

**BRISTOL CITY COUNCIL**

**HR COMMITTEE**

**10<sup>th</sup> April 2014**

**Report of:** Richard Billingham (Service Director – Human Resources)

**Title:** Further update report on changes to human resources policies arising from the Full Council budget meeting of February 2013.

**Ward:** N/A

**Officer Presenting Report:** Alex Holly – People Business Partner

**Contact Telephone Number:** 0117 92 22964

**RECOMMENDATION**

That the committee notes the report.

**Summary**

The report provides the Committee with an update on ending overtime payments to employees graded at or above BG11.

**The significant issues in the report are:**

- At its budget meeting on 26 February 2013, Full Council adopted changes to the Council's HR policy that had the effect of ending overtime payments to employees graded at or above BG11, and also ending temporary additional increments above the grade.
- Previous reports on these matters were considered by the Committee at its meetings on 06 June 2013 and 14 November 2013.
- A small number of overtime payments continue to be made to employees graded at or above BG11.
- Temporary additional increments above the grade will form the subject of a separate report to the Committee at its next meeting.

## **Policy**

1. Prior to 01 April 2013, the Council permitted overtime to be paid to postholders in grades BG11-18 where it was considered impracticable for it to be taken as time off in lieu. At its budget meeting on 26 February 2013 Full Council adopted an amendment that had the effect of removing any discretion within the Council's current policy for staff above BG10 to be paid overtime instead of taking time off in lieu. This change took effect on 01 April 2013.

## **Consultation**

### **2. Internal**

None as this report is for information only.

### **3. External**

None as this report is for information only.

### **4. Context**

At its meeting on 06 June 2013, the Human Resources Committee resolved that update reports be submitted to the committee after 6 months and 12 months reviewing the implementation, costs and impact of these policy changes. The Committee received and noted the first update report at its meeting on 14 November 2013 and asked that a further update report be brought back to its February 2014 meeting. In deferring the report to this meeting, officers hoped to give the Committee the benefit of more data.

Over the period 01 April 2013 to 28 February 2014 a total of almost £77k (gross) was paid to 324 employees graded at or above BG11 in respect of overtime. The mean payment to each employee over the 11 months was £237.08. This compares with a total of £186k (gross) paid in respect of overtime to employees graded at or above BG11 over the period 01 April 2012 to 31 March 2013.

Month-by-month figures for 2013/14 were as shown in the table below:

<b>Month</b>	<b>Overtime paid (gross)</b>	<b>Number of employees graded at or above BG11 who were paid overtime</b>	<b>Mean overtime paid to each employee (gross)</b>
<b>April 2013</b>	£19,375.60	48	£403.66
<b>May 2013</b>	£7,969.07	30	£265.64
<b>June 2013</b>	£8,931.13	36	£248.09
<b>July 2013</b>	£9,614.44	27	£356.09
<b>August 2013</b>	£3,335.75	32	£104.24
<b>September 2013</b>	£6,457.09	42	£153.74
<b>October 2013</b>	£7,486.98	28	£267.39
<b>November 2013</b>	£2,072.30	16	£129.52
<b>December 2013</b>	£2,153.14	16	£134.57
<b>January 2014</b>	£7,132.16	30	£237.74
<b>February 2014</b>	£2,287.54	19	£120.40
<b>Total</b>	<b>£76,815.20</b>	<b>324</b>	<b>£237.08</b>

The above excludes payments resulting from employees undertaking standby and call-out duties.

The spike in numbers in September 2013 was largely attributable to Finance, Integrated Customer Services and ICT. October's increase arose mainly in Parks, Street Scene Enforcement and the Youth Offending Team.

All temporary exemptions agreed last year have now lapsed. One permanent exemption remains in place in respect of the post of Mortician, which is co-funded with neighbouring local authorities.

The Council's payroll system has recently been updated to automatically prevent payment of overtime to employees graded at or above BG11 in the vast majority of cases.

In February 2014, the 19 employees who were paid overtime worked in the following directorates (please note that payroll records do not yet match the Council's revised structure):

<b>Directorate</b>	<b>Number of employees graded at or above BG11 who were paid overtime in February 2014</b>
Children, Young People and Skills	3
Health and Social Care	5
Neighbourhoods and City Development	4
Organisational Development	3
Regeneration	4

Line managers are responsible for submitting and authorising overtime claims via the Council's payroll system. People Business Partners continue to investigate and challenge as necessary instances where overtime appears to have been paid outside of Council policy.

## **5. Proposal**

That the Committee notes this report.

## **6. Other Options Considered**

None.

## **7. Risk Assessment**

This report is for information only and as such there is no risk associated with its content.

## **Public Sector Equality Duties**

8a) Before making a decision, section 149 Equality Act 2010 requires that

each decision-maker considers the need to promote equality for persons with the following “protected characteristics”: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:

- i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
- ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to --
  - remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
  - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);
  - encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –
  - tackle prejudice; and
  - promote understanding.

8b) We are legally obliged to ensure that this policy does not disproportionately disadvantage any particular group who hold a protected characteristic under the Equality Act 2010. No evidence that this is the case has been forthcoming, however overtime payments are monitored on an ongoing basis and should any issues arise, these will be dealt with in accordance with our duty. Furthermore, regular reports will be provided to the HR Committee to ensure transparency.

## **Legal and Resource Implications**

### **Legal**

There are no legal implications arising from this report.

### **Financial**

**(a) Revenue**

There are no revenue implications arising from this report.

**(b) Capital**

There are no capital implications arising from this report.

**Land**

Not applicable.

**Personnel**

There are no further HR implications other than those outlined in this report.

**Appendices:**

None.

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**Background Papers:**

Human Resources Committee, 6<sup>th</sup> June 2013, Changes to HR policies arising from Full Council budget meeting in February 2013.

Human Resources Committee, 14<sup>th</sup> November 2013, Follow Up Report on Changes to Human Resources policies arising from the Full Council Budget meeting in February 2013.