

EMPLOYMENT AND APPOINTMENTS COMMITTEE

Tuesday, 5 March 2019

Present: Councillor AER Jones (Chair)

Councillors P Davies JE Green
A Davies B Mooney
G Davies L Rennie
P Gilchrist

22 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Committee were requested to declare whether they had any disclosable pecuniary interests and/or any other relevant interest in the item on this agenda and, if so, to declare it and state the nature of such interest.

No such declarations were made.

23 MINUTES

The Committee was requested to approve the accuracy of the minutes of the meeting of 6 March 2018.

Resolved – That the minutes of the meeting of 6 March 2018, be approved.

24 EMPLOYMENT AND APPOINTMENTS PANEL MINUTES

The Committee was requested to note the minutes of the Employment and Appointments Panels' meetings for:

- Assistant Director – Early Help and Prevention (Children's); Assistant Director – Modernisation and Support (Children's) and Assistant Director – Culture and Visitor Economy, held on 22 May, 2018;
- Corporate Director for Economic and Housing Growth, held on 22 May and 6 and 7 June, 2018;
- Director for Change and Organisational Design, held on 26 July and 8 August, 2018;
- Assistant Director – Finance and Investment, held on 26 July and 31 August, 2018.

Resolved – That the minutes of the meetings listed above, be noted.

25 **PAY POLICY STATEMENT 2019/20**

Tony Williams, Head of Human Resources introduced the report of the Director of Change and Organisational Design that set out information on the Council's Pay Policy, to provide transparency with regard to the Council's approach to setting pay identifying:

- the methods by which salaries of all employees are determined;
- the detail and level of the salary package of its most senior staff; and
- the Head of Paid Service's responsibility for ensuring the provisions set out in the statement were applied consistently throughout the Council, recommending any amendments to Full Council.

The report highlighted that the Council was required to prepare and approve its Pay Policy Statement 2019/2020 before 31 March 2019, and that the Council will be at risk of not meeting the requirements of The Localism Act 2011 if this was not achieved.

The report also informed that Council operated all pay arrangements within the requirements of the Equality Act 2010 and that all pay arrangement were regularly reviewed and assessed to identify any equality issues (the subject of a separate report to the Employment and Appointments Committee, Minute 27 post refers).

Members discussed a number of key areas within the report, namely variations to pay grades (taking into account external pay levels in the labour market) and pay ratios between the lowest paid employees and Chief Officers and the Chief Executive. Members requested that this information be collated and reported back to the Committee at the earliest opportunity.

Members also questioned the current cost of termination payments and when this particular subject area had last been reviewed. The Head of Human Resources agreed to investigate and report back to Members.

The Head of Human Resources informed the Committee that in addition to consultation on the Council's Pay Policy with Trade Unions, a specific Equality Impact Assessment (EIA) was also produced and shared with Trade Unions - relating to the implementation of NJC pay award for 2019/20.

Members re-iterated the request that the Head of Human Resources bring back a further report to the Committee at the earliest opportunity, on the subject of pay multiples and benchmarking with other Local Authorities, and general guidance from the Local Government Association (LGA) or Department for Local Government (DCLG), if available.

Resolved – That

- (1) the introduction of the National Joint Council (NJC) redesigned pay spine which includes the National Living Wage rate of £9 per hour, effective from 1 April 2019, be agreed; and**
- (2) it be recommended to Council that the Pay Policy Statement for the financial year 2019/20 be approved.**

26 **GENDER PAY GAP REPORT**

Tony Williams, Head of Human Resources introduced the report of the Director of Change and Organisational Design that provided information on the Council's Gender Pay Gap in line with the requirements of the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017, whereby the Council is required by law to publish an annual gender pay gap report.

Mr Williams informed that Wirral Council had a predominantly female workforce, with 63% employees female and 37% male and that across the UK economy as a whole, men are more likely than women to be in senior roles (especially very senior roles at the top of organisations). He further informed that in Wirral, the top quartile roles were occupied by more women than men, however the pay gap was due to the significantly higher numbers of women than men particularly in the lower quartile. He added that Wirral provided a variety of flexible work options, e.g. full-time, part-time, term-time, seasonal, providing a number of working arrangements for individuals to choose from that fit into their work-life balance. Mr Williams informed the Employment and Appointments Committee that the mean gender pay gap (GPG) of 2017 has risen from 5.85% to 6.35% in 2018, whilst the median GPG has risen from 4.78% to 10.9%.

Members acknowledged that females were traditionally viewed as the primary carers which meant that whilst these opportunities were available to everyone employed, such employment options still tended to attract and retain more women than men. It was also noted that since Wirral Council had a number of roles falling into the lower quartile with minimal work hours to accommodate work-life balance arrangements, this influenced the higher proportion of women in lower quartile job roles.

Mr William's report also identified that Wirral also had a significantly higher number of women working term time or reduced working weeks compared with men. Based on the definition of the calculation of the rate of pay, this reduced the hourly rate and therefore had an impact on the pay gap.

A Member questioned Mr Williams on evidence to support that females were being provided opportunity to progress. Another Member provided examples

of where this was happening in the Council, namely Children's Services. Another Member commented that in the example given, there had been a noticeable change in culture, with encouraging messages coming through from Improvement Boards, supported by the transferring of agency staff to the permanent payroll in the same service area.

Members were further apprised of the recent Conference 'Women in Leadership' that provided a good opportunity to gather feedback on the topic of gender pay.

Resolved – That the report, and the reasons for the change in gap, be noted.

27 **WORKFORCE EQUALITY REPORT**

Tony Williams, Head of Human Resources introduced the report of the Director of Change and Organisational Design that provided information on the Council's workforce for 2017/18 in accordance with the Equality Act (2010) and Public Sector Equality Duty (2011). The report also provided the Employment and Appointments Committee with an update in relation to any data gaps in the Council's workforce equality information.

The report informed that the purpose of the Duty was to help embed equality considerations (which were central to delivering fair and efficient public services) into the day to day activities of public bodies. It encouraged public bodies to engage with the diverse communities and workforce affected by their activities so policies and services were appropriate and accessible to all. This would help shape future service delivery and ensure we meet the needs of our residents with a skilled and committed workforce.

Mr Williams, Head of Human Resources informed the Committee that Wirral Council remained one of the biggest employers in the borough with 83% of employees living in Wirral. He added that it was the Council's aim to be a good and fair employer which was broadly representative of the residents who live here.

Mr Williams further stated that in comparison to local demographic information, the workforce was over-represented by females and under-represented by males and figures remain relatively the same over the three year time period examined. Employees paid at workforce level, generally reflected the overall composition of the workforce, however in terms of Manager / Senior Managers (EPO1 –EPO25) women employees were under-represented at around 57% (against overall female workforce of 64%). The report informed that based on comparison to local population figures, women were over represented at Manager / Senior Managers level and at Chief Officer group level (the Chief Officer level female representation being a reversal in trend from last year by 7%).

In addition to the above information, Mr Williams informed the Committee of a number of key statistics relating to the Council's Workforce, namely:

- Disability Workforce - 5.7%
- Ageing Workforce – 65% aged 46years or over
- Work / Life – 36% of workforce are part-time
- Staff with Carer responsibilities – 3%
- Ethnicity – BME 2-3%

Members were apprised that the collection of personal information would always remain sensitive, and the Council ensured employees could select 'prefer not to say' options when providing data. The Head of Human Resources informed that the Council was confident that all its policies and procedures were equitable and fair across all protected characteristics. He added that an initial staff confidence campaign had been launched with more planned in the coming months to address any concerns and help reduce the data gaps. He added that the report would continue to be refreshed, updated, analysed and published annually, and data provided would be used to form the basis of an 'equality-proofed' workforce strategy.

Resolved – That

- 1) **publication of the Annual Workforce Equality Report to meet our legal requirements under the Public Sector Equality Duty (PSED) 2011, be approved; and**
- 2) **the position in relation to workforce equality performance and the progress made by the Council in relation to producing, analysing and publishing workforce data, be noted.**

28 **EXEMPT INFORMATION - EXCLUSION OF MEMBERS OF THE PRESS AND PUBLIC**

On a motion by the Chair, duly seconded, it was -

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 (in that it relates to an individual) of Part I of Schedule 12A (as amended) to that Act.

29 CHIEF OFFICER REPORT

The Chair introduced the item, informing the Employment and Appointments Committee that the proposal before Members included the acceptance of a request for Voluntary Severance / Early Retirement from a chief officer.

Mr Eric Robinson, Chief Executive introduced his report that provided the opportunity to create a more streamlined structure at Director level, which in turn provided financial savings for the organisation. He added that subject to the Committee's agreement of the proposal, the functions currently led by this Chief Officer would be reorganised within the Council.

The report contained information that was attributed to individual officers and in particular their financial and/or business affairs and was therefore exempt by virtue of paragraph(s) 1 and 3 of Part 1 of Schedule 12A of the Local Government Act 1972. The public interest test had been applied and, at time of agenda publication, favoured the exemption being applied. Mr Tony Williams, Head of Human Resources informed that should the Committee support the recommendations as contained within the report, this exemption would be lifted.

The Chair questioned the Chief Executive as to whether any adverse effects would be felt by remaining staff in the service area(s) affected. Mr Robinson informed that line managers would not be affected and that the work responsibilities of the officer in question would be transferred to the Director of Public Health

A Member questioned the Chief Executive as to costs associated with the revised structure, and pointed out the apparent lack of job descriptions, roles and responsibilities for the senior posts as affected. The Member sought assurance that the Panel reviewing requests for voluntary / early retirement were provided sufficient analysis and evidence of the impact of such requests, seeking further assurance that the process had been undertaken in an open, fair and transparent way.

Members questioned the attending HR Officers on matters relating to individuals affected by the restructure. The Officers having responded, the Chief Executive stated that cost savings in the area of senior management remained an 'annual challenge'. He further informed that job design must be right for each role (particularly in the sensitive area of Children's Services).

The Head of Human Resources informed the Committee that as part of the voluntary severance programme 200 applications had been received, with 46 individuals being let go. Procedures were the same as in other organisations, however in the case of Senior Officers, such matters must be considered by the Committee.

With the inclusion of an additional recommendation to remove the report's exempt nature, the Chair moved, duly seconded by Councillor Paul Stuart that the report recommendations (as amended) be approved.

On a show of hands, the motion was carried 4:3.

Resolved (4:3) – That

- (1) the request for Voluntary Severance/Early Voluntary Retirement of the Acting Corporate Director of Strategy and Partnerships be approved;**
- (2) the revised Chief Officer structure for the Council be approved;**
- (3) the Chief Executive be authorised to consult with the Strategic Commissioner: Environment about the proposed deletion of the post and the proposed redeployment to Assistant Director: Place (AD1) as a suitable alternative role in the structure in accordance with the Council's procedures.**
- (4) the deletion of the Deputy Director of Public Health post, and the appointment of the current Deputy Director into the Director post (Director 2 on the Council's pay scales), subject to confirmation by Public Health England, be approved;**
- (5) the creation of post of Lead Commissioner: Safer Wirral Service at Assistant Director 1 level on the Council's Chief Officer pay scales be approved, and a recruitment process for that post be commenced;**
- (6) the change in grade of Assistant Director: Commercial Management from AD2 to AD1 on the Council's Chief Officer pay scales, be approved; and**
- (7) the exemption be lifted in respect of the financial implications and costs of pension release and that this be published in the minutes of the meeting.**