

Human Resources Committee Agenda



Date: Thursday, 2 February 2017

Time: 10.00 am

Venue: City Hall, College Green, Bristol, BS1 5TR

Distribution:

Councillors: Helen Godwin (Chair), Paula O'Rourke (Vice-Chair), Kye Dudd, Richard Eddy, Gary Hopkins, Mike Langley and Jo Sergeant

Copies to: Sandra Farquharson (Interim Service Director Human Resources), Mark Williams (HR Business Partner), James Brereton (HR Advisor) and Louise deCordova (Democratic Services Officer)

Issued by: Louise deCordova, Democratic Services
City Hall, PO Box 3167, Bristol, BS3 9FS
Tel: 0117 35 26151

E-mail: democratic.services@bristol.gov.uk

Date: Wednesday, 25 January 2017



Agenda

1. Welcome, Introductions and Safety Information **10.00 am**

2. Apologies for Absence

3. Declarations of Interest

4. Minutes of the Previous Meeting

To agree the minutes of the last meeting as a correct record.

(Pages 4 - 10)

5. Chair's Business

To receive any announcements from the Chair.

6. Public Forum

NB. up to 30 minutes is allowed for this item

Any member of the public or councillor may participate in Public Forum. The detailed arrangements for so doing are set out in the **Public Information Sheet** at the back of this agenda. Please note that the following deadlines will apply in relation to this meeting:-

Questions - Written questions must be received 3 clear working days prior to the meeting. For this meeting, this means that your question(s) must be received in this office at the latest by 5 pm on **Friday, 27 January 2017**.

Petitions and Statements - Petitions and statements must be received on the working day prior to the meeting. For this meeting, this means that your submission must be received in this office at the latest by **12.00 noon on Wednesday, 1 February 2017**.

7. The Council's Pay Policy Statement 2017/18 **10.30 am**

The purpose of this report is to consider the Pay Policy Statement for 2017/18.

(Pages 11 - 22)

For recommendation to Full Council.



8. Pay of the Senior Coroner

10.45 am

The report informs the Committee of the current situation regarding the pay of the Senior Coroner.

(Pages 23 - 30)

For Decision.

9. Use of Agency Staff

11.00 am

The report updates the Committee on the Council’s progress towards getting better value from its use of agency staff.

(Pages 31 - 34)

To note the report for information.



Bristol City Council Minutes of the Human Resources Committee

24 November 2016 at 2.00 pm



Members Present:-

Councillors: Helen Godwin (Chair), Paula O'Rourke (Vice-Chair), Kye Dudd, Gary Hopkins, Mike Langley, Jo Sergeant and Steve Jones

Officers in Attendance:-

Richard Billingham (Service Director HR), Mark Williams, James Brereton and Louise deCordova (Democratic Services Officer)

1. Welcome, Introductions and Safety Information

The Chair led welcome and introductions.

2. Apologies for Absence

Apologies for absence received from Councillor Eddy. Councillor Jones in substitute.

3. Declarations of Interest

There were no declarations of interest.

4. Minutes of the Previous Meeting

The Committee RESOLVED:

To agree the minutes of the previous meeting as a correct record.

5. Chair's Business (verbal update)

The Chair provided a verbal update as follows:

Human Resources Team



- a. The Chair confirmed that the Service Director, Human Resources would be leaving the Council at the end of January 2017. Officers to update the Committee once information regarding a new interim Service Director appointment is known. **Action: Mark Williams**

Exit payment cap and recovery

- b. The Exit Payment Cap and Exit Payment Recovery are each subject to separate regulations and have not yet been set before parliament. The previous report to be circulated to Members. Future updates to be provided when available. **Action: James Brereton**

Culture Steering Group

- c. Current objectives have focused on the staff survey and diversity. A diversity workshop was planned for the following Monday which was open to all staff. Outcomes to be shared with Members. **Action: Culture Steering Group**

Staff Survey

- d. Initial findings from the staff survey had been more positive than expected. Key issues for staff included learning and development opportunities and relationships between staff and very senior management level. Initial findings to be shared with members of committee.

6. Public Forum

The Committee noted statements as follows: (a copy of the statements has been placed in the minute book - accessed via Democratic Services).

- a. Paul Wheeler – Bristol Equality
- b. Steve Crawshaw – Unison
- c. Steve Paines – Unite
- d. Wendy Weston – GMB

The Chair advised that each submission would be taken just before each item concerned.

7. Chief Executive terms & conditions and performance management (report)

The Committee received a report from the Service Director, Human Resources and Workplace, and considered the public forum statement submitted by Paul Wheeler, Bristol Equality in conjunction with this item. The report seeks the Committee's approval for proposals relating to the terms and conditions and performance management of the job of Chief Executive.

- a. Officers read the legal advice which had been provided in relation to the report as follows:

The pay of the Chief Executive is set out in the Council's Pay Policy Statement, and any amendments to the Statement require the approval of the Full Council.



Other than in relation pay and to dismissal for poor performance and misconduct, the terms and conditions of employment for the Chief Executive are set by the Human Resources Committee.

The Council's Constitution currently does not provide for the performance management of the Chief Executive and any amendments to the Constitution require the approval of the Full Council.

Legal and HR advice should be sought when drafting the terms of the fixed term contract for the new Chief Executive.

Advice given by: Shahzia Daya, Service Director, Legal and Democratic Services

Date: 15 November 2016

- b. The facility to pay a bonus to the Chief Executive is part of the annual Pay Policy Statement, which must be approved by the Full Council. The level of that bonus (if any) would be decided by the Performance Management Panel, and not Full Council.
- c. The Chief Executive's performance objectives will be set and monitored by the Performance Management Panel. In discussion it was agreed that Full Council or the Executive Function serving the Mayor and wider council would take on this role – hence the recommendation to set up a performance panel. It was confirmed that the performance management panel could consist of the Mayor and Party Group Leaders and advisors.

The Committee RESOLVED:

- (i) To recommend to the Full Council that a Performance Management Panel be constituted to agree objectives with the Chief Executive, assess the jobholder's performance and decide what level (if any) of bonus should be awarded. The Panel to be composed of the Mayor and Party Group Leaders, supported by advisers with appropriate expertise.**
- (ii) To approve the proposed terms and conditions of employment as outlined in this report.**

8. Voluntary Severance Update (report)

The Committee considered a report from the Service Director, Human Resources and Workplace, and considered the public forum statements received from Unison, Unite and GMB in conjunction with this item. The report updates the Committee on the progress to date in delivering the first phase of workforce reductions intended to contribute to the required financial savings of £29 million. The Committee is asked to note the report.

The HR Business Partner summarised the significant issues in the report. In response to members questions the following points were raised:



- a. It was recognised that in delivery of workforce reductions there would be an impact on future service delivery. Concern raised that there may not be a consistent approach across the council which could impact the morale and wellbeing of staff. It was confirmed that the Council was committed to protect and retain statutory frontline services and therefore it was not always possible to agree to voluntary severance requests in some critical service areas. Officers to provide some analysis alongside the results of the staff survey which looked at service areas like housing and adult care and services with the lowest percentage of acceptances for voluntary severance. **Action: James Brereton**
- b. The council had a duty to mitigate against compulsory redundancy and there was potential for voluntary severance opportunities to be managed in service areas once the new structures were in place
- c. There was a concern over the impact on staff diversity.
- d. It was recognised that the in-year costs of staff reduction were one off costs, but savings were ongoing year on year.
- e. It was noted that severance for staff of pensionable age would cost significantly more due to the councils duty to pick up pension strain.
- f. The Corporate Strategy proposals set out the principals for reduction of cost and ongoing management of costs. Staff waiting to see the results of the redesign process would still have recourse to take part in a voluntary severance option rather than compulsory process. Officers to provide top line level tracking of the numbers of staff leaving the organisation through voluntary severance in order to track the progress of organisation as it changes shape
- g. It was recognised that there was a risk that due to the scale of ongoing change the Council may be losing good people who may be choosing to opt out of the uncertainty and take their skills elsewhere.

The Committee RESOLVED:
To note the report, comments and actions arising.

9. Use of agency staff (report)

The Committee received a report from the Service Director, Human Resources and Workplace, and considered the public forum statements from, Unite and GMB in conjunction with this item. The report updates the Committee on the Council's progress towards getting better value from its use of agency staff. The Committee is asked to note the report.

The Committee received a summary of the significant issues in the report. In response to Members questions the following points were raised:



- a. Officers to provide a regular progress report to be brought to Committee in order to track the changes in agency use across council services. The next report to outline where agency contracts have ended or where agency staff have transferred into employment. **Action: James Breton**
- b. Officers highlighted that the agency figures contained at Para 5.2 contained an incorrect figure at the time of going to print. It was not the case that *'An average of 680 FTE agency staff were employed by the Council during the first quarter. This dropped to 610 FTE during the second quarter.'* The correct data to be circulated to Committee Members. **Action: James Breton**
- c. It was noted that some employment businesses had declined to do business via the Council's preferred supplier, Guidant. The Council was reviewing existing agency contracts over 52 weeks.

(Councillor Hopkins joined the meeting.)

- d. Members recognised that there were circumstances where agency staff were the right short term solution to meet business needs however there was concern raised if this was being used to mask an unfilled post or where certain classifications of staff were being paid different rates for doing the same role.
- e. Members requested more information to understand the difference in the cost of employing about the cost of agency contracts with a breakdown by directorate with worked examples to show how the cost differed between employing permanent and agency staff in the same roles.
Action : James Breton

The Committee RESOLVED:

To note the report, comments and actions arising.

10. Pay reform (report)

The Committee received a report from the Service Director, Human Resources and Workplace, and considered the public forum statement from Unison and Unite in conjunction with this item. The report updates the Committee on plans to reform the "Single Status" (Green Book) pay spine. The Committee is asked to note the report.

- a. Officers read additional financial implications received in support of the report:

With reference to the number of staff in BCC and in schools that these changes affect potentially, and that there are aspects of the ToFR that will have a financial implication and which will need to be fully factored into the costings of the proposed scheme going forwards. Those costings MUST be calculated over the length of the MTFP – this is because a scheme that may be cost neutral in year 1, may not be in year 2 etc. There is no provision for extra cost of a new scheme in the MTFP



– we have provision for pay increases, and depending on the level of those, something for increments.

The significant issues of the report were summarised and in response to Members questions the following points were raised:

- b. Members noted that there was a shared commitment with trade unions to agree the principles for reform of the single status pay spine in a fair and transparent way.
- c. Officers confirmed that the job evaluation scoring system was an analytical way of ranking jobs.
- d. There was concern raised about the need to protect the interests of staff that could suffer detriment as part of any reform. Mitigation could be in the form of a period of pay protection.
- e. The financial impact of reforms must be calculated over the term of the medium term financial plan. The next steps needed to include a period of discussion around the budget implications, taking the opportunity to influence the budget consultations. It was confirmed that the base line was the Council's commitment to the Living Wage, and fiscal constraints. There was no cost neutral way forward.
- f. It was noted that each Local Authority was taking a different approach, Bristol was monitoring results of national benchmarking as well as the work that the Local Government Association was doing in this area.

The Committee RESOLVED:

To note the report and endorse the need for this work to be included in the Council's Corporate Strategy for 2017-2022.

11. Matters Arising

1. Human Resources Budget

- a. The Chair commented that the Council did not have a budget for learning and development and noted that initial results from the Staff Survey had raised this as a key issue for staff. Officers to explore the role of Human Resources Committee to challenge and apply necessary pressure to address this as part of the Council's long term planning. To be added as a discussion item to the next meeting agenda. **Action: James Brereton**
- b. Concern raised regarding difficulties caused by skills and expertise leaving the organisation; a lack of succession planning and training causing skills and knowledge gaps in service areas. Members noted that the Council's hands were tied financially however some action was required to provide organisational resilience when structures reduce.



- c. Recognised that there may be an opportunity to utilise the future apprenticeships levy to train the existing workforce as well as investing in the growth and development of a future workforce.

2. Future Meeting Dates

Future meeting dates to be brought forward. **Action: Democratic Services**

Meeting ended at Time Not Specified

CHAIR _____





HR Committee

2nd February 2017

Report of: Interim Service Director Human Resources, Change and Communications

Title: The Council's Pay Policy Statement for 2017/18

Ward: N/A

Officer Presenting Report: Mark Williams (HR Business Partner)

Contact Telephone Number: (0117) 92 24838

Recommendation

That the Committee recommends the Pay Policy Statement 2017/18 be approved by the Full Council.

Summary

The purpose of this report is to consider the Pay Policy Statement for 2017/18. The Localism Act 2011 requires local authorities to agree and publish a pay policy statement annually before the start of the financial year to which the statement relates.

The significant issues in the report are:

- As part of the response to the Council's financial situation, the pay of Strategic Directors and Service Directors is proposed to be frozen at 2016/17 levels, and there will be no progression from the Appointment Rate to the Competence Rate for Service Directors.
- The Council is working with the trade unions to reform the current pay spine, for which budget provision will be needed if implementation is to take place from 1st April 2018.
- Changes to the law in relation to exit payments and "off-payroll" working are planned but have not yet been enacted.



Policy

1. The Localism Act 2011 requires local authorities to agree and publish a pay policy statement annually before the start of the financial year to which the statement relates.

Consultation

2. Internal

The Senior Leadership Team has been consulted on the proposal to freeze the pay of Strategic Directors and has endorsed the proposal to freeze the pay of Service Directors and not allow progression from the Appointment Rate to the Competence Rate. The trade unions have been informed of these proposals.

3. External

None required.

Context

4. The Pay Policy Statement explains the Council pay policies for its highest and lowest-paid employees. It is written and published in line with the Localism Act 2011 (the Act) and guidance issued by the Secretary of State (the Guidance). The draft Pay Policy Statement for 2017/18 forms Appendix A to this report.
5. The key change from the 2016/17 Pay Policy Statement is that pay for Strategic Directors and Service Directors will be frozen and no pay progression will be permitted for Service Directors. This is a response to the Council's financial situation. The pay freeze will affect 3 Strategic Directors and 20 Service Directors. The bar on pay progression will affect 18 Service Directors (there is one spot rate of pay for Strategic Directors and 2 Service Directors are already on the Competence Rate).
6. The Council continues to work with the trade unions in developing a new pay structure. Implementation was planned for 1st April 2017, but given the Council's financial situation this has been put back to 1st April 2018. It is likely that there will be additional costs involved in introducing a new pay spine. These will need to be considered and evaluated before any proposal is implemented. The design principles for the new pay structure are provided at Appendix B.
7. The Government still intends to introduce restrictions on exit payments, but these have yet to be enacted. The Government is also changing the law to further curtail "off-payroll" working in the public sector.

Proposal

8. That the Committee recommends the Pay Policy Statement 2017/18 be approved by the Full Council.

Other Options Considered

9. To not freeze pay and not prevent pay progression. This would add up to around £70k to the

Council's paybill.

Risk Assessment

10. Failure to produce a compliant pay policy statement by the required deadline would place the Council in derogation of law.

Public Sector Equality Duties

- 11a) 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.
- 11b) An Equality Impact Relevance Check is attached at Appendix C.

Legal and Resource Implications

Legal

"This report fulfils the legal requirement placed on the Council by s.38(1) of the Localism Act 2011 to produce an annual pay policy statement."

Advice provided by Husinara Jones (Senior Practitioner (Solicitor)), 24th January 2017

Financial

(a) Revenue

As indicated in the report, the financial implications of the revised/proposed new pay structure are not yet known as this is currently being developed. It is, however, essential that the financial implications of the proposed new pay structure are fully costed, over the period of the Medium Term Financial Plan (MTFP), to review its affordability in the context of the Council's overall budget constraints. Given the planned introduction of 1st April 2018, it is essential that this is considered as soon as possible to ensure that it can be considered in the context of the Council's MTFP.

(b) Capital

The pay structure for the Council relates to all staff, including those employed to deliver capital projects. Therefore, any changes to the current pay structure may have a financial implication on the cost of capital schemes, where the cost of employed staff are recharged to those capital schemes.

Advice provided by Kevin Lock (Finance Business Partner Resources), 24th January 2017

Land

Not applicable.

Personnel

"The new pay rates for Strategic Directors and Service Directors implemented on 1st June 2016 were inclusive of the 1% pay award agreed by the Joint Negotiating Committee for Chief Officers of Local Authorities for the years 2016/17 and 2017/18. There is no contractual right for Service Directors to progress from the Appointment Rate to the Competence Rate."

Advice provided by Mark Williams (HR Business Partner), 24th January 2017

Appendices:

A – Draft Pay Policy Statement for 2017/18

B – Design Principles

C – Equality Impact Relevance Check

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers:

None.

Bristol City Council

Pay Policy Statement for 2017/18

1. Introduction

- a. It is essential that the Council attracts and keeps people with the right talents and commitment to lead and deliver great services to Bristol's citizens. At the same time the Council has to get the best value for the taxpayer.
- b. This Statement explains the Council pay policies for its highest and lowest-paid employees. It is written and published in line with the Localism Act 2011 (the Act) and guidance issued by the Secretary of State (the Guidance). It was approved by the Full Council on 14th March 2017.
- c. The Guidance is clear that decisions on pay policies should be made by councillors. The Council is committed to making sure that all councillors have a say on how pay decisions are made, especially about its highest-paid employees. To achieve this, the Statement is reviewed every year. The Mayor is consulted, and any proposals he makes are taken into account. The draft statement is considered by the Human Resources Committee and finally by the Full Council. Both meetings are open to the public.
- d. In line with the law (the Local Authorities (Elected Mayor and Mayor's Assistant) (England) Regulations 2002), the pay of the Mayor's Assistant is set as the Mayor thinks fit, within the financial resources available to the Council.
- e. As recommended by the Guidance, this Statement sets out clearly and separately its policies on each of the requirements listed in the relevant sections of the Act. The Guidance says that this is to help enable taxpayers to decide whether they are getting value for money in the way that public money is spent on local authority pay and reward.
- f. The Council is committed to equal pay for all its employees and to removing any bias in its pay systems related to age, disability, gender, race, religion or belief or on the grounds of being bisexual, gay, lesbian or transgender. Equal pay applies to all contractual terms and conditions as well as pay.

2. Development priority for 2017/18

- a. The Council will work to reform its pay structure with the intention of implementing changes from April 2018. The new pay structure will take the UK Living Wage (as set by the Living Wage Foundation) as its starting point and will change or replace Bristol Grades 1 to 15. Proposals will be subject to equality impact assessment and will be negotiated with the trade unions. Regular reports will be provided to the Human Resources Committee.

3. Pay of the Council's highest-paid employees

- a. The Council's highest-paid employees are called "chief officers" and are made up of the Chief Executive, Strategic Directors and Service Directors.
- b. The Council's policy is that the Chief Executive's salary should be no more than 10 times the salary of the lowest-paid employee. For 2017/18 the Chief Executive's salary will be £160,000.
- c. The Council's policy is that the salary of Strategic Directors will be 85% of the Chief Executive's salary. Therefore, for 2017/18 the salary of Strategic Directors will be £136,000.
- d. The Council's policy is that the salaries of Service Directors are set in line with the market rate. However, in view of the Council's financial position for 2017/18 the Appointment and Competence Rates will be frozen at the 2016/17 levels of £94,601 and £98,213 respectively and there will be no progression from the Appointment Rate to the Competence Rate.

4. Pay of the Council's lowest-paid employees

- a. The Council's lowest-paid employees are those who are paid the UK Living Wage, which is set by the Living Wage Foundation. The Council has adopted this definition because it has decided that none of its employees should be paid less than the UK Living Wage. For 2017/18, the UK Living Wage is £8.45 per hour, which equates to a minimum salary of £16,303 (based on a full-time week of 37 hours).
- b. Apprentices in their first year are paid £5 per hour. Apprentices in their second year are paid £5 per hour until they are 18 years old and then at the National Minimum Wage for their age. Apprentices in their third year are paid the UK Living Wage (as set by the Living Wage Foundation). An additional allowance of £25 per week is paid to apprentices who have left local authority care, and this is paid throughout their apprenticeship for as long as they live in independent accommodation.
- c. Interns, student placements and trainees are normally paid the UK Living Wage.

5. Relationship between the pay of the Council's highest and lowest-paid employees

- a. Will Hutton's 2011 Review of Fair in the Public Sector recommended that all public service organisations publish their top to median pay ratio to allow the public to hold them to account. The Government's terms of reference for the Hutton review suggested that no public sector manager should earn more than 20 times the lowest paid person in the organisation.

- b. The change in these ratios at the Council over recent years is shown in the following table:

Date	Top to median pay ratio	Top to lowest salary ratio
31 st March 2012	-	15.6:1
31 st March 2013	-	12.35:1
31 st March 2014	6.68:1	12.87:1
31 st March 2015	6.29:1	11.85:1
31 st December 2015	6.75:1	11.33:1
31 st December 2016	6.23:1	10.05:1

- c. For 2017/18 the Council's top earner (the Chief Executive) will be on a salary of £160,000 and the lowest-paid person will be on a salary of £16,303. This means that on 1st April 2017 the Council's top to lowest salary ratio will be 9.81:1.

6. Pay of chief officers when they start

- a. Chief officers will be paid the rate for the job.
- b. An Uplift Band may be payable to Service Directors to ensure that the pay of a job is sufficiently competitive to attract a field of suitable candidates. The maximum Uplift Band is 15% of the Competence Rate for Service Directors. Any Uplift Band will be non-contractual and non-pensionable. The Selection Committee decides if an Uplift Band should apply on appointment. In reaching its decision the Committee will look closely at the business case, including external benchmark data.
- c. The Guidance says that the Full Council should have the opportunity to vote before salary packages totalling £100,000 or more are offered for new appointments. Through its Constitution the Full Council delegates this to the Selection Committee.

7. Increases and additions to pay for chief officers

- a. The pay of chief officers will be reviewed each year through this Statement. Pay awards agreed by the Joint Negotiating Committee for Chief Executives of Local Authorities and the Joint Negotiating Committee for Chief Officers of Local Authorities will be taken into account. The 1% pay awards agreed by these bodies for 2017/18 are deemed to have been included in the rates implemented in 2016/17.
- b. An Uplift Band may be payable to Service Directors for retention reasons. The maximum Uplift Band is 15% of the Competence Rate for Service Directors. Any Uplift Band will be non-contractual and non-pensionable. The Human Resources Committee decides if an Uplift Band should apply. In reaching its decision the Committee will look closely at the business case, including external benchmark data.

8. Performance-related pay for chief officers

- a. There is no performance-related pay for chief officers.

9. Bonuses for chief officers

- a. The Chief Executive may be awarded a bonus of up to a maximum of 10% of basic salary per year payable at the end of the contract only. This is intended to be discretionary, non-contractual and non-pensionable. Any bonus awarded may not be payable if the employee is leaving for any reason other than the normal expiry of the contract and will be forfeited in the event of a gross misconduct dismissal.

10. Pay of chief officers when they leave

- a. When a chief officer leaves they will be paid in line with what they are entitled to under their contract of employment (their notice period is three months) and the Council's policies as they apply to all employees of the Council (there are no policies just for chief officers).
- b. The Guidance says that the Full Council should have the opportunity to vote before severance packages costing £100,000 or more are paid to employees leaving the Council. The Government intends to go further than this and cap the cost of an employee leaving a job in the public sector at £95,000. This is likely to be implemented at some point in early 2017. Councils may be given the authority to approve severance packages that cost more than £95,000 by a vote of the Full Council, but guidance on this has not yet been published. Until this change happens, the Council's current policy will continue, which is that the severance packages of chief officers are approved by the Human Resources Committee.
- c. The Government also intends to change the law so that someone who takes a severance package in the public sector can only work in the public sector again in the following 12 months if they pay back part of their severance payment. This is also likely to be implemented at some point in early 2017. Until this change happens, the Council's current policy will continue, which was negotiated with the trade unions and previously agreed with the Human Resources Committee. The Council's current policy is that employees who leave due to voluntary severance will not be re-employed by the Council in a paid job or engaged directly or through a company on an "off-payroll" basis for 12 months after they leave. (Off-payroll means a person who is paid via a company rather than through the payroll as an employee). Employees who leave due to compulsory redundancy are free to apply for re-employment with the Council at any point after they've left.

11. Paying chief officers "off-payroll"

- a. The Council's policy is that chief officers must always be paid through the payroll unless there are exceptional, temporary reasons that justify engaging someone on an "off-payroll" basis. Where an off-payroll arrangement is used the Council will always ask the contractor to confirm that they are complying with the law on tax and National Insurance. The Council will consider ending contracts where that confirmation is not received.
- b. However, the Government intends to change the law so that public sector organisations (including the Council) are obliged to deduct and pay income tax and National Insurance contributions to HMRC in respect of payments made on or after 6th April 2017 to people engaged through personal service companies.

12. Returning Officer fees

- a. The Council's Returning Officer for elections and referendums is appointed by the Full Council and may or may not be a chief officer. Fees are paid for these duties. Rates are set by the Government and vary depending on the type of poll. They are published prior to each election.

13. More information about the pay of chief officers

- a. The Council is committed to being open about its policies on pay. Approved pay policy statements are published on the Council's website at www.bristol.gov.uk/council-spending-performance/senior-officers-pay. Other information that the Council has to publish under the Local Government Transparency Code 2015 is available via that webpage.

DRAFT

Replacing BG1-15 – design principles

- 1. Grades:**
 - a. Will cover from the UK Living Wage (Living Wage Foundation) to TP1.
 - b. Will be fewer than 15 in number.
 - c. Will not overlap.
 - d. Will not have large pay gaps between them.
- 2. Points-to-pay:**
 - a. Will be more even than at present – ie, each grade will cover roughly the same number of job evaluation points.
- 3. Pay points:**
 - a. Will explore the use of an appointment rate / competence rate model.
 - b. Will continue to use specific NJC Spinal Column Points.
 - c. Will not include an Uplift Band equivalent (market pay supplements may continue to be used where necessary).
- 4. Pay progression:**
 - a. Will normally take place within 12 months of an employee's start date in the job, unless there is clear evidence that would not justify it.
- 5. Pay awards:**
 - a. Living Wage Foundation and NJC pay awards will continue to be honoured.
- 6. Job evaluation:**
 - a. Will continue to use the Greater London Provincial Council (GLPC) job evaluation scheme.
 - b. Will not require a complete re-evaluation of all jobs, though many JEQs will need to be updated and evaluated.
 - c. Will need a consistent approach to career grades.
- 7. Aspiration:**
 - a. For the new system to be implemented for centrally-employed staff from 1st April 2018.
 - b. For more staff to be paid at or above the median pay for Bristol than are paid below it (ie, £23,812 per year pro rata as at April 2016 (Office for National Statistics Annual Survey of Hours and Earnings)).
- 8. Cost (including any transitional arrangements):**
 - a. Will be affordable overall within the Medium Term Financial Strategy.
- 9. Implementation:**
 - a. Will include transitional arrangements as appropriate.
 - b. May be later for non-teaching staff at schools where the Council is the employer in law.
 - c. All employees will be issued with new contractual documentation.
- 10. Agreement:**
 - a. Will be subject to equalities impact assessment, legal advice on all sides and trade union ballots.
 - b. Will be enshrined in a local collective agreement.

Bristol City Council Equality Impact Relevance Check



This tool will identify the equalities relevance of a proposal, and establish whether a full Equality Impact Assessment will be required. Please read the guidance prior to completing this relevance check.

What is the proposal?	
Name of proposal	BE6 – workforce policy and conditions review
Please outline the proposal.	It is proposed to freeze pay rates for Strategic Directors, Service Directors and senior managers. It is also proposed to double from 10 to 20 the maximum number of days of additional leave that staff can apply to buy.
What savings will this proposal achieve?	2017/18: £260k 2018/18: £1.463m
Name of Lead Officer	Mark Williams

Could your proposal impact citizens with protected characteristics? (This includes service users and the wider community)
Please outline where there may be significant opportunities or positive impacts, and for whom.
None.
Please outline where there may be significant negative impacts, and for whom.
None.

Could your proposal impact staff with protected characteristics? (i.e. reduction in posts, changes to working hours or locations, changes in pay)																								
Please outline where there may be significant opportunities or positive impacts, and for whom.																								
In relation to the pay freeze, none. In relation to the Annual Leave Top-Up Scheme, all employees will be eligible to apply and managers will be encouraged to accept applications.																								
Please outline where there may be negative impacts, and for whom.																								
In relation to the pay freeze, this will be applied to all Chief Officers and senior managers. For information the representation of affected staff is as follows:																								
<table border="1"> <thead> <tr> <th>Protected characteristic</th> <th>Affected staff</th> <th>Bristol City Council*</th> <th>Bristol**</th> </tr> </thead> <tbody> <tr> <td>Disabled</td> <td>9.00%</td> <td>6.67%</td> <td>7.4%</td> </tr> <tr> <td>Black Minority Ethnic</td> <td>5.83%</td> <td>11.71%</td> <td>12.8%</td> </tr> <tr> <td>White Minority Ethnic</td> <td>7.77%</td> <td>4.90%</td> <td>7.65%</td> </tr> <tr> <td>Women</td> <td>49.11%</td> <td>60.21%</td> <td>46.77%</td> </tr> <tr> <td>Christian</td> <td>42.24%</td> <td>43.17%</td> <td>48.21%</td> </tr> </tbody> </table>	Protected characteristic	Affected staff	Bristol City Council*	Bristol**	Disabled	9.00%	6.67%	7.4%	Black Minority Ethnic	5.83%	11.71%	12.8%	White Minority Ethnic	7.77%	4.90%	7.65%	Women	49.11%	60.21%	46.77%	Christian	42.24%	43.17%	48.21%
Protected characteristic	Affected staff	Bristol City Council*	Bristol**																					
Disabled	9.00%	6.67%	7.4%																					
Black Minority Ethnic	5.83%	11.71%	12.8%																					
White Minority Ethnic	7.77%	4.90%	7.65%																					
Women	49.11%	60.21%	46.77%																					
Christian	42.24%	43.17%	48.21%																					

Other religion	8.45%	8.68%	6.64%
No religion	49.30%	48.15%	45.15%
Lesbian/gay/bisexual	5.19%	4.36%	1.94%***
* Excludes staff in schools			
** Economically-active population, Office for National Statistics 2011			
*** South-West, Office for National Statistics 2015			
In relation to the Annual Leave Top-Up Scheme, none.			

Is a full Equality Impact Assessment required?	
Does the proposal have the potential to impact on people with protected characteristics in the following ways:	
<ul style="list-style-type: none"> • access to or participation in a service, • levels of representation in our workforce, or • reducing quality of life (i.e. health, education, standard of living) ? 	
Please indicate yes or no. If the answer is yes then a full impact assessment must be carried out. If the answer is no, please provide a justification.	No because neither proposal has the potential to impact on levels of representation in the workforce.
Service Director sign-off and date:	Equalities Officer sign-off and date:



HR Committee

2nd February 2017

Report of: Interim Service Director Human Resources, Change and Communications

Title: Pay of the Senior Coroner

Ward: N/A

Officer Presenting Report: Mark Williams (HR Business Partner)

Contact Telephone Number: (0117) 92 24838

Recommendation

That a Market Pay Supplement of £15,336 backdated to 1st April 2016 to be paid to the Senior Coroner for a period of up to three years pending completion of current discussions in the Joint Negotiating Committee for Coroners.

Summary

The report informs the Committee of the current situation regarding the pay of the Senior Coroner and seeks approval for payment of a Market Pay Supplement whilst the outcome of national discussions is awaited.

The significant issues in the report are:

- The pay of Coroners has previously been negotiated at national level through the Joint Negotiating Committee for Coroners, but that has broken down in recent years. Fresh talks between the two sides started in Autumn 2016, culminating in a decision to explore application of the HAY job evaluation scheme, which is currently underway.
- The role of the Senior Coroner changed significantly on the implementation of the Coroners and Justice Act 2009 in July 2013, resulting in an increased and more complex workload. However, the Senior Coroner has not received a pay award of any kind since her appointment in 2011.
- With around 5,000 cases, 1,700 post mortem examinations and 1,000 inquests held each year, Avon is one of the largest and busiest coroner areas in the UK. The pay of the Senior Coroner does not currently reflect this.
- The costs of the service are split using a formula between Bath and North East Somerset, Bristol City, North Somerset and South Gloucestershire Councils. Bristol City Council is the "relevant authority" in law and is required to appoint and agree the remuneration of the Senior Coroner.

Policy

1. Historically the remuneration of coroners has been set by the Joint Negotiating Committee (JNC) for Coroners, which is made up of representatives of the Local Government Association and the Coroners' Society of England and Wales.
2. When Avon County Council was abolished on 31st March 1996, The Avon (Coroners) Order 1996 created a single coroner's district in Avon, comprised of the areas of the four constituent local authorities (Bath and North East Somerset, Bristol City, North Somerset and South Gloucestershire Councils). The same Order made Bristol City Council the "relevant council" for the purposes of appointing coroners (following consultation with the other councils within the district), paying a coroner's salary in an amount to be agreed with the coroner (or as fixed by the Secretary of State if no agreement could be reached). In addition, there was a requirement to meet the expenses incurred by the coronial service and any indemnity provided to the coroner of a district in respect of legal costs and damages, subject to a right to recover a portion of that expenditure from the other councils in the district in such proportions as they agreed (or the Secretary of State determined).
3. Maria Voisin was appointed as coroner for the Avon district in 2011 on a salary of £99,664 plus a 5.5% supplement agreed through the JNC in 1978 for whole-time coroners who join the Local Government Pension Scheme. The Coroners and Justice Act 2009 replaced the Coroners Act 1988 with effect from 25th July 2013. Bristol City Council automatically became the "relevant authority" under the 2009 Act and its responsibilities remained largely as under the previous legislative arrangements. Responsibility for the appointment of the Coroner is not delegated and is therefore a matter for the Full Council.
4. Though not formally documented, historically the four councils within the coroner area have contributed to the outlay on the coronial service on a formula basis.
5. In law the Council must agree any alteration in the Senior Coroner's salary with her. In default, the Lord Chancellor may step in. There is no express statutory obligation resting on the Council to obtain the consent of, or to consult, the other authorities in the area before reaching agreement with the Senior Coroner.

Consultation

6. **Internal**
The Senior Coroner.
7. **External**
Paul Stagg (Barrister, 1 Chancery Lane)
The Honorary Secretary of the Coroners' Society of England and Wales (submission attached at Appendix A)

Context

8. The JNC for Coroners has broken down in recent years, which led the Coroners' Society to commission and pay the consultancy firm PWC to develop a job evaluation scheme for coroners. Both sides have since requested the Secretary of State for Justice to take responsibility for

coroners' salaries, but this has been declined. Meetings between representatives of the LGA and the Coroners' Society have recommenced, and the two sides have agreed to explore the option of using the HAY job evaluation scheme.

9. In April 2015, the senior coroner requested a re-evaluation in line with the PWC/Coroners' Society scheme, which would increase her salary to £124,445 including the 5.5% supplement (back-dated to the date of her request) – ie, an increase of £19,300 per annum.
10. As a consequence of the failure of the JNC process to lead any pay settlements, salaries in other coroner areas have tended to drift from the previously agreed national framework. For coroners automatically appointed under the 2009 Act, there has been no national pay award since 1st April 2009. In recognition of this, the LGA conducted a survey of relevant authorities in Summer 2016 to establish the picture of current coroner remuneration across the country. The results of this indicate that (at £99,664) the Avon Senior Coroner is paid substantially less than her peers for whom the most recent data shows average gross pay of £113,005 per year.
11. Some coroners have referred the matter of their individual salaries to the Lord Chancellor (as permitted by the 2009 Act), who has stayed them pending further discussions through the JNC.
12. Senior Coroner vacancies are rare, the most recent (late 2016) being for the Cheshire area where advertised remuneration was £115k plus the 5.5% supplement. In terms of size and business, the Cheshire area most recently dealt with 5,224 reported deaths and 795 inquests. With around 5,000 cases, 1,700 post mortem examinations and 1,000 inquests held each year, Avon is one of the largest and busiest coroner areas in the UK. The pay of the Senior Coroner does not currently reflect this.

Proposal

13. That a Market Pay Supplement of £15,336 backdated to 1st April 2016 be paid to the Senior Coroner pending completion of current discussions in the Joint Negotiating Committee for Coroners. This would bring total remuneration in line with that recently offered for the Cheshire coroner area.
14. Including Employers' Local Government Pension Scheme and National Insurance Contributions the cost of this proposal is £22,020 per year, which is apportioned between the four local authorities as per the existing arrangement:
 - 14.1. Bath and North East Somerset Council (16.45%) – £3,622
 - 14.2. Bristol City Council (40.03%) – £8,817
 - 14.3. North Somerset Council (18.94%) – £4,171
 - 14.4. South Gloucestershire Council (24.57%) - £5,410

Other Options Considered

15. To agree the Senior Coroner's request for a local re-evaluation. This could have national implications in terms of setting a precedent, and could undermine the current JNC discussions. It would also increase the cost of the service significantly.
16. To peg the salary of the Senior Coroner to that of an appropriate member of the judiciary (eg,

the Senior Coroner for Northern Ireland), who is covered by the Senior Salaries Review Body. This would equate to a salary of £117,810 plus the 5.5% supplement, which is higher than the level recommended above.

17. To continue to await the outcome of the JNC discussions. It is uncertain whether the current national discussions will result in any progress or agreement in both the short and medium term. It is clear that the Senior Coroner role is paid well below the market rate. Therefore, if the Council were not to make any form of interim award, this would risk inflicting serious damage to the current positive relations between the Senior Coroner and the authority.

Risk Assessment

18. These are identified throughout the report.

Public Sector Equality Duties

- 19a) 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.
- 19b) No equality impact assessment has been undertaken because this report concerns one individual.

Legal and Resource Implications

Legal

“Legal issues are addressed within the report”.

Advice provided by Eric Andrews (Senior Solicitor), 23rd January 2017.

Financial**(a) Revenue**

It is proposed in the report that a back-dated market supplement of £15,336 is paid to the Senior Coroner from 1st April 2016, with on costs this will total £22,020.

The Bristol contribution to this amount of £8,817 will need to be managed within existing resources (either within the service budget or through a call on the Council’s Corporate Contingency). Necessary action should be taken to seek recovery of the remaining £13,203 of this cost from the other partner authorities in the Avon Coroner Area.

(b) Capital

Not applicable.

Advice provided by Kevin Lock (Finance Business Partner Resources), 24th January 2017

Land

Not applicable.

Personnel

Personnel implications are identified throughout the report.

Appendices:

A – Letter from the Honorary Secretary of the Coroners’ Society of England and Wales

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**Background Papers:**

None.



André J. A. Rebello, O.B.E.
Senior Coroner for the City of Liverpool & Wirral
Hon. Secretary of the Coroners' Society of England and Wales

Monday, 09 January 2017

Senior Coroner Maria E. Voisin
Avon Coroner Area
The Courthouse
Old Weston Road
Flax Bourton
Bristol
BS48 1UL

Dear Maria,

Coroners Pay

You will be aware of the longstanding negotiations between the LGA and the Coroners' Society concerning pay. Clearly as judges, the judicial qualities, skills and abilities of coroners are not reflected in the pay evaluations scheme used by local authorities. There has been undoubtedly a disproportionate use of time and effort in this regard and whether there can be any fair expedient resolution remains unknown but what I do know is that the time and effort being expended in such matters would be much better spent serving the public.

It was clear to me that given the judicial hierarchy it was unlikely that coroners could earn more than senior circuit judges notwithstanding the more onerous time demands of coronial office. There is also little doubt that the complexity of the law we encounter and the judicially directed inquisitorial jurisdiction is such that intellectual and administrative demands of coronial office equate to those in the judiciary involved in senior leadership roles.

High Court Judges currently earn £179,768 pa plus a judicial pension (after 20 years with or without contribution depending upon appointment)

Senior Circuit Judges currently earn £144,172 pa plus a judicial pension (after 20 years with or without contribution depending upon appointment)

The Coroner's Court,
Gerald Majella Courthouse,
Boundary Street
Liverpool, L5 2SP

Circuit Judges currently earn £133,506 pa plus a judicial pension (after 20 years with or without contribution depending upon appointment)

District Judges currently earn £107,100 pa plus a judicial pension (after 20 years with or without contribution depending upon appointment)

There is a scale for a senior coroner in Northern Ireland evaluated at £117, 810 pa plus a judicial pension (after 20 years with or without contribution depending upon appointment) – however the Senior Coroner in Northern Ireland is more of a judge in court than a Coroner in England and Wales and is supported by lawyers and a medical advisor and by the Court Service of Northern Ireland (which was a Ministry of Justice Court Service until devolution.) the salary is 110% of the evaluated coroner's pay.

It is difficult to calculate the worth of a judicial pension particularly a non-contributory pension. Equally it is difficult to evaluate coroners on local authority criteria. The legal profession is geared to paying off investment in professional set up costs for the first half of one's career and then making pension provision in later years. It is therefore difficult for a coroner to leave practise at 40 -50 years of age and to still have a realistic pension by the age of 70. In 2006 when coroner's pay was looked in comparison to judicial pay there was an advantage to being on the judicial pension scheme of between £8000 to £12000.

In 2014 Liverpool and the Wirral merged making the characteristics of my new area very similar to Avon. The Merseyside City Region and the Bristol City Region have much more in common than history and the sea. The infrastructure, culture, challenges and people have so many parallel ties. In 2015 there were 4436 reported deaths in Avon and 4191 in Liverpool and Wirral. You had 943 inquests and I had 851 inquests. We both have Universities, Prisons, urban and rural communities and TWO cathedrals.

We both have responsible relevant councils who have provided modern premises for the public to access the coroner service at what is undoubtedly a most challenging time in their family life. This insight and empathy has grown the two services into national models of excellence.

I know quite a lot about the Avon coroner area have advised the appointing panel when you were appointed in 2010 after some very difficult times for Avon Coronial service.

Upon merger of the Liverpool and Wirral Coroner area it was agreed that, I, the senior Coroner would be paid the independently evaluated salary for the Senior coroner in Northern Ireland. This was a SSRB evaluation of scale 7 judicial salaries scale at £115,489 x 110% = £127,038 However that salary did not take into consideration the 20-year non-contributory judicial pension and so we added the 5.5% pension supplement giving a total salary of £134, 025. (This is more or less the same as a circuit judge but without the pension add-on) Within the merger business case given the NI and employer's pension contributions this went in as a cost of £157,057 (subject to annual review based upon scale 7 as adjusted) – (the judicial salary scales do not include the MOJ's costs of national insurance and pension contribution).

I have been provided with an area Coroner with an agreed salary of £90,000 which with the 5.5% pension supplement is £94,950 payable but of course we also have NI and employers pension contributions to add to this. This salary is important because fee paid judges earn 1/220th of whole-time pay so we pay £400 per day which is 1/220th of the area Coroner's pay.

We are aware that in other areas the Local authority have accepted the same senior coroner pay solution but are reimbursing the full 11.5% pension contribution so instead of the senior coroner having £134,025 the coroner receives £142,029. I consider the settlement that I have is fair and reasonable.

In other areas such as Greater Manchester coroners also receive an out of hours' allowance however and earn above the Liverpool and Wirral senior coroner. I feel that the duties of office require out of hours work and therefore working hours' directives are of no effective use – death certainly does not respect them.

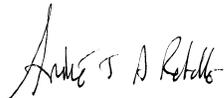
There are also many part-time coroners who claim long inquest payments with no cap on what they earn - with the ability to earn more than whole-time office holder_ one was reported to earn last year over £165,000 for a work load of just over 150 inquests and just over 1600 deaths reported.

The relationship between Coroners and public authorities is invaluable to the service we render to the public we serve. This applies to the police but more so to our relevant council, our funding authority, the provider of our court infrastructure. I believe within the ambit of our judicial independence there is scope to reflect the mission and ethos of the elected representatives of the people we serve. In coronial terms it is not long ago that coroners were elected judges – now appointed by elected representatives we still have that connection with the public. Thomas Wakely the founder of the Lancet and the elected west –Middlesex coroner in 1839 was known as “the people's judge” – and so we all are.

It is important not to be haggling over salary and to get on with service delivery in partnership with our funding councils.

If you need to share these thoughts with your authority, please feel free to do so.

Yours sincerely,





HR Committee

2nd February 2017

Report of: Interim Service Director Human Resources, Change & Communications

Title: Use of agency staff

Ward: N/A

Officer Presenting Report: Mark Williams (HR Business Partner)

Contact Telephone Number: (0117) 92 24838

Recommendation

That the Committee notes this report.

Summary

The report updates the Committee on the Council's progress towards getting better value from its use of agency staff.

The significant issues in the report are:

- A new contract between the Council and Guidant Group started in April 2016. The expectation is that all agency staff are sourced through this contract in order to reduce spend on agency fees and improve the monitoring of how agency staff are used.
- Agency staff are used for a variety of reasons. Used well, they can be a good quality and flexible resource – and an important talent pipeline that can help to address longstanding inequalities in the Council's directly-employed workforce, particularly around age and gender.
- The Council aims to scale back its use of agency staff from current levels in order to reduce spending and to give priority wherever possible to existing staff to cover absence/vacancies or undertake project work as development opportunities.



Policy

1. A new contract between the Council and Guidant Group started in April 2016. The expectation is that all agency staff are sourced through this contract in order to reduce spend on agency fees and improve the monitoring of how agency staff are used.

Consultation

2. **Internal**
None because this report is for information only.
3. **External**
None because this report is for information only.

Context

4. Spend through Guidant totalled £8.5m over the period April to December 2016 inclusive. Month-to-month spend dropped by 29% between October and November and by a further 16% between November and December.
5. 175.3 full-time equivalent (FTE) staff were employed through Guidant during the month of October 2016. This fell by 22% to 137.5 by the end of December 2016.
6. In December 2016, 41% of Guidant agency staff had been on assignment for less than 13 weeks. 55 (22%) had been in place for more than one year.
7. The highest-spending directorate so far in 2016/17 is Resources (£4.1m); the lowest spending is Place (£1.3m). People and Neighbourhoods have each spent £1.5m in the current financial year.
8. In the vast majority of cases, the reason given for the use of agency staff is to cover vacancies.
9. In Resources ICT contractors are the most used; in People it is Social Workers; in Neighbourhoods it is housing officers and customer services staff; and in Place it is technical staff in transport, planning and energy.
10. A project has been underway to audit and reduce the number of long-term (52+ week) agency staff. As of January 2017, spend on this group has reduced by 56% since October 2016. Spend is forecast to reduce further to 90% of October 2016 levels by the end of the current financial year.
11. During the period 1st October to 31st December 2016, the equalities profile of agency workers was as follows:

Protected characteristic	Agency workers	Bristol City Council*	Bristol**
Disabled	2%	6.67%	7.4%
Black Minority Ethnic	22%	11.71%	12.8%
White Minority Ethnic	7%	4.90%	7.65%
Women	50%	60.21%	46.77%
Christian	45%	43.17%	48.21%
Other religion	10%	8.68%	6.64%

No religion	45%	48.15%	45.15%
Lesbian/gay/bisexual	4%	4.36%	1.94%***

* Excludes staff in schools

** Economically-active population, Office for National Statistics 2011

*** South-West, Office for National Statistics 2015

Proposal

12. That the Committee notes this report.

Other Options Considered

13. None because this report is for information only.

Risk Assessment

14. None because this report is for information only.

Public Sector Equality Duties

15a) 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.

15b) No equality impact assessment has been undertaken because this report is for information only.

Legal and Resource Implications

Legal

None requested because this report is for information only.

Financial

(a) Revenue

None requested because this report is for information only.

(b) Capital

Not applicable.

Land

Not applicable.

Personnel

Personnel implications are included within the report.

Appendices:

None.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers:

None.