



Please ask for Rachel Lenthall
Direct Line: 01246 345277
Email committee.services@chesterfield.gov.uk

The Chair and Members of
Employment and General Committee

18 March 2016

Dear Councillor,

Please attend a meeting of the EMPLOYMENT AND GENERAL COMMITTEE to be held on TUESDAY, 29 MARCH 2016 at 4.00 pm in Committee Room 2, Town Hall, Rose Hill, Chesterfield, the agenda for which is set out below.

AGENDA

Part 1(Public Information)

1. Declarations of Members' and Officers' Interests relating to Items on the Agenda
2. Apologies for Absence
3. Minutes (Pages 3 - 10)
4. Policy on the Implementation of the Living Wage (Pages 11 - 16)

Yours sincerely,

A handwritten signature in black ink, appearing to be "Rachel Lenthall".

Local Government and Regulatory Law Manager and Monitoring Officer

EMPLOYMENT AND GENERAL COMMITTEE

Monday, 25th January, 2016

Present:-

Councillor Elliott (Chair)

Councillors Simmons
Blank
Dickinson

Councillors J Innes
Davenport

*Matters dealt with under the Delegation Scheme

12 DECLARATIONS OF MEMBERS' AND OFFICERS' INTERESTS RELATING TO ITEMS ON THE AGENDA

No declarations of interest were received.

13 APOLOGIES FOR ABSENCE

No apologies for absence were received.

14 MINUTES

RESOLVED –

That the Minutes of the Meeting of the Committee held on 24 August, 2015 be approved as a correct record and signed by the Chair.

15 CALCULATION OF TAX BASE 2016/17

The Chief Finance Officer submitted a report seeking approval of the Tax Base calculation for 2016/17.

The Local Authorities (Calculation of Tax Base) Regulations 1992 (as amended) required the Borough Council as Billing Authority to calculate the tax base for the Borough and the Parishes and to notify the Major Precepting Authorities (Derbyshire County Council and Derbyshire Policy Authority), and those Parishes requesting it, by 31 January each year.

The report gave details of how the tax base was calculated and the legal implications.

***RESOLVED –**

- (1) That the report for the calculation of the Council's Tax Base for the whole and parts of the area for 2016/17 be approved.
- (2) That pursuant to the report and in accordance with Local Authorities (Calculation of Tax Base) Regulations 1992 (as amended), the amount calculated by Chesterfield Borough Council as its Tax Base for the year 2016/17 shall be:

Table – 2016/17 TAX BASE (Equivalent Number of Band 'D' Dwellings)

	2015/16	2016/17	Increase / (Decrease)	
			No.	%
Chesterfield (whole area)	27,781.57	28,271.58	490.01	1.8
Staveley Town Council	3,964.47	4,019.61	55.14	1.4
Brimington Parish Council	2,231.39	2,243.44	12.05	0.5

REASON FOR DECISIONS

To fulfil a statutory requirement to enable the Council Tax to be set later in the financial year.

16 APPROVAL OF BUSINESS RATES ESTIMATES 2016/17

The Chief Finance Officer submitted a report seeking approval for the National Non-Domestic Rates (NNDR) estimates and NNDR1 Return for 2016/17.

The Local Authorities (Calculation of Tax Base) Regulations 1992 (as amended) required the Borough Council as Billing authority to calculate the Tax Base for the Borough and the Parishes and to notify the Major Precepting Authorities (Derbyshire County Council and Derbyshire Fire

Authority), and those Parishes which requested it, by 31st January each year.

The Local Government Finance Act introduced the part-retention of income from Business Rates from April 2013. The income generated is to be shared between the Government (50%), the County Council (9%), the Fire Authority (1%) and the Borough Council (40%). The Council would then have to pay a tariff from its share of the income into a national pool (£11,138,000 in 2016/17). If Council's share of the income was above a specified threshold (£3,087,390 in 2016/17) the excess amount would then be subject to a Levy at the rate of 50%. The Council joined a Derbyshire Pool in 2015/16 which would have the benefit of retaining the Levy within the County rather than paying it to Central Government.

The Council was required to complete and approve the NNDR1 Return, showing how the estimated income had been calculated and how it was to be shared.

The report gave details of how the tax base was calculated and also how the estimated net yield would be shared, together with the legal implications.

Delegated authority was sought for the Chief Finance Officer to make final changes if required prior to submission of the NNDR1 return to ensure the most accurate figures are submitted.

***RESOLVED –**

- 1) That the estimated National Non Domestic Rates estimates as recorded on the NNDR1 Return (Appendix A to the report) be approved.
- 2) That the Chief Finance Officer be given delegated authority to make any subsequent changes to the NNDR1 return that are identified before the final submission date of the 29 January, 2016.

17 CONFIDENTIAL REPORTING POLICY

The HR Manager submitted a report recommending for approval the revised Confidential Reporting Policy.

The Confidential Reporting Policy was due for revision in 2013 and had been revised in consultation with the Policy Working Group.

The policy was updated to include recent changes to legislation and included reference to the new safeguarding policy and the legal duty imposed by the Counter Terrorism and Security Act 2015. The revised policy also gave clarity on issues of protection for individuals who raise an alert.

The draft policy had been presented to and approved by the Council Joint Consultative Committee on 17 December, 2015 which included trade union representatives.

***RESOLVED –**

That the revised Confidential Reporting Policy, as attached to the report, be approved.

18 DRUG AND ALCOHOL MISUSE POLICY

The HR Manager submitted a report recommending for approval the revised Drug and Alcohol Misuse Policy.

The Drug and Alcohol Misuse Policy was due for revision in 2009 and had been revised in consultation with the Policy Working Group, Health and Safety Advisor and trade union representatives.

The policy had been updated to include mandatory testing in certain exceptional circumstances and had been significantly rewritten to focus on offering the employee support and advice. The revised policy provided a more prescriptive approach to managing situations where drug and alcohol misuse is a concern.

The policy was presented and approved by the Council Joint Consultative Committee on 21 January, 2016 which included trade union representatives.

***RESOLVED –**

That the revised Drug and Alcohol Misuse Policy, as attached to the report, be approved.

19 **MANAGING ATTENDANCE POLICY**

The HR Manager submitted a report seeking approval for the implementation of a revised Managing Attendance Policy.

The Managing Attendance Policy was due for revision in 2009 and had been revised in consultation with the Policy Working Group and trade union representatives.

The policy had been significantly rewritten to provide a more prescriptive and proactive approach to managing employee absence and attempted to shift the culture from 'acceptance' of employee absence to 'management' of employee absence. In response to research highlighting the importance of early intervention and good communication, the revised policy introduced strict guidance on contact with employees. In addition, the revised policy contained more stringent triggers for action and a more formal, prescriptive process during long term absences.

The draft policy was presented to the Council Joint Consultative Committee on 21 January, 2016 which included trade union representatives. The Committee approved the policy with two amendments outlined in the supplemental report attached to the report.

***RESOLVED –**

That the revised Managing Attendance Policy, as attached to the report, be approved.

20 **CAPABILITY POLICY**

The HR Manager submitted a report recommending approval for the new Capability Policy.

Previously, guidance for managers in relation to employee work related performance issues was contained within the Disciplinary Policy and the exact process to follow and what action managers could take was unclear. The proposed new policy included a series of phases for managers to work through to support employees and established a sequence of warnings to be administered.

Included in the policy were template letters and performance improvement plans for managers to ensure consistency across the council.

The draft policy was presented to and approved by the Council Joint Consultative Committee on 21 January, 2016 which included trade union representatives.

***RESOLVED –**

That the new Capability Policy, as attached to the report, be approved.

21 STRESS POLICY

The HR Manager submitted a report seeking approval for the revised Stress Policy.

The Stress Policy was due for revision in 2014 and had been revised in consultation with the Policy Working Group, Health and Safety Advisor and trade union representatives.

The policy had been revised to provide a more prescriptive and proactive approach to managing employee stress and included clear guidelines on the process of stress risk assessments and the resulting action plans. The revised policy retained the requirement for absences relating to work related stress to be investigated by the Corporate Health and Safety Advisor to ensure action is taken appropriately.

The draft policy was presented to the Council's Health and Safety Committee on 21 January, 2016 and was also presented and approved by the Council Joint Consultative Committee on 21 January, 2016.

***RESOLVED –**

That the revised Managing Workplace Stress Policy, as attached to the report, be approved.

22 MINUTES OF COUNCIL JOINT CONSULTATIVE COMMITTEE

The Minutes of the meeting of the Council Joint Consultative Committee held on 17 June, 2015 were submitted.

RESOLVED –

That the Minutes be received and noted.

23 MINUTES OF COUNCIL HEALTH AND SAFETY COMMITTEE

The Minutes of the meetings of the Council Health and Safety Committee held on 29 July, 2015 and 29 October, 2015 and the Improvement Programme Report from the meeting held on 29 October, 2015 were submitted.

RESOLVED –

That the Minutes and the Improvement Programme Report be received and noted.

This page is intentionally left blank

FOR PUBLICATION

POLICY ON IMPLEMENTATION OF LIVING WAGE

MEETING: EMPLOYMENT AND GENERAL COMMITTEE

DATE: 29 MARCH 2016

REPORT BY: KATE HARLEY, HR MANAGER.

1.0 PURPOSE OF REPORT

- 1.1 To gain agreement to pay the current voluntary national living wage amount of £8.25 per hour to all council staff on Green Book terms and conditions who earn below that amount currently from April 1st 2016.

2.0 BACKGROUND

- 2.1 The Living Wage is set independently and annually and to become a Living Wage Employer and enjoy accreditation from The Living Wage Foundation certain criteria have to be met. Whilst accreditation is a positive step it also reduces control on pay budgets as the living wage is set independently each year by an external source and also requires that all contracts have clauses requiring the living wage to be paid (thus passing the onus onto third parties).
- 2.2 Nationally many Local Authorities are Living Wage employers achieving accreditation, however many have decided to retain budgetary control and pay a living wage supplement to employees as an alternative and be deemed a voluntary living wage employer.
- 2.3 Additionally recent budgets have announced the intention to implement a national living wage from April 2016, therefore this has been factored in to the proposals.
- 2.4 In making decisions on budgets for 2016/2017, full council approved the provision of £73,000 funding to cover the cost of implementing this allowance for 2016/17 with provision outlined for future years.

3.0 PROPOSED PROCEDURE

- 3.1 All staff currently on NJC Green Book terms and conditions who receive a basic hourly rate of pay of less than £8.25 will receive an additional allowance for the living wage to bring their basic pay to that level.
- 3.2 This will not apply to craft workers as they receive bonuses which take their hourly pay above this level.

- 3.3 This allowance will be awarded from April to April each year and will be reviewed annually taking into account any increases in the Voluntary Living Wage set in November and annual increases negotiated through the pay settlement agreement.
- 3.4 This allowance will only be awarded on basic pay and overtime payments will continue to be paid at the current rate of pay without the additional allowance.
- 3.5 This allowance may be withdrawn at any point in the future if budget dictates.
- 3.6 A full Equality Impact Assessment has been completed and is attached at appendix B.

4.0 JOINT MANAGEMENT TRADE UNION AGREEMENT

- 4.1 The proposals were discussed with unions on 15 January 2016 and on 22 January 2016 the unions gave their support for the proposals with the caveat that an option was explored to address differentials in the rates of pay for chargehands and cleaners.

5.0 EQUALITY CONSIDERATIONS

Equality impact analysis has taken place for this Policy. No negative impacts were identified for any of the protected characteristics based on the evidence currently available. The majority of employees who will benefit from this policy are female so there will be a disproportionate positive impact on women. We will continue to monitor the impact and re-visit the analysis if new evidence or further changes emerge.

6.0 RECOMMENDATIONS

- 6.1 That the payment of the voluntary living wage be approved for 2016/2017.

For further information on this report, contact Kate Harley on 01246 345366.

Chesterfield Borough Council

Equality Impact Assessment - Preliminary Assessment Form

The preliminary impact assessment is a quick and easy screening process. It should identify those policies, projects, services, functions or strategies which require a full EIA by looking at negative, positive or no impact on any of the equality groups.

Service Area: HR
Section: HR
Lead Officer: Kate Harley

Title of the policy, project, service, function or strategy the preliminary EIA is being produced for:

Implementation of Living Wage

Is the policy, project, service, function or strategy:

Existing ☐
Changed ☐
New/Proposed ☒

Q1 - What is the aim of your policy or new service?

The aim of this policy is to provide an annual uplift in salary to the council employees on the lowest pay levels to bring them in line with the voluntary national living wage. This will only apply to NJC Green Book employees as those craft workers who received a lower hourly rate also received a guaranteed bonus which brings their actual pay above the voluntary living wage rate.

Q2 - Who is the policy or service going to benefit?

All employees on NJC Green Book terms and conditions will receive this annual allowance, decided on an annual basis subject to budgetary constraints.

Q3 - Thinking about each group below, does, or could the policy, project, service, function or strategy have an impact on protected characteristics below? You may also need to think about sub groups within each characteristic e.g. older women, younger men, disabled women etc.

Please tick the appropriate columns for each group.

Group or Protected Characteristics	Potentially positive impact	Potentially negative impact	No impact
Age – including older people and younger people.	Neither positive or negative impact		
Disabled people – physical, mental and sensory including learning disabled people and people living with HIV/Aids and cancer.	Neither positive or negative impact		
Gender – men, women and transgender.	x		
Marital status including civil partnership.	Neither positive or negative impact		
Pregnant women and people on maternity/paternity. Also consider breastfeeding mothers.	Neither positive or negative impact		
Sexual Orientation – Heterosexual, Lesbian, gay men and bi-sexual people.	Neither positive or negative impact		
Ethnic Groups	Neither positive or negative impact		
Religions and Beliefs including those with no religion and/or beliefs.	Neither positive or negative impact		
Other groups e.g. those experiencing deprivation and/or health inequalities.	Neither positive or negative impact		

If you have answered that the policy, project, service, function or strategy could potentially have a negative impact on any of the above characteristics then a full EIA will be required.

Q4 - Should a full EIA be completed for this policy, project, service, function or strategy?

Yes ☐
No ☒

Q5 - Reasons for this decision:

This policy aims to promote the lowest paid staff with an uplift on pay. This group of staff are predominantly women and therefore this will have a positive impact on this particular group.

Please e-mail this form to the Policy Service before moving this work forward so that we can confirm that either a full EIA is not needed or offer you further advice and support should a full EIA be necessary.

This page is intentionally left blank