annual Leave Policy
- Job Evaluation Procedure
- Flexi-time Procedure

NON EXEMPT

EAST HAMPSHIRE DISTRICT COUNCIL/HAVANT BOROUGH COUNCIL

Meeting name Joint Human Resources Committee

**Meeting Date
12/3/19**

REPORT TITLE

Pay Policy Statement 2019/20

FOR RECOMMENDATION TO COUNCIL

**Portfolio: Portfolio Holder: Cllr Nick Drew
Cabinet Member: Cllr Lulu Bowerman**

Head of Service: Caroline Tickner, Head of Organisational Development

Key Decision: No

1.0 Purpose of Report

- 1.1. This report is submitted to Joint Human Resources Committee (JHR) in order to meet a statutory requirement to publish a Pay Policy statement annually.

2.0 Recommendation

- 2.1. JHR is recommended to approve the Pay Policy Statement for each Council, for approval at Full Council.

3.0 Executive Summary

- 3.1. The Localism Act 2011 places specific obligations on local authorities to be transparent and accountable for the way in which pay and awards are applied.
- 3.2. The Act requires each authority to produce a pay policy statement annually to ensure pay information is available to members of the public for all levels of staff from chief officer level to the lowest paid employee. Whilst salary is a central feature of the statement, there is also a requirement for transparency on other types of remuneration such as fees, allowances, benefits in kind, termination payments etc.

3.3. The current pay policy statements for each council have been reviewed to ensure their accuracy for publication for 2019/20.

3.4. JHR are asked to note that there are no amendments needed to the current statements as pay and reward has remained unchanged from 2018/19.

4.0 Additional Budgetary Implications

4.1. Nil

5.0 Background and relationship to the Corporate Strategy and Directorate Business Plan/s

5.1. The publication of pay policy statements is a statutory requirement under the Localism Act 2011.

6.0 Options considered and reasons for the recommendation

6.1. N/A

7.0 Resource Implications

7.1. Financial Implications

None identified

7.2. Human Resources Implications

None identified

7.3. Information Governance Implications

None identified

7.4. Other Resource Implication (*if appropriate*)

None identified

8.0 Legal Implications

8.1. The publication of the pay policy statements is a statutory requirement. We are fulfilling all legal obligations by publishing the statements.

9.0 Risks

9.1. There is a risk of non-compliance in respect of the authorities executing their statutory duties however by providing this statement of fact on pay, this is mitigated.

10.0 Consultation

10.1. Executive Board have been consulted on the pay policy statements of each authority and have approved the attached.

11.0 Communication

11.1 The pay policy statements will be published on the respective council website and become available to the public following approval at Full Council.

12.0 Appendices:

Appendix 1 – Havant Borough Council Pay Policy Statement 2019/20

Appendix 2 – East Hampshire District Council Pay Policy Statement 2019/20

13.0 Background Papers: None

Agreed and signed off by:

Monitoring Officer: 1st March, 2019

S151 Officer: 1st March, 2019

Director: 1st March, 2019

Portfolio Holder: 1st March, 2019

Contact Officer:	Michelle Wakefield
Job Title:	HR Business Partner
Telephone:	Ext 46046
E-Mail:	michelle.wakefield@havant.gov.uk

Appendix 1 – Havant Borough Council Pay Policy Statement 2019/20

Havant Borough Council Pay Policy Statement Financial Year 2019-20

1. Purpose

This Pay Policy Statement is provided in accordance with Section 38(1) of the Localism Act 2011 and this will be updated annually from April each year.

This pay policy statement sets out Havant Borough Council's policies relating to the pay of its workforce for the financial year 2019-20, in particular: -

- a) the remuneration of its Chief Officers
- b) the remuneration of its "lowest paid employees"
- c) the relationship between
 - the remuneration of its Chief Officers and
 - the remuneration of its employees who are not Chief Officers

This Policy Statement is an annual revision. It is available on the Council's website. The Council's website also includes separately published data on salary information relating to Chief Officers.

2. Definitions

For the purpose of this Pay Policy the following definitions will apply: -

2.1 "Pay" in addition to salary includes charges, fees, allowances, increases in/enhancements to pension entitlements, and termination payments.

2.2 "Chief Officer" refers to roles within Havant Borough Council within the senior leadership team, which comprises Statutory and Non Statutory Chief Officer posts;

- Joint Chief Executive
- Director
- Head of Service

Officers within this Chief Officer group will normally hold Statutory functions (Head of Paid Service, S151 Officer, Monitoring Officer) unless delegated by exception.

Havant Borough Council has a partnership agreement with East Hampshire District Council. Shared posts are covered by the Inter Authority Agreement.

2.3 "Lowest paid employees" refers to those staff employed within grade A of the Council's pay framework. The above definition for the "lowest paid employees" has been adopted because grade A is the lowest grade on the Council's pay framework.

2.4 “Employee who is not a Chief Officer” refers to all staff who are not covered under the “Chief Officer” group above. This includes the “lowest paid employees” i.e. staff on grade A.

3. Pay framework and remuneration levels

3.1 General approach

Remuneration at all levels needs to be adequate to secure and retain high-quality employees dedicated to fulfilling the Council's business objectives and delivering services to the public. This has to be balanced by ensuring remuneration is not, nor is seen to be, unnecessarily excessive. Each Council has responsibility for balancing these factors and each Council faces its own unique challenges and opportunities in doing so and retains flexibility to cope with various circumstances that may arise, including the use of market supplements or other such mechanisms for individual categories of posts where appropriate.

3.2 Responsibility for decisions on remuneration

It is essential for good governance that decisions on pay and reward packages for Chief Executives and Chief Officers are made in an open and accountable way and that there is a verified and accountable process for recommending the levels of top salaries.

Havant Borough Council's pay framework was implemented in April 2007 in line with national guidance, with the grade for each role being determined by a consistent job evaluation process. This followed a national requirement for all Local Authorities, and a number of other public sector employers, to review their pay and grading frameworks to ensure fair and consistent practice for different groups of workers with the same employer. As part of this Havant Borough Council determined a local pay framework reducing the overall number of grades to 12.

Pay awards are considered annually for staff. For those staff up to and including grade K and senior Manager level posts, the outcome of the national consultations by the Local Government Employers in negotiation with the Trades Unions is applied.

3.3 Salary grades and grading framework

Salary grades for staff who are not Chief Officers are determined in line with the NJC job evaluation scheme, with the grade for each role being determined by a consistent job evaluation process.

There are 12 grades (A-K) in the pay framework, grade A being the lowest and grade K the highest. Each employee will be on one of the 12 grades based on the job evaluation of their role. Grade A consists of one spinal column point. Grades B – E consist of 4 incremental steps. Grades F – K consist of 5 incremental steps. Employees can progress to

the salary range maximum of their grade subject to assessment of their performance in the appraisal performance process.

3.4 Reward Principles

In order to fulfil the strategic priorities set out within the Corporate Strategy, the Council recognises that the approach to pay and reward needs to reflect modern employment practices and continuously keep abreast of the employment market. Reward linked directly to performance, enhanced employee benefits, market supplements, retention payments and salaries based on benchmark data against similar professional roles in the public and private sector are considered as appropriate measures to attract and retain a skilled workforce.

4. Remuneration – level and element

4.1 Salaries

4.1.1 “Chief Officers”

Chief Officers are paid outside of the Council’s pay framework and the following principles are applied to Chief Officer pay;

- salary payment is based upon assessed performance in the role, measured by the individual’s performance and overall delivery and contribution to the Council’s strategic objectives
- Chief Officer pay is based on a broad band approach and is set at market rate plus. This means that the entry point of the pay scale is 15% below market rate plus and the top of the scale is 15% above market rate plus. The mid-point of the scale is set at market rate plus. Market rate plus means the Council is committed to paying 5% above the market rate based on relevant market data
- the Chief Officer pay band is benchmarked to ensure pay remains competitive in the market place. In determining Chief Officer pay, relevant available information, including the salaries of Chief Officers in other similar sized organisations is considered
- each Chief Officer is paid a spot salary within the pay band described above
- progression through the Chief Officer pay band is determined by performance in the role. Performance related pay for each Chief Officer is normally reviewed annually, with exceptions where there is a sound business reason. Additional data may be gathered to inform decision making on pay progression through the Chief Officer pay band, to recognise the variety of roles and professions within this group and market sensitivities

- a remuneration board is in place to formally ratify Chief Officer pay and pay progression. The remuneration board members are the Head of Paid Service, the Section 151 Officer, the Head of Organisational Development and a Director. Any decision by the remuneration board will be documented for transparency purposes. The remuneration boards' decision on pay will be final
- the total amount available for Chief Officer performance awards will be set each year by the remuneration panel and will be wholly dependent on the financial position of the Council. Performance awards are therefore not guaranteed each year for Chief Officers.
- pay increases awarded to non-Chief Officers, negotiated through national collective bargaining, will only apply to Chief Officers at the discretion of the Head of Paid Service and in exceptional circumstances
- all pay awards for this group are noted by Joint HR Committee

4.1.2 Joint Chief Executive

The Joint Chief Executive is the Council's Head of Paid Service. The remuneration for the Joint Chief Executive is paid outside of the Council's pay framework. The level of pay for this role is determined by the Leaders of both Councils taking into account benchmarking.

The annual pay review for the Joint Chief Executive is considered by the Leaders of both Councils. The annual pay review takes place annually each year from 1 April.

4.2 "Lowest paid employees"

Each "lowest paid employee" is paid within the salary range for grade A.

4.3 Other pay elements

"Chief Officers" are subject to the same performance management process as the "lowest paid employees" and "employees who are not Chief Officers".

Targets are set and performance against those targets is assessed. Chief Officers do not receive any incremental or step progression as they are on a spot salary which is reviewed on an annual basis by the Joint Chief Executive.

Where an incremental pay award is made to a non Chief Officer, performance will be taken into account when determining whether this is appropriate.

4.4 Charges, fees or allowances

Any allowance or other payments will only be made to staff in connection with their role or the patterns of hours they work and must be in accordance with the Council's collective agreement and subsequent amendments.

Any honorarium that is paid will be paid in accordance with Havant Borough Council's arrangements for such additional payments. Further details can be provided on request.

Any travel expenses reasonably incurred by an employee in the course of their duties will be reimbursed upon production of appropriate receipts and must be authorised by their line manager before payment will be made. Further detail can be provided on request.

Any subsistence allowance that is paid will be in accordance with the Council's policy, details of which can be provided on request.

An allowance is paid to the Returning Officer for Havant Borough Council in accordance with accepted national and regional scales and criteria.

Electoral duty payments are paid to all roles employed within the Elections team at Havant Borough Council. These are calculated in accordance with a formula approved annually by the Home Office and Electoral Claims Unit.

Further details on allowances and payments are available on request.

4.5 Performance related pay

High levels of performance are expected of our employees. Performance and contribution during the course of the year is reviewed within the annual appraisal process.

This process provides for the setting of targets on an annual basis and review of the employees achievement against those targets.

Where a member of staff is employed within the salary and grading framework set out in 3.3, following assessment of the employee's achievement against targets the reviewing manager will recommend a rating for each employee and this will be subject to consistency checks and once finalised will be taken into account in determining any salary progression on an incremental basis within the salary range or no progression.

Achieved performance: This will normally result in the progression of one incremental step but will not take the salary above the salary range maximum. This rating is awarded to the majority of staff. If an employee is at top of the grade range, there will be no further increase.

Improvement required: There is normally no step progression for anyone who does not meet the satisfactory levels of performance.

The staff recognition scheme offers a one off payment which may be awarded to staff as a reward for going above and beyond in their given role. A staff recognition panel awards payment.

Any salary changes following assessment under the Appraisal process will normally be effective from 1 April each year.

Performance related payments for the Chief Officer group are referred to in 4.1.1.

4.6 Other:

- a) There is a formal provision for a payment to the Joint Chief Executive based on performance which is determined through the normal appraisal system conducted by the Leaders of both Councils.
- b) Staff members are entitled to access a range of voluntary benefits and discounts through a third party supplier.
- c) A single financial benefit is payable upon death of any member of staff. The benefit is paid to either widows, widowers, civil partners, cohabiting partners without a legal status or dependent children under the age of 19 who are still in full time education. The benefit is equivalent to the greater of; one twelfth of one year's salary, or £1500 after five years' service, or £2,000 after ten years' service or £2,500 after twenty years' service.

4.7 Car Loans

The current scheme offers car loans up to the following amounts:

Director	Up to £19,000
Heads of Service	Up to £15,900
Essential Users and Employees H-K	Up to £13,600

These are only available to those staff who are deemed to be 'essential car users'. The loan rate is in line with the Bank of England base rate, fixed at the point of taking out the loan. The maximum car loan an employee can have is determined by their annual salary and is based on one third of their annual salary or the value of the car (whichever is lower). The term of the car loan is up to a maximum of five years.

4.8 Pension

All employees as a result of their employment are eligible to join the Local Government Pension Scheme. There are no increases or enhancement to pension entitlements.

4.9 Severance Payments

On ceasing to be employed by Havant Borough Council, individuals will only receive compensation:

- a) in circumstances that are relevant (e.g. redundancy)
- b) that is in accordance with our published policy statement on how we exercise the various employer discretions provided by the Local Government Pension Scheme (LGPS), and/or
- c) that complies with the specific term(s) of a compromise agreement

We are already required to publish our policy on discretionary payments on early termination of employment as well as publishing our policy on increasing an employee's total pension scheme membership and on awarding additional pension.

It is important that the Council has flexibility to respond to unforeseen circumstances as regards re-employing former employees as a Chief Officer.

If we re-employ a previous employee who received a redundancy or severance package on leaving, or if that person returns on a 'contract for services', or if they are in receipt of a Local Government Pension Scheme (with same or another local authority), then the decision to re-employ will be made on merit, taking into account the use of public money and the exigencies of the Council. Decisions taken in respect of re-employment of former employees in receipt of a redundancy/severance package will be taken in line with legislation in force at that time.

4.10 New starters joining the Council

Employees new to the Council and who are not Chief Officers will normally be appointed to the first point of the salary range for their grade. Where the candidate's current employment package would make the first point of the salary range unattractive (and this can be demonstrated by the applicant in relation to current earnings) or where the employee already operates at a level commensurate with a higher salary, a higher salary may be considered by the recruiting manager. This will be within the salary range for the grade. The candidate's level of skill and experience should be consistent with that of other employees in a similar position on the salary range.

Employees new to the Council who are appointed to Chief Officer or posts outside of the salary and grading structure (see 3.3) will be paid a fixed salary for the post (see 4.1.1)

4.11 Apprenticeship Posts

The Council employs apprentices through an approved Apprentice Framework. Apprentices are appointed onto the grade appropriate for the post.

5. Relationship between remuneration of “Chief Officers” and “employees who are not Chief Officers”

The pay multiple based on the ratio between the highest paid employee and the mean average earnings across Havant Borough Council is 1: 2.7

The pay multiple based on the ratio between the highest paid employee and the lowest paid employee across Havant Borough Council is 1: 5.5

6. Review

The Localism Act 2011 requires relevant authorities to prepare a Pay Policy Statement for each subsequent financial year. Havant Borough Council’s annual statement is normally scheduled for approval by Full Council in advance of 1 April each year, unless there are exceptional circumstances.

If it should be necessary to amend this statement during this financial year, an appropriate resolution will be made by Full Council.

Appendix 2 – East Hampshire District Council Pay Policy Statement 2019/20

East Hampshire District Council Pay Policy Statement Financial Year 2019-20

1. Purpose

This Pay Policy Statement is provided in accordance with Section 38(1) of the Localism Act 2011 and this will be updated annually from April each year.

This pay policy statement sets out East Hampshire District Council's policies relating to the pay of its workforce for the financial year 2019-20, in particular:

-

- a) the remuneration of its Chief Officers
- b) the remuneration of its "lowest paid employees"
- c) the relationship between
 - the remuneration of its Chief Officers and
 - the remuneration of its employees who are not Chief Officers

This Policy Statement is an annual revision. It is available on the Council's website. The Council's website also includes separately published data on salary information relating to Chief Officers.

2. Definitions

For the purpose of this Pay Policy the following definitions will apply: -

2.1 "Pay" in addition to salary includes charges, fees, allowances, increases in/enhancements to pension entitlements, and termination payments.

2.2 "Chief Officer" refers to roles within East Hampshire District Council within the senior leadership team, which comprises Statutory and Non Statutory Chief Officer posts;

- Joint Chief Executive
- Director
- Head of Service

Officers within this Chief Officer group will normally hold Statutory functions (Head of Paid Service, S151 Officer, Monitoring Officer) unless delegated by exception.

East Hampshire District Council has a partnership agreement with Havant Borough Council. Shared posts are covered by the Inter Authority Agreement.

2.3 “Lowest paid employees” refers to those staff employed within grade 1 of the Council’s pay framework. There are no staff governed by National consultation groups.

The above definition for the “lowest paid employees” has been adopted because grade 1 is the lowest grade on the Council’s pay framework.

2.4 “Employee who is not a Chief Officer” refers to all staff who are not covered under the “Chief Officer” group above. This includes the “lowest paid employees” i.e. staff on grades 1.

3. Pay framework and remuneration levels

3.1 General approach

Remuneration at all levels needs to be adequate to secure and retain high-quality employees dedicated to fulfilling the Council’s business objectives and delivering services to the public. This has to be balanced by ensuring remuneration is not, nor is seen to be, unnecessarily excessive. Each Council has responsibility for balancing these factors and each Council faces its own unique challenges and opportunities in doing so and retains flexibility to cope with various circumstances that may arise, including the use of market supplements or other such mechanisms for individual categories of posts where appropriate.

3.2 Responsibility for decisions on remuneration

It is essential for good governance that decisions on pay and reward packages for Chief Executives and Chief Officers are made in an open and accountable way and that there is a verified and accountable process for recommending the levels of top salaries.

Pay for the “lowest paid employees” and “all other employees who are not Chief Officers” is determined by negotiation between UNISON and the senior management team through an annual pay claim instigated by UNISON at a local level.

The East Hampshire District Council pay framework was agreed and implemented on 1 April 1991.

3.3 Salary grades and grading framework

Salary grades for staff who are not Chief Officers are determined in line with the HAY job evaluation scheme, with the grade for each role being determined by a consistent job evaluation process. This approach followed a national requirement for all Local Authorities and other public sector employers to review their pay and grading frameworks to ensure fair and consistent practice for different groups of workers with the same employer.

As part of this requirement, East Hampshire District Council determined a local pay framework which consists of an overall number of 11 grades with grade 1 being the lowest and grade 11 the highest.

Each employee will be on one of the 11 grades based on the job evaluation of their role. Employees can progress to the salary range maximum of their grade subject to assessment of their performance in the annual performance appraisal process.

Pay awards are considered annually for staff in negotiation with the Trades Unions locally.

3.4 Reward Principles

In order to fulfil the strategic priorities set out within the Corporate Strategy, the Council recognises that the approach to pay and reward needs to reflect modern employment practices and continuously keep abreast of the employment market. Reward linked directly to performance, enhanced employee benefits, market supplements, retention payments and salaries based on benchmark data against similar professional roles in the public and private sector are considered as appropriate measures to attract and retain a skilled workforce.

4. Remuneration – level and element

4.1 Salaries

4.1.1 “Chief Officers”

Chief Officers are paid outside of the Council’s pay framework and the following principles are applied to Chief Officer pay;

- salary payment is based upon assessed performance in the role, measured by the individual’s performance and overall delivery and contribution to the Council’s strategic objectives
- Chief Officer pay is based on a broad band approach and is set at market rate plus. This means that the entry point of the pay scale is 15% below market rate plus and the top of the scale is 15% above market rate plus. The mid-point of the scale is set at market rate plus. Market rate plus means the Council is committed to paying 5% above the market rate based on relevant market data
- the Chief Officer pay band is benchmarked to ensure pay remains competitive in the market place. In determining Chief Officer pay, relevant available information, including the salaries of Chief Officers in other similar sized organisations is considered

- each Chief Officer is paid a spot salary within the pay band described above
- progression through the Chief Officer pay band is determined by performance in the role. Performance related pay for each Chief Officer is normally reviewed annually, with exceptions where there is a sound business reason. Additional data may be gathered to inform decision making on pay progression through the Chief Officer pay band, to recognise the variety of roles and professions within this group and market sensitivities
- a remuneration board is in place to formally ratify Chief Officer pay and pay progression. The remuneration board members are the Head of Paid Service, the Section 151 Officer, the Head of Organisational Development and a Director. Any decision by the remuneration board will be documented for transparency purposes. The remuneration boards' decision on pay will be final
- the total amount available for Chief Officer performance awards will be set each year by the remuneration panel and will be wholly dependent on the financial position of the Council. Performance awards are therefore not guaranteed each year for Chief Officers.
- pay increases awarded to non-Chief Officers, negotiated through national collective bargaining, will only apply to Chief Officers at the discretion of the Head of Paid Service and in exceptional circumstances
- all pay awards for this group are noted by Joint HR Committee

4.1.2 Joint Chief Executive

The Joint Chief Executive is the Council's Head of Paid Service. The remuneration for the Joint Chief Executive is paid outside of the Council's pay framework. The level of pay for this role is determined by the Leaders of both Councils taking into account benchmarking.

The annual pay review for the Joint Chief Executive is considered by the Leaders of both councils. The annual pay review takes place annually each year from 1 April.

4.2 "Lowest paid employees"

Each "lowest paid employee" is paid within the salary range for grade 1.

4.3 Other pay elements

"Chief Officers" are subject to the same performance management process as the "lowest paid employees" and "employees who are not Chief Officers".

Targets are set and performance against those targets is assessed. Chief Officers do not receive any incremental or step progression as they are on a spot salary which is reviewed on an annual basis by the Joint Chief Executive.

Where an incremental pay award is made to a non Chief Officer, performance will be taken into account when determining whether this is appropriate.

4.4 Charges, fees or allowances

Any allowance or other payments will only be made to staff in connection with their role or the patterns of hours they work and must be in accordance with the Council's collective agreement and subsequent amendments.

Any honorarium that is paid will be paid in accordance with East Hampshire District Council's arrangements for such additional payments. Further details can be provided on request.

Any travel expenses reasonably incurred by an employee in the course of their duties will be reimbursed upon production of appropriate receipts and must be authorised by their line manager before payment will be made. Further detail can be provided on request.

Any subsistence allowance that is paid will be in accordance with the Council's policy, details of which can be provided on request.
An allowance is paid to the Returning Officer for East Hampshire District Council in accordance with accepted national and regional scales and criteria.

Electoral duty payments are paid to all roles employed within the Elections team at East Hampshire District Council. These are calculated in accordance with a formula approved annually by the Home Office and Electoral Claims Unit.

Further details on allowances and payments are available on request.

4.5 Performance related pay

High levels of performance are expected of our employees. Performance and contribution during the course of the year is reviewed within the annual appraisal process.

This process provides for the setting of targets on an annual basis and review of the employee's achievement against those targets.

Where a member of staff is employed within the salary and grading framework set out in 3.3, following assessment of the employee's achievement against targets the reviewing manager will recommend a rating for each employee and this will be subject to consistency checks and once finalised will be taken into account in determining any salary progression on an incremental basis within the salary range or no progression.

Achieved performance: This will normally result in the progression of one incremental step but will not take the salary above the salary range maximum. This rating is awarded to the majority of staff. If an employee is at top of the grade range there will be no further increase.

Improvement required: There is normally no step progression for anyone who does not meet the satisfactory levels of performance.

The staff recognition scheme offers a one off payment which may be awarded to staff as a reward for going above and beyond in their given role. A staff recognition panel awards payment.

Any salary changes following assessment under the Appraisal process will normally be effective from 1 April each year.

Performance related payments for the Chief Officer group are referred to in 4.1.1.

4.6 Other:

- a) There is a formal provision for a payment to the Joint Chief Executive based on performance which is determined through the normal appraisal system conducted by the Leaders of both Councils.
- b) Staff members are entitled to access a range of voluntary benefits and discounts through a third party supplier.
- c) A single financial benefit is payable upon death of any member of staff. The benefit is paid to either widows, widowers, civil partners, cohabiting partners without a legal status or dependent children under the age of 19 who are still in full time education. The benefit is equivalent to the greater of; one twelfth of one year's salary, or £1500 after five years' service, or £2,000 after ten years' service or £2,500 after twenty years' service.

4.7 Car Loans

The current scheme offers car loans up to the following amounts:

Director	Up to £19,000
Heads of Service	Up to £15,900
Essential Users and Employees H-K	Up to £13,600

These loans are only available to those staff who are deemed to be 'essential car users'. The loan rate is in line with the Bank of England base rate, fixed at the point of taking out the loan. The maximum car loan an employee can have is determined by their annual salary and is based on one third of their annual salary or the value of the car (whichever is lower). The term of the car loan is up to a maximum of five years.

4.8 Pension

All employees as a result of their employment are eligible to join the Local Government Pension Scheme. There are no increases or enhancement to pension entitlements.

4.9 Severance Payments

On ceasing to be employed by East Hampshire District Council, individuals will only receive compensation:

- a) in circumstances that are relevant (e.g. redundancy)
- b) that is in accordance with our published policy statement on how we exercise the various employer discretions provided by the Local Government Pension Scheme (LGPS), and/or
- c) that complies with the specific term(s) of a compromise agreement

We are already required to publish our policy on discretionary payments on early termination of employment as well as publishing our policy on increasing an employee's total pension scheme membership and on awarding additional pension.

It is important that the Council has flexibility to respond to unforeseen circumstances as regards re-employing former employees as a Chief Officer.

If we re-employ a previous employee who received a redundancy or severance package on leaving, or if that person returns on a 'contract for services', or if they are in receipt of a Local Government Pension Scheme (with same or another local authority), then the decision to re-employ will be made on merit, taking into account the use of public money and the exigencies of the Council. Decisions taken in respect of re-employment of former employees in receipt of a redundancy/severance package will be taken in line with legislation in force at that time.

4.10 New starters joining the Council

Employees new to the Council and who are not Chief Officers will normally be appointed to the first point of the salary range for their grade. Where the candidate's current employment package would make the first point of the salary range unattractive (and this can be demonstrated by the applicant in relation to current earnings) or where the employee already operates at a level commensurate with a higher salary, a higher salary may be considered by the recruiting manager. This will be within the salary range for the grade. The candidate's level of skill and experience should be consistent with that of other employees in a similar position on the salary range.

Employees new to the Council who are appointed to Chief Officer or posts outside of the salary and grading structure (see 3.3) will be paid a fixed salary for the post (see 4.1.1)

4.11 Apprenticeship Posts

The Council employs apprentices through an approved Apprentice Framework. Apprentices are appointed onto the grade appropriate for the post.

5. Relationship between remuneration of “Chief Officers” and “employees who are not Chief Officers”

The pay multiple based on the ratio between the highest paid employee and the mean average earnings across East Hampshire District Council is 1: 3.5

The pay multiple based on the ratio between the highest paid employee and the lowest paid employee across East Hampshire District Council is 1: 6.9

6. Review

The Localism Act 2011 requires relevant authorities to prepare a Pay Policy Statement for each subsequent financial year. East Hampshire District Council’s annual statement is normally scheduled for approval by Full Council in advance of 1 April each year, unless there are exceptional circumstances.

If it should be necessary to amend this statement during this financial year, an appropriate resolution will be made by Full Council.

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NON-EXEMPT

**EAST HAMPSHIRE DISTRICT COUNCIL
HAVANT BOROUGH COUNCIL**

Joint HR Committee

12th March, 2019

**Trades Union Facilities and Recognition Agreement
Caroline Tickner
Head of Organisational Development**

FOR DECISION

**Portfolio Holder for Governance and Organisational Development
Cllr Nick Drew (EHDC)
Cabinet Lead for People and Communications Cllr Lulu Bowerman
(HBC)**

Executive Director: Lydia Morrison

Key Decision: No

1.0 Purpose of Report

- 1.1 This report provides the councils with comprehensive Facilities and Recognition Agreements which have been drafted for use across East Hampshire District Council (EHDC) and Havant Borough Council (HBC)
- 1.2 These agreements are identical but are drafted as separate documents as Unison (the union) have independent branches at each council who work in cooperation with each other.

2.0 Recommendation

- 2.1 Councillors are asked to note the content of the report and approve the attached agreements.

3.0 Executive Summary

- 3.1 The councils want to ensure that the statutory position and the councils' approaches to trades union activity are clear, consistent and well understood.

- 3.2 In view of the outsourced HR and Payroll service provided by Capita it is important that clarity can be given to the contractor to ensure correct and consistent advice.
- 3.3 There are no changes being made to the councils' approaches, but these agreements draw together all the information into one document. The agreements will ensure there is representation for council employees and those delivering services through contractors.

4.0 Additional Budgetary Implications

- 4.1 There is no additional cost to the councils as there are no changes to current arrangements. It also provides clarity on our deduction of contributions at source arrangements (DOCAS).

5.0 Background and relationship to the Corporate Strategy and Directorate Business Plan/s

- 5.1 The adoption of these agreements supports the commitment of the councils to work together with the contractors (Norse, Capita) and where possible, to treat staff and trades union representatives and officials consistently.

6.0 Options considered and reasons for the recommendation

- 6.1 The adoption of these agreements will ensure that decisions are made robustly and consistently. It will also ensure that the councils comply with their own policies and the legislation governing trades union recognition and activities.

7.0 Resource Implications

- 7.1 Financial Implications
None
- 7.2 Human Resources Implications
None. These agreements provide clarity and will support the effective representation of staff and compliance with the legislation.
- 7.3 Other Resource Implications
None to report

8.0 Legal Implications

- 8.1 The legal implications of these agreements relate primarily to the councils' obligations to trades union recognition and permitted time off (both paid and unpaid) for trades union activities and duties. It is a requirement that employer and representatives' obligations are documented to aid mutual understanding and to ensure consistency of

approach.

9.0 Risks

- 9.1 As the Payroll service is provided by an outsourced provider, the councils must ensure through adequate audits that the deductions of union membership fees (under DOCAS) and any other financial matters or payments are conducted in a manner which is compliant with all statutory requirements and council policies.

10 Consultation

- 10.1 Consultation has been held with UNISON at both local and regional level and agreement reached. It was noted by UNISON regional representatives that the councils were widening their facilities agreements in recognition of the widened (outsourced) workforce.

11 Communication

- 11.1 These agreements will be added to the suite of policies available on AskHR, now in use as part of the Capita delivery of HR services. All staff and managers will be signposted to this via the usual communication channels.

Appendices:

Appendix A – Trades Union Facilities and Recognition Agreements

Background Papers: N/A

Agreed and signed off by:

Monitoring Officer: *4th March, 2019*

S151 Officer: *1st March, 2019*

Director: *4th March, 2019*

Portfolio Holder: *1st March, 2019*

Date: 4th March, 2019

Contact Officer: Marthie Turner
Job Title: HR Business Partner
Telephone: 02392 446325
E-Mail: Marthie.turner@easthants.gov.uk

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Agreed:	
Revision due:	

Trade Union and Council Time Off & Facilities Agreement

CONTENTS

1. PURPOSE.....	1
2. PRINCIPLES.....	1
3. SCOPE	2
4. DEFINITIONS	2
5. PAYMENT FOR TIME OFF.....	2
6. TRADE UNION DUTIES	3
7. TIME OFF FOR TRAINING.....	3
8. RECOGNITION OF REPRESENTATIVES.....	3
9. TIME OFF FOR HEALTH & SAFETY REPRESENTATIVES.....	4
10. FURTHER ARRANGEMENTS.....	4
11. FACILITIES FOR UNION REPRESENTATIVES.....	4
12. THE DEDUCTIONS OF CONTRIBUTION AT SOURCE (DOCAS).....	4
13. VARIATION	5
APPENDIX 1	6

1. PURPOSE

1.1 This agreement establishes a framework of responsibilities and procedures for accredited representatives of any trade unions recognised by the council for reasonable paid time off during working hours to carry out official trade union duties. It also sets out the provision of facilities for accredited staff representatives to conduct their affairs.

1.2 The trade union currently recognised by the council is **UNISON**.

2. PRINCIPLES

2.1 The council and UNISON recognise the importance of good employee relations and the efficient use of resources to achieve effective service delivery. The council supports the system of collective bargaining and the principle of solving employee relations problems by discussion and agreement.

- 2.2 The council recognises the right of accredited trade union representatives to reasonable time-off during working hours for trade unions duties and training relevant to their responsibilities.
- 2.3 In recognising the need to provide effective and acceptable levels of day-to-day operational service the council and UNISON will agree mutually convenient time-off work with the relevant manager. UNISON representatives will provide maximum notice of planned time off to minimise disruption.
- 2.4 The council reserves the right to refuse a request for time-off under this agreement. This will most often relate to circumstances where it is judged impractical to release the representative for operational or safety reasons. Permission for time-off will not unreasonably be withheld.
- 2.5 UNISON acknowledges their responsibility to ensure that their members are appropriately briefed on and trained in their duties.
- 2.6 The council will ensure that all management are familiar with these arrangements.

3. SCOPE

- 3.1 This agreement is between the council and the council's branch of UNISON, representing its employees, employees of council-owned commercial entities and those whose contracts of employment have transferred to other employers as a result of contracting-out of council duties, provided they remain in the branches. It applies to branch officers and union representatives of UNISON, who are employees of the council.
- 3.2 The council and UNISON are committed to an open and honest relationship and respect each other's roles. Both parties will ensure that the spirit and intention of this agreement is honoured at all times and is reflected in the work of its representatives and HR staff including those employed by Capita.
- 3.3 This agreement will be reviewed annually and may be amended by agreement of both parties to ensure that it meets legal, nationally agreed or operational requirements.

4. DEFINITIONS

- 4.1 For the purposes of clarity, the following definitions apply in respect of trade unions duties and activities:

Duties are defined as relating to collective bargaining, employee representation, attending approved training in employee relations and preparations such duties. The duties must be connected with the council. Please refer to Appendix 1.

Activities are defined as any other lawful activity of a trade union e.g. attending meetings, courses and conferences with the exception of activities relating to the organising of industrial action.

5. PAYMENT FOR TIME OFF

- 5.1 Unison representatives engaged on recognised duties (see Appendix 1) are paid at their normal rate of pay.
- 5.2 Travel and subsistence costs will not be reimbursed by the council.

6. TRADE UNION DUTIES

- 6.1 UNISON accredited representatives are permitted to take reasonable time off work with pay, during work hours, to carry out trade union duties, with the agreement of their line manager. Wherever possible, UNISON will notify the council at the beginning of each year of the calendar of union events and who may be likely to attend.
- 6.2 There is no statutory right to paid time off for trade union activities, however in the interests of proper workplace representation and the effective operation of the UNISON branch, the council will discuss this with UNISON any request for paid time off and the best way to accommodate this request.
- 6.3 It is agreed that requests for time off will not be unreasonably refused, with due consideration given to the business needs of the council.
- 6.4 Representatives will consider their work duties when agreeing to take part in union duties and activities and will talk to their manager if they have any concerns over their workload.
- 6.5 If requesting paid time off in a block of over 4 hours, accredited representatives must obtain the permission of their manager, informing the manager of the general purpose of the time off, the location, timing and duration.
- 6.6 Representatives are required to record separately time spent on: paid duties, paid activities and paid time off to work for members not employed directly by EHDC or HBC. Unpaid activities will not be recorded. The total time taken for the branch should be reported to the Head of Organisational Development for the financial year as soon as possible after 1 April, and no later than two months after this date.
- 6.7 During paid time off for trade union duties, the council will endeavour to provide appropriate cover for work where necessary.

7. TIME OFF FOR TRAINING

- 7.1 Reasonable paid time off will be given for representatives to attend training courses approved by UNISON or the TUC. This includes,
- Initial training in basic representational skills
 - Further training for special responsibilities
 - Training in up to date legislation and employee relations.
 - Training in negotiation skills and managing change
- 7.2 UNISON must give at least 10 working days notice of course dates and course details in writing to line managers and co-operate in arrangements to cover work in the absence of representatives.

8. RECOGNITION OF REPRESENTATIVES

- 8.1 UNISON will notify the council at the earliest opportunity of the names of elected representatives. The council and UNISON will be responsible for ensuring that the union maintains a list of all accredited representatives and a review of the information held should be undertaken on an annual basis.
- 8.2 Under normal circumstances representation of a council's employees will be by a representative employed by the same Council. In certain circumstances, however, it will be appropriate for staff members to be represented by external representatives from UNISON typically from the Regional office.

9. TIME OFF FOR HEALTH & SAFETY REPRESENTATIVES

- 9.1 UNISON is responsible for the appointment of union health & safety representatives. The council will provide such paid time off for the purposes of,
- Performing health & safety functions under relevant legislation
 - Undergoing training to fulfil their role
 - Attendance at health & safety meetings (see Appendix 1)

10. FURTHER ARRANGEMENTS

- 10.1 The council will always aim to hold meetings when the appropriate representatives are available and may adjust accordingly.
- 10.2 If a meeting overruns beyond the representative's normal finishing time, they are not entitled to any overtime payment, but must be noted on flexi-time according to local conditions.
- 10.3 If a representative attends a meeting on their day off, they are entitled to the equivalent time off, at a mutually agreeable time.
- 10.4 The council and UNISON will make every effort to resolve any dispute in relation to paid time off for trade union duties.
- 10.5 If permission for time off is withheld, the council must provide reasons for the decision. UNISON has right to appeal against the decision to the Head of Organisational Development.
- 10.6 If agreement is not reached, the matter will be referred to the Chief Executive and the decision will be final.

11. FACILITIES FOR UNION REPRESENTATIVES

- 11.1 The council will ensure the provision for representatives to conduct their union business and will grant reasonable requests to:
- Use of trade union notice boards
 - Office facilities, as and where appropriate and where such facilities can be made available
 - Use of IT including internet/intranet access, telephones, as well as photocopier and internal post.
 - Meeting rooms will be made available (except in the case of industrial action)
 - Representation of members for the duties shown in Appendix 1
 - Be invited to attend corporate induction events for new employees
- 11.2 Where the costs of the provision of facilities are demonstrated to be excessive, the council reserve the right to limit those facilities following full discussion.

12. THE DEDUCTIONS OF CONTRIBUTION AT SOURCE (DOCAS)

- 12.1 The deduction of contributions at source (DOCAS or also known as check-off) is the method by which trade unions are able to collect subscriptions at source from the employer. The Trade Union Act 2016 means that from 10 March 2018 an agreement has been in place to ensure the Council can charge a reasonable fee

for this arrangement. Reasonable is defined as being 'substantially equivalent to the total cost to public funds of making the deductions'. A copy of the DOCAS agreement is available from Strategic HR.

- 12.2 DOCAS and the provision of membership data can be seen as part of the council's commitment to collective bargaining and the agreement they share with Unison to represent the best interests of the workforce.

13. VARIATION

- 13.1 If either party seeks to terminate this agreement, it must give the other party 6 months notice.
- 13.2 Any proposals to amend this agreement must be in writing and subject to joint discussions.
- 13.3 This agreement is not legally binding and not enforceable in law.

APPENDIX 1

Entitlement to paid time off¹

Examples of trade union duties

There is a statutory entitlement to payment for time off for trade union duties.

- Negotiations with the council for the purposes of collective bargaining
- Terms and conditions of employment
e.g. pay, hours of work, holidays and holiday pay, sick pay, pensions, learning needs, equalities, notice periods, the work environment
- Engagement, termination or suspension of employment of one or more employees
e.g. recruitment & selection policies, human resource planning, redundancy and dismissal arrangements
- Allocation of work or duties of employment between workers or groups of workers
e.g. job grading, job evaluation, job descriptions, flexible working, family friendly policies
- Matters of discipline
e.g. disciplinary procedures, representing members at internal interviews, appearing for a trade union member or as a witness before agreed appeal or external bodies
- Trade union membership
e.g. representational arrangements, new employee induction
- Trade union facilities
e.g. arrangements for the provision of accommodation, equipment, names of new members
- Union Learning representatives
The member must be trained to carry out the of a learning representative
- Machinery for negotiation or consultation or other procedures
e.g. collective bargaining, grievance procedures, joint consultation, communication with members, communicating with other union officials also concerned with collective bargaining

Duties must be connected with, or related to, negotiations or the performance functions both in time and subject matter.

Examples of trade union activities

There is no statutory requirement that union members or representatives be paid for time off taken on trade union activities

- Attending workplace meetings to discuss and vote on the outcome of negotiations with the council

¹ Source – ACAS Code of Practice 3 – Time off for trade union duties and activities

- Meeting full-time officials to discuss issues relevant to the workplace
- Voting in union elections
- As a representative taking part in,
 - Branch, area or regional meetings where the business of the union is under discussion
 - Meetings of official policy making bodies such as the executive committee or annual conference
 - Meetings with full-time officials to discuss issues relevant to the workplace

There is no right to time off for trade union activities which consists of industrial action.

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