



Employment and Appointments Committee

Date: Thursday, 14 February 2013

Time: 6.15 pm

Venue: Committee Room 2 - Wallasey Town Hall

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AGENDA

1. MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members are asked to consider whether they have any disclosable pecuniary or non pecuniary interests in connection with any item(s) on this agenda and, if so, to declare them and state the nature of the interest.

2. MINUTES (Pages 1 - 4)

To receive the minutes of the meeting held on 24 January, 2013.

3. OCCUPATIONAL HEALTH CONTRACT 2013-2015 (Pages 5 - 8)

4. GIFTS AND HOSPITALITY AND CONFLICT OF INTEREST POLICIES (Pages 9 - 34)

5. PAY POLICY STATEMENT 2013/14 (Pages 35 - 62)

6. EMPLOYMENT AND APPOINTMENTS SUB-COMMITTEE MINUTES (Pages 63 - 66)

The minutes of the Employment and Appointments Sub-Committee meetings held on 15 and 16 January, 2013, are submitted for information.

**7. ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR
(PART 1)**

**8. EXEMPT INFORMATION - EXCLUSION OF MEMBERS OF THE
PUBLIC**

The public may be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information.

RECOMMENDED –

That in accordance with section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business, on the grounds that they involve the likely disclosure of exempt information as defined by the relevant paragraphs of Part 1 of Schedule 12A to that Act. The public interest test has been applied and favours exclusion.

**9. ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR
(PART 2)**

EMPLOYMENT AND APPOINTMENTS COMMITTEE

Thursday, 24 January 2013

Present:

Councillor P Doughty (Chair)

Councillors	G Davies	AER Jones
	P Davies	P Kearney
	JE Green	AR McLachlan
	M Johnston	L Rennie

55 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members were asked to consider whether they had any disclosable pecuniary or non pecuniary interests in connection with any items on this agenda and, if so, to declare them and state the nature of the interest.

No such declarations were made.

56 MINUTES

The Committee was requested to receive the minutes of the meetings held on 8 and 15 November and 20 December, 2012.

The Head of Human Resources and Organisational Development referred to the level of savings that were reported in relation to the Senior Management Restructure (minute 52 (20 December 2012) refers). She confirmed that the net saving to the Council of the restructure at senior management level had been correctly reported (at paragraph 13.1 of the report of the Chief Executive) as £799,811.

Paragraph 13.2 of the report stated that an additional figure of £198,962 for income the Council received in relation to two posts should be added to the net saving. However, this should have been taken off the cost of the new structure and not added to the saving. Therefore, for clarification and accuracy, the net saving was £799,811 and the overall saving at paragraph 13.2 should be disregarded.

She confirmed that the full three year budget shortfall referred to in the report was £109m over three years and the Interim Head of Legal Services apologised for any confusion caused.

The Leader of the Council commented that it was unfortunate that the figures quoted in the report were inaccurate. However, he noted the explanation

provided by the Head of Human Resources and Organisational Development that the net saving (in paragraph 13.1) had been correctly reported.

The Leader of the Conservative Group stressed the importance of decisions being taken in relation to redundancy being based on wholly accurate information.

Resolved –

- (1) That the Committee notes the apology of the Interim Head of Legal Services for any confusion and thanks the Head of Human Resources and Organisational Development for the clarification offered with regard to the figures presented to the Committee in relation to minute 52 (Senior Management Restructure) at the meeting held on 20 December 2012.**
- (2) That the minutes of the meetings held on 8 and 15 November and 20 December 2012 be approved.**

57 THE EMPLOYMENT CONTRACT OF THE CHIEF EXECUTIVE AND HEAD OF PAID SERVICE

The Head of Human Resources and Organisational Development submitted a report in relation to the Employment Contract of the Chief Executive and Head of Paid Service which, following the decision of the Cabinet (minute 177 (24 January 2013) refers) invited this Committee to recommend to the Council, at its meeting on 28 January 2013, that Graham Burgess be offered the position of Chief Executive and Head of Paid Service on a permanent basis. He had commenced employment on 3 September 2012 and his fixed-term appointment was due to expire in August 2014. She commented that whilst the Council retained a Chief Executive post, there would be a cost of employment regardless of whether it was a fixed term or permanent arrangement.

The recent Peer Challenge Review had concluded that significant progress had been made against the Improvement Plan and that the plans that were in place were appropriate, but came with a high risk. A permanent appointment would help reduce that risk as the review also stated that having the corporate leadership to deliver the improvement and change agendas was fundamental.

The Council required stability and leadership at Senior Management Level over a longer period of time which would allow the focus to remain on addressing the financial challenge facing the organisation while delivering the essential improvements required to the Council's corporate governance. It was therefore recommended that the current Chief Executive and Head of Paid Service, Graham Burgess, be offered the post on a permanent basis and if accepted, be appointed accordingly.

The Leader of the Conservative Group expressed his view that although the Chief Executive had performed well since his appointment and that significant progress had been made against the Improvement Plan, there was no need to deal with the matter at the present time, given there was certainty in relation to his employment contract, which was not due to expire until 2014. Councillor Mrs Rennie echoed the comments of Councillor Green regarding the certainty of contract term and also questioned whether the recruitment process for the Chief Executive would send out the wrong message given the possibility that Council staff were facing redundancy and that the Chief Executive had been appointed without proper scrutiny.

The Leader of the Council referred to the potential risk of instability and uncertainty of a continued fixed-term arrangement in the context of such a challenging financial environment and referred to the potential negative impact on the Council's medium and long term strategic and financial planning if the Council needed to start a further recruitment process. He commented also that the situation was inconsistent with the appointment by the Council of permanent Strategic Directors, whilst the Chief Executive remained on a short term contract. Councillor Johnston commented that the use of short term contracts should be avoided where possible and that the recommendation for the Chief Executive's permanent appointment sent out a positive message in terms of stability and leadership of the Council.

On a Motion by Councillor P Davies and seconded by Councillor A McLachlan, it was –

Resolved (6:3) – That having considered the issues raised in the report now submitted, a recommendation be made to the Council at its Extraordinary meeting on 28 January 2013 that: Graham Burgess be offered the position of Chief Executive and Head of Paid Service on a permanent basis with immediate effect on 28 January 2013.

58 **EMPLOYMENT AND APPOINTMENTS SUB-COMMITTEE MINUTES**

The minutes of the Employment and Appointments Sub-Committee meetings held on 13 and 14 November and 14 December, 2012, were submitted for information.

Resolved – That the minutes be noted.

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WIRRAL COUNCIL

EMPLOYMENTS & APPOINTMENTS COMMITTEE

14 FEBRUARY 2013

SUBJECT:	<i>OCCUPATIONAL HEALTH CONTRACT 2013 - 15</i>
WARD/S AFFECTED:	<i>ALL</i>
REPORT OF:	<i>ACTING DIRECTOR OF LAW, HR & ASSET MANAGEMENT</i>
KEY DECISION?	<i>YES</i>

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to inform the Employment and Appointments Committee of the new provider of Occupational Health Services to the Council.

2.0 BACKGROUND

- 2.1 In July 2012 Members agreed to the Council creating a mixed service delivery model for its Occupational Health Service including the transfer of the on site Nurse and administration team to the Council under TUPE regulations and other associated medical services being tendered under 4 separate lots:

- Lot 1 Occupational Health Physician
- Lot 2 Employee Assistance Programme (EAP)
- Lot 3 Counselling
- Lot 4 Physiotherapy

- 2.2 In previous years the Council had contracted with various external occupational health and well being providers, including the NHS, Norwich Union/Aviva and more latterly Capita Health & Wellbeing, who provided services based on a price per unit/appointment basis. This has proved not only less effective in terms of proactive occupational health provision, but more importantly has seen unit costs increase considerably over the previous 12-24 months. The Council's spend on occupational health provision for the previous 3 years has been:

2009-2010	£427,790
2010 -2011	£231,889
2011-2012	£291,307

It is forecasted that the spend for 2012-2013 will be around £300,000.

- 2.3 The committee supported the view that the Council could deliver a more cost effective and integrated occupational health service that matched the health risks faced by the workforce.
- 2.4 Members will be aware that a further report was presented to this committee in November 2012 explaining that due to changes in the procurement processes the new contract for Occupational Health provision would not be in place until 1 February 2013.

3.0 NEW OCCUPATIONAL HEALTH SERVICE

- 3.1 The Occupational Nurse and the 2 administrators transferred into the Council in December 2012 under TUPE and are line managed under the Health, Safety and Resilience Operations Manager.
- 3.2 The procurement exercise for the associated medical professionals has also now been completed, with the successful provider for lots 1-3 being awarded to People Asset Management (PAM) on the 1st February 2013 under delegated authority.
- 3.3 PAM is a nationally recognised occupational health provider with headquarters based in the North West at Warrington. They currently provide services to over 50,000 public sector workers, including a number of local authorities.
- 3.4 The contract was awarded on a 70/30 price/quality basis and not only was PAM the lowest priced tender but they also demonstrated an exceptional quality submission. The evaluation team were particularly impressed by their offer to work with the existing Occupational Health Staff in developing clinical governance assurance and also by the fact that PAM currently operate a practice at St Catherine's hospital in Birkenhead. This offers the Council support in terms of business continuity, staff cover, and alternative locations for appointments.
- 3.5 The 4th lot for Physiotherapy Services will also be awarded to PAM, although they were the second placed tender. The lowest priced tender for this Lot did not fulfil the requirements of the tender exercise and the evaluation team had serious concerns about their resources to deliver the contract. Due to the 10-day Standstill Period, this element of the contract will begin on the 18th February 2013.
- 3.6 Lots 1 (Physician) and 3 (Counselling) will begin being delivered by PAM within the next 2-3 weeks. There are some legacy cases and reviews which, for continuity of treatment or assessment will require completion by the previous Occupational Health Provider, Capita Health & Wellbeing (CH&W).
- 3.7 Given that the Council is about to undergo a significant period of change, it was felt necessary to ensure the continuity of the existing Employment Assistance Programme (EAP) to its employees. Therefore the actual change over date for the provision of the new EAP (Lot 3) will be the 31st March 2013. This will not only support employees currently engaged in a course of treatment via the EAP to complete it with their existing provider, but will also allow for a major advertising and staff awareness campaign from the new EAP provider.

4.0 RELEVANT RISKS

- 4.1 Failure to have an effective and cost effective Occupational Health provision would leave the Council at risk from litigation and would mean it could not meet its own policy requirements to support staff's well being.

5.0 OTHER OPTIONS CONSIDERED

- 5.1 A range of other options were considered, including the exploration of sharing other public sector partners' occupational health resources. Whilst there was potential for savings, these arrangements would take some time to put in place and for savings to be realised. Other organisations approached also had their own procurement practices to work through. There were also logistical issues which would potentially leave the Council vulnerable.

6.0 COUNSULTATION

6.1 Trade Unions, Council departments and schools have been consulted as the tender process has progressed.

7.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

7.1 None.

8.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

8.1 The anticipated annual savings for 2013/14 are expected to be in the region of £50,000 against existing spend.

9.0 LEGAL IMPLICATIONS

9.1 None.

10.0 EQUALITIES IMPLICATIONS

10.1 An EIA has previously been completed in relation to Occupational Health Contract. This is available at:

<http://www.wirral.gov.uk/my-services/community-and-living/equality-diversitycohesion/equality-impact-assessments/eias-2010/law-hr-asset-management>

11.0 CARBON REDUCTION IMPLICATIONS

11.1 Not applicable.

12.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

12.1 Not relevant.

13.0 RECOMMENDATION/S

13.1 That the Employment and Appointments Committee Members note the report and support the decision to award the occupational health contract to People Asset Management for a period of 2 years with an option to extend for a further year.

14.0 REASON/S FOR RECOMMENDATION/S

14.1 The procurement process for an occupational health provider was undertaken in accordance with the Council's procurement policy and People Asset Management was the successful tenderer.

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APPENDICES

There are no appendices to this report.

REFERENCE MATERIAL

There is no reference material to this report.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Employments and Appointments Committee	23 November 2010
	27 January 2011
	23 March 2011
	11 August 2011
	23 November 2011
	27 January 2012
	12 July 2012
	15 November 2012

WIRRAL COUNCIL

THE EMPLOYMENT AND APPOINTMENTS COMMITTEE

14 FEBRUARY 2013

SUBJECT:	GIFTS AND HOSPITALITY AND CONFLICT OF INTEREST POLICIES
WARD/S AFFECTED:	ALL
REPORT OF:	ACTING DIRECTOR OF LAW, HR & ASSET MANAGEMENT
KEY DECISION	NO

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of the report is to inform Employment and Appointments Committee of proposed revisions to the Council's Gifts and Hospitality and Conflict of Interest policies and procedures.

2.0 BACKGROUND AND KEY ISSUES

- 2.1 On 19 September 2012, the Audit and Risk Management Committee considered a report by the District Auditor on Gifts and Hospitality and Conflict of Interests.

- 2.2 As part of the assessment of the Council's arrangements to ensure value for money, the District Auditor undertook a review of work carried out by Internal Audit in relation to gifts and hospitality and conflicts of interest. The District Auditor indicated that although the Council's procedures were found to be generally adequate, testing had identified a high instance of non-compliance, with poor or incomplete recording of both gifts and hospitality and declarations of conflicts of interest. His report highlighted the key issues from the review and included a number of recommendations that challenged the Council to address the weaknesses in compliance with its procedures.

- 2.3 There were a number of recommendations in the report:

R1 Reinforce to all staff, line managers and chief officers their responsibilities for good governance, risk management and internal control in respect of gifts and hospitality and conflicts of interest.

R2 Ensure procedures and guidance are clear and understood, including:

- Agreeing any differences between the arrangements within the Council and the Pension Fund;
- Specifying the departmental and central management information requirements for the managing and monitoring of compliance with gifts and hospitality and conflicts of interest policies;

- Ensuring consistency with other procedures, such as foreign travel approvals;
- Ensuring declarations are accurate, complete and made in a timely manner; and
- Ensuring risks are managed appropriately.

R3 Consider whether the work of Internal Audit on gifts and hospitality and conflicts of interest provides management and those charged with governance with appropriate assurance for the Annual Governance Statement.

2.4 An action plan was developed to ensure recommendations from the report were implemented.

3.0 Key Policy and Procedure Changes

- 3.1 The key issues arising from the report were generally ones of compliance, rather than concerns about the adequacy of the policies or procedures themselves.
- 3.2 However, the Conflict of Interest and Gifts and Hospitalities Policies and Procedures have been reviewed to ensure that they provide greater clarity in relation to the Council's position on these matters, officer responsibilities and the procedures that must be followed to ensure compliance.

Gifts and Hospitality Policy and Procedure

- 3.3 The key proposed changes to the Gifts and Hospitality Policy and Procedure are as follows:
- Further detailed guidance on the types of gifts and hospitality that must be declared.
 - Further guidance on accepting trivial, low value gifts.
 - Further clarity on the requirement that Gifts and Hospitality should be declared prior to acceptance unless in exceptional circumstances.
 - Provision within the policy for Merseyside Pension Fund which already has a compliance document in place.
 - The requirement for Directors/Heads of Service to maintain registers for their department(s).
 - All completed Conflict of Interest forms to be sent to HR for retention on employee personnel file
 - Provision to improve awareness of the policy through regular communication, Departmental Management Team Agendas, Intranet, One Brief and One Council.
 - The requirement for the Head of Human Resources and Organisational Development to collate and publish an annual report to Elected Members.

Conflict of Interest Policy and Procedure

3.4 The key proposed changes to the Conflict of Interest Policy and Procedure are as follows:

- Further detailed guidance on what may represent a conflict of interest.
- The requirement for nil return to be completed on annual basis by Heads of Service and above only, and not all employees, as this is disproportionate and impractical.
- The requirement for Directors/Head of Service to maintain registers for their department(s).
- Clarity around the potential consequences of non-declaration.
- All completed Conflict of Interest forms to be sent to HR for retention on the employee personnel file.
- Provision to improve awareness of the policy through regular communication, Departmental Management Team Agendas, Intranet, One Brief and one Council.
- The requirement for the Head of Human Resources and Organisational Development to collate and publish an annual report to Elected Members.

3.5 The revised policy documents reflect the Council's commitment to ensuring greater awareness of officers at all levels as to their responsibilities in declaring any offers of gifts and hospitality and similarly if they have a conflict of interest.

4.0 RELEVANT RISKS

4.1 The Council is funded almost entirely from public funds, either through grants from central government, or through council tax, funded from the local tax payer. It is therefore essential that the Authority can demonstrate the highest standards of probity in general, and specifically in relation to its dealings with third parties. The Council therefore needs appropriate policies and procedures in place to provide a clear framework for how offers of gifts and hospitality, and potential conflicts of interest should be handled. There is the potential for damage to the Council's reputation should it not maintain high standards in relation to these areas.

5.0 OTHER OPTIONS CONSIDERED

5.1 None.

6.0 CONSULTATION

6.1 Consultation on revised policies and procedures has taken place with Internal Audit, Merseyside Pension Fund, the Executive Team and the Trade Unions.

7.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

7.1 None.

8.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

8.1 None.

9.0 LEGAL IMPLICATIONS

9.1 The relevant legislation is set out in the policy documents.

10.0 EQUALITIES IMPLICATIONS

10.1 The EIA is attached and is available at:

<http://www.wirral.gov.uk/my-services/community-and-living/equality-diversity-cohesion/equality-impact-assessments/eias-2010/law-hr-asset-management>

11.0 CARBON REDUCTION IMPLICATIONS

11.1 None.

12.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

12.1 None.

13.0 RECOMMENDATION/S

13.1 It is recommended that The Employment and Appointments Committee approve the revised policies and procedures for Gifts and Hospitality and Conflict of Interests.

14.0 REASON/S FOR RECOMMENDATION/S

14.1 The reason for recommendations is to ensure that the Council has clear policies, procedures and guidance in place in two areas where the highest standards of probity and openness must be demonstrated by Officers of the Authority during the course of their work.

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APPENDICES

Appendix One Gifts and Hospitality Policy (with policy appendices)

Appendix Two Conflict of Interest Policy (with policy appendices)

REFERENCE MATERIAL

None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Audit and Risk Management Committee	19 September 2012

Gifts and Hospitality

Policy

DRAFT

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1.0 Policy Statement

- 1.1 Wirral Council is funded almost entirely from public funds, either through grants from central government, or through council tax, funded from the local tax payer and it is essential that the Authority can demonstrate the highest standards of probity in general, and specifically in relation to its dealings with third parties.
- 1.2 Wirral Council is committed to the highest standards of ethical conduct and integrity in its business activities. This policy sets out the Council's position if situations arise where employees and managers at all levels are offered gifts and hospitality in connection with their employment.
- 1.3 The aim of the policy is to ensure transparency in the activities of the Council and consequently protect officers from accusations of misconduct.
- 1.4 This policy applies to all Council employees (non-schools). There are specific provisions for employees of Merseyside Pension Fund (see Section 7).
- 1.5 All employees are required to familiarise themselves and comply with this procedure, including any future updates that may be issued from time to time by the Council.

2.0 Anti-Bribery Policy

- 2.1 This Policy should be read in conjunction with the Council's Anti-Bribery Policy <http://wbcnet.admin.ad.wirral.gov.uk/Personnel/anti-bribery.htm>
- 2.2 Under the terms of the Anti-Bribery policy it is unacceptable to:
 - Accept payment from a third party that you know or suspect is offered with the expectation that it will obtain a business advantage for them
 - Accept a gift or hospitality from a third party if you know or suspect that it is offered or provided with an expectation that a business advantage will be provided by the Council in return.
- 2.3 Employees should also refer to the Employee Code of Conduct and Conflict of Interest Policy.

3.0 General Principles

- 3.1 Acceptance of gifts or hospitality by officers could be construed by others as influencing decisions made by those officers. The basic principle of this policy is that officers should not behave in a way that might give the impression that a gift or hospitality has influenced their decision. An officer should consider whether it would be reasonable for a member of the public to think so - it is not enough for an officer to be satisfied that he/she would not in fact be influenced, or that it was not the intention of the person offering the gift or hospitality to influence him/her.
- 3.2 The following general rules should apply:
 - Always refuse where you think there may be an ulterior motive.
 - Be sensitive to the possibility that the giver may consider that even small gifts or humble hospitality will elicit prompt service or preferential treatment.

- Never accept gifts or hospitality from anyone who is or may be in the foreseeable future, tendering for a contract with the Council.
- Never accept gifts of hospitality from anyone who is or may be in the foreseeable future, seeking planning consent from the Council.
- Never accept gifts or hospitality from anyone who is in conflict with the Council.

4.0 Requirements of the Policy

- 4.1 All employees must ensure that gifts and hospitality offered, as well as received, are declared using the M17 Form. This is attached at Appendix A.
- 4.2 This should be authorised by Head of Service **prior** to the acceptance of gift or hospitality.
- 4.3 Heads of Service and Directors should submit forms to Strategic Directors. Strategic Directors should submit forms to the Chief Executive.
- 4.4 It is acknowledged there may be circumstances where gift or hospitality is offered without the opportunity for an officer to seek prior authorisation. In such circumstances, officers should consider whether the gift/hospitality being offered is appropriate, in accordance with this policy and guidance, but in all cases must declare the gift/hospitality within 14 days. Further guidance is attached at Appendix B.

5.0 Gifts and Hospitality that do not need to be registered

- 5.1 There are some gifts and hospitality which do not need to be registered:
- A small/low value gift of promotional character given to a wide range of people and not uniquely to specific employees. These gifts are usually given at Christmas time and include calendars, diaries, pens, mugs or other articles of use in the office or for the job.
 - Small/low value gifts on the conclusion of any courtesy visit to a factory or firm of a sort normally given by that firm.
 - Light refreshments (e.g. tea, coffee, biscuits, sandwiches) provided as part of a meeting, event or conference is acceptable and do not need to be registered.
- 5.2 Without causing offence employees should also discourage service users or other organisations from offering gifts. However, where small, low value gifts eg chocolates are given as a thanks for service provided, for example from a person in residential care, these may be accepted if they are shared within the team or raffled for charity.

6.0 Gifts and Hospitality that must be declared

- 6.1 The following may be acceptable, but **must be** declared and approved by the authorising officer:
- Gifts which may not reasonably considered as small/low value and/or which cannot easily be returned or to do so may cause offence. These should be declared and a decision taken by the Chief Officer as to whether it is appropriate for it to be retained by the person for whom the gift is intended, returned, kept by the Council or passed on to charity.

- Hospitality at an event where there is a genuine need to exchange or impart information or represent the Council.
- Hospitality at a purely social, entertainment or sporting function which is part of the life of the community, and where the Council should be seen to be represented.
- Subsidised or free of charge conferences and courses, where it is clear that:
 - The conference or course content is relevant to the business of the Council.
 - Procurement or other decisions are not compromised.
 - Hospitality is corporate rather than personal.
- A meal provided in the course of duties incidental to normal Council business, beyond what would normally be expected to be provided (e.g. a three course meal at a business meeting), can only be accepted where it is clear that procurement or other decisions are not compromised.

6.2 All other offers should be declined, but must still be declared.

6.3 Special caution is needed where the host is a private individual or seeking to do business with the Authority or to obtain a decision from it or has been involved with the Authority commercially. It is important to avoid any suggestion of undue influence and therefore in these circumstances hospitality/entertainment should normally be avoided with the exception of modest refreshments provided during discussions/negotiations. Again, any hospitality/entertainment received should be registered.

7.0 Merseyside Pension Fund

7.1 Gifts and hospitality for Merseyside Pension Fund are declared in accordance with the Council's procedure, subject to the Pension Fund's Guidance as set out in its Compliance Manual.

8.0 Monitoring and Compliance

8.1 Each Director/Head of Service is required to ensure that:

- An up to date Departmental Gifts and Hospitality Register is maintained for each department (M21).
- The register is in standard format. The register should consist of a full record of all offers of gifts and hospitality offered and received, irrespective of whether they were accepted.
- The Director/Head of Service reviews entries within the register to ensure that this policy is being complied with.
- Departmental Management Teams review formally registers on quarterly basis to assess any at risk operational areas where gifts and hospitality are most likely to be offered and re-enforce corporate guidance where appropriate.

- Signed copies of all M17 Forms are sent to Human Resources for retention on the employees' personal file.
- 8.2 The Head of Human Resources and Organisational Development, in consultation with the Monitoring Officer, will collate departmental returns and produce a report to the Council's cabinet on an annual basis. This report will be in the public domain with individual details redacted as appropriate.
- 8.3 Any breach of the Council's Gifts and Hospitality policy is likely to be considered under the Council's disciplinary policy and this could, in some circumstances, lead to dismissal.
- 8.4 The Council may also face criminal liability for unlawful actions taken by its employees under the Bribery Act 2010.
- 8.5 The Head of Human Resources and Organisational Development will keep this policy under review on an annual basis.
- 9.0 Communication of Policy**
- 9.1 Line Managers should ensure the employees are clear about the requirements of the Gifts and Hospitality policy. This should be discussed regularly at Key Issue Exchanges, reviews and team meetings.
- 9.2 Directors/Heads of Service should ensure that the requirements of the policy are periodically discussed at Departmental Management Team Meetings.
- 9.3 Human Resources will ensure that the requirements of the policy are communicated regularly via the Intranet and organisational newsletters.

Employee Name: _____

Employee No: _____ Post No: _____

Designation: _____

Band/Grade: _____

Department: _____

Section: _____

Declaration of Gift and/or Hospitality

Employees must declare any Gift or Hospitality below (see guidance overleaf).

Date Offered/Provided:	
Provider of Gift/Hospitality:	
Nature of Gift/Hospitality:	
Where Offered/Provided:	
Reasons:	
Does the provider of the Gift/Hospitality have an existing contact with the Council? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Is the Organisation Seeking Work? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Estimated Value: £	
Offer Accepted: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Disposal Arrangements:	
Employee's Signature:	Date:
The completed form should be reviewed by the Head of Service and signed to indicate they have discussed any potential issues.	
Head of Service/Strategic Director/Chief Executive:	Date:
Comments:	
Date Entered on Departmental Register:	
Date sent to Human Resources	

Guidelines

Each situation should be considered on its own merit and within the basic principles of the policy.

The public perception of the offer should always be considered. It should be considered in the context of what is being offered, to whom the offer is being made, the purpose of the offer, the benefits to the giver and the relationship between the giver and the Council at that time.

Whilst impossible to produce a wholly exhaustive list of situations, the following guidelines are provided to assist officers in dealing with offers.

The Council's Monitoring Officer can be contacted for advice and further guidance and on responding to specific offers.

Gifts

The basic principle of this policy should be considered in every case

- Small/low value gifts such as pens, diaries, calendars and other stationary items are often offered (usually seasonally) by companies. It is permissible to accept these without the permission of a senior officer or registering them. It is not necessary to find the exact worth of the gift, but if it is deemed worth more than £10, it should be refused.
- It can sometimes be impractical or impossible to return a gift, but that does not necessarily mean that the officer should keep it. Consideration should be given to donating it, i.e to a charity, exhibit it in the office foyer.
- It can be awkward for an officer who provides personal care (e.g. care staff) to refuse a gift from a client, as refusal could be hurtful to that client. In such circumstances it is possible to exercise some discretion. A (senior officer) should be informed of the offer and he/she should decide whether to accept/refuse or to deal with it another way (e.g. donate it to a charity).
- Consideration should be given to who is making the offer, what is their relationship to the Council, and whether it is likely that they will want something from the Council?
- The timing of the offer could be significant. If the offer comes from someone who is expecting any sort of decision from the Council (i.e contract, grant, planning permission) the offer should be refused.
- Any offer to officers to buy goods or services cheaply should be taken as a gift and refused every time.
- A gift is sometimes given as an acknowledgement of work done beyond the call of duty e.g speaking at a meeting during the evening. The circumstances should be considered carefully, but accepting a small, reasonable gift could be acceptable under these circumstances.

Hospitality

The basic principle of this policy should be considered in every case

- Occasional attendance at business dinners is acceptable as routine business practice and permission is not required, but should be registered.
- Similarly, light refreshments (e.g. tea, coffee, biscuits, sandwiches) provided as part of an acceptable event is acceptable and do not need to be registered.
- Any officer receiving an invitation to dinner or a more formal event, or to a regular business dinner, or if he/she has any misgivings about any offer, they should request (senior officer) permission before responding.
- Consideration should be given to who is making the offer, what is their relationship to the Council, and whether it is likely that they will want something from the Council?
- The timing of the offer could be significant. If the offer comes from someone who is expecting any sort of decision from the Council (i.e. contract, grant, planning permission) the offer should be refused.
- Is it necessary for the officer to be present to receive information of use to the Council or to give information on behalf of the Council?
- Will the officer be the only invitee? If so, the invitation should normally be refused.
- Is the hospitality too generous for the event? There is a danger that such offers could be perceived as an attempt to influence.
- Where a visit to inspect equipment, or in relation to the awarding of any contract/agreement, is necessary, officers should ensure that the authority pays for these visits so that any decisions resulting from them are seen to be fair.



Conflict of Interests

Policy

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1.0 Policy Statement

- 1.1 Wirral Council is funded almost entirely from public funds, either through grants from central government, or through council tax, funded from the local tax payer and it is essential that the Authority can demonstrate the highest standards of probity in general, and specifically in relation to its dealings with third parties.
- 1.2 Wirral Council is committed to the highest standards of ethical conduct and integrity in its business activities. This policy sets out the Council's position if situations arise where employees and managers at all levels have a conflict of interest in connection with their employment.
- 1.3 This policy applies to all employees of the Council (non schools).
- 1.4 All employees are required to familiarise themselves and comply with this procedure, including any future updates that may be issued from time to time by the Council.

2.0 What is a Conflict of Interest?

- 2.1 A conflict of interest can arise if your outside activities, private, personal or financial interests influence or interfere with the decisions you make in the course of your work for the Council, or appear to or could be perceived to influence or interfere with the decisions you make in the course of your work for the Council.
- 2.2 Within this context, outside activities, private, personal or financial interests include those that you or a family member or personal contacts may have.
- 2.3 These can include ownership of shares or a financial investment in a company or business, involvement in a company or business, or in a club or organisation, (whether these are open to the public or not) and include both employed and non-employed roles and activities, including unpaid or voluntary positions within such organisations.
- 2.4 Personal contacts' should be taken in it widest sense, and can include someone you play sport with, someone who is a member of the same club as you, or even a close personal relationship with a colleague.
- 2.5 A conflict of interest can also occur where you have access to Council information and use, or could be perceived as using, this information for personal gain or advantage.
- 2.6 A conflict of interest can also occur where you have access to Council information and pass this information without authorisation to a family member, personal contact or an external organisation you are involved with, who then gain or could be perceived to gain an advantage or benefit by receiving this information.

- 2.7 You should not be involved in any employment matter including appointments or decisions relating to discipline, grievance, promotion or grading, or payment of additional expenses /overtime where you are related to an applicant or employee, or have a close personal relationship outside work with him or her.

3.0 Examples of Conflicts of Interest

3.1 Examples of conflict of interest include (but are not limited to):

- You, a family member, or a personal contact own property, or intend to buy property, the value or purchase price of which may be affected by a decision or recommendation that you are involved in making, in the course of your work for the Council;
- You are making a purchasing decision involving external suppliers/ contractors and you, or a family member, or a personal contact has an interest (financial or otherwise) in one of the potential suppliers/contractors;
- You are involved in voluntary work for a charity, which may benefit financially or otherwise be affected by a decision or recommendation that you are involved in making, in the course of your work for the Council;
- Work/involvement in business outside of the Council, without permission to do so;
- You have access to information at work which may assist or be perceived as assisting you in a private venture;
- You use Council systems / contacts to obtain materials for your own use at a preferential price;
- You are involved in conducting a disciplinary investigation in which a person you have a personal relationship with is involved.

3.2 Line Managers and Employees should seek advice from Human Resources if they are in any doubt about whether they have a conflict of interest.

4.0 Secondary Employment

- 4.1 Employees at all levels are required to avoid getting into a position of conflict by undertaking outside work. It is considered that a conflict arises when an employee is to be paid by a member of the public or any outside organisation or body for work which is in any way connected with the scope of his/her official duties. Such work should not be accepted.
- 4.2 An officer graded above Band H (SCP29+) needs authorisation to undertake outside work even if, in your view, the work could not possibly conflict with your duty as an employee of the Council.
- 4.3 In such circumstances, they should complete the M15 form (see below) and submit it to their Head of Service for authorisation. The Head of Service may

consult with Head of Human Resources as appropriate prior to a decision being made

5.0 Requirement to Declare Conflicts of Interests

- 5.1 It is your responsibility to declare any **actual** or **potential** conflicts of interest. If you are in any doubt about whether an actual or potential conflict of interest exists, you should consult your manager or Human Resources.
- 5.2 This will safeguard you from the possibility of future criticism, and allow your manager to plan the work you are involved in accordingly to avoid actual or potential conflicts of interest arising which could impact negatively on the Council and potentially result in disciplinary action up to and including dismissal being taken against you.
- 5.3 Similarly, if a manager becomes aware of an actual or potential conflict of interest, which an employee appears not to have raised, they should raise the matter with the employee and take appropriate action.
- 5.4 If you consider there **may** be a conflict of interest you should complete the Declaration Form – Conflict of Interest (M15). See Appendix A. The Declaration Form is available here (insert link) or from your line manager. This should be submitted to your Line Manager and then onto Head of Service for consideration.
- 5.5 In the case of Heads of Service/Directors, the form should be submitted to their Strategic Director. Strategic Directors should submit the form to the Chief Executive.
- 5.6 You will be notified in writing within 10 working days of any further proportionate actions you will be required to undertake regarding your conflict of interest.
- 5.7 There may be occasions where the conflict declared presents serious concerns about the employee's continued ability to perform the full range of their duties. In such circumstances, a meeting will be arranged to discuss the issue in detail with the relevant Head of Service and the employee. The employee may be accompanied at this meeting.
- 5.8 This process is also set out in a flowchart. See Appendix B.

6.0 Nil Returns

- 6.1 Nil returns are required from all officers at Head of Service level and above on an annual basis.

7.0 Review of Approval

- 7.1 If there are any material changes which affect your declared conflict of interest in the interim period, this should be reported immediately to your manager. This is the responsibility of the employee.

8.0 Consequences of non-declaration

- 8.1 If information comes to light regarding your outside activities, private or personal interests, and the Council considers that you should have made a declaration but chose not to do so, or if you did not fully disclose details of any potential conflict of interest, then disciplinary action up to and including dismissal may be taken against you.

9.0 Monitoring and Compliance

- 9.1 Each Director/Head of Service should maintain a register of conflict of interest declarations received and an annual return will be produced and reported to Cabinet.
- 9.2 The Head of Human Resources and Organisational Development, in consultation with the Monitoring Officer, will collate departmental returns and produce a report to the Council's cabinet on an annual basis. This report will be in the public domain with individual details redacted as appropriate.
- 9.3 All completed M15 forms must be sent to Human Resources by the Director/Head of Service signing the Conflict of Interest Form. This will be placed on the employee's personal file (electronic).

10.0 Communication of Policy

- 10.1 Line Managers should ensure the employees are clear about the requirements of the Conflict of Interest policy. This should be discussed regularly at Key Issue Exchanges, reviews and team meetings.
- 10.2 Chief Officer's should ensure that the requirements of the policy are periodically discussed at Departmental Management Team Meetings.
- 10.3 Human Resources will ensure that the requirements of the policy are communicated via the Intranet and organisation newsletters etc.
- 10.4 The Head of Human Resources and Organisational Development will keep this policy under review.



Appendix A
M15
Conflict of Interest
Declaration Form

Name of Employee:

Employee No:

Post No : Grade:

Designation:

Department: Section:

Conflicts of interest can arise when an employee undertakes outside work for payment or when some other factor exists which could give rise to such a conflict (refer to the Human Resources Handbook on the Intranet).

Declaration. Please select the appropriate category of conflict from those set out below

☐ Other Employment

☐ Personal Relationship

☐ Other

☐ Nil Return

Comments

Employee's Signature: Date:

Employees should provide a copy of this form to their manager and send to Head of Service.

Head of
Service/Strategic
Director/Chief
Executive:

Date:

Comments:

Date Entered on Departmental Register:

Date M15 sent to Human Resources

Conflict of Interests Procedure

Chief Officers bring to the attention of employees the Council's Conflict of Interest Policy which relates to the requirement to disclose any private interest which is likely to give them an opportunity, during the course of their employment with the Council, to confer an advantage at any time upon themselves or their relatives or may weaken public confidence in their impartiality.

On receipt of notification (M15 Conflict of Interest Declaration Form) from an employee the manager checks to see if an interview with the employee is necessary.

**Conflict of Interest?
YES**

**Conflict of Interest?
NO**

If the manager identifies that a conflict of interest exists, the Chief Officer must be informed who must identify whether or not the matter is within the control of the employee concerned.

If no conflict of interest exists, no further action taken and form M15 is retained on personal file.

**In Control of the
Employee?**

**Not In Control of the
Employee?**

Chief Officer will request the employee to take the appropriate action

If the matter is not within the control of the employee, eg because it is a private interest of a relative, then the Chief Officer will consider the circumstances of the case together with any assurances the employee is prepared to give.

If the employee agrees, in writing (M15 Conflict of Interest Declaration Form), no further action and form is retained on personal file.

If the employee refuses, then the Chief Officer will invoke the disciplinary procedure which could lead to dismissal on the grounds of gross misconduct

Employee will have a right of appeal against the decision.

If the Chief Officer considers that a conflict of interests exists and that any assurances that may have been given may be inadequate, then the employee will be informed, in writing, and invited to attend a meeting with the Chief Officer. The employee will be given at least seven days' notice of the date and time of the hearing and shall be allowed to be represented by a trade union representative or another person of his/her choice. The employee will be informed of the basis upon which the Chief Officer is considering the employee's dismissal from his/her present post.

The Chief Officer will consider the case and will have full delegated powers to act on behalf of the Council including an offer of redeployment and to dismiss if it is considered that such a course of action is reasonable under the circumstances. The grounds of the dismissal would be "some other substantial reason" within the provisions of the Employment Rights Act 1996.

The employee will have a right of appeal against the Chief Officer's decision to dismiss or redeploy them.

DRAFT

Equality Impact Assessment Toolkit (from May 2012)

Section 1: Your details

EIA lead Officer: Tony Williams

Email address: tonywilliams@wirral.gov.uk

Head of Section: Chris Hyams

Chief Officer: Surjit Tour, Acting Director of Law, HR and Asset Management

Department: Transformation and Resources

Date: 6 February 2013

Section 2: What Council proposal is being assessed?

Gifts and Hospitality and Conflict of Interests Policies

Section 2b: Will this EIA be submitted to a Cabinet or Overview & Scrutiny Committee?

Yes If 'yes' please state which meeting and what date

Employment and Appointments Committee 14 February 2013

Please add hyperlink to where your EIA is/will be published on the Council's website

<https://www.wirral.gov.uk/my-services/community-and-living/equality-diversity-cohesion/equality-impact-assessments/eias-2010/law-hr-asset-management>

Section 3: Does the proposal have the potential to affect..... (please tick relevant boxes)

- ☐ **In services**
- ☒ **In the workforce**
- ☐ **In communities**
- ☐ **Other** (please state eg: Partners, Private Sector, Voluntary & Community Sector)

If you have ticked one or more of above, please go to section 4

- ☐ **None** (please stop here and email this form to your Chief Officer who needs to email it to equalitywatch@wirral.gov.uk for publishing)

Section 4: Does the proposal have the potential to maintain or enhance the way the Council (please tick relevant boxes)

- ☒ Eliminates unlawful discrimination, harassment and victimisation
- ☒ Advances equality of opportunity
- ☒ Fosters good relations between groups of people

If you have ticked one or more of above, please go to section 5.

Section 5:

- ☐ **No** (please stop here and email this form to your Chief Officer who needs to email it to equalitywatch@wirral.gov.uk for publishing)

Section 5:

Could the proposal have a positive or negative impact on any of the protected groups (race, gender, disability, gender reassignment, age, pregnancy and maternity, religion and belief, sexual orientation, marriage and civil partnership)?

You may also want to consider socio-economic status of individuals.

Please list in the table below and include actions required to mitigate any potential negative impact.

Which group(s) of people could be affected	Potential positive or negative impact	Action required to mitigate any potential negative impact	Lead person	Timescale	Resource implications
All	<p>The Gifts and Hospitality and Conflicts of interests Policies will apply equally to all areas of the workforce.</p> <p>The policy, procedures and guidance in relation generally do not differentiate between officers in relation to acceptance or non acceptance of gifts or whether conflict of interests should be declared or not. The principles are in place for all.</p> <p>However, Chief Officers/Head of Service and above are required to provide nil returns on an annual basis for conflict of interests.</p> <p>Employees over Scale Point 29 (Band H) are required to declare any secondary employment.</p> <p>There are specific provisions in place for Merseyside Pension Fund employees which recognise the different roles and relationships that exist in that service area. However, this still accord with the Council's overall approach that gifts/hospitality are declared unless in particular circumstances.</p> <p>In all of the above there is no intentional equality impact. The differentials in the group</p>	N/A			

	are not directly related to any particular protected characteristic and are justifiable for business reasons relating to grade/level of Officer.				
--	--	--	--	--	--

Section 5a: Where and how will the above actions be monitored?

Policies will be reviewed by Human Resources.

Section 5b: If you think there is no negative impact, what is your reasoning behind this?

The Gifts and Hospitality and Conflict of Interest policies aim to ensure the Council has clear guidance in place so that all officers are aware of their responsibilities in these areas. The policy and procedures apply to all employees at all levels of the organisation and so no-one group are adversely impacted.

Section 6: What research / data / information have you used in support of this process?

Workforces statistics for the full workforce.

Section 7: Are you intending to carry out any consultation with regard to this Council proposal?

Yes

Section 8: How will consultation take place and by when?

Consultation has taken place with Executive Team, Trade Unions, Internal Audit and Head of Merseyside Pension Fund

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WIRRAL COUNCIL

EMPLOYMENT AND APPOINTMENTS COMMITTEE

14 FEBRUARY 2013

SUBJECT:	PAY POLICY STATEMENT 2013/14
WARD/S AFFECTED:	ALL
REPORT OF:	ACTING DIRECTOR OF LAW, HR AND ASSET MANAGEMENT
RESPONSIBLE PORTFOLIO HOLDER:	EXECUTIVE MEMBER CORPORATE RESOURCES
KEY DECISION?	YES

1. EXECUTIVE SUMMARY

- 1.1. The purpose of this report is for the Employment and Appointments Committee to note The Council's Pay Policy Statement for the financial year 2013/14.

2. BACKGROUND AND KEY ISSUES

- 2.1. The Localism Act received Royal Assent on 15 November 2011. Chapter 8 of the Act refers to 'Pay Accountability' and sets out the requirements for Councils to determine and publish annual pay policy statements. The requirements of The Localism Act include:

- The Pay Policy statement to be approved by The Full Council, in advance of the financial year to which it relates.
- The Pay Policy Statement to be published on the Council website.

- 2.2. The Pay Policy Statement is required to set out the Council's policies relating to the following:

- Chief Officer remuneration, including salary, allowances, and enhancements at termination.
- Remuneration of its lowest paid employees.
- The relationship between Chief Officer remuneration and that of other employees.

3. THE PAY POLICY STATEMENT

- 3.1. The Pay Policy Statement 2013/14 is attached at Appendix One for the consideration of the Employment and Appointments Committee.
- 3.2. The Pay Policy can be amended by resolution. This includes in-year amendments.

4. THE LIVING WAGE

- 4.1. The introduction of the Living Wage was approved by Full Council on 1 March 2012 as part of the Council's Pay Policy Statement 2012/13.
- 4.2. The proposed Pay Policy Statement 2013/14 includes a revised pay structure to take account of the Living Wage increase (November 2012). The revised pay structure will ensure that all Council employees are paid at a rate equal to or higher than the Living Wage hourly rate of £7.45.
- 4.3. The implementation of the Living Wage increase will make the following changes to the Council's pay structure:
 - The entry level grade: scp 9 at Band A will change from £7.20 an hour (£13,516 per annum) to £7.45 an hour, equivalent to £13,985 per annum.
 - Scp 10 at Band B will change from £7.39 an hour (£13,874 per annum), to the locally agreed rate of £7.64, equivalent to £14,360 per annum.

The current salary rates and the proposed salary rates are attached at Appendix Two and Appendix Three respectively.

5. CHIEF OFFICER GRADING STRUCTURE

- 5.1. The Council's grading structure for Chief Officers has been amended to take account of the salary for the Director of Public Health and the Strategic Director grade. The Chief Officer grade titles have been re-designated as follows:

Chief Officer grade title:	Re-designated to:
Chief Executive (CE)	Chief Executive (CE)
Deputy Chief Executive	Strategic Director (SD)
Chief Officer	Director 1 (D1)
New	Director 2 (D2)
Deputy Chief Officer (DCO3)	Head of Service 1 (HS1)
Deputy Chief Officer (DCO3a)	Head of Service 2 (HS2)

- 5.2. The Chief Officer grading structure is attached at Appendix Four.

6. RELEVANT RISKS

- 6.1. The Council is required to prepare and approve its Pay Policy Statement 2013/14 before 31 March 2013. The Council will be at risk of not meeting the requirements of The Localism Act 2011 if this is not achieved.

7. OTHER OPTIONS CONSIDERED

- 7.1. No other options were considered as The Pay Policy Statement is a requirement of The Localism Act 2011.

7.2. The Council is committed to being a Living Wage employer.

8. CONSULTATION

8.1. The Trade Unions have been invited to comment on The Council's Pay Policy Statement 2013/14, including the revised pay structure.

9. IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

9.1. None

10. RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

10.1. The cost of introducing The Living Wage is £18,000 including on-costs. This will be built into departmental budgets under the provision for pay growth.

10.2. The changes to the Chief Officer grading structure were included in the Senior Management Restructure, approved by Cabinet on 20 December 2012.

11. LEGAL IMPLICATIONS

11.1. The Council is required to meet the requirements of The Localism Act 2011.

12. EQUALITIES IMPLICATIONS

12.1. The EIA is attached, and is available at:

<https://www.wirral.gov.uk/my-services/community-and-living/equality-diversity-cohesion/equality-impact-assessments>

13. CARBON REDUCTION IMPLICATIONS

13.1. Not applicable for this report.

14. PLANNING AND COMMUNITY SAFETY IMPLICATIONS

14.1. Not applicable for this report.

15. RECOMMENDATION/S

15.1. It is recommended that The Employment and Appointments Committee:

- Review the appropriateness of the Council's Pay Policy Statement 2013/14, and recommend its approval to Full Council.
- Note the increase of The Living Wage, effective 1 November 2012.
- Note the responsibility of The Employment and Appointments Committee to ensure the provisions set out in the Pay Policy are applied consistently throughout the Council, and recommend any amendments to The Full Council.

16. REASON/S FOR RECOMMENDATION/S

- 16.1. The Council is required by Section 38 of The Localism Act 2011 to prepare a Pay Policy Statement for each financial year.
- 16.2. The draft statutory guidance on The Localism Act 2011 recommends that a Committee be given responsibility to coordinate a collective review of the appropriateness of the Pay Policy Statement at least annually, and to make a recommendation to The Full Council.

REPORT AUTHOR: Chris Hyams

Head of Human Resources & Organisational Development
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APPENDICES

- Appendix One: The Pay Policy Statement 2013/14
- Appendix Two: The Current Salary Rates
- Appendix Three: The Proposed Salary Rates (Living Wage increase, effective 1 November 2012)
- Appendix Four: The Chief Officer Grading Structure

REFERENCE MATERIAL

None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Council	1 March 2012
Employment and Appointments Committee	28 February 2012
Cabinet	21 July 2011

WIRRAL COUNCIL

PAY POLICY STATEMENT

2013 – 2014

REF

1. Introduction and Purpose

- 1.1. Under section 112 of the Local Government Act 1972, the Council has the "power to appoint officers on such reasonable terms and conditions as authority thinks fit". This Pay Policy Statement sets out the Council's approach to pay in accordance with the requirements of Section 38 of the Localism Act 2011.
- 1.2. The purpose of the statement is to provide transparency with regard to the Council's approach to setting the pay of its employees (excluding teaching staff working in local authority schools) by identifying:
 - The methods by which salaries of all employees are determined;
 - The detail and level of remuneration of its most senior staff i.e. 'Chief Officers', as defined by the relevant legislation;
 - The Employment and Appointments Committee responsibility for ensuring the provisions set out in this statement are applied consistently throughout the Council and recommending any amendments to the Full Council.
- 1.3. The Council will consult with the relevant Trade Unions in relation to this Pay Policy, before the Policy is considered by Full Council.
- 1.4. Once approved by the Full Council, this policy statement will come into immediate effect and will be subject to review on a minimum of an annual basis, the policy for the next financial year being approved by 31 March each year.
- 1.5. The Council may, by resolution, amend this Pay Policy, including after the beginning of the financial year to which it relates.

2. Other legislation relevant to pay and remuneration

- 2.1. In determining the pay and remuneration of all of its employees, the Council will comply with all relevant employment legislation. This includes legislation such as the Equality Act 2010, Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000 and where relevant, the Transfer of Undertakings (Protection of Earnings) Regulations.
- 2.2. The Council ensures there is no pay discrimination within its pay structures and that all pay differentials can be objectively justified through the use of job evaluation mechanisms, which directly establish the relative levels of posts in grades according to the requirements, demands and responsibilities of the role.

3. Pay Structure

- 3.1. The Council uses the nationally negotiated pay spine(s) (i.e. a defined list of salary points) as the basis for its local pay structure, which determines the salaries of the large majority of its (non teaching) workforce. The Council's grading structure is attached at Appendix One.

- 3.2. The grading structure for Bands A to H (up to spinal column point (scp 34) was implemented as part of the Council's Job Evaluation process in August 2008, using the National Joint Council for Local Government Services (NJC) Job Evaluation Scheme.
- 3.3. The current salary rates came into effect on 1 April 2009. There has been no national annual pay award to any group of staff since April 2009.
- 3.4. Where a nationally negotiated pay spine does not apply, the Council will determine the salary rate through local negotiation.
- 3.5. The Council adopts the national pay bargaining arrangements in respect of the establishment and revision of the national pay spine, for example through any agreed annual pay increases negotiated with joint trade unions.
- 3.6. All other pay related allowances are the subject of either nationally or locally negotiated rates, having been determined from time to time in accordance with collective bargaining machinery.
- 3.7. In determining its grading structure and setting remuneration levels for any posts which fall outside the scope of the national pay bargaining arrangements, the Council takes account of the need to ensure value for money in respect of the use of public expenditure, balanced against the need to recruit and retain employees who are able to meet the requirements of providing high quality services to the community, delivered effectively and efficiently and at times at which those services are required within a fair, transparent and equality proofed framework.

3.8. Variations to pay grade

- 3.8.1. From time to time it may be necessary to take account of the external pay levels in the labour market in order to attract and retain employees with particular experience, skills and capacity. Where necessary, the Council will ensure the requirement for such is objectively justified by reference to clear and transparent evidence of relevant market comparators, using data sources available from within the local government sector and outside, as appropriate.
- 3.8.2. Any temporary supplement to the salary scale for the grade is approved in accordance with The Council's Honoraria Policy, or any applicable market rate supplement policies.

3.9. Job Evaluation

- 3.9.1. The Council has completed stage one of Job Evaluation, which includes up to scp 34: £28,636.
- 3.9.2. The Council has completed stage two of Job Evaluation, which includes Schools based employees, up to scp 34.
- 3.9.3. Stage one and two have been undertaken using the NJC Job Evaluation Scheme.

3.9.4. Implementation of stage three and four of Job Evaluation is currently paused and will be reviewed in 2013-14.

3.10. The Living Wage

3.10.1. Living Wage rates are based on Minimum Income Standards methodology and seek to take account of real living costs for essential goods and services. The Living Wage rate for outside London increased to £7.45 per hour in November 2012.

3.10.2. Through the Wirral's Pay Policy Statement, the Council is committed to paying the Living Wage. The provision for the Living Wage will be kept under review.

3.10.3. From 1 November 2012, the Council will set Band A at scp 9 at a locally agreed rate of £7.45 an hour (equivalent to £13,985 per annum), and Band B at scp 10, at a locally agreed rate of £7.64 (equivalent to £14,360 per annum), as shown at Appendix One.

3.11. New Appointments

3.11.1. New appointments will normally be made at the minimum scp of the relevant pay scale for the grade. Where the candidate is already on or above the minimum scp of the relevant pay scale, the appointment will normally be made at the same scp.

3.11.2. The appointment salary can be varied in exceptional circumstances with the approval of The Head of Human Resources and Organisational Development.

3.12. Progression through pay grades

3.12.1. An employee's progression through the increments of a particular pay grade are linked to length of service. Increments are awarded on 1 April each year, or for new appointments between 1 October and 31 March, six months from start date.

3.12.2. The arrangements and factors considered in determining an individual's progression through different pay grade are determined by experience, skills and qualifications as set out in the relevant Job Description.

4. Senior Management Remuneration

4.1. For the purposes of this statement, senior management means 'Chief Officers' as defined within the Localism Act. The posts falling within the statutory definition are set out in '*The Code of Recommended Practice for Local Authorities on Data Transparency ('the data transparency code')*'.

- 4.2. The Council's grading structure for Chief Officers is attached at Appendix Two, and includes:

Chief Executive

The salary falls within a range of 5 incremental points between £121,807, rising to a maximum of £135,341.

Strategic Director

The salary package of posts designated as Strategic Director, fall within a salary range of 5 incremental points between £109,626 to a maximum of £121,807.

Director 1

The salary package of posts designated as Director 1 fall within a range of 5 incremental points between £101,564 rising to a maximum of £112,849.

Director 2

The salary package of posts designated as Director 2 fall within a range of 5 incremental points between £80,316 rising to a maximum of £89,240.

Head of Service 1

The salary package of posts designated as Head of Service 1, fall within a range of 5 incremental points between £76,173 rising to a maximum of £84,637.

Head of Service 2

The salary package of posts designated as Head of Service 2, fall within a range of 5 incremental points between £66,017 rising to a maximum of £76,173.

5. Recruitment of Chief Officers

- 5.1. The Council's policy and procedures with regard to recruitment of Chief Officers is set out in Part Four of The Council's Constitution. The appointment of Chief Officers and Deputy Chief Officers is delegated to The Employment and Appointments Committee as set out in Part Three of The Council's Constitution.
- 5.2. When recruiting to all posts the Council will take full and proper account of all provisions of relevant employment law and its own Equal Opportunities, Recruitment and Selection and Redeployment Policies as approved by Council.
- 5.3. The determination of the remuneration to be offered to any newly appointed Chief Officer will be in accordance with the pay structure and relevant policies in place at the time of recruitment.
- 5.4. In line with guidance under The Localism Act, proposed appointments to posts with remuneration exceeding £100, 000 will be subject to a vote at Full Council.

6. Additions to Salary

- 6.1. With the exception of progression through the incremental scale of the relevant grade being subject to satisfactory performance, which is assessed on an annual basis, the level of remuneration is not variable dependent upon the achievement of defined targets.
- 6.2. To meet specific operational requirements it may be necessary for an individual to temporarily take on additional duties to their identified role. The Council's applies the relevant national conditions of service for additional remuneration (e.g. honoraria, ex gratia, 'acting up'), unless this has been locally negotiated, e.g. The Harmonisation Agreement, implemented in August 2008.
- 6.3. In addition to basic salary, the following posts receive additional pay as set out below:

Post / Tier of post	Payment details
Chief Executive or nominated Chief Officer (currently Director of Law, HR and Asset Management)	Returning Officer duties: <ul style="list-style-type: none">• National statutory amount for Parliamentary/National Elections.• Locally determined amount in accordance with national guidance for Local Government Elections.
All eligible employees	Allowances in accordance with the Council's terms and conditions.
Eligible Social Workers	Approved recruitment and retention allowances.

7. Pension Contributions

- 7.1. The employer's pension contribution is required to be published under S7 of the Accounts and Audit Regulations 2011.
- 7.2. Where employees have exercised their statutory right to become members of the Local Government Pension Scheme, the Council is required to make a contribution to the scheme representing a percentage of the pensionable remuneration due under the contract of employment of that employee.
- 7.3. The rate of contribution is set by Actuaries advising Merseyside Pension Fund and reviewed every three years in order to ensure the scheme is appropriately funded. The current rate and deficit is equal to 18.3%.

8. Payments on Termination

- 8.1. The Council's approach to statutory and discretionary payments on termination of employment for all employees, including Chief Officers, prior to reaching normal retirement age, is set out within the Council's Retirement Policy.
- 8.2. The Council will keep its Enhanced Discretionary Severance Scheme under review. Any changes, as approved by the Employment and Appointments Committee are published in accordance with the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) regulations 2006.

9. Lowest Paid Employees

- 9.1. The lowest paid persons employed by the Council are employed on full time (36 hours) equivalent salaries in accordance with spinal column points 9 (Band A) of the Council's grading structure (locally agreed). The grading structure takes account of the Living Wage hourly rate (see section 3 above). As at 1 November 2012, this is £13,985 per annum, subject to local pay award.
- 9.2. The Council employs Apprentices which are not considered within the definition of 'lowest paid employees' as they are employed under a training contract, starting at minimum wage, with pay progression routes available.
- 9.3. The relationship between the rate of pay for the lowest paid and Chief Officers is determined by the processes used for determining pay and grading structures as set out earlier in this policy statement.
- 9.4. The current pay levels within the Council define the multiple between the average full time equivalent (FTE) earnings and the Chief Executive as 1: 5.86.
- 9.5. The current pay levels within the Council define the multiple between the lowest paid employee full time equivalent (FTE) earnings and average Chief Officer earnings as 1: 6.08.
- 9.6. The current pay levels within the Council define the multiple between the average FTE earnings and the average of Chief Officer earnings as 1: 3.68.
- 9.7. As part of its overall and ongoing monitoring of alignment with external pay markets, both within and outside the sector, the Council will use available benchmark information as appropriate. In addition, upon the annual review of this statement, the Council will also monitor any changes in the relevant 'pay multiples' and benchmark against other comparable local Authorities.

10. Accountability and Decision Making

- 10.1. In accordance with The Constitution of the Council, The Employment and Appointments Committee is responsible for decision making in relation to the recruitment, pay, terms and conditions and severance arrangements in relation to employees of the Council.

11.Re-employment / Re-engagement of Employees

- 11.1. The Council will not re-employ any former employees that have left the Council with an enhanced retirement package or under the Voluntary Severance Scheme, except in exceptional circumstances and with the approval of The Head of Human Resources and Organisational Development and The Chief Executive.

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LIVING WAGE SALARY RATES
(WITH EFFECT FROM 1.11.2012)

SCP	Band	Full Time Salary	Job Share Salary	Monthly	Weekly	36 Hourly
9	A	£13,985	6,992.50	1,165.42	268.21	7.4502
10	B	£14,360	7,180.00	1,196.67	275.40	7.6499
11		£14,733	7,366.50	1,227.75	282.55	7.8486
12	C	£15,039	7,519.50	1,253.25	288.42	8.0116
13		£15,444	7,722.00	1,287.00	296.19	8.2274
14		£15,725	7,862.50	1,310.42	301.58	8.3771
15	D	£16,054	8,027.00	1,337.83	307.88	8.5524
16		£16,440	8,220.00	1,370.00	315.29	8.7580
17	E	£16,830	8,415.00	1,402.50	322.77	8.9658
18		£17,161	8,580.50	1,430.08	329.12	9.1421
19		£17,802	8,901.00	1,483.50	341.41	9.4836
20		£18,453	9,226.50	1,537.75	353.89	9.8304
21		£19,126	9,563.00	1,593.83	366.80	10.1889
22	F	£19,621	9,810.50	1,635.08	376.29	10.4526
23		£20,198	10,099.00	1,683.17	387.36	10.7600
24		£20,858	10,429.00	1,738.17	400.02	11.1116
25		£21,519	10,759.50	1,793.25	412.69	11.4637
26	G	£22,221	11,110.50	1,851.75	426.16	11.8377
27		£22,958	11,479.00	1,913.17	440.29	12.2303
28		£23,708	11,854.00	1,975.67	454.67	12.6298
29		£24,646	12,323.00	2,053.83	472.66	13.1295
30		£25,472	12,736.00	2,122.67	488.50	13.5696
31		£26,276	13,138.00	2,189.67	503.92	13.9979
32	H	£27,052	13,526.00	2,254.33	518.81	14.4113
33		£27,849	13,924.50	2,320.75	534.09	14.8358
34		£28,636	14,318.00	2,386.33	549.18	15.2551
35		£29,236	14,618.00	2,436.33	560.69	15.5747
36	PO1	£30,011	15,005.50	2,500.92	575.55	15.9876
37	PO2	£30,851	15,425.50	2,570.92	591.66	16.4351
38	PO3	£31,754	15,877.00	2,646.17	608.98	16.9161
39	PO4	£32,800	16,400.00	2,733.33	629.04	17.4734
40	PO5	£33,661	16,830.50	2,805.08	645.55	17.9320
41	PO6	£34,549	17,274.50	2,879.08	662.58	18.4051
42	PO7	£35,430	17,715.00	2,952.50	679.48	18.8744
43	PO8	£36,313	18,156.50	3,026.08	696.41	19.3448
44	PO9	£37,206	18,603.00	3,100.50	713.54	19.8205
45	PO10	£38,042	19,021.00	3,170.17	729.57	20.2659
46	PO11	£38,961	19,480.50	3,246.75	747.20	20.7555
47	PO12	£39,855	19,927.50	3,321.25	764.34	21.2317
48	PO13	£40,741	20,370.50	3,395.08	781.33	21.7037
49	PO14	£41,616	20,808.00	3,468.00	798.12	22.1699
50	EPO1	£42,320	21,160.00	3,526.67	811.62	22.5449
51	EPO2	£43,038	21,519.00	3,586.50	825.39	22.9274
52	EPO3	£43,900	21,950.00	3,658.33	841.92	23.3866
53	EPO4	£44,752	22,376.00	3,729.33	858.26	23.8405
54	EPO5	£45,552	22,776.00	3,796.00	873.60	24.2667
55	EPO6	£46,423	23,211.50	3,868.58	890.30	24.7307
56	EPO7	£47,297	23,648.50	3,941.42	907.07	25.1963
57	EPO8	£48,088	24,044.00	4,007.33	922.24	25.6177
58	EPO9	£48,979	24,489.50	4,081.58	939.32	26.0923
59	EPO10	£49,827	24,913.50	4,152.25	955.59	26.5441
60	EPO11	£50,667	25,333.50	4,222.25	971.70	26.9916
61	EPO12	£51,515	25,757.50	4,292.92	987.96	27.4433
62	EPO13	£52,361	26,180.50	4,363.42	1004.18	27.8940
63	EPO14	£53,209	26,604.50	4,434.08	1020.45	28.3457
64	EPO15	£54,057	27,028.50	4,504.75	1036.71	28.7975
65	EPO16	£54,901	27,450.50	4,575.08	1052.90	29.2471
66	EPO17	£55,739	27,869.50	4,644.92	1068.97	29.6935
67	EPO18	£56,591	28,295.50	4,715.92	1085.31	30.1474
68	EPO19	£57,437	28,718.50	4,786.42	1101.53	30.5981
69	EPO20	£58,278	29,139.00	4,856.50	1117.66	31.0461
70	EPO21	£59,130	29,565.00	4,927.50	1134.00	31.5000
71	EPO22	£60,017	30,008.50	5,001.42	1151.01	31.9725
72	EPO23	£60,917	30,458.50	5,076.42	1168.27	32.4520
73	EPO24	£61,826	30,913.00	5,152.17	1185.70	32.9362
74	EPO25	£62,761	31,380.50	5,230.08	1203.64	33.4343

New Chief Officer Grade/Salaries

	Chief Executive (CE)	Strategic Director (SD)	Director 1 (D1)	Director 2 (D2)	Head of Service 1 (HS1)	Head of Service 2 (HS2)
Salary Range						
01	121,807	109,626	101,564	80,316	76,173	66,017
02	125,190	112,671	104,385	82,547	78,289	67,850
03	128,573	115,716	107,206	84,778	80,405	69,684
04	131,957	118,761	110,027	87,009	82,521	71,518
05	135,341	121,807	112,849	89,240	84,637	73,352

LIVING WAGE SALARY RATES
(WITH EFFECT FROM 1.04.2012)

SCP	Band	Full Time Salary	Job Share Salary	Monthly	Weekly	36 Hourly
9	A	£13,516	6,758.00	1,126.33	259.21	7.2003
10	B	£13,874	6,937.00	1,156.17	266.08	7.3910
11		£14,733	7,366.50	1,227.75	282.55	7.8486
12	C	£15,039	7,519.50	1,253.25	288.42	8.0116
13		£15,444	7,722.00	1,287.00	296.19	8.2274
14		£15,725	7,862.50	1,310.42	301.58	8.3771
15	D	£16,054	8,027.00	1,337.83	307.88	8.5524
16		£16,440	8,220.00	1,370.00	315.29	8.7580
17		£16,830	8,415.00	1,402.50	322.77	8.9658
18	E	£17,161	8,580.50	1,430.08	329.12	9.1421
19		£17,802	8,901.00	1,483.50	341.41	9.4836
20		£18,453	9,226.50	1,537.75	353.89	9.8304
21		£19,126	9,563.00	1,593.83	366.80	10.1889
22	F	£19,621	9,810.50	1,635.08	376.29	10.4526
23		£20,198	10,099.00	1,683.17	387.36	10.7600
24		£20,858	10,429.00	1,738.17	400.02	11.1116
25		£21,519	10,759.50	1,793.25	412.69	11.4637
26	G	£22,221	11,110.50	1,851.75	426.16	11.8377
27		£22,958	11,479.00	1,913.17	440.29	12.2303
28		£23,708	11,854.00	1,975.67	454.67	12.6298
29		£24,646	12,323.00	2,053.83	472.66	13.1295
30		£25,472	12,736.00	2,122.67	488.50	13.5696
31	H	£26,276	13,138.00	2,189.67	503.92	13.9979
32		£27,052	13,526.00	2,254.33	518.81	14.4113
33		£27,849	13,924.50	2,320.75	534.09	14.8358
34		£28,636	14,318.00	2,386.33	549.18	15.2551
35		£29,236	14,618.00	2,436.33	560.69	15.5747
36		£30,011	15,005.50	2,500.92	575.55	15.9876
37		£30,851	15,425.50	2,570.92	591.66	16.4351
38		£31,754	15,877.00	2,646.17	608.98	16.9161
39		£32,800	16,400.00	2,733.33	629.04	17.4734
40		£33,661	16,830.50	2,805.08	645.55	17.9320
41		£34,549	17,274.50	2,879.08	662.58	18.4051
42		£35,430	17,715.00	2,952.50	679.48	18.8744
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55		£46,423	23,211.50	3,868.58	890.30	24.7307
56		£47,297	23,648.50	3,941.42	907.07	25.1963
57		£48,088	24,044.00	4,007.33	922.24	25.6177
58		£48,979	24,489.50	4,081.58	939.32	26.0923
59		£49,827	24,913.50	4,152.25	955.59	26.5441
60		£50,667	25,333.50	4,222.25	971.70	26.9916
61		£51,515	25,757.50	4,292.92	987.96	27.4433
62		£52,361	26,180.50	4,363.42	1004.18	27.8940
63		£53,209	26,604.50	4,434.08	1020.45	28.3457
64		£54,057	27,028.50	4,504.75	1036.71	28.7975
65		£54,901	27,450.50	4,575.08	1052.90	29.2471
66		£55,739	27,869.50	4,644.92	1068.97	29.6935
67		£56,591	28,295.50	4,715.92	1085.31	30.1474
68		£57,437	28,718.50	4,786.42	1101.53	30.5981
69		£58,278	29,139.00	4,856.50	1117.66	31.0461
70		£59,130	29,565.00	4,927.50	1134.00	31.5000
71		£60,017	30,008.50	5,001.42	1151.01	31.9725
72		£60,917	30,458.50	5,076.42	1168.27	32.4520
73		£61,826	30,913.00	5,152.17	1185.70	32.9362
74		£62,761	31,380.50	5,230.08	1203.64	33.4343

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LIVING WAGE SALARY RATES
(WITH EFFECT FROM 1.11.2012)

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31	H	£26,276	13,138.00	2,189.67	503.92	13.9979
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37		£30,851	15,425.50	2,570.92	591.66	16.4351
38		£31,754	15,877.00	2,646.17	608.98	16.9161
39		£32,800	16,400.00	2,733.33	629.04	17.4734
40		£33,661	16,830.50	2,805.08	645.55	17.9320
41		£34,549	17,274.50	2,879.08	662.58	18.4051
42		£35,430	17,715.00	2,952.50	679.48	18.8744
43		£36,313	18,156.50	3,026.08	696.41	19.3448
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45		£38,042	19,021.00	3,170.17	729.57	20.2659
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47		£39,855	19,927.50	3,321.25	764.34	21.2317
48		£40,741	20,370.50	3,395.08	781.33	21.7037
49		£41,616	20,808.00	3,468.00	798.12	22.1699
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51		£43,038	21,519.00	3,586.50	825.39	22.9274
52		£43,900	21,950.00	3,658.33	841.92	23.3866
53		£44,752	22,376.00	3,729.33	858.26	23.8405
54		£45,552	22,776.00	3,796.00	873.60	24.2667
55		£46,423	23,211.50	3,868.58	890.30	24.7307
56		£47,297	23,648.50	3,941.42	907.07	25.1963
57		£48,088	24,044.00	4,007.33	922.24	25.6177
58		£48,979	24,489.50	4,081.58	939.32	26.0923
59		£49,827	24,913.50	4,152.25	955.59	26.5441
60		£50,667	25,333.50	4,222.25	971.70	26.9916
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63		£53,209	26,604.50	4,434.08	1020.45	28.3457
64		£54,057	27,028.50	4,504.75	1036.71	28.7975
65		£54,901	27,450.50	4,575.08	1052.90	29.2471
66		£55,739	27,869.50	4,644.92	1068.97	29.6935
67		£56,591	28,295.50	4,715.92	1085.31	30.1474
68		£57,437	28,718.50	4,786.42	1101.53	30.5981
69		£58,278	29,139.00	4,856.50	1117.66	31.0461
70		£59,130	29,565.00	4,927.50	1134.00	31.5000
71		£60,017	30,008.50	5,001.42	1151.01	31.9725
72		£60,917	30,458.50	5,076.42	1168.27	32.4520
73		£61,826	30,913.00	5,152.17	1185.70	32.9362
74		£62,761	31,380.50	5,230.08	1203.64	33.4343

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New Chief Officer Grade/Salaries

	Chief Executive (CE)	Strategic Director (SD)	Director 1 (D1)	Director 2 (D2)	Head of Service 1 (HS1)	Head of Service 2 (HS2)
Salary Range						
01	121,807	109,626	101,564	80,316	76,173	66,017
02	125,190	112,671	104,385	82,547	78,289	67,850
03	128,573	115,716	107,206	84,778	80,405	69,684
04	131,957	118,761	110,027	87,009	82,521	71,518
05	135,341	121,807	112,849	89,240	84,637	73,352

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Equality Impact Assessment Toolkit (from May 2012)

Section 1: Your details

EIA lead Officer: Jenny Fletcher

Email address: jennyfletcher@wirral.gov.uk

Head of Section: Chris Hyams

Chief Officer: Surjit Tour, Acting Director of Law, HR and Asset Management

Department: Transformation and Resources

Date: 6 February 2013

Section 2: What Council proposal is being assessed?

The Pay Policy Statement 2013-14.

Section 2b: Will this EIA be submitted to a Cabinet or Overview & Scrutiny Committee?

Yes

If 'yes' please state which meeting and what date

Employment and Appointments Committee 14 February 2013, and Full Council 5 March 2013

Please add hyperlink to where your EIA is/will be published on the Council's website

<https://www.wirral.gov.uk/my-services/community-and-living/equality-diversity-cohesion/equality-impact-assessments/eias-2010/law-hr-asset-management>

Section 3: Does the proposal have the potential to affect..... (please tick relevant boxes)

- ☐ **In services**
- ☒ **In the workforce**
- ☐ **In communities**
- ☐ **Other** (please state eg: Partners, Private Sector, Voluntary & Community Sector)

If you have ticked one or more of above, please go to section 4

- ☐ **None** (please stop here and email this form to your Chief Officer who needs to email it to equalitywatch@wirral.gov.uk for publishing)

Section 4: Does the proposal have the potential to maintain or enhance the way the Council (please tick relevant boxes)

- ☒ Eliminates unlawful discrimination, harassment and victimisation
- ☒ Advances equality of opportunity
- ☒ Fosters good relations between groups of people

If you have ticked one or more of above, please go to section 5.

Section 5:

- ☐ **No** (please stop here and email this form to your Chief Officer who needs to email it to equalitywatch@wirral.gov.uk for publishing)

Section 5:

Could the proposal have a positive or negative impact on any of the protected groups (race, gender, disability, gender reassignment, age, pregnancy and maternity, religion and belief, sexual orientation, marriage and civil partnership)?

You may also want to consider socio-economic status of individuals.

Please list in the table below and include actions required to mitigate any potential negative impact.

Which group(s) of people could be affected	Potential positive or negative impact	Action required to mitigate any potential negative impact	Lead person	Timescale	Resource implications
All	<p>Positive – the Council sets the pay of its employees through a fair and transparent Job Evaluation Scheme which seeks to objectively measure the different elements of a job. This does not take account of the employee's age, gender, sexuality, religion or belief, disability, or race.</p> <p>Positive – the Council's Pay Policy includes a pay structure in-line with the Living Wage, which means that all employees will be paid a minimum of the Living Wage hourly rate of £7.45 (effective from 1 November 2012).</p> <p>Negative – all stages of the Job Evaluation Scheme are not complete.</p>	N/A	Chris Hyams	N/A	N/A
Age	<p>Negative – progression through increments of one grade is based on length of service.</p>	<p>A phased approach has been taken by The Council. Implementation of stage three and four of Job Evaluation is currently paused and will be reviewed in 2013-14.</p> <p>Each job is graded fairly through Job Evaluation taking into account the different elements of the job. Therefore appointment at a particular grade does not</p>		To be reviewed in 2013-14	Job Evaluation Team.

		take account of age. Once in the grade, increments are awarded by length of service at that grade until the top of the grade is achieved.			
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Section 5a: Where and how will the above actions be monitored?

On a regular basis by the Human Resources team

Section 5b: If you think there is no negative impact, what is your reasoning behind this?

The Council sets the pay of its employees through a fair and transparent Job Evaluation Scheme which seeks to objectively measure the different elements of a job. This does not take account of the employee's age, gender, sexuality, religion or belief, disability, or race.

Section 6: What research / data / information have you used in support of this process?

Workforces statistics for the full workforce.

Section 7: Are you intending to carry out any consultation with regard to this Council proposal?

Yes

Section 8: How will consultation take place and by when?

Consultation has taken place in relation to the Council's Pay Policy Statement through the Corporate Joint Consultative Committee meetings, held every three weeks. This has included discussion about the Living Wage and its implementation.

Consultation in relation to Job Evaluation is ongoing with the Trade Unions. Consultation is conducted through the Corporate Joint Consultative Committee meetings and specific sub-committees set up for Job Evaluation.

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EMPLOYMENT AND APPOINTMENTS SUB-COMMITTEE

Tuesday, 15 January 2013

Present:

Councillor P Davies (Chair)

Councillors G Davies
JE Green
L Rennie

AR McLachlan
AER Jones
T Harney

32 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Sub-Committee were requested to declare whether they had an interest, either personal or prejudicial, in the item on this agenda and, if so, to declare it and state the nature of such interest.

No such declarations were made.

33 EXEMPT INFORMATION - EXCLUSION OF MEMBERS OF THE PUBLIC

Resolved - That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined by paragraph 1 of Part I of Schedule 12A (as amended) to that Act.

34 APPOINTMENT OF STRATEGIC DIRECTOR: TRANSFORMATION AND RESOURCES

Further to minute 31 (14/12/12) the Sub-Committee considered which of the four candidates (two having withdrawn from the process) interviewed by officers should be invited to attend for final interview on 16 January for the post of Strategic Director: Transformation and Resources.

Resolved – That the following two candidates be invited to attend for final interview on 16 January: candidate numbers 2 and 22.

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EMPLOYMENT AND APPOINTMENTS SUB-COMMITTEE

Wednesday, 16 January 2013

Present:

Councillor P Davies (Chair)

Councillors G Davies AER Jones
L Rennie T Harney
A R McLachlan

Apologies

Councillor JE Green

35 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Sub-Committee were requested to declare whether they had an interest, either personal or prejudicial, in the item on this agenda and, if so, to declare it and state the nature of such interest.

No such declarations were made.

36 EXEMPT INFORMATION - EXCLUSION OF MEMBERS OF THE PUBLIC

Resolved - That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined by paragraph 1 of Part I of Schedule 12A (as amended) to that Act.

37 APPOINTMENT OF STRATEGIC DIRECTOR: TRANSFORMATION AND RESOURCES

Further to minute 34 (15/1/13) the Sub-Committee interviewed the two short-listed candidates for the post of Strategic Director: Transformation and Resources.

It was moved by Councillor Phil Davies, seconded by Councillor Ann McLachlan and then -

Resolved (5:1) – That Joseph Blott, currently Executive Director – Neighbourhood and Community Services, Warrington Council, be appointed to the post of Strategic Director: Transformation and Resources.

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