

HAVANT BOROUGH COUNCIL
PUBLIC SERVICE PLAZA
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HUMAN RESOURCES AGENDA

Membership: Councillor Howard (Chairman)

Councillors Crellin, Francis, Linger, Patrick and Wade

Meeting: Human Resources

Date: Wednesday 23 March 2022

Time: 5.00 pm

Venue: Hurstwood Room, Public Service Plaza, Civic Centre Road,
Havant, Hampshire PO9 2AX

The business to be transacted is set out below:

Kim Sawyer
Chief Executive

Date: 15th March 2022

Contact Officer: Lauren Kennedy
Email: lauren.kennedy@easthants.gov.uk

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To receive and record any apologies for absence.	
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To receive any declarations of interest.	
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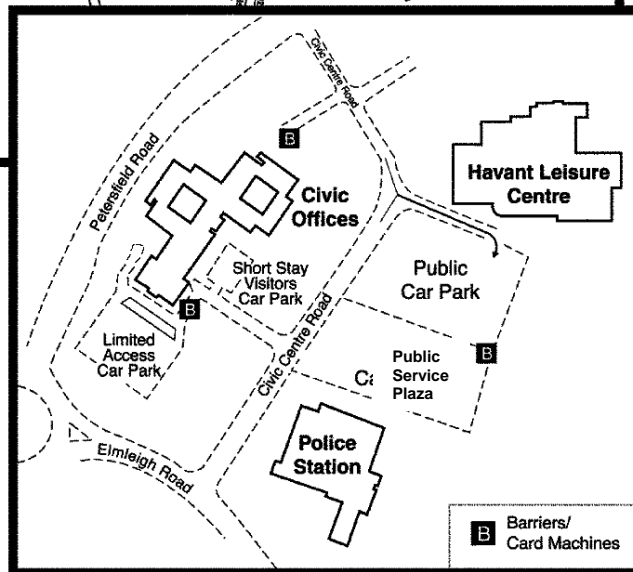
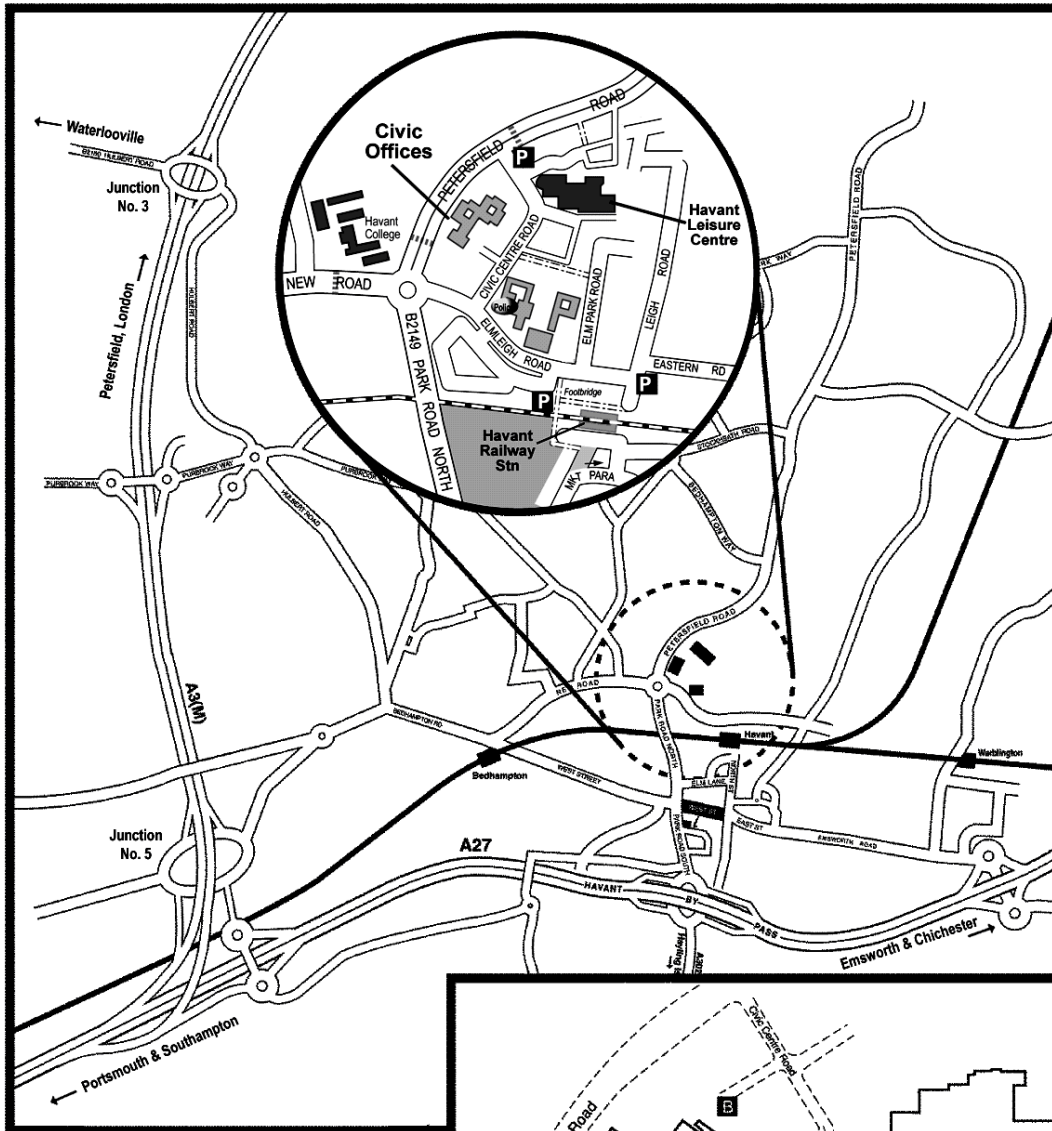
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NON-EXEMPT

HAVANT BOROUGH COUNCIL

HR Committee

23rd March, 2022

Pay Policy Statement 2022/23

FOR DECISION

Portfolio Holder: Cllr Narinder Bains

Key Decision: No

Report Number: HBC/034/2022

1. Purpose

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

2. Recommendation

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

3. 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 pay policy statement also requires the council to publish the relationship between the remuneration of “Chief Officers” and “employees who are not Chief Officers”. The

recommended multiplier is that the ratio is no more than 20x the lowest paid employee¹. The council is significantly well below this multiplier and benchmarking with other similar councils would indicate that the council is in step or below the multipliers of other councils.

3.4. The current pay policy statement for the council has been reviewed to ensure its accuracy for publication for 2022/23.

4. Additional Budgetary Implications

4.1. None

5. Background and relationship to Corporate Strategy and/or Business Plans

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

6. Options considered

1. Implement the pay policy statement as this is a statutory requirement.
2. Do nothing. This will mean the council is in breach of the Localism Act 2011.

7. Resource Implications

7.1. Financial Implications

None identified.

S151 Officer comments

Date: 17th January 2022

No additional financial implications.

7.2. Human Resources Implications

¹ The Hutton Review

None identified.

7.3. Information Governance Implications

None identified.

Other resource implications

There will be a requirement for communications support to publish the policy on the council's website.

7.4 Links to Shaping Our Future Programme

There are no direct links to the SoF programme however we will need to continue to annually monitor the ratio between the Chief Executive and the lowest paid employee as transformation work develops in the council.

Chief Operating Officer comments

Date: 20th January 2022

There are no direct impacts to the Shaping Our Future Programme from this report.

Kim Sawyer

7.5 Other resource implications

There are no other resource implications identified.

8. Legal Implications

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

Legal Implications

Monitoring Officer

Date: 11th January 2022

All Legal Implications are sound.

Surinder Atkar

9. Risks

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

10. Consultation

- 10.1. Unison will be informed about the pay policy statement of the council.

11. Communication

- 11.1. The pay policy statement will be published on the council's website and become available to the public following approval at Full Council.

12. Appendices

Appendix A – Havant Borough Council Pay Policy Statement 2022/23

Appendix B – Havant Borough Council Senior Salaries

13. Background papers

- 13.1. None

Agreed and signed off by:

Portfolio Holder: Cllr. Narinder Bains 16th February 2022

Director: 20th January 2022

Monitoring Officer: 11th January 2022

Section 151 Officer: 17th January 2022

Contact Officer:

Name: Gina King

Job Title: HR Advisor

E-Mail: gina.king@easthants.gov.uk gina.king@havant.gov.uk

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Havant Borough Council Pay Policy Statement Financial Year 2022-23

1. Purpose

This Pay Policy Statement is provided in accordance with Section 38(1) of the Localism Act 2011 and is 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 2022-23, 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. Scope

This statement applies to all employees of the council employed under the conditions of service of the following bodies:

- National Joint Council for Local Government Services;
- Joint Negotiating Committee for Chief Officers of Local Authorities;
- Joint Negotiating Committee for Local Authority Chief Executives

3. Definitions

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

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

3.2 "Day's Pay"

The definition of a day's pay is the hours worked on the day multiplied by the employee's hourly rate of pay.

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

- Chief Executive and Head of Paid Service
- Director for Regeneration & Place
- Director for Corporate Services & Chief Finance Officer (Section 151 Officer)
- Client Relationship Director

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

3.4 “Deputy Chief Officer” i.e. all other Heads of Service and all senior managers if reporting directly to, or directly accountable to, a statutory or non-statutory Chief Officer in respect of all or most of their duties (excluding roles which are clerical or secretarial).

3.5 “Shared roles” - Havant Borough Council has a partnership agreement with East Hampshire District Council. Chief Officer/Deputy Chief Officer roles and shared employees are covered by an Inter Authority Agreement (IAA). This IAA is a S113 legal agreement between the two councils and ensures that issues around control, cost sharing, indemnity and transparency are all clearly captured within this formal agreement.

3.6 “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.

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

4. Pay and grading structure

4.1 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 must be balanced by ensuring remuneration is not, nor is seen to be, unnecessarily excessive. Each council has responsibility for balancing these factors. 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.

4.2 Responsibility for decisions on remuneration

It is essential for good governance that decisions on pay and reward packages for Chief Executives and Chief/Deputy 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.

A remuneration board is in place to formally ratify Chief/Deputy 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 is documented for transparency purposes.

Pay for senior staff is determined by the JNC Chief Officer pay negotiations. Any award given is effective from April of the relevant year and is formally noted by JHR Committee in line with HR standing orders.

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 11.

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.

The pay award for all staff is also formally noted at Joint Human Resources Committee. The committee comprises elected Councillors and has responsibility for local terms and conditions of employment for staff within the council's pay framework that falls outside the delegated powers of the Head of Paid Service and Head of Organisational Development.

4.3 Salary grades and grading framework

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

There are 11 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 11 grades based on the job evaluation of their role. Grade A consists of two spinal column points. Grades B – E consist of between 3 and 7 incremental steps. Grades F – K consists of between 5 and 7 incremental steps. Employees can progress to the salary range maximum of their grade subject to assessment of their performance in the appraisal performance process.

In 2021-22 we were unable to even out the number of incremental steps within each of the grades. This will be considered again in 2022-23 as part of the council's transformation programme.

The rise in the National Living Wage rates, with effect from 1 April 2020 do not impact on the value of the council's lowest pay grades as the council pay is of a higher value. Annual pay awards for all employees will be noted by the Joint Human Resources Committee having regard to any agreement reached by the relevant national negotiating bodies.

In light of the partnership agreement with East Hampshire District Council, work progressed during 2019-20 and 2020-21 to align both councils pay scales to ensure consistency in pay across both councils. This is particularly important where roles are shared.

Details of senior management remuneration are published annually on the Council's website as part of this Pay Policy Statement and in the Council's Statement of Accounts.

4.4 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.

The Council has a reward strategy in place which has three core aims:

- 1) to drive a culture which motivates reward,
 - 2) to reduce and ultimately remove all barriers to a fair and attractive reward package and
 - 3) to align reward with the Councils' resources and financial requirements.
- To achieve these aims we ensure that we review and continually develop reward practices to reflect modern and innovative trends in reward within the context of local and national collective agreements.

The outcomes of this reward strategy mean we have a reward package in place which is attractive to job seekers, helps the Council to retain talented employees, ensures managers reward staff and teams fairly and there is an ethical, open and transparent decision making relevant to reward.

5. Remuneration – level and element

5.1 Salaries

5.1.1 “Chief Officers”

Chief/Deputy Chief Officers are paid outside of the council's pay framework. There is a specific senior pay policy in place which deals with Chief and Deputy Chief Officer pay. Broadly, the following principles are applied:

- 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
- There are different bands for senior roles based on hierarchy and each Chief/Deputy Chief Officer are paid a spot salary within the pay band described above,
- the Chief/Deputy Chief Officer pay band is benchmarked to ensure pay remains competitive in the market place. In determining Chief/Deputy Chief Officer pay, relevant available information, including the salaries of Chief/Deputy Chief Officers in other similar sized organisations is considered
- National and local pay awards which are applied across the Councils to all grades of staff below senior management do not apply to senior level roles. Pay for senior staff is determined by the JNC Chief Officer pay negotiations. Any award given is effective from April of the relevant year and is formally noted by Joint Human Resources Committee in line with HR standing orders.

5.1.2 Joint Chief Executive

The Joint Chief Executive is the council's Head of Paid Service. This is a joint post with East Hampshire District Council. 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 considering salary benchmarking. There is a broad band of salaries in place which is reviewed each April and the Joint Chief Executive is paid a spot salary within this range.

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.

The performance award for the Chief Executive will be agreed by the Leaders of each Council via Leader delegated decisions and formally noted at Joint Human Resources Committee. Again, any award given will be effective from April of the relevant year.

5.2 "Lowest paid employees"

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

5.3 Other pay elements

“Chief/Deputy 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/Deputy Chief Officers do not receive any incremental or step progression as they are on a spot salary.

An incremental pay award for any staff member may be withheld in exceptional circumstances due to poor performance. Separate capability processes are applied in such cases.

5.4 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.

Further details on allowances and payments are available on request.

5.5 Electoral Duties

No fees for election duties are included in the salaries of Chief/Deputy Chief Officers. Any additional fees payable for such responsibilities are calculated in accordance with the statutory rules and recommendations of the Hampshire and Isle of Wight Election Fees Working Party for all local government elections and by central government for Parliamentary elections. Special fees are paid for Returning Officer duties which are not part of the post holder’s substantive role. These fees are payable as required and can be made to any senior officer appointed to fulfil the statutory duties of this role.

The Returning Officer is an officer of the District Council who is appointed under the Representation of the People Act 1983. Whilst appointed by the District Council, the role of the Returning Officer is one which involves and incurs personal responsibility and accountability and is statutorily separate from their duties as an employee of the District Council. As Returning Officer,

they are paid a separate allowance for each election for which he/she is responsible in accordance with accepted national and regional scales and criteria which is approved annually by the Home Office and Electoral Claims Unit.

5.6 Performance Management

High levels of performance are expected of all 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 4.3, following assessment of the employee's achievement against targets the reviewing manager will recommend a rating for each employee. This will normally result in the progression of one incremental step but will not take the salary above the salary range maximum. If an employee is at the top of their grade there will be no further increase. Except in rare cases of poor performance, incremental progression will be applied where relevant.

The staff recognition scheme 'You're a Star' offers rewards to staff, one of which is a one-off payment 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.

5.7 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 and is independently verified by the Head of Organisational Development.
- b) Staff members are entitled to access corporate rates for dental and health cash plans 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.
- d) Staff are entitled to discounts for local leisure facilities. The extent of the discount varies according to the facility.

5.8 Car, Motorcycle and Bicycle Loans

The current scheme offers car, motorcycle and bicycle loans up to a maximum of £20,000 and the total loan must be no more than 50% of the employee's gross salary.

These are only available to those staff who are deemed to be 'essential users' who have successfully completed their probationary period. The loan rate is in line with the HMRC official interest rate at the date the loan is taken out and is fixed for the period of the loan. The term of the loan is up to a maximum of five years.

5.9 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.

5.10 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 settlement 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.

5.11 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 4.3) will be paid a fixed salary for the post (see 5.1.1) within the appropriate band.

5.12 Apprenticeship Posts

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

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

The Local Government Association has offered advice on the Government's requirement in reporting remuneration relationships. The advice is that the measure of the relationship between Chief Officers and employees who are not Chief Officers be considered on the ratio between the highest paid employee and the median average earnings across the organisation as a multiple. This has been calculated as at 1st April 2021 as follows:

Mean Calculation

Remuneration for the Chief Executive (excluding pension contributions)	£133,575
Mean average earnings for all employees at the Council (excluding pension contributions)	£34044.47
Ratio	1:3.9

Ratio between the highest paid employee and the lowest paid employee

Remuneration for the Chief Executive (excluding pension contributions)	£133,575
Pay for the lowest paid employee at the Council (excluding pension contributions)	£18,932.97
Ratio	1:7.2

Please note that the 2021 pay review is yet to be finalised and this is the reason for the unchanged Chief Executive pay from 2020-21.

7. 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 B

Senior Officer Salaries 2021-2022

Introduction

In line with the revised Local Government Transparency Code 2015, the Council is required to publish details under the Accounts and Audit Regulations 2015 of the following information:

- The number of employees whose remuneration in that year was at least £50,000 in brackets of £5,000
- Details of remuneration and job titles of certain senior employees whose salary is at least £50,000, and
- Employees whose salaries are £150,000 or more must also be identified by name

The council is committed to providing value for money and as such has entered into a shared agreement with East Hampshire District Council, whereby a number of senior members of staff are shared with both councils. 50% of staff remuneration for shared roles is recharged back to the other Council.

Although the payment of these posts is often shared equally between the two councils, for the purposes of senior salary publication, remuneration information is shown against the employing council for the postholder.

The same information relating to [senior salaries at East Hampshire District Council](#) can be found on their website.

Number of Employees with remuneration at least £50,000

Pay Bracket	Number of Employees	Bonuses (£)	Payments in Kind (£)
£50,000 - £54,999	5	0	0
£55,000 - £59,999	1	0	0
£60,000 - £64,999	1	0	0
£65,000 - £69,999	2	0	0
£70,000 - £74,999		0	0
£75,000 - £79,999	4	0	0
£80,000 - £84,999		0	0
£85,000 - £89,999	1	0	0
£90,000 - £94,999		0	0
£95,000 - £99,999		0	0
£100,000 - £104,999		0	0
£105,000 - £109,999		0	0
£110,000 - £114,999		0	0
£115,000 - £119,999		0	0
£120,000 - £124,999		0	0

Senior Employees' Remuneration and Job Titles

	Remuneration (Including pension contributions)
Senior Employees 2019-20 (employing council)	
Chief Executive (EHDC)	£133,575
Director of Corporate Services / Chief Finance Officer (EHDC)	£104,805
Service Director of Regeneration and Place (EHDC)	£101,609

Staff Roles with Remuneration of at least £50,000 (excluding Senior Employees above)

	Remuneration (including pension contributions)
Business Development Manager	£51,930.00
Civil Engineering and Landscape Manager	£54,183.00
Planning Policy Manager (HBC)	£54,183.00
Operations Team Manager	£54,183.00
Policy Team Manager	£54,183.00
Neighbourhood Quality Manager	£55,506.00
Enforcement Manager	£60,473.00
Senior Business Partner	£60,623.00
Business, Economy & Town Services Mgr	£68,890.00
Client Relationship Director	£76,766.88
Head of Strategic Commissioning	£77,069.40
Head of Prog. Redesign & Quality	£77,069.40
Head of Organisational Development	£77,069.40
Head of Coastal Partnership	£89,300.99

- Remuneration costs shared by both councils in **green**
- Remuneration costs shared between five councils in **orange**

Local Government Pension Scheme (LGPS)

All officers are eligible to join the LGPS. The contribution rates are detailed in the table below. The employer's contribution is 16.5%. The employee's contribution is based on the full time equivalent rate of pensionable pay.

Pay bands (1.4.2021)	Contribution Rates
Up to £14,600	5.50%
£14,601 to £22,900	5.80%
£22,901 to £37,200	6.50%
£37,201 to £47,100	6.80%
£47,101 to £65,900	8.50%
£65,901 to £93,400	9.90%
£93,401 to £110,000	10.50%
£110,001 to £165,000	11.40%
£165,001 or more	12.50%

Senior Employees Responsibilities

Information relating to senior staff's role and responsibilities can be found on the website at: <http://www.havant.gov.uk/management-structure>.

Further information relating to senior staff remuneration and budgets etc can be found as part of the councils statement of accounts, which can be found on the website at: <http://www.havant.gov.uk/accounts>.

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NON-EXEMPT

HAVANT BOROUGH COUNCIL

HR Committee

23rd March 2022

Recruitment Policy

Recruitment of Ex-Offenders Policy

FOR DECISION

Portfolio Holder: Cllr Narinder Bains

Key Decision: No

Report Number: HBC/035/2022

1. Purpose

- 1.1. This paper is submitted to HR Committee for agreement to implement two policies relating to recruitment at the council.

2. Recommendation

- 2.1. HR Committee are asked to approve:
 - a. Recruitment Policy and
 - b. Recruitment of Ex-Offenders Policy

These policies are set out at Appendix A and B.

3. Executive Summary

- 3.1. The council does not currently have a policy in place which specifically outlines the council's approach to recruitment and to the recruitment of ex-offenders.

These policies will support in ensuring that the council is compliant with all relevant recruitment practices and legislation. The effects of noncompliance can be costly in terms of both time and money.

- 3.2. The recent implementation of an Applicant Tracking System¹ has led to a wholesale review of the recruitment approach. The recruitment policy has therefore been revised to reflect this and is accompanied by a revised recruitment process which is available on the council's intranet.
- 3.3. The implementation of the recruitment policy will be accompanied with several 'Bitesize' training sessions for managers on the recruitment process. These will be delivered by HR and are currently in development. The roll out of these training sessions will commence during Q4 2021/22.
- 3.4. Disclosure and Barring Checks are required for some roles within the councils and must be renewed on a regular basis. This means that criminal records are checked at the point of recruitment for some roles, and again during employment. The council already has a process for checking criminal convictions of applicants, and it is important that we now have a policy in place in terms of how we approach applicants and employees who have criminal convictions.
- 3.5. The council is a 'people-oriented' employer that know the importance of its staff. We value our employees' ideas, their contributions and their dedication to excellent service delivery. It is therefore important for us to recruit as diverse a workforce as possible, and the recruitment of ex-offenders is one part of this.
- 3.6. The costs of re-offending are high. A Ministry of Justice report in 2019² noted a cost of approximately £16.7 billion based on economic and social costs of adults re-offending. There is evidence to suggest that employment is one of the key factors in reducing offending. Therefore, it is part of the council's social responsibility to do what it can in supporting this, whilst ensuring its safeguarding responsibilities are also considered.

¹ Hireful Recruitment System

² https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/814650/economic-social-costs-reoffending.pdf

- 3.7. The Recruitment of Ex-Offenders policy outlines an approach to how the council will request applicants and employees' previous conviction information, and how this information should be considered/risk assessed before a decision is made. The council recognises that ex-offenders can bring a wealth of experience and make a valuable contribution to its work. It is therefore important to ensure that anyone with a criminal conviction is not rejected purely based on their convictions.
- 3.8. This policy is in line with the public sector equality duty. The issues that can arise from recruiting have a clear link to Safeguarding, and Equalities policy. The addition of these policies will enable the organisation to manage and fairly support the recruitment from a wide pool of applicants.

4. Additional Budgetary Implications

- 4.1. None

5. Background and relationship to Corporate Strategy and/or Business Plans

- 5.1. The policies support the council values to be a fair employer. The Corporate Strategies highlight the delivery of respect and support for each other, in addition to having fairness and integrity in all that we do. These policies underpin this approach.

6. Options considered

- a) Implement both policies to ensure compliance with the relevant recruitment legislation and processes considering the implementation of the Hireful solution for recruitment. Increasing the possibility for a more diverse workforce by providing opportunity for ex-offenders through a clear published policy being in place.
- b) Implement the recruitment policy only
- c) Implement the recruitment of ex-offenders policy only

d) Do nothing - Recruitment and the recruitment of ex-offenders will continue to take place, but managers will not have sight of the framework of how recruitment should take place, how convictions should be assessed and how this all contributes to the corporate strategy. This approach would not mitigate the identified risks associated with recruitment.

The option which was deemed to mitigate the risk sufficiently for both councils was option a).

7. Resource Implications

7.1. Financial Implications

None directly identified, although robust policies and processes will ensure that any future claims can be managed, and potential costs minimised.

S151 Officer comments

Date: 17th January 2022

No additional financial implications.

7.2. Human Resources Implications

There are no direct HR implications. This policy will be added to the suite of HR policies. It will ensure that staff have an appropriate route to raise any issues and HR/Management will have the appropriate tools to deal with any recruitment matters reasonably and effectively.

7.3. Information Governance Implications

None identified.

Other resource implications

There will be a requirement for communications support to implement the policy across the council.

7.4 Links to Shaping Our Future Programme

There are no direct links to the SoF programme however robust recruitment policies that are compliant with the relevant legislation are essential for the existing organisation and for the future organisation. Ensuring that there are robust recruitment policies in place will be important for the council.

Chief Operating Officer comments

Date: 20th January, 2022

The policies provide the sound HR governance that will support the future transformation of the Council.

Kim Sawyer

7.5 Other resource implications

There are no other resource implications to report.

8. Legal Implications

8.1. It is important to ensure that all recruitment is conducted in a fair and transparent way. The recruitment policy outlines the principles of how this will be undertaken. The consequences of not doing so could lead to discrimination claims under the Equality Act 2010 for either direct or indirect discrimination.

In terms of the recruitment of ex-offenders policy, Section 4(3)(b) of the Rehabilitation of Offenders Act 1974, states that a spent conviction (or a failure to disclose one) is not a proper ground for excluding a person from any office, profession, occupation or employment or for prejudicing them in any way in any occupation or employment, unless the individual falls with an excepted category.

However, there is no specific employment law remedy available. It is possible the employer could be taken to the civil courts for breach of statutory duty if the person affected is not a council employee.

The situation is different for existing employees who have a past conviction, have two years' employment service and who are dismissed without due consideration/risk assessment because the council subsequently discovers that they have a spent conviction. In these circumstances the employee will be able to claim unfair dismissal.

Legal Implications

Monitoring Officer

Date: 11th January, 2022

All Legal Implications are sound.

Surinder Atkar

Principal Solicitor, Planning Litigation and Governance

9. Risks

If a fair, open and transparent recruitment process is not undertaken, including the fair consideration of criminal convictions, this could lead to complaints and potentially discrimination/unfair dismissal cases. This could ultimately lead to employment tribunal claims. This would have cost implications, both in terms of time to respond/deal with these claims and any financial compensation awarded.

This can also negatively impact the reputation of the council.

10. Consultation

10.1. Unison has been consulted on the policies in line with the usual consultation processes.

11. Communication

11.1. The policy will be communicated to all members of staff via internal channels.

12. Appendices

12.1. Appendix A – Recruitment Policy

12.2. Appendix B – Recruitment of Ex-Offenders Policy

13. Background papers

13.1. None

Agreed and signed off by:

Portfolio Holder: Cllr. Narinder Bains 18th February 2022

Director: 20th January 2022

Monitoring Officer: 11th January 2022

Section 151 Officer: 17th January 2022

Contact Officer:

Name: Gina King

Job Title: HR Advisor

E-Mail: gina.king@havant.gov.uk

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RESOURCING AND RECRUITMENT POLICY

Policy Date	January 2022
Review Date <i>when under review, this policy should continue to be used</i>	January 2024
This policy is non-contractual	
Version <i>This policy may be amended prior to the review date to comply with any new, relevant legislation or organisational change that affects how this policy is used</i>	1
Related Policies	<p>Safeguarding Policy</p> <p>DBS Policy</p> <p>Equalities Policy</p> <p>Redeployment Policy</p> <p>Secondment Policy</p> <p>Agency Workers Procedure</p> <p>Remuneration Policy</p> <p>Recruitment Strategy</p> <p>Organisational Development Strategy</p> <p>Recruitment of Ex-Offenders policy</p>

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DRAFT

1. Purpose

- 1.1 We are committed to effectively resourcing the council in order to meet operational needs. This policy sets out the approach that the council will take to achieve the delivery of services, both internally and externally, through its workforce arrangements.
- 1.2 In line with the council's Organisational Strategy, this Policy will ensure that the council have the right people, with the right skills and attitude, in the right job, in the right environment and paid the right rate.
- 1.3 This policy supports the key aims of the council's Safeguarding Policy, DBS Policy, Equality Policy, Redeployment Policy, Secondment Policy, Agency Workers Procedure, Recruitment of Ex-Offenders policy and Organisational Development Strategy.
- 1.4 This policy supports the council's requirements for flexibility and agility in resourcing services and corporate projects critical to delivering council strategies.

2. Scope

- 2.1 This policy applies to all job applicants and existing employees regardless of gender, gender reassignment, race, religion or belief, disability, sexual orientation, age, trade union membership or public interest disclosure status. It also applies to part time and fixed term employees.
- 2.2 The responsibilities set out within this policy apply to all Officers undertaking resourcing/recruitment activity on behalf of their services.

3. Principles

- 3.1 Equality and inclusion principles are embedded into the council's approach to resourcing and recruitment activity in line with the council's Equality Policy.
- 3.2 The council's stated values and behaviours which support the council strategies underpin selection activity and decision-making.
- 3.3 Redeployment of internal resources is utilised to mitigate against redundancies and loss of talent from the council in line with the council's Redeployment Policy.
- 3.4 Heads of Service will determine and direct the most appropriate staffing arrangements for their services, based on operational requirements, risks to service and project delivery and Executive Board approval.

- 3.5 Officers involved in resourcing/recruitment activity must have undertaken, in advance, appropriate training in the areas of safeguarding, equality and inclusion, and recruitment and selection methods. Heads of Service are accountable for ensuring this requirement is met within their services.
- 3.6 Legislation and/or regulations in place at the time of resourcing/recruitment activity will be strictly adhered to and appropriate evidence of compliance recorded.
- 3.7 Recruitment to Chief Officer¹ roles will be conducted in accordance with the council's Constitution including the Scheme of Delegation.
- 3.8 Temporary resources may be drawn from the existing workforce without reference to the recruitment process contained on the council intranet where a specific skill set is required and identified within a limited pool of employees. The Head of Service will document the rationale for this approach, including evidence of equality and inclusion principles.

¹ 'Chief Officer' as defined in the HBC Pay Policy Statement

4. Resourcing

- 4.1 Heads of Service and/or their nominated deputies will review team structures and roles regularly to ensure alignment with business plans, emerging service delivery methods, succession planning and short-term requirements.
- 4.2 A risk-based approach will be used to assess the need for additional or replacement staffing and a business case developed for Executive Board decision and approval.
- 4.3 Job design and organisational design principles will be utilised to determine the correct resourcing/roles required. Human Resources will provide support to Heads of Service to review proposals prior to the submission of a business case.
- 4.4 Resourcing/recruitment activity will not be initiated until Human Resources has advised Heads of Service of employees at risk of redundancy and potential suitability where this is applicable.
- 4.5 Where a vacancy arises, Heads of Service will consider whether work tasks/projects can be ceased or reduced in scope. This assessment will be included within the business case.
- 4.6 All resourcing decisions will consider the following options:

- a. Flexible working patterns such as part time, annualised hours, term time working etc, being advertised within recruitment adverts
- b. Fixed term contracts utilised over permanent contracts
- c. Apprenticeship qualifications for existing or new roles to build skills and future talent
- d. Expand existing roles to career graded opportunities to support retention and development of talent
- e. Creation of career development roles for new positions
- f. Training existing staff to fill skills gaps
- g. Internal or external secondments offered to fill skills gaps and development of talent
- h. Utilising existing postholders in other services to undertake similar work on a temporary basis
- i. Digitisation of work tasks to release resources for added value work

4.7 The nature of Local Government working is such that a flexible approach to resourcing is required. To support this requirement, the S.151 Officer may authorise the appointment of existing staff members into roles which are similar in nature. The provisions of 4.4. will apply in all instances.

5. Recruitment

- 5.1 Opportunities will be advertised through a variety of media according to labour market trends and the speciality of the work to be undertaken. Opportunities may be advertised to the internal workforce only, or externally to all potential applicants. The provisions of 3.8 will apply where recruitment advertising does not take place.
- 5.2 Existing casual workers, agency workers, and consultants/contractors engaged in 'off payroll' arrangements may apply for opportunities advertised internally only. This is in recognition of the contribution being made by the peripheral workforce to the delivery of the council strategies and affording opportunities as a reward.
- 5.3 Opportunities to be advertised externally will be automatically promoted through specific organisations supported by the council, to reach under- represented groups.
- 5.4 The council participates in Guaranteed Interview Schemes for armed forces veterans. Applicants are required to confirm if they are an armed forces veteran on their application form.

- 5.5 We are a Disability Confident employer who commits to interviewing applicants with disabilities who meet the essential criteria.
- 5.6 Employees appointed originally to a fixed term role or appointed temporarily on a secondment basis, may be transferred onto a permanent contract without a further recruitment process, where a fair and open recruitment process was originally undertaken, the role has not substantially changed following the initial recruitment process and the performance of the postholder is satisfactory.

6. Recruitment Process

- 6.1 The recruitment process is saved within the Recruitment section of the Council's intranet.
- 6.2 Recruitment is managed by line managers using the Council's Applicant Tracking System (ATS). The ATS provides HR and managers with a central record of recruitment undertaken in any given vacancy. The information stored on the ATS is subject to GDPR principles. Manager user guides are available on the Council's intranet.

7. Governance

- 7.1 Positions requiring a Standard or Enhanced DBS check will be subject to the provisions of the council's DBS Policy and recruitment guidance set out in the council's Safeguarding Policy will apply. The Recruitment of Ex-Offenders policy will also apply. Heads of Service and/or their nominated deputy are responsible for undertaking such responsibilities and recording evidence of compliance.
- 7.2 All appointments for paid work are subject to immigration laws which are strictly adhered to. UK nationals are subject to Home Office 'Right to Work' checks and Non-UK nationals are subject to the UK Points-Based Immigration System. EU, EEA, and Swiss Nationals resident in the UK prior to 31 December 2020 are subject to the EU Settlement Scheme. Human Resources will advise on the application of immigration laws. Employment of UK or non-UK nationals will commence until immigration requirements are fully satisfied.
- 7.3 The utilisation of resources through employment agencies is subject to the provisions of the council's Agency Workers Procedure and the council's Procurement regulations. Heads of Service and/or their nominated deputy are responsible for undertaking such responsibilities and recording evidence of compliance.

- 7.4 The utilisation of contractors/consultants is subject to satisfying HMRC regulations for 'off payroll' working. Heads of Service and/or their nominated deputy are responsible for undertaking the HMRC assessment and recording evidence of compliance.
- 7.5 The recruitment of candidates through employment agencies/recruitment consultants is subject to the provisions of the council's Procurement regulations. Heads of Service and/or their nominated deputy are responsible for undertaking such responsibilities and recording evidence of compliance. Costs of recruitment via third party agencies will be met from the service budget.
- 7.6 Where existing internal resources are deployed in line with 4.6 (h), the postholder's terms and conditions will remain unchanged. Additional payments will be determined in line with the council's Remuneration Policy.
- 7.7 Elected Members will participate in the selection of senior Officers insofar as delegated responsibilities within the council's Constitutions allow.
- 7.8 Personal and sensitive data collected during recruitment and selection processes is confidentially secured and held in accordance with the council's Retention Policies.
- 7.9 Appointment to roles is based on the terms and conditions associated with the evaluated grade of the role. Officers do not have authority to amend such terms and conditions.
- 7.10 Officers participating in selection decisions must declare any personal or conflict of interest to Human Resources. Human Resources advice will be provided to determine whether the Officer should continue to participate.

8. Review

- 8.1 This policy will be reviewed after 2 years or where legislative and business requirements are amended.

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REHABILITATION OF EX-OFFENDERS POLICY

Policy Date	Jan 2022
Review Date <i>when under review, this policy should continue to be used</i>	Jan 2025
This policy is non contractual.	
Author	HR Dept
Version This policy may be amended prior to the review date to comply with any new, relevant legislation or organisational change that affects how this policy is used	1
Related Policies	Recruitment Policy Equality Policy Safeguarding Policy Code of Conduct

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4. Recruitment of Ex-Offenders Statement	4
5. Guidance on 'spent' and 'unspent' convictions	4

1. Purpose

- 1.1 This policy sets out how the council manages the recruitment and employment of ex-offenders and sets out the council's commitments and legal obligations under the Rehabilitation of Offenders Act 1974.
- 1.2 The policy has been developed in consultation with UNISON.

2. Scope

- 2.1 This policy applies to the recruitment and employment of all employees regardless of gender, gender reassignment, race, religion or belief, disability, sexual orientation, age, trade union membership or public interest disclosure status. It also applies to eligible part time and fixed term employees.

3. Principles

- 3.1 Havant Borough Council is committed to safeguarding children, young people and vulnerable adults and protecting them from abuse when engaged in services organised and provided by or on behalf of the council. We have a duty of care and take all necessary steps to ensure that these groups are emotionally and physically safe. Our Code of Conduct (available separately) outlines our commitments and responsibilities in this regard.
- 3.2 The council is committed to promoting equality of opportunity by appointing a wide range of applicants.
- 3.3 Having a criminal record will not necessarily prevent applicants from working with the council. It will depend on the nature of the position and the context of the offences.
- 3.4 Line managers are responsible for ensuring that this policy is followed during the recruitment process and for any subsequent criminal record checks which take place during employment.
- 3.5 Depending on the role, the council may be required to check whether you have a criminal record. These roles will be subject to a satisfactory disclosure from the Disclosure and Barring Service (known as a DBS check).
- 3.6 The Rehabilitation of Offenders Act 1974 helps rehabilitated ex-offenders back into work by allowing them not to declare criminal convictions and cautions to employers after a defined rehabilitation period has elapsed, and the convictions become "spent". During the rehabilitation period, convictions and cautions are referred to as being "unspent". Unspent convictions, cautions, reprimands and final warnings must always be declared as defined by the Rehabilitation of Offenders Act 1974.

- 3.7 Line managers are responsible for ensuring they do not discriminate unfairly against applicants or employees in relation to a conviction or any other information revealed on a DBS check.
- 3.8 An application for a criminal record check is only submitted to DBS after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a criminal record check is identified as necessary, all relevant recruitment paperwork will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position.
- 3.9 This policy will be reviewed from time to time and may be amended to ensure it continues to meet legal and operating requirements.

4. Recruitment of Ex-Offenders Statement

- 4.1 To protect the vulnerable, the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended) exempts some professions from this approach.
- 4.2 Where the profession has been identified as being 'exempt', employers are legally permitted to consider all convictions, cautions or reprimands and final warnings that are not protected (or filtered out) by the provisions set out in the Exceptions Order.
- 4.3 Protected offences will never be disclosed as part of a standard or enhanced DBS check when certain conditions have been met. Applicants are not required to declare any such information when responding to a self-disclosure request or when completing our job application form. The council will not take any such information into account when assessing an applicant's suitability for a post.
- 4.4 At interview, or in a separate discussion, the council will ensure that an open and measured discussion takes place about any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.
- 4.5 Line managers are responsible for discussing any matter revealed on a DBS certificate with the applicant or employee before taking any further action. Advice can be sought from the HR team in such matters.
- 4.6 The council makes every subject of a criminal record check submitted to DBS aware of the existence of the code of practice and makes a copy available on request.

5. Guidance on 'spent' and 'unspent' convictions

- 5.1 Guidance and criteria for the filtering of convictions and cautions can be found on the DBS website at: www.gov.uk/government/organisations/disclosure-and-barring-service.
- 5.2 If you have a criminal record and are unsure about what might be revealed about you as part of a DBS check, the type of information you should consider declaring when completing the form, or need some further guidance contact:

Unlock:

A simple guide to filtering hub.unlock.org.uk/knowledgebase/filtering-simple-guide/

A useful [calculator](#) to help you. It identifies any unspent offences that you need to declare.

NACRO:

Practical guidance on the DBS filtering rules www.nacro.org.uk/resettlement-advice-service/support-for-individuals/.

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NON-EXEMPT

HAVANT BOROUGH COUNCIL

HR Committee

23rd March 2022

Carers in the workplace Policy

FOR DECISION

Portfolio Holder: Cllr Narinder Bains, Cabinet Lead

Key Decision: No

Report Number: HBC/036/2022

1. Purpose

- 1.1. This paper is submitted to HR Committee for agreement to implement a policy which effectively deals with the wellbeing of carers in the workplace.

2. Recommendation

- 2.1. HR Committee members are asked to approve the policy as set out at Appendix A.

3. Executive Summary

- 3.1. Carers play a key role in society by keeping families together, contributing immeasurably to society and saving the economy a substantial amount of money. Caring for someone, whilst rewarding can be stressful and isolating for someone if they do not have the right level of support in place for themselves. For working carers the constant juggling of work, caring responsibilities and home life can take its toll on the most resilient of employees.
- 3.2. Research by the CIPD¹ indicates that almost a third of workers have not discussed their caring role with anyone in the workplace and a quarter of working carers were considering giving up their job entirely because of the difficulty combining work and caring responsibilities. The demand for unpaid care is on the increase due to the aging population and it will most likely affect most at some point in their working lives. Many will also now fall into what is known as the 'sandwich generation' – those who have caring responsibilities for ageing parents whilst supporting their own children. This all creates challenges for both the

¹ https://www.cipd.co.uk/Images/carers-friendly-workplace-guidance_tcm18-80345.pdf

employee and employer to manage. Having a policy in place which sets out the support the employer will provide and the obligations on the employee with caring responsibilities creates a sound foundation for workable solutions to be found.

- 3.3. The Council does not currently have a policy in place which specifically supports carers in the workplace. As the growth of workers with unpaid caring responsibilities increases, there is a requirement for the organisation to consider the support and advice they offer employees and management to ensure employee satisfaction, productivity and wellbeing needs are met within the workplace whilst balancing the needs of the organisation.
- 3.4. In a bid to be proactive and minimise the effect this may have on the workforce, the introduction of this policy and the support offered, will give the employee additional and alternative options to balance their care-work lifestyle whilst maintaining performance and service delivery.
- 3.5. Carers in the workplace may find their wellbeing and productivity may be affected by the mental and physical strains of being an unpaid carer. If left unsupported by their employer, this may lead to employees feeling isolated and undervalued - resulting in increased absence rates, incurring additional costs and resourcing issues.
- 3.6. The implementation of this policy will also offer guidance for management, advising how to support their member of staff and reasonable adjustments they can offer. Actively supporting a carer in the workplace has been shown to hold significant value, and statistics from Carers UK *'Juggling work and unpaid care'* (2019) highlight 'employer's support' as one of the three early interventions that enabled a carer to continue to work. In the same report from Carers UK, it is estimated that 2.6 million employees have left work to care for their dependants in the last two years, with the expectation of that number to increase every year. The promotion of this policy will open the recruitment pool for prospective candidates with unutilised skills and encourage retention of staff.
- 3.7. This policy is in line with the public sector equality duty and offers support to employees and managers. The issues that can arise from carers in the workplace have a clear link to Sickness Absence, Parental Leave and Other Leave policies. The addition of this policy will advise the organisation to manage and support the expectation of the employee and the provision of carers under the Equality Act 2010.

4. **Additional Budgetary Implications**

- 4.1. In line with the Council's Other Leave Policy and Remuneration Policy, the council is under no legal obligation to offer paid leave. Currently, up to 10 working days of unpaid leave is widely offered across other local authorities.

5. **Background and relationship to Corporate Strategy and/or Business Plans**

- 5.1 The policy supports the Council's values to be a fair employer. The Corporate Strategies highlight the delivery of respect and support for each other, in addition to the wellbeing of our teams. This policy underpins this approach.

6. **Options Considered**

- 6.1 Do nothing and remain with no policy position in place for carers in the workplace. Given the rise in the number of people with caring responsibilities across the UK this was not deemed to be the appropriate option.
- 6.2 Introduce a policy to ensure staff are clear on the policy position relating to this and the support available whilst ensuring performance and service delivery is maintained.

7. **Resource Implications**

7.1. **Financial Implications**

The recent application for Government's consideration '*Carer's Leave Consultation - August 2020*' acknowledged the need for employers to offer unpaid leave for all paid employment. Currently the government have proposed introducing one weeks' unpaid leave (Date TBC).

S151 Officer comments

Date: 7th September 2021

There are no additional financial implications to the adoption of this policy.

7.2 Human Resources Implications

There are no direct HR implications however many of the leave requests would be unplanned, the absence would be recorded and managed in line with the sickness absence policy's return to work process. The absence would not be recorded as sickness, however managers would still be required to monitor absence relating to caring responsibilities, prompting conversations around suitability of the role if absence is high (Exceeding the unpaid leave period). Flexible working, redeployment and capability policies would be actioned.

This policy will be added to the suite of HR policies. It will ensure that staff have an appropriate route to raise any issues and HR/Management will have the appropriate tools to deal with the matter reasonably and effectively.

7.3 Information Governance Implications

None identified.

Other resource implications

There will be a requirement for communications support to implement the policy across the Council. This is factored into existing resources.

7.4 Links to Shaping our Future Programme

No direct links. The policy will ensure that staff with caring responsibilities have a clear understanding of the policy position and support available. This policy will complement the suite of HR policies we have available which set out and shape the working experience for all our staff.

Shaping Our Future Lead Comments/sign-off

There are no implications for the shaping our future programme.

Vicki Potts – 15th September 2021

8. Legal Implications

- 8.1 Under the Equality Act 2010, discrimination can occur when an employer treats an employee less favourably because of a protected characteristic that the employee does not personally possess in this case, an employee caring for a child, elderly relative or someone with disabilities (discrimination by association). Employers should be reasonable in their considerations when managing and supporting employees with caring responsibilities and ensure this is evident in their decision

making. In adopting this policy, the Council is demonstrating that it is conscious of and addressing its duties to carers under the Equality Act 2010.

Gina Homewood

14 September 2021

Monitoring Officer comments

Date: 14th September 2021

it has been reviewed by Legal and input added at paragraph 8.1

9. Risks

- 9.1 Carer's have additional rights under the Equality Act 2010, failure to input reasonable adjustments and manage within a supportive manner would leave the organisation open to sickness absence/retention issues, grievances and tribunal claims. All of which are timely and with financial implications. This can also negatively impact the reputation of the Council.

10. Consultation

- 10.1 Unison will be consulted on the policy in line with the usual consultation processes.

11. Communication

- 11.1. The policy will be communicated to all members of staff via internal channels.

12. Appendices

- 12.1. Appendix A – Carers in the Workplace

13. Background papers

- 13.1. None

Agreed and signed off by:

Portfolio Holder: Cllr. Narinder Bains 21st October 2021

Director: 7th September 2021

Monitoring Officer: 14th September 2021

Section 151 Officer: 7th September 2021

Contact Officer:

Name: Victoria Long

Job Title: HR Advisor

Telephone: 07767160540

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Carers in the Workplace

Policy Date	October 2021
Review Date <i>when under review, this policy should continue to be used</i>	October 2024
This policy is non-contractual	
Version <i>This policy may be amended prior to the review date to comply with any new, relevant legislation or organisational change that affects how this policy is used</i>	1
Related Policies	Managing Sickness Absence Other Leave Flexible Working Health & Safety

Contents

1. Purpose
2. Scope
3. Definition of a Carer
4. Principles
5. Responsibilities
6. Return to work (Other Leave) Process
7. Appendix

1.

1 Purpose

- 1.1. Havant Borough Council are committed to providing a safe working environment ensuring the health, safety and welfare of all employees. This includes promoting good health and wellbeing for all our employees.
- 1.2. This policy sets out the support the Council will offer to employees who have a caring responsibility, to help them balance their working and caring commitments, and continue to be effective in their job.
- 1.3. This policy aims to help recruit and retain employees with caring responsibilities.

2. Scope

- 2.1. This policy applies to all employees of the council regardless of gender, gender reassignment, race, religion or belief, disability, sexual orientation, age, trade union membership or public interest disclosure status. It also applies to part time and fixed term employees.

3. Definition of a Carer

- 3.1 The legal definition of a carer is a person who provides or intends to provide a substantial amount of unpaid care on a regular basis for another individual. This could include someone who is living with cancer or any other critical or chronic mental or physical illness.
- 3.2 Employers cannot treat carers less favourably than other people who do not have caring responsibilities. The Equality Act 2010 protects a person who experiences discrimination because they are associated with someone who has a disability. For example, it would be unlawful if the partner of someone who has cancer was refused promotion because of concerns that they would be unable to give sufficient attention to the job. The Act also allows reasonable adjustments to be requested for caring responsibilities, and other legislation provides the right to a 'reasonable' amount of unpaid time off work for unplanned caring responsibilities.

4. Principles

We recognise that some of our employees will have caring responsibilities for children or seriously ill or disabled dependent relatives, partners or close friends. We appreciate the demands this may place on them, and that at times it may be difficult for them to combine their work and caring responsibilities.

As a responsible employer, it is our policy that:

- Managers will consider requests for support from those who have caring responsibilities, based on a shared understanding of the situation and its impact.
- It should be viewed by all as acceptable to request support and to be confident that no one will be unfairly discriminated against because they have caring responsibilities.
- All such requests will be dealt with in a confidential manner.
- Employees who require support will be provided with guidance on the options available to them.
- We will treat all employees fairly and consistently, while considering the individual needs of a particular case.
- The specific options that we will consider and management practices that we will put in place in support of carers will include:
 - Flexible working request (Flexible Working Policy)
 - If you are the parent of a child under 18 who is critically ill and therefore defined as 'disabled', you will be entitled to take parental leave – further information in the Parental Leave Policy
 - Support from the line manager in informing team members about the situation if appropriate and about staying in touch during absence and handling return to work
 - Access to relevant information and advice
 - Confidential support from our Employee Assistance Programme (which may include counselling as well as practical information and advice).
 - Information about external self help and support groups
 - Work buddies – colleagues who have been or are going through a similar caring experience.
 - To the extent that our resources allow, provision of temporary staff cover where there is a lengthy absence due to caring responsibilities.

5. Responsibilities

5.1. Employees

Employees are actively encouraged to inform their manager if they are caring for someone and need any support. In this way we can work together to ensure that, wherever possible, they can continue in their job and effectively balance their work and care commitments.

If an employee has caring responsibilities and needs support, they should speak to their line manager or HR contact and explain the situation and what assistance they think may help.

Employees may also consider applying for flexible working. The details for applying can be found in the flexible working policy.

If the employee is the parent of a child under 18 who is critically ill and therefore defined as 'disabled', they may wish to apply for Parental Leave.

Line manager and HR should invite the employee to a meeting to discuss the support options available with the employee. The meeting should explore and agree what support is possible, suitable and reasonable.

(See EAP and 7. Appendix for further support and information)

5.2. **Manager**

Managers have the responsibility to familiarise themselves with this Policy and to work within its parameters. They also have a responsibility to ensure that all employees are aware of the policy and understand their own and the organisation's responsibilities in respect of it. The Council reserves the right to amend this policy from time to time.

5.3. **Human Resources**

HR has a responsibility to provide advice about Carers' Leave to line managers and employees as necessary. They also have a responsibility to record Carer's leave and inform payroll of any required adjustments to pay and benefits contributions

6. **Return to work Process**

6.1. On returning to work, the employee's line manager should arrange a wellbeing discussion about the employee's absence. The discussion should be conducted in a supportive and confidential manner in line with the return to work process found in the managing sickness absence policy.

6.2. Line Managers must complete the Return to Work form and record the absence on MyView.

6.3. Completed Return to work forms should be sent to HR Admin and Payroll.

6.4. Below is a list of external services which are designed to support carers in the workplace.

6.5. Further details on leave can also be found in the Other Leave policy.

7. Appendix

Macmillan Cancer Support www.macmillan.org.uk/carers

For answers, support or just a chat, call the Macmillan Support Line free (Monday to Friday, 9am-8pm) 0808 808 00 00

Carers Trust <http://www.carers.org/>

Provider of support for carers and the people they care for.

Carers UK <http://www.carersuk.org>

Offers information and support to carers. Can put people in contact with support groups for carers in their area. Carers UK have national offices for Scotland, Wales and Northern Ireland.

Age UK www.ageuk.org.uk

Offers support to anyone providing informal unpaid care to an older person through a range of local services.

Employers for carers www.employersforcarers.org

Offers support to employers who manage employees with carer responsibilities.

Further information concerning any aspect of this policy should be directed to Human Resources.

NON EXEMPT

HAVANT BOROUGH COUNCIL

HR Committee

23rd March 2022

2021-22 Gender Pay Gap Report

FOR INFORMATION

Portfolio:

Cllr Narinder Bains Cabinet Lead (HBC)

Head of Service: Caroline Tickner

Key Decision: No

Report Number: HBC/037/2022

1.0 Purpose of Report

- 1.1. There is a legal requirement to publish the council's gender pay gap data by 30th March of each year. This report sets out the gender pay gap data that will be published for the council and the measures that have been and will be undertaken to reduce the gender pay gap for 2022-23 for Havant Borough Council.

2.0 Recommendation

- 2.1. HR Committee is asked to note the gender pay gap report as set out at Appendix A.

3.0 Executive Summary

- 3.1. The statutory requirement to publish the gender pay gap in public sector organisations of medium and large size was introduced in April 2018. The "gap" shows the data on a specific snapshot date each year. This is fixed as 31 March when the average (mean and median) data for all male and female pay rates are compared and any differences in pay can be seen.
- 3.2. It is also necessary to show the data for the hourly pay rates split into quartiles for men and women for both the mean and median rates. This tries to reduce how the data can be skewed by small numbers of very high and very low salaries.

- 3.3. Due to the pandemic, the statutory gender pay gap reporting requirement was suspended by government in 2020 and the 2020-21 reports were required for publication by 5th October 2021 which the The council' complied with. The Equality and Human Rights Commission have now brought gender pay gap reporting back in line with the financial year which means the next pay gap report needs to be published by 30th March 2022.
- 3.4. The report have been produced using data from the Zellis HR and Payroll system. Data from 2017 to date has been included for HR Committee's information and a RAG approach has been used to easily identify where the public sector benchmark is/is not being met.

2017-18 HBC	Male	Female	Difference	% Gap	Public Sector Benchmark
Median p/h	£16.34	£12.72	£3.62	22.15%	19%
Mean	£17.39	£14.36	£3.03	17.45%	17.5%

2018-19 HBC	Male	Female	Difference	% Gap	Public Sector Benchmark
Median p/h	£16.34	£14.46	£1.88	13%	15.4%
Mean	£17.53	£15.83	£1.70	10.78%	15.4%

2020-21 HBC	Male £	Female £	Difference £	% Gap	Public Sector Benchmark
Median p/h	19.61	15.36	4.25	21.67	19%
Mean p/h	23.05	18.72	4.33	18.78	17.5%

2021-22 HBC	Male £	Female £	Difference £	% Gap	Public Sector Benchmark
Median p/h	18.00	15.78	2.22	12.3	18% prov
Mean p/h	21.44	17.4	4.04	18.8	17.5% prov

	Below public sector benchmark
	Within 3% of public sector benchmark
	Over 3% above public sector benchmark

- 3.5. The data for 21/22 shows for HBC the gap is above the public sector benchmark. The number of employees at HBC on the snapshot date was 250 and so it is above the requirement for statutory reporting and as such, the data has to be submitted for this reporting year. (The small data set does mean that the data is more volatile and may not be a stable comparator with other organisations). It should also be noted that the outsourcing of some functions to Capita in 2017 and insourcing in 2020 will have impacted the data and comparisons across the years should be done with caution.
- 3.6. There has been a large amount of information made available by the government and other interested groups such as ACAS, the trades unions and the CIPD including national media coverage on the issue of the gender pay gap. It was thought that the steps in place since the introduction of the Equal Pay Act and the Sexual Equality Act in the 1970s would have addressed the imbalance between men and women's pay at work. This has not been completely successful and whilst huge improvements have been made in ensuring work of equal value is paid fairly, a residual problem persists in that women are underrepresented in the higher paid levels of the UK workforce.
- 3.7. It is very important for HR Committee to note that an identified gender pay gap does not indicate an equal pay issue. Job evaluation systems in place at the council are designed to ensure that work is rewarded equally and fairly. The gap is linked to how women are recruited and promoted at work and it can indicate how organisations accommodate the different needs of both genders. Typically, women continue to undertake the vast majority of caring for children and other family members whilst developing a career and this has been proven to impact their pay prospects.
- 3.8. Women continue to be disadvantaged in gaining roles at higher salary levels in organisations overall and so female pay is typically lower than male pay. This is true in the public sector as in the private and the national benchmark figures are provided for comparison purposes. There are gender pay gaps identified at both the council.
- 3.9. Each annual report has to be submitted on the government portal to be monitored by the Equalities Office. Each report is also published on the council's website for public scrutiny. A key part of the report format is the proposals which must be included to highlight how the council intends to address and reduce the gender pay gap in the following year.
- 3.10. The Equalities Office have outlined a plan to help organisation's construct their strategy to address gender pay gaps¹. For both the council the proposal is to review this plan and to consult with the diversity and wellbeing champions group to develop a strategy and action plan to chart progress. Further detailed analysis of data will be

¹ <https://gender-pay-gap.service.gov.uk/actions-to-close-the-gap>

required to help develop the the council' strategies and draw up more detailed plans.

3.11. "Measures" to improve the gender pay gap have previously been detailed in the council's gender pay gap reports however progress against these measures has been impacted by the pandemic as HR and management resources have been diverted away from the planned work to the covid response over the last two years. Work on these measures will continue as we progress through 2022-23 but it is encouraging to see that the gap has narrowed.

The points already committed to in previous years' reports were to:

- Widen the availability of learning & development opportunities,
- Analyse exit interview data more thoroughly to understand any gender imbalance
- Promote flexible working and especially the availability of parental leave to men to allow their female partners access to opportunities at work,
- Ensure recruitment decisions are based on objective criteria and identify and remove barriers for women applying for senior roles,
- Develop and implement talent management and succession planning processes to enhance career development opportunities for women.

3.12. The following key points identified for potential inclusion in the plan focus on three main areas of the employment life cycle – i) recruitment, ii) engagement with existing staff and iii) reorganisations/restructures. Specific plans to be developed based on the findings of the research and with a robust evidence base will include:

- Highlighting the council's flexible approach to work and family friendly policies in all recruitment advertising
- Wider use of structured interview formats for all levels including training for managers undertaking recruitment
- Inclusion in the staff survey and stay/exit interviews on how staff feel the pay gap could be narrowed (e.g. more opportunities for flexible working arrangements at higher levels).
- Wider use of the Diversity and Wellbeing Champions group to generate ideas, obtain feedback and monitor progress
- Introduce greater transparency and opportunity in arrangements for "acting-up" and other career development pathways such as coaching and training
- Better use of Equality impact assessments when undertaking organisational changes and reviews, highlighting risk areas.

Whilst elements of the council's plans for gender pay gap reduction are taken from the Organisational Development strategy, there are also elements included from the generic proposals suggested by the government's Equalities Office in their guide², ACAS³ and the CIPD⁴.

4.0 Additional Budgetary Implications

- 4.1. Cost savings could be made both in the short and long term if women were able to advance their careers without having to compromise career advancement due to caring responsibilities. This could result in better attraction of talent from a wider pool, reduced turnover and loss of talent from the organisation.
- 4.2. Potential savings could also result from a reduced number of formal flexible working requests and appeals against decisions, managing workloads better through planned absence and avoiding unplanned absence e.g. sickness and unpaid leave to cover caring needs. It is also more likely that vacancies could be filled from internal talent which would avoid the expense and disruption of all recruitment being undertaken externally.
- 4.3. Higher levels of engagement in the workforce could be difficult to measure in budgetary terms. However improved outputs and productivity, reduced sickness and turnover and better satisfaction ratings on sites such as Glassdoor are all recognised indicators of better employee engagement. Staff who feel that an organisation's published values are integrated into its policies and who feel their contribution is valued whilst their personal circumstances and challenges are considered, are likely to be absent less and contribute more to that organisation when at work.⁵ Future working styles offer more options to work flexibly and/or from home will be attractive to some individuals who find 9-5 office based working more difficult due to their personal circumstances.

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

- 5.1 The Organisational Development strategy is designed to support the corporate strategy in better enabling the council to attract and retain talent and engage staff to best effect. Clearly the removal of a significant pay gap would help to show that staff are being enabled to join and progress through the organisation and that talent is being

² <https://gender-pay-gap.service.gov.uk/public/assets/pdf/understand-your-gender-pay-gap.pdf>

³ https://www.acas.org.uk/media/4764/Managing-gender-pay-reporting/pdf/Managing_gender_pay_reporting_07.02.19.pdf

⁴ <https://www.cipd.co.uk/knowledge/fundamentals/relations/gender-pay-gap-reporting/factsheet#39600>

⁵ <https://www.ft.com/content/9225a656-21f4-11e8-9a70-08f715791301>

maximised. The obvious unfairness of a significant gap is a barrier to the the council being seen as employers of choice.

6.0 Options considered and reasons for the recommendation

- 6.1 There is a statutory requirement to produce the gender pay gap report. The measures included within the report are deemed to be a reasonable approach to reduce the gender pay gap with the resources available.

7.0 Resource Implications

- 7.1. Financial Implications
There are no direct financial implications, however, there may be a requirement to fund specific initiatives in terms of staff time to support future interventions to reduce the gender pay gap. This is factored into the HR budget.

Section 151 Officer comments

Date: 9th March 2022

No additional financial implications

Matthew Tiller, Head of Finance (Deputy Section 151 Officer)

- 7.2. Human Resources Implications
There will be a requirement for strategic HR time and potentially training required to support the development of detailed plans
- 7.3. Information Governance Implications
Data will be required and detailed analysis of trends to have a robust evidence base on which to move forward. This data will be used in accordance with GDPR requirements.
- 7.4 **Links to Shaping our Future Programme**
As part of organisational design for the SoF programme, consideration as to how the future structure of the council support the reduction in the gender pay gap will be considered and actioned as appropriate.

8.0 Legal Implications

- 8.1 Publication of a gender pay gap report is a legal requirement in the case of organisations with more than 250 employees and considered good practice in others. In approving and publishing the attached reports the council will comply with this obligation.

Deputy Monitoring Officer comments

Date: 10 March 2022

The gender pay gap is the difference between the average (mean or median) earnings of men and women across a workforce. This report discharges the legal obligation of an employer with a headcount of 250 or more on the snapshot date to publish the relevant data. Gender pay gap calculations are based on employer payroll data drawn from a specific date each year. The report's supporting narrative is compliant with guidance and helps explain why a gender pay gap may be present and what is being done to analyse and close it.

Alan Harrison

9.0 Risks

- 9.0 Legal (as above)
- 9.1 Reputational risks if the strategies do not operate well or seem unfair. The requirement to publish an annual report means that the gap figures and progress against a plan are easily measurable.
- 9.2 Damaged union relations could result if the implementation of any plan is not well handled
- 9.4 Damaged relationships with staff could also result if the implementation is not well handled and/or the scheme seems unwieldy or unfair.

10.0 Consultation

- 10.1 It is not envisaged at this point that formal consultation would be required. However informal consultation and communication with staff and possibly the wider community and networks would be vital to make this work successful.

11.0 Communication

- 11.1 Corporate Communications will be required for staff to support informal consultation and communication

12.0 Appendices:

Appendix A - Gender Pay Gap Report HBC 21/22

13.0 Background Papers:

As included in the footnotes 1-5

Agreed and signed off by:

Deputy Monitoring Officer: 10th March 2022

S151 Officer: 9th March 2022

Director: 9th March 2022

Portfolio Holders: Cllr. Narinder Bains – 14th March 2022

Contact Officer: Marthie Turner

Job Title: HR Business Partner

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Havant
BOROUGH COUNCIL

OUR GENDER PAY

Page 63
GAP REPORT

2021-22

Background

As a result of the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017, employers with 250 or more employees are now required to publish statutory gender pay gap calculations annually. This includes the following:

- Gender pay gap (mean and median values)
- Gender bonus gap (mean and median values)
- Proportion of men and women receiving bonuses
- Proportion of men and women in each quartile of the organisation's pay structure.

The salary data is based on the required snapshot date of 31 March 2021 and was published in line with the required timescale of 30 March 2022.

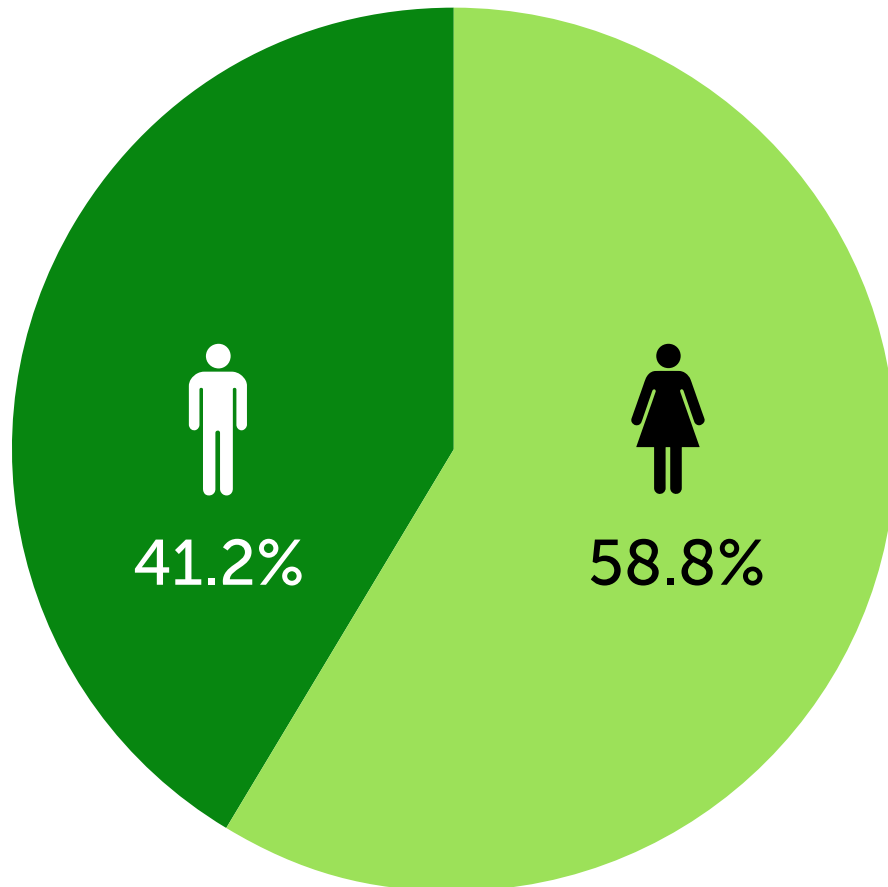
Havant Borough Council did not pay bonuses or similar types of payments to employees this year and so there is nothing to report or publish under this heading. There are some market supplements paid but these are captured as part of ordinary pay and the figures used for hourly pay have been increased to take account of the impact of these additional amounts.

This data is published on the council website, made available to staff and can also be found on the gender pay gap service government website.

It is important to note that this data does not directly relate to the issue of equal pay and further explanation is provided later.

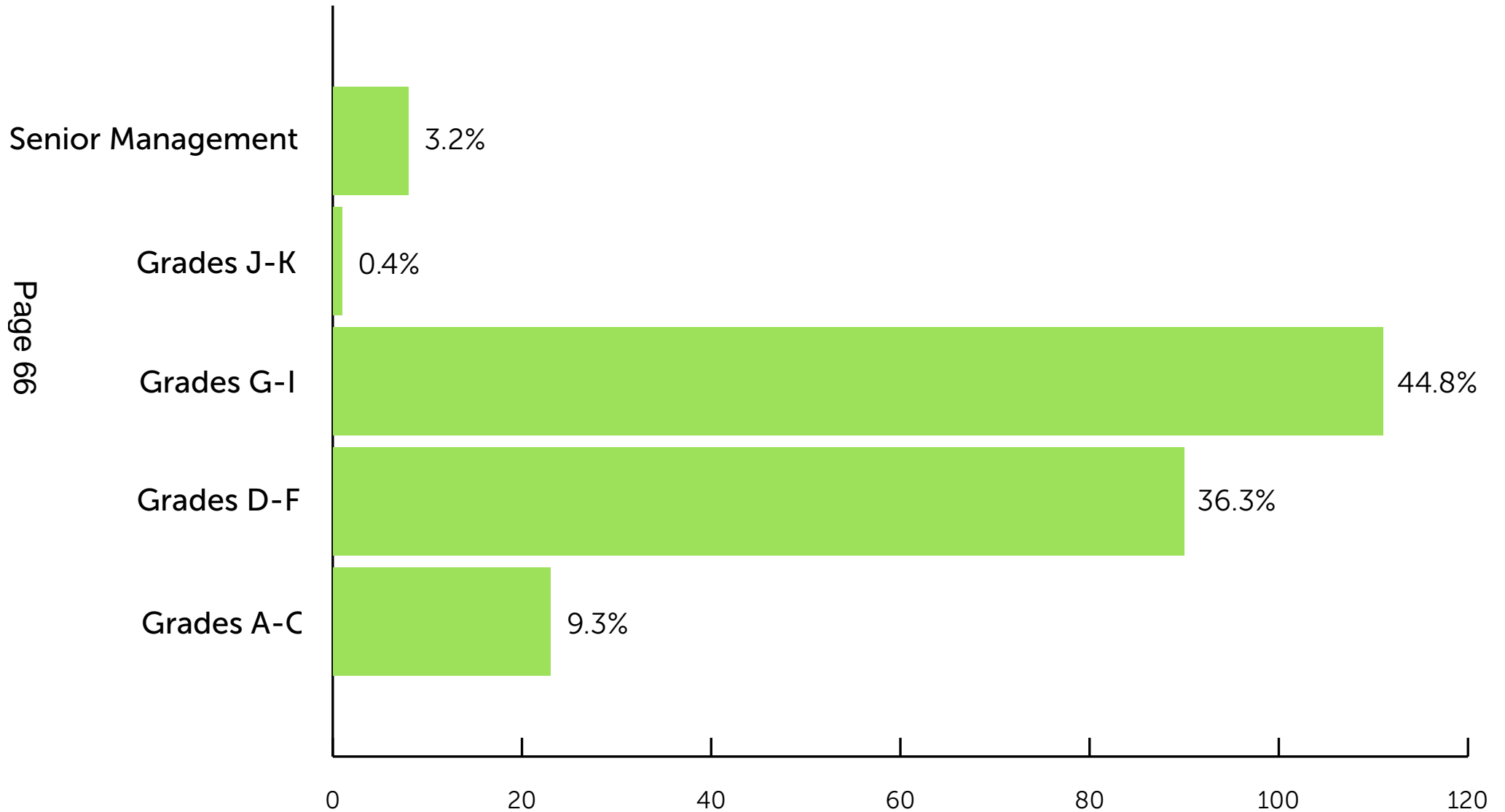
There are no equal pay issues within HBC.

Workforce by gender



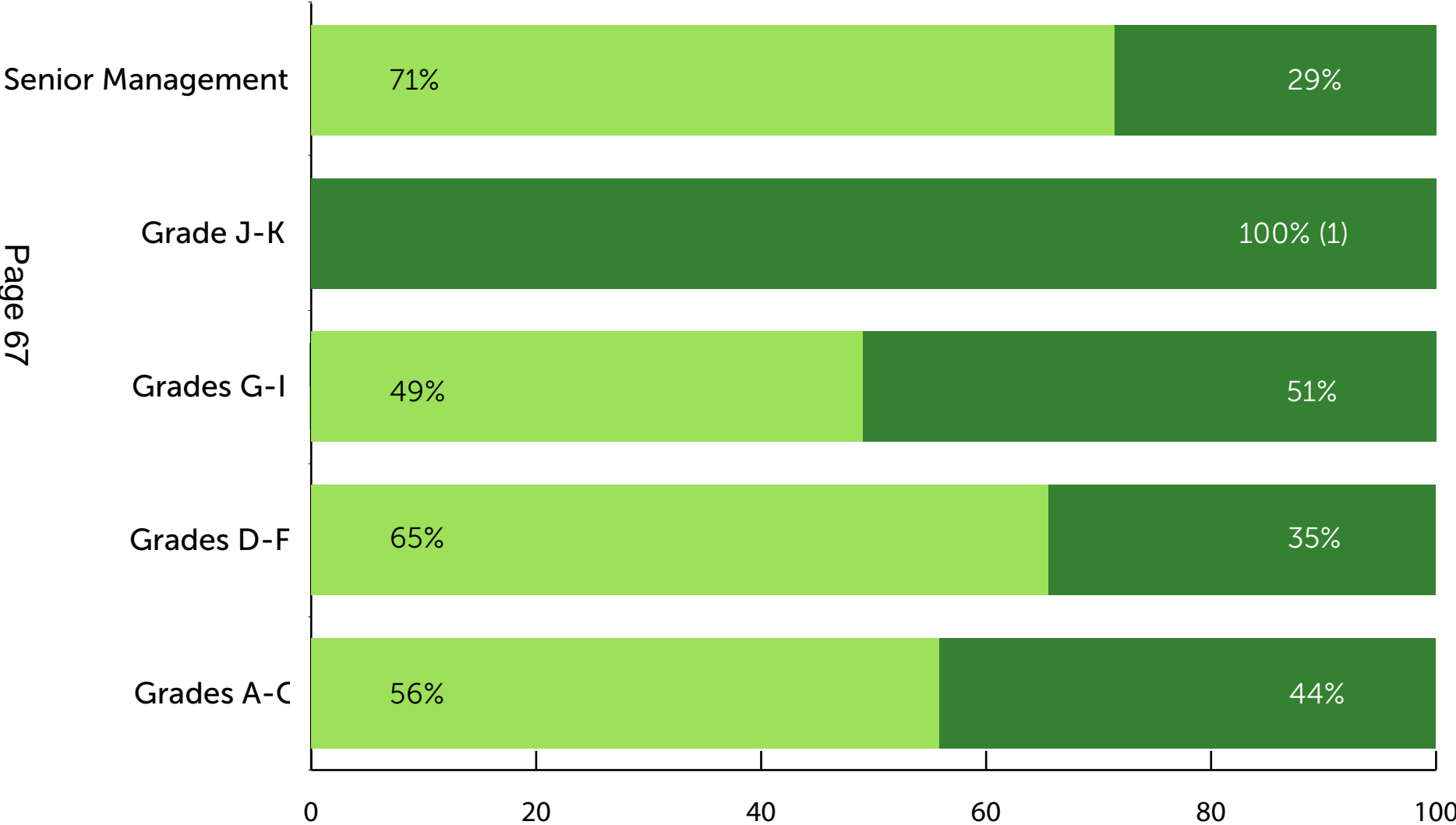
On the snapshot date of March 31 2021, 250 people were employed by Havant Borough Council.

Workforce by pay grade



Gender split across pay grades

■ Male ■ Female



Gender pay gap

The results of the Gender Pay Gap survey are as follows:

	Male	Female	Difference	Percentage	Public sector benchmark
Median	£18.00 per hr	£15.78 per hr	£2.22 per hr	12.3%	18% (2021 provisional)
Mean	£21.44 per hr	£17.40 per hr	£4.04 per hr	18.8%	14.8% (2021 provisional)

When the workforce are ranked in order of their hourly pay rate and then divided into four equal groups, the percentage split of the workforce across the four pay quartiles by gender is as follows:

Quartiles	Male	Female
Q1 Lower	25.4%	74.6%
Q2 Lower Middle	41.9%	58.1%
Q3 Upper Middle	36.5%	63.5%
Q4 Upper	61.3%	38.7%
Whole workforce	41.2%	58.8%

The gender pay gap means that when the average (mean) and median (central point) of all male and female hourly pay rates are compared, the value for male employees is greater than that for female employees.

The main reason for this is that within the higher paid roles at HBC there are a larger proportion of men than women - this is simply illustrated in the quartile information.

For the purposes of benchmarking, figures for the public sector have been included in the table on the left. The ONS have an Annual Survey of Hours and Earnings and the information they have published for 2020 provided the above benchmarking data for the public sector.

Tackling the pay gap

Factors that contribute to the Gender Pay Gap at HBC

The management level and qualified staff within many of the professional service areas provided by HBC, such as Planning, Building Control, Coastal Partners/Civil Engineering and Environmental Health, have historically been dominated by male employees. Over time, the impact of incremental pay means that more male staff are found at the top of their pay scales and these professional roles will be in the upper quartile. Q3 has shown improvement in that there is a higher percentage of females within this group than the previous year, which is largely due to movement on the pay scales.

Waste collection, a service usually dominated by male workers and paid at the lower rates of pay, is outsourced at HBC which will have had an impact on the lower percentage of male workers in this group. In addition, HBC employs cleaners which are at the lower end of the pay scales and are filled at Havant Borough Council by female employees.

Although the gap has narrowed from the previous year which shows positive improvement, the council continues to look at recruitment methods and internal development opportunities to improve the pay gap further.

Policies already in place to promote gender pay equality

- Equality policy
- Flexitime policy
- Flexible working options including parental leave
- Enhanced maternity pay, paternity and adoption pay
- Fair and transparent processes relating to promotion, pay and reward and terms and conditions of employment
- Open recruitment processes, supported by selection based upon merit. The approach is underpinned by training on the recruitment process making appointment decisions based upon the requirements of the role as defined in Job Descriptions and Person Specifications
- Assistance to acquire professional qualifications
- Factor based JE Scheme covering all roles
- Positive Trade Union engagement and collective bargaining

Always improving

We recognise that further work could be done to address this issue.

We will continue to:

- Ensure our Learning and Development Programme is accessible to all including the promotion of apprenticeships at all levels of the organisation.
- Use our Cultures Change Champions to examine the issues and create positive case studies and action plans particularly around performance and reward
- Move from a largely paper based exit interview process to a digital version to collect and analyse the reasons for leaving and put in place actions to bring about positive change
- Develop recruitment processes to remove any barriers that might deter female applicants for senior roles
- Promote flexible working and widening participation specially of men using parental leave
- Review senior pay levels and take any action where needed
- Develop and implement talent management and succession planning processes to enhance career development opportunities
- Analyse data from 2021 to identify any further actions which could be taken to address the gender pay gap.

Equal pay

It is important to remember that the presence of a gender pay gap does not imply that there is an equal pay issue within HBC.

Equal pay is the right for men and women to equal treatment in their terms and conditions of employment for work that is the same or broadly similar. It's an aspect of UK equalities legislation which has been in force for over 40 years.

The Chartered Institute of Personnel and Development (CIPD) explains the difference in the following way: "The gender pay gap is not the same as pay discrimination or equal pay. The gender pay gap is calculated by taking all employees in an organisation and comparing the average pay between men and women. Equal pay rules outlaw pay differences in men and women's pay for same or similar work. It's possible for an employer that treats its women fairly in terms of pay to have a large gender pay gap, and for an organisation that treats its female workers unfairly to have a small gap."



Caroline Tickner
Head of Organisational Development

Kim Sawyer
Acting Chief Executive

Havant Borough Council, March 2022

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NON-EXEMPT

HAVANT BOROUGH COUNCIL

HR Committee

23rd March 2022

Workstyles Policy

FOR DECISION

Portfolio Holder: Cllr Narinder Bains

Key Decision: No

Report Number: HBC/038/2022

1. Purpose

- 1.1. This paper is submitted to HR Committee for agreement to implement a policy which sets out the approach to workstyles in each council.

2. Recommendation

- 2.1. HR Committee is asked to approve the attached policy as set out at Appendix A.

3. Executive Summary

- 3.1. The council does not currently have a policy in place which specifically outlines the approach to workstyles. Since the covid pandemic started more than two years ago, the approach to working for staff has altered because of covid restrictions during this time. Most staff have adapted to a different way of working which is a combination of working from home and the office (where restrictions have permitted).
- 3.2. Following the 'Future Workstyles' trial which ended on 21st Jan 2022, learning and feedback have been used to inform the accompanying policy paper. The purpose of this policy is to provide a framework of understanding with regards to how the Council determines staff workstyles. It also sets out the parameters that are in

place to ensure the workstyles approach for each member of staff takes account of the needs of the service and identifies the most efficient ways of working for the organisation and the individual.

3.3 The future working trial has illustrated the benefits of a hybrid approach to working for the organisation and the individual. The policy which has been drafted encourages:

1.

- greater flexibility for staff with consideration for work/life balance
- greater productivity
- reduction in the carbon footprint which supports the green agenda
- redesign and review of office space
- the potential for increased diversity in the workforce profile

3.4 The benefits of a hybrid approach to working are the following:

- Resilience - a more adaptable working culture that can respond to future challenges
- Better environmental performance - reducing business travel will reduce our carbon footprint
- Reduced illness - short term sick leave has dropped by 38% at HBC
- More efficient use of office space - a reduced need for office accommodation, collaborative spaces available
- Recruitment and retention of staff - improved ways of working make the organisation more attractive to staff (current and future)
- Improved health and wellbeing - working from home eliminates the need to commute to work
- Better work/life balance - saved time can be spent on ourselves or families
- Flexibility - working patterns can be agreed to suit you and your manager

3.5 Evidence from the last two years demonstrates that the performance at each council has not been impacted by staff working remotely.

- Quarterly KPI's have remained positive
- Business and commuting mileage has been greatly reduced
- Staff surveys are positive with >70% staff happy with the hybrid working arrangements

3.6 Efficient remote working has considerably reduced commuting mileage for staff, saved many tons of carbon emissions and reduced other harmful emissions.

3.7 A review of workstyles for staff is not unique. Up and down the country, organisations are reviewing the way their staff work to maximise the benefits that virtual working has demonstrated through the pandemic and to reduce costs for office space. This in turn provides the opportunity for organisations to enhance the diversity of their workforce profile as greater flexibility in the way staff can work can enable those with caring responsibilities to undertake work/hours that they were unable to do so previously for example.

4 Additional Budgetary Implications

4.1 The policy does not have any direct budget implications. However, adoption of the policy will trigger additional spend on IT software enablers and hardware, with the priority on laptop provision to enable employees to work efficiently in the way described in the policy. This additional spend can be offset by the potential savings in rationalisation of office space.

5 Background and relationship to Corporate Strategy and/or Business Plans

5.1 Adoption of this policy supports the overall direction of transformation and is an enabler for any future working projects on the Plaza site.

6. Options considered

a) Implement the policy – this will ensure that there is a framework of understanding for staff on each council's approach to workstyles. It will also

ensure that staff can be managed effectively in line with the requirements of the policy.

b) Return to pre pandemic workstyles – this would negate all the positive change experienced during the pandemic. Carbon footprint would be increased, staff retention and recruitment would become more difficult, and the possibility of office rationalisation would be reduced. The majority of staff have embraced and enjoyed the positive work/life balance impacts that the Future workstyles have enabled and there is a risk that some may leave the organisations if a forced return to office working was to happen.

c) Do nothing – in the absence of any clear policy position, the council runs the risk that staff and managers will create their own approach to workstyles which will not ensure the maximum benefits can be achieved in terms of productivity, efficiency, and cost.

7. Resource Implications

7.1 Financial Implications

As referenced at section 4, implementation of this policy will require investment in IT software and hardware to enable staff to operate effectively with modern and reliable equipment.

A separate business case will be required for this spend, indicative figures show that approximately 65 additional laptops will be required at a cost of circa £1000 each (with ancillaries).

This additional spend can be offset by the potential savings in rationalisation of office space.

Section 151 Officer comments

Date: 9th February 2022

The financial section covers the issues well, so no further comments

Matthew Tiller

7.2 Human Resources Implications

This policy will be added to the suite of HR policies. It will ensure that staff are fully clear on the policy position with regards to workstyles and the expectation of what is required of staff. The policy will also enable managers to manage staff effectively to ensure optimum performance of service is delivered.

HR resource will be required to support with the roll out of the policy. This has been factored into existing resources.

7.3 Information Governance Implications

None identified. The Information Governance policy already covers flexible working locations.

7.4 Links to Shaping our Future Programme

The proposed policy for HBC will be reconsidered as transformation progresses to ensure that the right balance is achieved for hybrid working which balances business need and service demand from residents.

7.5 Other resource implications

Adoption of this policy will

- reduce the demand for workspace and enable a move to a reduced office footprint
- improve the council's environmental performance - reducing business travel will reduce our carbon footprint

8 Legal Implications

- 8.1 There are no contractual changes to employment contracts created with the adoption of this policy. HR processes will be followed to ensure that the relevant discussions take place with all staff with regards to their appropriate workstyle.

Monitoring Officer comments/sign-off

Date: 8th February 2022

Legal Implications are sound, nothing further to add

Surinder Atkar

9 Risks

- 9.1 Potential Risks have been identified and mitigated throughout the Future Working trial. Remaining risks are listed below along with mitigations.

Risk Title	Identification of areas where there are significant risks	Mitigation Required
Cultural - Management style unable to adapt to change in working styles	Risk of returning to previous working styles if manager resist change of working styles.	Clear communications and agreement, Performance management is being reviewed within transformation and will enable output based performance management
Resistance to proposed changes	Resistance to the future ways of working by staff leads to service disruption	FWS staff surveys indicate that there is majority support for future working styles Consultation and engagement with staff to understand any concerns and mitigate where possible
WfH environment	Some staff may not have a suitable working set up or space for working at home	All staff must complete an annual DSE review with will be reviewed by line managers and H&S

10 Consultation

- 10.1 Staff surveys and focus groups have been held during and post the Future Workstyles Trial.

10.2 Unison have been consulted on the policies in line with the usual consultation processes.

11 Communication

11.1 The policy will be communicated to all members of staff via internal channels

12 Appendices

Appendix A – Workstyles Policy HBC

13 Background papers

13.1 None

Agreed and signed off by:

Portfolio Holder: Cllr. Narinder Bains 18th February 2022

Director: 15th February, 2022

Monitoring Officer: 8th February 2022

Section 151 Officer: Matthew Tiller – 9th February 2022

Contact Officer

Name: Mark Barr

Job Title: Commercial Programme Manager

Telephone: 01730 234342 E-mail: mark.barr@easthants.gov.uk

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WORKSTYLES POLICY

Policy Date	April 2022
Review Date <i>when under review, this policy should continue to be used</i>	April 2025
This policy is non-contractual	
Version <i>This policy may be amended prior to the review date to comply with any new, relevant legislation or organisational change that affects how this policy is used</i>	1
Related Policies	Flexible Working Policy Equalities and Diversity Policy Capability Policy Disciplinary Policy H&S Policy 5C ICT Security Policy Suite Managing Change Policy Carer Policy

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2. Scope
3. Principle
4. Determination of appropriate workstyle
5. Homeworking and Office Working
6. Attendance and Availability for work
7. H&S requirements
8. Confidentiality
9. IT
10. Travel and Expenses
11. Practical Support

1. Purpose

- 1.1. The purpose of this policy is to provide a framework of understanding with regards to how the Council determines staff workstyles. It also sets out the parameters that are in place to ensure the workstyles approach for each member of staff takes account of the needs of the service and identifies the most efficient ways of working for the organisation and the individual.
- 1.2. The future working trial has illustrated the benefits of a hybrid approach to working for the organisation and the individual. The policy which follows encourages:
 1. - greater flexibility for staff with consideration for work/life balance
 - greater productivity
 - reduction in the carbon footprint which supports the green agenda
 - redesign and review of office space
 - greater diversity in the workforce profile
2.
 - 1.3. Havant Borough Council (HBC) are committed to providing a safe working environment ensuring the health, safety and welfare of all employees. This includes promoting good health and wellbeing for all employees.
 3.
 - 1.4. HBC will continue to review advice by professional bodies to act on best advice e.g. NHS, Government guidance, HSE. The guidance from professional bodies may alter the guidance set out in this policy and staff will be notified of any changes which need to be made and the policy updated where appropriate.

2. Scope

- 2.1. This policy applies to all employees of the council who fulfil the eligibility criteria set out in section 4, regardless of gender, gender reassignment, race, religion or belief, disability, sexual orientation, age, trade union membership or public interest disclosure status. It also applies to part time and fixed term employees.

3. Principles

- 3.1 The following principles apply in utilising this policy:
 - The default position for the council will be a hybrid style working model. This means that there will be:
 - a) Employees who are classed as office workers whose role or circumstances mean that they need to be present in the office every day to perform their duties.

And,

- b) Employees whose working style range from those that work at home for most of the time but come in for face-to-face meetings when required to employees that work most of the time in the office and everything in between.

- The exact mix between locations should allow the individual to meet business needs in the most efficient way and allow them flexibility to have the best work life balance.
 - The decision on the degree of homeworking in relation to any given role rests at a corporate level. Decisions made on the degree of homeworking that can be accommodated in an existing or new role will be made at Director level and will follow the approach detailed at section four.
 - Individual workstyles should be reviewed on an annual basis, or when a significant change in the way the role is delivered makes a review sensible.
 - The successful application of hybrid working arrangements relies on mutual trust between the member of staff and their manager. Employees must take responsibility for managing their work and their time during work hours. Breaches of trust will be treated very seriously and may be regarded as misconduct. Employees may also be subject to formal action in accordance with the Disciplinary Policy.
 - There will be some circumstances where working in a hybrid way is not a viable option or where the operational needs necessitate a different approach. Such circumstances are expected to be the exception not the norm and will be determined by management and communicated to relevant teams or individuals where necessary.
 - The number of days per week each employee spends attending the office compared with working remotely will vary, depending on:
 - The business needs and requirement to attend the office. This will include key points of a business cycle, to deputise for absent colleagues or the space we have available at our work locations.
 - The requirement for collaboration to ensure service delivery e.g. team meetings, 1-1's, training etc.
 - individual circumstances.
 - the nature of their role; and
 - what is happening within their role and team at any particular time.
 - Departments and teams with minimal office presence will be required to attend the office on an occasional basis. This will be a requirement for team meetings and 1-1's. It is expected that staff will have at least a 1-1 and team meeting every quarter which is in person. This will ensure that employees feel part of the organisation and can collaborate with colleagues on a regular basis.
 - Some meetings will continue to work better face to face, some examples of this are induction of new staff, project kick off meetings, meetings or 1-1's that may be contentious.
- 5.
- Teams should schedule regular check ins, these are to be agreed at a local team level.

- The working style for staff will be discussed and considered with their line manager (once a corporate decision has been made as to what is appropriate) and agreement reached as to the way this will work on a day-to-day basis which will ensure the optimum level of service delivery.
- Where a request solely for homeworking is submitted, this constitutes a statutory flexible working request, and the staff member must make this request using the council's **Flexible Working Policy**.
- Any permanent changes to hours or days of work must be agreed with their line manager or through a formal change under the **Flexible Working Policy**. Agreement to a change in hours and patterns of work will depend upon the circumstances of the request and its impact on the team and service delivery.
- Working from home is not a substitute for caring for dependants. Employees are expected to make alternative arrangements for the care of their dependants during their working day. See Carer's policy on Skoop+.

4. **Determination of the appropriate workstyle**

- 4.1 Determination of the appropriate workstyle will be agreed at corporate level. Heads of Service will review the job roles within their service area and put forward a recommendation on the appropriate workstyle for each for Director sign off. This includes part time and fixed term contracts.
- 4.2 Consideration will be given to business and customer need, location of work, location of team member, team collaboration and communication styles, and considerations for access to technical support and equipment.
- 4.3 Where there is an element of homeworking required in a role, an assessment of the working environment must be undertaken by the member of staff using the DSE assessment process. This is a legal requirement, must be adhered to and reviewed annually. Please refer to Skoop+ for details on DSE.

5. **Homeworking and Office working**

- 5.1 For the purposes of this policy, a workstyle which incorporates an element of homeworking means that a member of staff is working from their home, or another suitable location agreed with their line manager. Whether based in the office or at home, all policies and procedures still apply, including the requirement to safeguard confidential information.
- 5.2 If a member of staff wishes to temporarily work from a location outside the UK, they must obtain prior approval in writing from the Council before doing so, via their line manager. The procedure for considering such requests will be explained to the member of staff when the request is made. Please note that a member of staff must not travel to

work abroad without the prior approval of their line manager.

- 5.3 Attendance in the office will be based on business need and mental health considerations. Attendance in the office will remain an important element of working at the Council, supporting collaboration, and helping to maintain relationships with colleagues.
- 5.4 Hybrid workstyle employees will be required to book a desk on their office working days. Further information can be found on Skoop+.
- 5.5 Homeworking provisions will be reviewed regularly to ensure that they are legally compliant and reflect best practice. There is a requirement to complete a DSE assessment annually.
- 5.6 Employees must confirm that their home environment is suitable and safe to undertake their role, meeting H&S guidelines and regulations, e.g. DSE Assessment, and having access to a reliable internet connection and phone signal. If employees are unable to do so they will be expected to undertake their work from a designated council office. As part of the annual DSE review staff should send evidence of home broadband speed to their manager. This can be checked by a staff member by undertaking a speed test through google.
- 5.7 Homeworking relies on outcome-based performance management. This means that employee performance will be assessed based upon delivery of individual objectives and employees are expected to deliver outcomes within their contractual hours.

To effectively manage objectives and performance, managers and employees must:

- o Be clear on expectations, with robust communication arrangements.
- o Plan and ensure that regular check in meetings take place and relevant measures are used to evaluate the outcomes required.
- o Create and record objectives, actions and check in meetings, with clear review dates.
- o Communicate clearly with colleagues (in advance where appropriate) of any times employees are not available

6. Attendance and Availability for work

- 6.1 Given the degree of flexibility that the workstyle arrangements provide to employees, we expect employees to be flexible in return when required to attend the office.
- 6.2 Employees are expected to be available to come into the office should a need arise and may be required to attend work on particular days at the request of their line manager, for example, for in-person training and for meetings that the line manager has determined are best conducted in person.
- 6.3 There may be circumstances in which we ask hybrid workstyle employees to work remotely, for instance; for operational needs, if we have too many employees attending the office on specific days; or government guidance.

- 6.4 Managers will act reasonably and will endeavour to provide employees with as much notice as possible. However, for some frontline services this may, occasionally, be at short notice and employees are expected to be available to work.
- 6.5 The council also offers flexibility in the way employees fulfil their contracted hours, so for example an employee may wish to take an earlier or later lunch break. This level of flexibility in diary management must not be at the expense of the needs of the business, customers or function that the employee works in.
- 6.6 The council recognises that when working remotely it is easy to always be online and accessible. Therefore, employees should be mindful of the hours they work and ensure that they are not working excessive hours when working remotely. It is also important to have a routine, set boundaries and be clear when your working day starts and ends.
- 6.7 To help maintain wellbeing, employees should also make sure that they take adequate rest breaks including taking a lunch break, throughout the working day in line with working time directive regulations.
- 6.8 Employees must be available and able to work on their contracted days whether they are in the office or working from home unless absence is related to sickness or approved leave. If an employee is unable to work on their contracted days this must be reported through the relevant policy and processes.
- 6.9 Employees should log onto the IT systems and networks to clearly indicate their availability status throughout their working day. Ensuring that their outlook calendars are kept up to date and non-working days and holidays are blocked out.
- 6.10 Employees should be contactable during normal office hours, by telephone and Microsoft Teams. This is especially important if their role comprises an element of customer contact. Missed calls and messages should be returned at the earliest opportunity.
- 6.11 In the case of a systems failure/broadband issue, the employee must contact their line manager, who will need to establish the extent of the system failure, the impact on the service and decide on the appropriate course of action. This may include an employee being required to work from the office for a period until the IT issue is resolved.

7. Health and Safety Requirements

- 7.1 As part of the evaluation process, the council is committed to providing a safe working environment ensuring the health, safety, and welfare of all employees. This includes promoting good health and wellbeing for all our employees.
- 7.2 Managers and employees will continue to monitor and review office and homeworking stations to ensure they follow the Health and Safety policies and requirements.
- 7.3 DSE assessments must be completed for all working environments and reviewed annually. Failure to complete a DSE assessment within a reasonable timeframe as stipulated by the council may lead to disciplinary action being taken. Any changes to circumstances must be communicated to the line manager and H&S team as soon as possible.

- 7.4 Lone working will be assessed as part of the evaluation process and lone working processes will be followed if a role is identified as such.
- 7.5 Managers must continue with welfare and wellbeing checks with employees. Employees are encouraged to speak with their manager or appropriate appointed persons (Mental Health First Aider, EAP etc.) if they are struggling with their current working style. Information and resources on wellbeing can be found on the HR Skoop + pages and within the Practical Support section of this policy.

8. Confidentiality

- 8.1 It is the responsibility of the employee and manager to ensure the confidentiality of all the Council information whilst the employee is working from home. Consideration should be given to the availability of lockable storage cabinets, or other suitable equipment due to the risk of other members of the household/visitors gaining unauthorised access to confidential information. Reference should be made to the ICT Security Policy Suite and Remote Working Policy in particular and the Data Protection Policy
- 8.2 In order to maintain confidentiality and data security, Council documents and equipment (laptops etc) must be stored securely at home and not be left in employees' vehicles when unattended.
- 8.2 All staff need to be mindful of what they are doing, how they are doing it and who is around when working from home, reference should be made to the IG Handbook and the IG Policy, Strategy and Framework.
Further information can be found on Skoop+

9. IT

- 9.1 All hybrid workers will have a Laptop, Bag, Headset and mouse as standard. They will be expected to bring the equipment with them from home to work and back again each day to sit at laptop-enabled desks. Additional offsite IT kit is identified via the DSE process. The council's aim is not to duplicate kit at home and on site but have one portable IT provision per user. Where this cannot be accomplished, it should be reflected in the working style, or with exceptions.
- 9.2 Mobile phones will be provided on a business needs basis

NOTE: 9.1/9.2 are assumptions pending an agreed policy and budget

10. Travel and Expenses

- 10.1. In most cases, the costs of working from home will be offset by the savings in the cost and time of commuting to work in a council office, and the benefits of an improved work/life balance. Therefore, any costs incurred by working at home such as heating, lighting, broadband will **not** be met by the council. If for example, an employee lives locally to the office and walks to work then a workstyle which includes an element of home working may not be offset in the usual way. Employees who are in this position should discuss this with their line manager who may

determine that a full return to office working may be in the employee's best interest.

- 10.2. Employees may be able to claim tax relief for additional household costs incurred by home working by completing a form on the [HMRC](#) microsite or through self-assessment.
- 10.3. All council property provided to enable an employee to work from home will be covered under the council's insurance policy.
- 10.4. Any employee provided with council property must take care to look after it. Inappropriate use of equipment may not be covered under the council's insurance policy. If any of your equipment is damaged, please talk to your line manager straight
- 10.5. Employees who hold a household/home insurance policy should notify their insurer of their homeworking arrangements and are responsible for ensuring that those arrangements do not breach any policy condition, restrictive covenant affecting their home address, local authority planning restriction or mortgage condition.
- 10.6. Employees should ensure that all council property is used appropriately and responsibly and that all reasonable precautions are taken to prevent damage and theft. Any damage or theft of council property must be reported to the line manager and the IT Service desk immediately. A crime number should be requested when reporting any theft to the police.
- 10.7. Travel expenses for journeys to an employee's designated council office base will not be reimbursed.

11. Home Office Equipment

- 10.1 During the pandemic some furniture from the offices was installed in employees' homes to enable hybrid working. Assuming these employees remain working in a hybrid way this furniture should continue to be used at home.
- 10.2 Requests for supply of new/replacement furniture should be directed to the Health and Safety teams, who can recommend suitable equipment.
- 10.3 Any change of office set up at home will require a new DSE check and declaration to be completed.
- 10.4 Specialist DSE equipment will be supplied if required following the completing of a DSE assessment and sign off by line management

Appendix A

Practical Support

To support employees whose workstyle includes an element of working from home, the following information includes practical hints and tips to make working from home successful including what an employee can do to maintain their own wellbeing while working from home.

- Ensure you and your line manager maintain regular contact and communication with your colleagues through phone calls or virtual meetings
- Adhere to the virtual etiquette which can be found on skoop+
- 6. • Discuss your caring or childcare responsibilities and look at the practicalities of working at home and how to accommodate the right balance that works for you and the council
- Establish a routine, including a start and end time to your work, as agreed with your manager
- Discuss home working arrangements with family or the other people you live with and try to establish boundaries so you can work uninterrupted
- Maintain a healthy lifestyle, good nutrition and plenty of sleep, remember staff can claim 30 minutes time back for exercise per week between the hours of 7am-7pm.
- Take a lunch break during each day, and take regular breaks throughout the day to get away from your screen/desk
- Stay connected with other colleagues
- Stay active, either by taking a walk or doing simple stretches and exercise at home.

There is also useful and helpful information that you can access from:

Employee Assistance Programme (EAP)

This free and fully confidential service is available for any member of staff.

Free 24-hour confidential helpline: 0800 030 5182

Website: <https://healthassuredeap.co.uk/>

Mental Health First Aiders – See Skoop+

DSE – Link to desk setup video - See Skoop+

MIND: <https://www.mind.org.uk/>