

Public Document Pack  
**Bridgend County Borough Council**  
Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr



Civic Offices, Angel Street, Bridgend, CF31 4WB / Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont, CF31 4WB

Legal and Regulatory Services /  
**Gwasanaethau Cyfreithiol a Rheoleiddiol**  
Direct line / Deialu uniongyrchol: 01656 643148  
Ask for / Gofynnwch am: Mr Mark Anthony Galvin

Our ref / Ein cyf:  
Your ref / Eich cyf:

**Date / Dyddiad: Wednesday 10 September 2014**

Dear Councillor,

**COUNCIL**

A meeting of the Council will be held in Civic Offices, Angel Street, Bridgend on **Wednesday, 17 September 2014 at 3.00 pm.**

**AGENDA**

1. Apologies for Absence

To receive apologies for absence (to include reasons, where appropriate) from Members/Officers.

2. Declarations of Interest

To receive declarations of personal and prejudicial interest (if any) from Members/Officers in accordance with the provisions of the Members' Code of Conduct adopted by Council from 1 September 2008.

3. Approval of Minutes

3 - 20

To receive and confirm the minutes of the following meeting of Council :-

Ordinary meeting – 16 July 2014.

4. To receive announcements from

- (i) Mayor (or person presiding)
- (ii) Members of the Cabinet
- (iii) Chief Executive

5. To receive the report of the Leader

6. Pay Policy Statement - 2014/15 21 - 46  
The above report will be presented by a representative of Neath Port Talbot County Borough Council.
7. Information Reports for Noting 47 - 54
8. Urgent Items  
To consider any item(s) of business in respect of which notice has been given in accordance with Part 4 (paragraph 4) of the Council Procedure Rules and which the person presiding at the meeting is of the opinion should by reason of special circumstances be transacted at the meeting as a matter of urgency.

Yours faithfully

**P A Jolley**

Assistant Chief Executive Legal and Regulatory Services

**Distribution:**

Councillors:

D Sage  
H J David  
M Gregory  
M E J Nott OBE  
J H Tildesley MBE  
P J White  
E M Dodd  
M Winter  
E Venables  
S Aspey  
M W Butcher  
N Clarke  
G Davies  
G W Davies MBE  
P A Davies  
D K Edwards  
L Ellis  
E P Foley

Councillors

D M Hughes  
E M Hughes  
C J James  
P James  
R M James  
R D Jenkins  
P N John  
B Jones  
C L Jones  
M Jones  
R C Jones  
D R W Lewis  
J E Lewis  
J R McCarthy  
H E Morgan  
A D Owen  
D G Owen  
G Phillips

Councillors

D R Pugh  
C E Rees  
C L Reeves  
M Reeves  
C E Smith  
J C Spanswick  
G Thomas  
M Thomas  
R L Thomas  
H J Townsend  
K J Watts  
C Westwood  
D B F White  
H M Williams  
R Williams  
L C Morgan  
R E Young  
C A Green

MINUTES OF A MEETING OF BRIDGEND COUNTY BOROUGH COUNCIL HELD IN THE COUNCIL CHAMBER, CIVIC OFFICES, ANGEL STREET, BRIDGEND ON WEDNESDAY, 16 JULY 2014 AT 3.00PM

Present:-

Councillor G Thomas - Mayor and Chairperson

S Aspey	R M James	A D Owen	K J Watts
M W Butcher	P N John	D G Owen	C Westwood
N Clarke	B Jones	G Phillips	D B F White
H J David	C L Jones	D R Pugh	P J White
G Davies	R C Jones	C E Rees	H M Williams
G W Davies MBE	M Jones	D Sage	R Williams
P A Davies	D R W Lewis	C E Smith	R E Young
E Dodd	J E Lewis	M Thomas	
D K Edwards	J R McCarthy	R Thomas	
C A Green	H E Morgan	J H Tildesley MBE	
M Gregory	L C Morgan	H J Townsend	
E M Hughes	M E J Nott OBE	E Venables	

Officers:

D Mepham	- Chief Executive
P A Jolley	- Assistant Chief Executive - Legal and Regulatory Services and Monitoring Officer
D McMillan	- Corporate Director - Children
M Shephard	- Corporate Director - Communities
J Smith	- Head of Finance and Performance & Deputy Section 151 Officer
C Turner	- Head of Safeguarding and Family Support
D Llewellyn	- Group Manager - Development
A Bracey	- Group Manager - Mental Health
J Lane	- Senior Planning Officer
A Rees	- Senior Democratic Services Officer - Committees
G P Jones	- Head of Democratic Services Officer - Committees (Electronic Support)

368 APOLOGIES FOR ABSENCE

Apologies for absence were received from the following Members for the reasons so stated:-

Councillor L Ellis	- Hospital appointment
Councillor E P Foley	- Hospital appointment
Councillor C J James	- Unwell
Councillor P James	- Caring
Councillor R D Jenkins	- Hospital appointment
Councillor C Reeves	- Holiday
Councillor M Reeves	- Holiday
Councillor J C Spanswick	- Holiday

S Cooper - Corporate Director - Wellbeing	- Leave
N Young - Corporate Director - Resources and Section 151 Officer	- Unwell

369 DECLARATIONS OF INTEREST

None.

370 MINUTES OF THE PREVIOUS MEETING

RESOLVED: That the minutes of the meeting of Council of 11 June 2014 were approved as a true and accurate record subject to the initial E being added to Councillor N Clarke's name under the list of Members present.

371 MAYORAL ANNOUNCEMENTS

The Mayor announced with great pleasure that he intended to host a Poppy Appeal Concert concern featuring talented local musicians at the Sony Theatre on 8 November 2014. He stated that the concert is being organised by Councillor D B F White and Major Wayne Morgan who had put together a commemorative programme which reflected on the tragic events of World War 1 and also includes a lighter hearted view of times past. He stated that tickets are £7.50 with profits going to the Bridgend Poppy Appeal. He hoped that Members would support this unique event which the next day would be followed immediately by the Annual Remembrance Day Parade and Service.

The Mayor also announced that he had recently viewed the impressive exhibition commemorating the World War 1 Centennial which is currently running in the Customer Service Centre. He stated that the displays were being changed on a regular basis and feature contributions from local heritage groups as well as historian Roy Meredith, items from Porthcawl Museum's collection and banners featuring the work of local poet Tom Weaver. Residents were being asked to send in stories about their own family members of the conflict and these were being compiled and published on line on the Bridgend Heritage website. He stated that the Reach Rural Development Team would be pleased to receive materials and memories for the exhibition.

The Mayor extended his congratulations to pupils of Tondu Primary which was the only school from the County Borough to participate at the Treorchy Eisteddfod. Pupil Benjamin Lock won his heats in the piano and violin and Keira Hill won the Disney song class for 3 to 5 year olds. Meanwhile Rhydian Jenkins from Ysgol Gyfun Cymraeg Llangynwyd was a winner at the Urdd Eisteddfod and can now add a win at the Llangollen International Eisteddfod to his achievements.

The Mayor congratulated Morgan Rowling, Leighton Greenslade and Paul Taylor of Pontycymmer Bowling Club who had represented Wales at the British Isles Triples Competition in Leamington Spa where they beat teams from England and Jersey. He also informed that Paul Taylor had played for Wales in the international series last month and had been selected to play in the forthcoming Commonwealth Games at Glasgow.

372 CABINET MEMBERS' ANNOUNCEMENTS

(1) Cabinet Member - Resources

The Cabinet Member - Resources announced the following pre-Council presentation:-

<u>Date</u>	<u>Subject</u>
17 September 2014	Delivery of Convergence Projects

He also announced the following Member Development sessions:-

<u>Date</u>	<u>Subject</u>
17 July 2014	Round Robin Event
September 2014	Effective Ward Leadership and Advocacy Training for Councillors.

The Cabinet Member - Resources informed Council that 20 Members had now confirmed their intention to attend the Leadership Academy being provided by the WLGA. The dates, times and venues for the Academy sessions to be held in Bridgend had been placed in Members calendars and confirmation was awaited from the WLGA that places were available for those Members wishing to attend the week-end Academy sessions in Swansea. Further details would be forwarded to participating Members in due course,

The Cabinet Member - Resources also announced that all Members should have received their 2013/14 annual report template with attendance and Member development statistics added. The intention is to publish all reports on the Council's website by 30 September 2014 with a return date to Democratic Services of the beginning of September so that they can be prepared for publication.

The Cabinet Member - Resources also announced that today's meeting of Council would be the last meeting which Janet Smith - Head of Finance and Performance would be attending prior to her retirement. He informed Members that Mrs Smith had commenced work with the former Ogwr Borough Council in 1977 qualifying as a CIPFA accountant in 1994. Prior to Government reorganisation, Mrs Smith was seconded to the former Mid Glamorgan County Council where she worked on the disaggregation of budgets and on Local Government reorganisation became Group Accountant for Bridgend County Borough Council followed by being appointed to the post of Head of Revenues. Mrs Smith was appointed to the post of Chief Accountant in 2004 and in 2011 appointed to her current position of Head of Finance and Performance. He stated that during Mrs Smith's 37 year career in Local Government she had ensured the financial stability of the Council and would be greatly missed. He congratulated her on her long service to Bridgend County Borough Council and wished her well in her retirement.

Mrs Smith responded by wishing the Council well in the future.

The Leaders of the Independent Alliance and Independent Annibynwr Groups also thanked Mrs Smith for her service to the Council and the advice which she provided Members with and wish her a long and happy retirement.

(2) Cabinet Member - Communities

The Cabinet Member - Communities congratulated the staff at the Coychurch Crematorium on being awarded the Green Flag Award in the category of Parks and Open Spaces.

(3) Cabinet Member - Children and Young People

The Cabinet Member - Children and Young People announced that to maximise turnout, the Young Carers Conference had been rearranged to 30 September 2014 at the Heronston Hotel between 5.00pm and 7.30pm. He stated that the event was being organised in partnership with the ABMU Health Board and the Bridgend Young Carers Project. The event was being organised in partnership with the ABMU Health Board and the Bridgend

Young Carers Project and was aimed at any one working with young people and children who are carers and it was hoped that there would be staff from the schools, the college and the health sector as well as Members present.

The Cabinet Member - Children and Young People informed Council that the Bridgend Girls Games 2014 had been held at the Recreation Centre to inspire and motivate the girls of Bridgend to participate in sport and which had proven to be a big success. The girls only event organised by the Active Young People Team, Sport Wales and Sony UK attracted over 500 participants from eight Bridgend secondary schools. He stated that girls experienced Zumba, body attack, street rugby, street hockey, street games, circuits and girls power fitness workshop.

He also informed Members that the Deputy Minister, Vaughan Gething had officially opened the Sarn Flying Start Centre and Blackmill Flying Start Centre this morning, in the presence of the Leader and the Mayor, which was the latest phase in the Council's planned expansion. He was also delighted that the Welsh Government had approved the Authority's bid for additional funding for the Lewistown Flying Start Scheme which would be completed by March 2015. He stated that the programme is giving children from birth until nursery the best start in life and he reminded Members of the free family fun days, organised by the Flying Start Team next week in Plas Newydd, Bettws, Brackla, Wildmill and Cefn Glas.

The Cabinet Member - Children and Young People informed Members that the Maesteg Comprehensive School had started a ground breaking educational partnership with Bridgend Ford. The venture aimed to build on the school's success in the Formula 1 Challenge for schools in the UK, which it had won on two occasions. The Plant would be working with pupils to develop their STEM skills in the next stage, the F24 Challenge. The school will have access to an engineer from the Plant, Anna Stephens who would be able to offer first-hand experience and inspire engineers of the future in particular girls.

The Cabinet Member - Children and Young People also congratulated Coleg Cymunedol y Dderwen after receiving their third Green Flag in February. It had become the first secondary school in Bridgend to achieve the prestigious Platinum Award, which is an achievement for all staff and pupils but in particular the student members of the Eco School Committee.

The Cabinet Member - Children and Young People finally congratulated the students of Brynteg Comprehensive School who reached the national finals of the ESU (English Speaking Union) performing Shakespeare competition by winning the Welsh heats and along with Ysgol Bryntawe, were flying the flag for Wales and competing against pupils from across the UK including 12 of the top independent schools. He stated that Brynteg and the County Borough can be very proud that Evan Laidler won the coveted overall grand prize of Best Overall Performance with expert judges describing his powerful rendition of a "Once more unto the breach" speech from Henry V as truly rousing.

### 373 CHIEF EXECUTIVE'S ANNOUNCEMENT

The Chief Executive expressed his personal thanks and that of the Corporate Management Board to Janet Smith for her service to the Council and wished her well in her retirement.

He also announced the appointment of Mr Randal Hemmingway to the post of Head of Finance and ICT he would be commencing his duties with the Council in October. In the interim Gill Lewis of the WLGA had been seconded to the role of Deputy Section 151 Officer on a part time basis and was formerly the Council's external auditor. Ms Lewis would be advising Council in the Section 151 role and developing the Medium Term Financial Strategy prior to the return of the Corporate Director - Resources.

He also informed Members that the Council had also appointed Mr Lee Jones as Head of Regulatory Services following a rigorous selection process. He further informed Members that the selection process for the posts of Head of Adult Social Care and Head of Neighbourhood Services was underway.

374 ANNOUNCEMENT BY THE MONITORING OFFICER

The Monitoring Officer announced that Councillor P A Davies would replace Councillor C E Rees as a Member of the Town and Community Councils Forum.

375 LEADER'S REPORT

The Leader also extended his good wishes to Janet Smith on her retirement and wished her well for the future.

The Leader announced that work had commenced on the all new Coity Primary at the Park Derwen Housing Development and that the First Minister had been hosted for the official opening of Pen y Fai Church in Wales Primary. He stated that there had been many challenges which had stood in the way of delivering this new school and now the community of Penyfai had the kind of first rate educational facilities that local children deserve. He stated that it represented a milestone in the Council's school modernisation programme and he thanked everyone who had played a part in making it a reality, including the children, teachers, governors, Council officers and the Welsh Government. He looked forward to seeing the new Coity Primary School take shape.

The Leader requested that Members spread the word amongst constituents about the importance of individual electoral registration, which represented the biggest shake up in electoral practice for over 80 years and was being rolled out across England and Wales to make voting safer and more secure. Whereas in the past a single household representative would confirm that the electoral details for an address, the new system now required each eligible voter at that address to register individually. He stated that completing the process is easy by means of an on-line register to vote form. There would be further publicity about the new process, but in the meantime requested that Members make sure constituents are aware of the new system.

The Leader referred to recent news articles about a National Trust competition where people were asked to nominate their favourite special place. The winner was due to be announced at next month's eisteddfod and he drew Members attention to the fact that the County Borough had made the top 20 three times at Merthyr Mawr, Rest Bay and Porthcawl. The top spot was yet to be revealed but the three entries featuring prominently in the list demonstrated the high regard that people have for the County Borough.

376 TO RECEIVE THE FOLLOWING QUESTION FOR THE EXECUTIVE

**Question from Councillor R C Jones to the Cabinet Member - Children and Young People**

“Recent studies have shown that in some schools in Wales, negative body image issues are holding back children, particularly girls, from taking part in sports. For many girls there is a vicious circle in the relationship between body image and physical activity, and this lack of confidence can create a barrier to participation. Does BCBC recognise the importance of educating youngsters about healthy body image? What steps are being taken to make sure teenagers are not subject to intimidation or humiliation when taking part in school sports? What are BCBC doing to encourage girls to participate fully in school sports?”

**Response from the Cabinet Member - Children and Young People to Councillor R C Jones**

Bridgend County Borough Council firmly recognises the need for children and young people to be physically active and that issues such as body image and self-esteem have an influence on their engagement. We have been consulting with young people for several years and this has highlighted the lower participation rates of girls and the barriers they identify.

Our ‘girl power’ development programme is supported by Sport Wales and Bridgend now has a County ‘Girls Sport Network’ run by girls and for girls. Additionally Bridgend CBC has supported the development of local networks in secondary schools that now influence the design and promotion of activities and have even influenced changes to PE kit to minimise embarrassment.

Bridgend CBC has commissioned body image workshops and has also trained 12 girls and 8 teachers to act as mentors on improving confidence and self-esteem.

Girls are highly represented within the sports leadership programme operated by Bridgend CBC with 63% of leaders being female. During July, a two day event designed specifically for girls and enhancing body image and self-esteem attracted 500 girls from 7 secondary schools. The Bridgend County Sport Plan has £23,000 committed to increasing opportunities during 2014/15 and will establish 6 girls led social enterprises, 25 new leaders and over 600 programme participants. We have also secured investment (4000) from ‘Us Girls’ to develop doorstep opportunities to be active for girls.

The National School Sports survey highlights that there remains more to be done in regard making PE and school sport a more comfortable experience that contributes to a healthy lifestyle. This is particularly true at secondary school age and is representative of the national picture. Increasing the choice of activities and recognising the importance of friendship groups are important considerations.

The Cabinet Member - Children and Young People also informed the Council that the County Youth Service provide a range of sport to tackle the issue of negative body image not just with girls but with boys as well. An excellent counselling service is delivered where girls and boys can receive support and informal sessions are also delivered through out-reach and in youth clubs to enable young people to discuss issues around body image. The Youth Service also encourages participation in sports and active life styles.

The Cabinet Member - Children and Young People also informed Council that many schools actively encourage girls to take part in PE by offering facilities that

will attract female pupils, for example Porthcawl Comprehensive where they hold female only gym sessions, whereby the girls are allowed to wear long tracksuit bottoms and the windows had been screened to offer privacy.



All schools deliver personal and social education (PSE) and followed the PSE framework for 7 - 19 year olds in Wales. There are five themes and the health and emotional wellbeing theme relates to active lifestyles and will cover body image issues.

Councillor Jones thanked the Cabinet Member - Children and Young People for the detailed response and requested that Members be kept informed of latest developments which encourage girls to participate in sports and active life styles.

376 PUBLIC PROTECTION DEPARTMENT HEALTH AND SAFETY SERVICE PLAN 2014-15

The Deputy Leader sought approval of the Health and Safety Plan 2014/15. He stated that the Health and Safety Team have a duty to produce a plan for the Health and Safety Executive, which was produced in line with national guidelines but to reflect the demographics of the County Borough. He outlined the service aims and as in previous years the aims will be met by a programme of work. The Health and Safety Executive set out campaign topics each year which were then incorporated into this service plan, along with the risk based inspections and the need to respond to problems as they occur or are identified through inspection.

The Deputy Leader informed Council that there was pressure on resources across the Public Protection Department which had resulted in a review of the services that can be delivered with reduced capacity, based on risk. The inspection of high risk premises, accident investigations and service requests from members of the public are considered to be high priority and would be maintained. However, there was no longer the capacity to fully participate in the pro-active national project work, which, though desirable and beneficial was not the highest priority compared to previous years.

Priorities would include targeted programmed health and safety inspections. High risk businesses were routinely inspected, including associated re-visits and where necessary to check compliance of work schedules and/or legal notices issued. In addition, the Local Authority will endeavour to participate in national and local project work concentrated on areas of evidential concern where resources permit.

The Deputy Leader also informed Council that investigation of notified workplace accidents, ill health and dangerous occurrences would be investigated as well as unacceptable management or working practices and poor welfare conditions. In relation to public entertainment licensing, consultation and inspections would be undertaken in respect of applications in relation to crowds of more than 450 persons. In relation to registration this would involve processing applications, undertaking inspections, dealing with complaints, offering advice concerning tattooists, acupuncture practitioners, electrolysis and ear piercing. It would also involve the registration of cooling towers. The Department would also be involved in the implementation of Smoke Free Premises etc (Wales) Regulations 2007 and working in partnership with the HSE.

The Deputy Leader informed Council that following on from last year's project, it was hoped that the Model Bye-Laws (Wales) for Acupuncture, Tattooing, Semi-Permanent Skin Colouring, Cosmetic Piercing and Electrolysis would be successfully adopted by the Council. It was then intended to ensure compliance by all businesses to their requirements by a programme of visits and re-visits.

RESOLVED: That Council approved the Health and Safety Service Plan 2014/15.

377 APPOINTMENT OF DEPUTY SECTION 151 OFFICER

The Chief Executive sought approval to appoint Gill Lewis as the Deputy Section 151 Officer on the retirement of the present office holder who was due to retire at the end of July. He stated that the appointment is normally made by the Section 151 Officer, however the post holder was unavailable to make the appointment and Council was requested to make that appointment.

RESOLVED: That Council appoint Gill Lewis as Deputy Section 151 Officer on the retirement of the present office holder.

378 MEDIUM TERM FINANCIAL STRATEGY 2014-15 TO 2018-19

The Head and Finance and Performance submitted a report, the purpose of which was to present to Council an update on the implications for the Medium Term Financial Strategy (MTFS) following revision of funding assumptions for 2015-2016 to 2018-2019.

She reported that the MTFS funding projections for 2014-15 to 2017-18, which were reported to Council in February 2014, were based on information available at that time, including potential percentage changes in Aggregate External Finance (AEF). The worst case scenario was that an estimated £44m would be required to fund the budget gap, whilst the best required £23m over this period; however the MTFS was predicated on the Most Likely Scenario of £36m. The Head of Finance and Performance informed Council that following the Comprehensive Spending Review; the Welsh Government revenue budget was reduced by -0.1% in 2014-15 and -0.4% in 2015-16. It was the intention of the Welsh Ministers to protect funding for the National Health Service, schools and universal benefits and as a consequence Welsh councils were told to expect English style reductions to their settlements in 2014-15 and 2015-16. The Head of Finance and Performance stated that the final Local Government Settlement showed a reduction of Aggregate External Finance (AEF) of -0.3% which were indicative and subject to change as a result of further UK budget revisions. No figures were given for 2016-17 and 2017-18 and in view of the macro-economic and fiscal projections and in the absence of other information, the MTFS assumed reductions in AEF of -4% for 2016-17 and -2% for 2017-18. She stated that the MTFS which was reported to Cabinet on 24 June 2014 was based on a reduction in funding from Welsh Government of -4% for each of the years 2015-16 to 2017-18. The Minister for Local Government and Government Business has subsequently advised that whilst the 2015-16 indicative settlement allowed for a reduction in funding of -1.5%, councils should consider in their planning assumptions how to respond to a reduction of as much as -4.5%. The Head of Finance and Performance advised the Council to plan for a reduction in funding of -4.5% for each of the years 2015-16 to 2018-19 which, would result in a budget shortfall of £12.4m in 2015-16 with a need to find recurrent savings of £50m over the period 2015-16 to 2018-19. This excluded the impact of unknown but likely cuts to specific grants, the uncertainty of the value of protection for schools budgets and the impact on services of new legislation such as the Social Services and Wellbeing (Wales) Act and collaborative arrangements.

The Head and Finance and Performance also reported that the Council would enter into negotiations on the proposed pay award for 2014-15 for NJC employees, which would add a recurrent amount of £1.170m to the base budget based on the proposed pay award. The Council would still try and limit job losses, but would inevitably be greater in number than previously anticipated.

The Head and Finance and Performance reported that one savings proposal, namely COM1, MREC of £750k was recorded as red in status and this amount

would be held centrally within the inflation provision to mitigate the risk of the saving not being achieved. Discussions were taking place with Neath Port Talbot Council but due to changes in the timescale for the procurement this saving would not be achieved in 2014-15 and the value of savings for future years also needed to be re-profiled. The Communities Directorate was in the process of developing alternative achievable savings proposals to be reported to Cabinet in September.

The Head and Finance and Performance also informed Council that the budget savings proposals to transfer homecare hours to the independent sector (ASC1) amounting to £164k was still achievable in full in 2014-15, but would reduce in 2015-16 and 2016-17. The Wellbeing Directorate would identify as part of the general budget savings review, alternative savings proposals to meet any shortfall in future years.

The Head and Finance and Performance outlined the funding assumptions and budget savings required in the MTFs approved by Council in February 2014 compared to the revised funding projections and also outlined the revised forecast budget shortfall for the Council.

The Head and Finance and Performance informed Council that for each of the future years up to 2018-19 it had been assumed that the commitment by the Welsh Government to protect schools budgets could be by as much as 0.6% per annum based on the change in the Welsh Government budget for 2015-16, but as yet this had not yet been quantified or confirmed it was impossible to predict the Welsh Government budget beyond the current Comprehensive Spending Review. On this basis, it had been assumed that schools would absorb all salary related and price inflation relating to delegated school budgets and consequently the budget savings required could be higher than predicted.

The Head and Finance and Performance reported on the value of budget savings identified to date and the current budget shortfall based on the revised funding assumptions, which meant that assuming that all budget savings proposals identified were achievable, there was a current forecast budget shortfall of £16.2m for the period 2015-16 to 2017-18, with a further £11.8m required for 2018-19. She stated that the immediate focus must be on delivering the identified budget savings proposals, including substitute proposals in the 2014-15 budget and in particular recurrent budget savings of £12.4m to achieve a balanced budget for 2015-16. The Head and Finance and Performance informed Council that options to deliver savings on a prioritised basis from 2016-17 to 2018-19 would be explored over the coming months, which would mean that savings would not fall equally across all services and would inevitably shape the future the type and volume of services which the Council would be able to provide in the future.

The Head and Finance and Performance reported that the financial position faced by the Council was extremely challenging, with the immediate concern being the impact that the continued national fiscal tightening would have on services in the longer term as the level of services required would impact on the type and level of services the Council can provide. There was no alternative but to deliver the budget savings proposals as setting a balanced budget is a legal requirement and the use of reserves to fund recurring expenditure was unsustainable.

The Head and Finance and Performance reported that the Council would be required to identify £12.4m of budget savings to achieve a balanced budget for 2015-16 and £50m over the period 2015-15 to 2018-19. It was imperative that a balanced budget was achieved and essential that revenue service expenditure and capital expenditure was contained within the identified budgets for the current

year. In addition to the statutory requirement to set a balanced budget, the Council's Chief Financial Officer must report on the robustness of the budget and the adequacy of proposed and this must form a part of the Council's budget consideration and decision making. This included identifying risks associated with identified savings, the implications and contingency plans if savings were not delivered as planned and as such it was essential that the savings put forward are deliverable or where they are at risk contingency plans are produced.

A member of Council referred to the robustness of the budget and the risks associated with the identified savings and questioned whether contingencies were in place. The Head and Finance and Performance informed Council that savings for 2014-15 were being monitored on a regular basis with the majority of savings on track and whilst it was too early to predict expenditure in 2015-16 there would be a contingency plan in place.

A Member of the Council expressed concern that the Communities Directorate had been the continuing focus of having to make cuts in expenditure which could place the services it provides at risk.

Members of the Council congratulated the Head and Finance and Performance and her team on basing the MTFs on a reduction of AEF of -3.0%, as if it had based the MTFs on the indicative AEF allocation of -1.5% the Council would be looking at having to make greater savings.

RESOLVED: That Council:-

- (1) Approve and adopt the revised MTFs for 2015-16 to 2018-19;
- (2) Noted the impact of the proposed pay award for 2014-15;
- (3) Note the actions being taken in relation to the MREC and Homecare budget savings proposals for 2014-15.

### 379 CAPITAL PROGRAMME 2013-14 TO 2023-24

The Head and Finance and Performance sought approval for a revised capital programme for 2013-14 to 2023-24. This was required to reflect additional funding required to support some projects and to re-profile spend across financial years following slippage in 2013-14. Changes were also required to the Capital Programme to reflect changes to funding profiles for various schemes, in that the Welsh Government had now confirmed the funding for the 21<sup>st</sup> Century Schools Programme to be met from the Local Government Borrowing Initiative and that which would be met from the capital grant. Changes were also required to reflect re-allocations of Special Regeneration Funding (SRF) to/from specific projects within the overall annual SRF allocation and recognised new schemes in the programme such as Vibrant and Viable places.

The Head and Finance and Performance informed the Council that the Capital Programme included an SRF annual allocation of £540k up to and including 2016-17, which provides flexibility in the Capital Programme to enable the Council to take advantage of and maximise external funding opportunities, mitigate funding shortfalls which can occur between grant bid and offers stages and provide some contingency for additional spending pressures on regeneration projects.

The Head and Finance and Performance reported that the Quarter 3 monitoring report presented to Cabinet on 4 February 2014 identified a number of schemes

which had variances compared to budget and which had since been revised. The total expenditure on capital on 2013-14 was £36.912m, £2,398m less than budget, of this, £2.221m was proposed to be carried forward into 2014-15, resulting in an underspend of £177k. Only £65k was required, resulting in an under-spend of £135k. Two of the projects included in the Quarter 3 monitoring report were in relation to Porthcawl Harbour and Maesteg Town Centre Regeneration. In relation to the Porthcawl Harbour development the original budget approved for the project was £3.350m, the current projected spend was £3.867m as a result of additional costs of early warning notices issued by the contractor and other unforeseen works. Negotiations with the contractor were on-going and it was not possible to provide a definitive outturn figure at this point, however the budget had been revised to £3.872m, due to the reduction of grant funding along with a revenue contribution towards flood damage works and a proposal to use £300k from capital receipts, including those generated from the sale of the Jennings building to meet the balance. The Internal Audit Section was currently reviewing this project and would provide a report to the Audit Committee in September.

The Head and Finance and Performance reported that the regeneration of Maesteg Town Centre commenced in 2003-4 comprising four phases, some of which ran concurrently over the period. The total budget for all four phases was £7.611m with estimated expenditure to be £7.387m. Expenditure of phases one to three resulted in an underspend of £97k which was transferred to phase four of the project which was nearing completion. The project costs for phase four was projected to be £2.812m, resulting in an underspend of £127k which would be carried forward in the capital programme to meet future match funding arrangements for regeneration projects.

The Head and Finance and Performance reported that the capital programme for 2014-15 had been amended to take into account the funding of the 21<sup>st</sup> Century Schools Programme. There are some new schemes which had been included within the programme following the approval of external funding, in particular a Welsh Government grant of £0.335m for the payment of land compensation payments and the approval of £5.98m from the Vibrant and Viable Places regeneration scheme to enhance Bridgend town centre. The Head and Finance and Performance informed Council that a budget of £600k had been included in the capital programme for the replacement of the roof at Bridgend Market, following a recent tender process it had been determined that the full cost of the works, including fees would be approximately £700k and consequently the budget had been increased by £100k to meet the full cost. The Head and Finance and Performance also reported that in order that the Council can act swiftly when property investment opportunities present themselves it was proposed that £1m is allocated within the capital programme for 2014-15 for this purpose, which would be subject to annual review, to maximise income generating opportunities with the aim of alleviating pressure on the revenue budget.

The Head and Finance and Performance also informed the Council that funding was included in the Council Programme of £500k in respect of improvements to office accommodation to progress the Maximisation Space and Technology Programme. Work was due to progress on the building works, but additional funding of £300k was required to enable works to be advanced on the fourth floor and on the first floor in order to escalate the programme, including aiding partnership working on the ground floor. It would also enable Sunnyside to be vacated to generate a capital receipt.

The Head and Finance and Performance reported that some projects in the capital programme had been re-profiled across financial years and outlined the most significant variations.

RESOLVED: That Council approved the revised Capital Programme.

380 SOCIAL SERVICES ANNUAL REPORT - 2013-14

The Chief Executive presented the Annual Report of the Director of Social Services 2013-14 for approval and requested that Council note the judgements reached locally about social care services in Bridgend. The report, which was the fifth annual report of the Director of Social Services, was based on the Authority's self- assessment of the performance and the delivery of social services.

The Chief Executive reported that the aim of the report was to provide the Council and people living in Bridgend with an overview as to how well social care is delivered and aimed to highlight the progress made during the year and to identify where improvements were needed during 2014-15. He stated that the preparation of the report involved a detailed analysis, based on evidence of the services that are delivered. The report had been presented to a Joint Scrutiny Panel made up of representatives of the Health and Wellbeing and Children and Young People Overview and Scrutiny Committees, who had provided valuable feedback on the draft report.

The Chief Executive reported that the report is in four parts, the first part provided an overview of Bridgend and summarised the main achievements in 2013-14 and priorities for social services in 2014-15. The second and third sections provide more detail about the two main service areas, namely Safeguarding and Family Support and Adult Social Care. In preparing the report, two fundamental questions were considered:-

- Are there effective arrangements in place to safeguard children and adults to promote their welfare and voice and their independence and social inclusion;
- Can performance be sustained and improved.

The Chief Executive informed Council that Parts two and three of the report indicate that the arrangements in both Children and Adult Services were generally sound although there is always room for improvement and mistakes did sometimes occur. Services were generally effective in meeting the needs of people who required the support of social care.

The Chief Executive also reported that the CSSIW acknowledged that Bridgend had made good progress in addressing last year's areas for development and the report set out the key areas of progress and highlighted risks. He stated that there is now was a permanent Corporate Management Board structure in place and the Corporate Director - Wellbeing is a social services professional who holds national and regional roles and was able to influence and inform good practice and policy in Social Services. Additionally, the Council is currently recruiting a number of heads of service including that of Head of Adult Social Care. He also informed Council that the number of Looked After Children and those on the register continued to increase and that the Children's Directorate was driving forward a whole system approach to supporting Looked After Children and keeping families together. The Looked After Children Placement and Permanency Strategy had a clear focus on supporting families to stay together wherever it was safe to do so thereby minimising the need for children to become looked after. This strategy together with the early intervention and prevention strategy should have a positive effect on outcomes for Looked After Children which reflect the analysis of performance and try to address the increasingly challenging context, both financial and demographic on Safeguarding and Family Support and Adult Social Care.

In response to a question from the Council, the Head of Safeguarding and Family Support stated that focus on priorities for Looked After Children would be maintained and plans would be set that would be monitored to address issues affecting Looked After Children. He stated that steps were taken to improve the confidence and competence of social workers. He also stated that in relation to teenage pregnancies the County Borough had one of the highest rates in Wales; however it was promoting education through its Youth Service and also prioritising Looked After Children who may become pregnant and all foster carers were trained in family planning issues. He also informed Council that the Western Bay Region was seeing an increase in teenage pregnancies, which was heavily influenced by demographics, poverty and drugs and substance and alcohol misuse. However the Council was one of the highest performing in Wales in conducting Looked After Children Reviews and also performs strongly on permanency plans.

RESOLVED: That the Director of Social Services Annual Report for 2013-14 be approved.

381 BIODIVERSITY AND DEVELOPMENT: A GREEN INFRASTRUCTURE APPROACH SUPPLEMENTARY PLANNING GUIDANCE (SPG) AND SITES OF IMPORTANCE FOR NATURE CONSERVATION (SINC) REVIEW

The Group Manager Development reported on the outcome of the consultation exercise on the draft Biodiversity and Development: A Green Infrastructure Approach Supplementary Planning Guidance (SPG) and the draft Sites of Importance for Nature Conservation Review (SINC) and sought the Council's agreement of the proposed amendments to the draft document and adopt the amended versions as SPG and an evidence base to the Bridgend Local Development Plan (LDP).

He stated that the Development Control Committee at its meeting on 12 December 2013 had approved draft SPG 19 - Biodiversity and Development: A Green Infrastructure Approach and the Draft Sites of Importance for Nature Conservation (SINC) Review as the basis for public consultation and authorised officers to make appropriate arrangements for public consultation and to receive a further report on the outcome of the consultation process.

The Group Manager Development reported that the Development Control Committee at its meeting on 29 May 2014 resolved to consider the representations received during public consultation, endorse the suggested reasoned responses, decisions and changes to the SPG and SINC and recommended that Council adopt the document as Supplementary Planning Guidance and an evidence base to the adopted Bridgend Local Development Plan.

He reported that by the end of the eight week public consultation period, eleven individuals and external organisations had submitted comments on the draft SPG and SINC Review (seven to the SPG and four to the SINC Review). He stated that two of the representations were received after the consultation period had ended. In response the Council had produced consultation reports to the representations received and which outlined any changes made to the documents. He informed Members that the late representations had been considered and responded to in the consultation report, although Council was not obliged to endorse those representations.

The Group Manager Development reported that Council was requested to consider each of the representations received, approve the suggested reasoned

response, decisions and actions and proposed changes to the document, then adopt the SPG and SINC report for publication.

The Group Manager Development also informed Council that the SPG was the first of a suite of 'Green Infrastructure' led SPG which would collectively contribute to driving forward this important agenda. He stated that the SINC review is intrinsically linked to the SPG as an evidence base and will also inform the Local Biodiversity Action Plan Review.

Members of the Council commended the officers on the clarity of the Supplementary Planning Guidance and Sites of Importance for Nature Conservation Review documents.

RESOLVED: That Council:-

- (1) Considered the representations received and approved the suggested reasoned responses, decisions and changes to the draft Biodiversity and Development: A Green Infrastructure Approach Supplementary Planning Guidance.
- (2) Considered the representations received and approved the suggested reasoned responses, decisions and changes to the draft SINC Review.
- (3) Approved the Sites of Importance for Nature Conservation (SINC) Review as an evidence base to the adopted Bridgend Local Development Plan and relevant SPG.
- (4) Adopted SPG 19 - Biodiversity and Development: A Green Infrastructure Approach (as amended) as Supplementary Planning Guidance (SPG) to the adopted Bridgend Local Development Plan.

382 DEPARTURE PLANNING APPLICATION - P/13/938/FUL

The Group Manager Development reported that the Development Control Committee at its meeting on 26 June 2014 had considered planning application P/13/938/FUL as a departure from the Development Plan. The Development Control Committee resolved not to refuse permission and the application had been referred to Council requesting the grant of planning permission subject to conditions.

The Group Manager Development reported that the application is to include a parcel of land to the rear of 29-34 Cwrt Pant yr Awel, within the curtilage of 30 Cwrt Pant yr Awel, Blackmill Road, Lewistown. He stated that the parcel of land which was the subject of the application had been cleared and now included a gravelled area with a small domestic shed, greenhouse and a number of flower beds. The majority of the land subject to the application was located within the designated settlement boundary and defined by Policy PLA1 of the adopted Bridgend Local Development Plan and was therefore acceptable in principle. However, some of the land (the extended garden curtilage directly behind 30 Cwrt Pant yr Awel) extended marginally beyond the settlement boundary. Accordingly the application had been advertised as being out of accord with the Local Development Plan. The existing shed and greenhouse was screened by the boundary fencing of the adjacent neighbouring properties, however they were partially visible from the adjacent community route and subject to conditions. It was considered that the development did not have such a significant impact on the visual or residential amenities of the area as to warrant a refusal.



The Group Manager Development reported that this retrospective application was recommended for approval because the development complies with Council policy and did not adversely affect privacy or visual amenities nor so significantly harms neighbours' amenities as to warrant refusal.

A Member of the Council requested that plans be displayed at future meetings of the Council when it considers departure applications.

RESOLVED: That Council approve planning application P/13/938/FUL subject to the following conditions:-

- (1) Within 1 month of the date of this consent full details of a landscaping scheme/landscape maintenance plan along the rear boundary of the site shall be submitted to and agreed in writing by the Local Planning Authority. The agreed landscaping works shall be carried out within the next planting season (November 2014 - March 2015) in accordance with the agreed schedule.

**Reason:** To maintain and improve the appearance of the area in the interests of visual amenity, and to promote nature conservation.

- (2) If within a period of three years from the date of the planting of any tree that tree or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

**Reason:** To maintain and improve the appearance of the area in the interests of visual amenity, and to promote nature conservation.

- (3) Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking and re-enacting that Order with or without modification), no further development which would be permitted under Article 3 and Class E of Part 1 to Schedule 2 of the Order shall be carried out within the curtilage of the revised curtilage of the dwelling, known as 30 Cwrt Pant yr Awel, without the prior written consent of the Local Planning Authority.

**Reason:** In the interests of visual and residential amenities.

(Councillor N Clarke requested it be noted that she had voted against the proposal).

383 AMENDMENT TO THE CONSTITUTION - OFFICER EMPLOYMENT  
PROCEDURE RULES

The Monitoring Officer reported on proposed amendments to the consultation relating to the process of appointing, dismissing and conducting disciplinary investigations of certain officers of the Authority.

He stated that the Local Authorities (Standing Orders)(Amendments)(Wales) Regulations 2014 which came into force on 1 July 2014 and amended the 2006 Regulations relating to the process for appointing, dismissing and conducting disciplinary action against certain officers of authorities, impose new requirements for procedures for determining the level of remuneration to be paid to chief officers.

Under the 2014 Regulations, the role of Head of Democratic Services will be accorded the same status as the Head of Paid Service, Monitoring Officer and Chief Finance Officer in regard to the process under which authorities can take disciplinary action against them and how any allegation is to be dealt with. Further amendments were made to extend the protection given by officers in relation to whom disciplinary action is proposed, where the officer was, but at the time of the proposed disciplinary action no longer is, an officer with protected status and the alleged misconduct, or, as the case may be, the reason for the proposal for dismissal, occurred during the period where the officer was an officer with protected status.

The Monitoring Officer also reported that under the 2006 Regulations, where an authority now proposes to appoint a chief officer and it was proposed to pay the chief officer annual remuneration of £100,000 or more, the post be publicly advertised. Additional provision was made in the 2014 Regulations relating to remuneration of chief officer's pay and any decision to determine or vary the remuneration of chief officers must be made by Council, without the possibility of delegating it to a committee of the Council. The posts of Monitoring Officer and Head of Democratic Services were now added to the list of those who were not subject to appointment or dismissal by the Head of Paid Service (or another officer designated to them) and whose appointment or dismissal should be conducted by a committee and that any committee or sub-committee of the authority charged with this responsibility must include at least one member of the executive.

RESOLVED: That Council approved the amendments to the Officer Employment Procedure Rules within the Constitution.

384 APPOINTMENT OF MEMBERS TO THE FOSTERING COMMUNITY RESILIENCE JOINT OVERVIEW AND SCRUTINY PANEL

The Assistant Chief Executive - Legal and Regulatory Services reported on proposals for the development of a Joint Overview and Scrutiny Panel which would consider how community resilience might be fostered in local communities, particularly in response to the welfare reform agenda, and sought approval for three overview and scrutiny committee members and one reserve member to sit on the Joint Panel.

He reported that the Welsh Government had administered the Scrutiny Development Fund which had allowed local authorities to submit bids in order to undertake projects which contribute to the development of Overview and Scrutiny practice across Wales. Officers from Swansea, Neath Port Talbot and Bridgend had developed a bid in relation to Fostering Community Resilience. It was proposed that Swansea would be the lead authority and the Panel would work with Governance International, who had experience in the field of community resilience and co-production. He stated that the Project Initiation Document (PID) which had been signed off by the Leader and Chief Executive would shortly be submitted to the Welsh Government for their approval. Council was requested to nominate three members and one reserve member to sit on the Joint Panel in accordance with requirements of the Project Initiation Document. The Assistant Chief Executive - Legal and Regulatory Services informed Council that whilst there was no requirement for the Panel to be politically balanced, it was suggested

that it would be beneficial for the Panel to have cross party representation. It was suggested that the nominees be as follows:-

- Two Labour members of the Health and Wellbeing Overview and Scrutiny Committee, one of whom should be the Chairperson.
- One Labour member of the Community Renewal and Environment Overview and Scrutiny Committee
- One Independent Alliance member from any Overview and Scrutiny Committee
- One Independent Annibynwyr member as reserve member.

RESOLVED: That:-

- (1) The Assistant Chief Executive Legal and Regulatory Services be advised of the nominations of the Labour Group to sit on the Fostering Community Resilience Joint Scrutiny Panel;
- (2) That Councillor C A Green be nominated the Independent Alliance Member to sit on the Fostering Community Resilience Joint Scrutiny Panel.
- (3) That the Independent Annibynwyr Group advise the Assistant Chief Executive Legal and Regulatory Services of the reserve member to sit on the Fostering Community Resilience Joint Scrutiny Panel.

385 APPOINTMENT OF CO-OPTED MEMBER TO THE CHILDREN AND YOUNG PEOPLE OVERVIEW AND SCRUTINY COMMITTEE

The Assistant Chief Executive Legal and Regulatory Services sought approval for the appointment of Mr Kevin Pascoe as a non-voting co-optee to the Children and Young People Overview and Scrutiny Committee. He stated that Mr Pascoe had consistently sat on the Children and Young People Overview and Scrutiny Committee from 2005, as a Registered Representative and since 2013 as a Co-opted Member. He had been an active member of the Committee during that time and had taken part in a number of Research and Evaluation Panel investigations and had considerable knowledge, particularly in relation to education and school performance matters, which the Overview and Scrutiny Committee would like to continue to have access to.

RESOLVED: That the appointment of Mr Kevin Pascoe as a non-voting co-optee of the Children and Young People Overview and Scrutiny Committee until the next local government election be approved.

386 AMENDMENT TO THE CONSTITUTION - OFFICER GIFTS AND HOSPITALITY

The Monitoring Officer sought approval of proposed amendments to the constitution which reflect changes to the procedures for the notification, authorisation and registration of officer gifts and hospitality.

He reported that following an internal audit of officer gifts and hospitality, improvements of the current system of notification and registration were proposed which would enable a consistent approach to be undertaken and subsequently enhancing the assurance provided by the process. To provide consistency across the Authority the process of notification and registration of gifts and hospitality would now be undertaken by the Monitoring Officer. He stated that employees who are offered gift or hospitality are to notify the Monitoring Officer using the

appropriate form within 28 days of any offer being made and request authorisation from the Monitoring Officer to accept the gift. To facilitate this change it was proposed that Paragraph 12 of Part 5 of the Constitution be amended.

RESOLVED: That Paragraph 12 of Part 5 of the Constitution relating to the Code of Conduct for Council Employees be amended as shown in Paragraph 4.4 of the report.

387 INFORMATION REPORTS FOR NOTING

The Monitoring Officer presented a report, the purpose of which to inform Council of the information reports which had been published since the last meeting.

RESOLVED: That Council acknowledge the publication of the documents listed in the report:-

<u>Title</u>	<u>Officers</u>	<u>Date Published</u>
Wales Audit Office Annual Improvement Report (AIR) on Bridgend County Borough Council May 2014	Chief Executive	14 July 2014
Unaudited Statement of Accounts 2013-14	Section 151 Officer	14 July 2014

The meeting closed at 5.00pm.

## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO COUNCIL

17 SEPTEMBER 2014

#### REPORT OF THE CHIEF EXECUTIVE

##### PAY POLICY STATEMENT – 2014/15

###### **1. Purpose of Report.**

- 1.1.1 This report confirms that the Council is meeting its legal obligation following the Localism Act 2011.
- 1.1.2 The report has been prepared and written by the Head of Human Resources, Neath Port Talbot County Borough Council and will be presented by him. This approach is as the result of recent cases within Wales where concerns have been expressed about the way senior managers have been involved in the preparation of reports that may affect their own position.
- 1.1.3 Despite the independent preparation and presentation, this Pay Policy statement provides an accurate summary of the Council's policy for the purposes of publication under the Localism Act. Council is not being asked to agree to a new or changed aspect of policy or take any decision that would impact directly upon the terms and / or conditions of the Chief Executive. This policy is not specifically about the author in an individual capacity otherwise than in a way that is commensurate with all staff within the Authority.

###### **2. Connection to Corporate Improvement Objectives/Other Corporate Priorities.**

- 2.1 None.

###### **3. Background.**

- 3.1 The Localism Act 2011 requires English and Welsh Local Authorities to produce and publish a Pay Policy Statement beginning 2012/13 and for each financial year thereafter.
- 3.2 Council has already fulfilled its obligations, as required by Section 39(1) Localism Act 2011, and the first Pay Policy Statement came into effect on 1<sup>st</sup> April 2012 with the subsequent Pay Policy Statements being published on 1<sup>st</sup> April 2013 and 13<sup>th</sup> November 2013 [the latter being an interim update following the implementation of the new pay and grading system].

###### **4. Current situation / proposal.**

- 4.1 The updated Pay Policy Statement for the Council for the year 2014/15 is attached as Appendix A.
- 4.2 This Pay Policy Statement is fully compliant with the Localism Act 2011. However, revised guidance which reflects the provision in the local Government (Democracy)

(Wales) Act 2013 which requires the Independent Remuneration Panel (IRP) to have an opportunity to consider Head of Paid Services pay and Chief Officers' remuneration will not be available until sometime in April. An update will, therefore, be brought back to Council in due course.

- 4.3 The data in respect of pay scales [point 4.1.1] and pay relativities [point 7.3] is based on our pay arrangements post implementation of the new pay and grading system on 01.09.13.
- 4.3 The calculations for the purpose of point 7.3 do not include the yet to be agreed nationally negotiated pay award [which will be implemented with an effective date of 01.04.14] and does not include the changes as a result of incremental progression which occurred as of 01.04.14. An update will, therefore, be brought back to Council in due course.
- 4.4 One significant change is with regards the remuneration and recruitment of Chief Officers pay to ensure compliance with the 2014 Regulations, which are detailed in paragraphs 5.1.4 and 5.2.3 of the Council's Pay Policy Statement.
- 4.5 The current Redundancy and Redeployment policy is attached to the Pay Policy Statement as required. This policy is currently under review/consultation and will be tabled with the trade unions on 10<sup>th</sup> September to address 5.8 which makes reference to the Council's Pay Protection Protocol. The collective agreement with the trade unions confirmed that there would be no pay protection following the implementation of the new pay and grading system and this policy needs to be aligned accordingly.

## **5. Effect upon Policy Framework & Procedure Rules.**

- 5.1 None.

## **6. Equality Impact Assessment**

- 6.1 The Council's Equality Impact Assessment toolkit has been utilised which indicates that the proposed Pay Policy Statement will positively assist in the delivery of the Council's equality duties.
- 6.2 An Equality Impact Assessment has also been conducted by an independent consultant, as obliged by the Single Status Agreement, on the new Pay & Grading system which has confirmed that the new system will further close the gender pay gap.

## **7. Financial Implications.**

- 7.1 There are no financial implications arising from the recommendations in this report.

## **8. Recommendation.**

- 8.1 Council are requested to approve the updated Pay Policy Statement as attached as Appendix A.

Darren Mepham  
Chief Executive  
4 August 2014

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# **BRIDGEND COUNTY BOROUGH COUNCIL**

## **PAY POLICY STATEMENT – 2014/15**

### **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 the Authority thinks fit’. This Pay Policy Statement outlines the Council’s approach to pay policy in accordance with the requirements of 38 (1) of the Localism Act 2011 which requires English and Welsh Local Authorities to produce and publish a Pay Policy Statement for 2012/3 and for each financial year after that, detailing:
- a) The Authority’s policies towards all aspects and elements of the remuneration of Chief Officers;
  - b) Their approach to the publication of and access to information relating to all aspects of the remuneration of Chief Officers;
  - c) The Authority’s policies towards the remuneration of its lowest paid employees (including the definition adopted and reasons for it);
  - d) The relationship between the remuneration of its Chief Officers and other employees.
- 1.2 Local Authorities are large complex organisations and provide and/or commission a wide range of essential services. The strategic approach to remuneration levels may need to differ from one group of employees to another to reflect specific circumstances at a local, Welsh or UK national level. The Council will require some flexibility in its Pay Policy Statement to address changing circumstances which may or may not be foreseeable.
- 1.3 As approved by full Council, as required by Section 39(1) Localism Act 2011, this Pay Policy Statement came into effect on 1<sup>st</sup> April 2012 and will be subject to review on a minimum of an annual basis in accordance with the relevant legislation above.

### **2. LEGISLATIVE FRAMEWORK**

- 2.1 In determining the pay and remuneration of all of its employees, the Council will comply with all relevant employment legislation. This includes the
- a) Equality Act 2010
  - b) Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000
  - c) Agency Workers Regulations 2010 and where relevant, the
  - d) Transfer of Undertakings (Protection of Earnings) Regulations
- 2.2 In respect of the Equal Pay requirements contained within the Equality Act, the Council is currently working to ensure that there is no pay discrimination within its pay structures and that all pay differentials can be objectively justified. The introduction of a new pay and grading system in September 2013, following the conclusion of the job evaluation project, an equality impact assessment and a Collective Agreement with the three recognized trade unions will enable the Council to ensure that remuneration is appropriate for the requirements, demands and responsibilities of roles at an individual post level as well as in relative terms across all posts.

### **3. SCOPE OF THE PAY POLICY STATEMENT**

- 3.1 The Localism Act 2011 requires Local Authorities to develop and make public their Pay Policy Statement on all aspects of Chief Officer remuneration (including on ceasing to hold office), and that pertaining to the 'lowest paid' in the Authority, explaining their policy in respect of the relationship between remuneration for Chief Officers and other groups. However, in the interests of transparency and accountability the Council has chosen to take a broader approach, producing a pay policy which covers all employee groups with the exception of School Teachers. The remuneration for this latter group is set by the Secretary of State and not in the control of Local Authorities.
- 3.2 Nothing within the provisions of the Localism Act 2011 detract from the Council's autonomy in making decisions on pay that are appropriate to local circumstances and which deliver value for money for local tax payers. However, the Council will comply with this Pay Policy Statement in setting remuneration levels for all groups within its scope.

### **4. BROAD PRINCIPLES OF OUR PAY POLICY**

#### **4.1 Transparency, accountability and value for money**

- 4.1.1 The Council is committed to an open and transparent approach to its pay policy which will enable the tax payer to access, understand and assess information on remuneration levels across all groups of council employees. To this end the following are provided as Appendices to this policy:-

- a) [Employee Pay Scales](#) (Appendix A)
- b) [Chief Officer Pay Scales](#) (Appendix B)
- c) [Soulbury Pay Scale](#) (Appendix C)
- d) [JNC \(Youth & Community\)](#) (Appendix D)
- e) [Policy on Redundancy and Severance Payments](#) (including additional pension payments) (Appendix E)

#### **4.2 Development of a Pay Policy**

- 4.2.1 The primary aim of a reward strategy is to attract, motivate and retain suitably skilled employees to enable the Council to perform at its best. One of the biggest challenges for the Council in the current circumstances is to maximise productivity and efficiency within current resources. The Pay Policy Statement outlines the remuneration levels believed to be effective in facilitating a sufficient supply of appropriately skilled employees which can be objectively justified and provide the local tax payer with an assurance of value for money.
- 4.2.2 At the more senior grades in particular, remuneration levels need to effect sufficient interest to enable the attraction of a suitably wide pool of talent and the Council will often be seeking to recruit in competition with other public and private sector employers.
- 4.2.3 The Council's pay policy will, through its design, development and review, seek to balance these factors appropriately to maximise outcomes while managing pay costs appropriately and maintaining sufficient flexibility to meet future needs.

4.2.4 This Pay Policy Statement will be reviewed on an annual basis and approved annually by full Council.

### **4.3 Pay Structure**

4.3.1 The Council uses the nationally negotiated pay spine as the basis for its pay & grading structure. This determines the remuneration of the majority of the non-teaching workforce, together with the use of other nationally defined rates where relevant.

4.3.2 The Council has extended the national pay spine up to spinal column point 55.

4.3.3 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 and/or as determined by Council Policy.

4.3.4 New appointments will normally be made at the minimum of the relevant grade, although flexibility exists to ensure the best candidate is secured.

### **4.4 Pay and Performance**

4.4.1 The Council does not employ any performance related pay mechanisms.

### **4.5 Job Evaluation**

4.5.1 Job evaluation is a systematic way of determining the value of a job in relation to other jobs within an organisation. It provides a means of systematic comparison of jobs to assess their relative worth for the purpose of establishing an equitable and justifiable pay structure.

4.5.2 In 2013 the Council established a Collective Agreement in respect of Single Status for all NJC employees in terms of Pay & Grading and Terms & Conditions. Our Equality Impact Assessment (EIA) process has been used throughout the process and will continue to be used in the future. The Council, as it is bound to do, engaged an independent assessor to confirm the integrity of our new pay and grading system and this external expertise was provided by NothgateArniso.

### **4.6 Market Supplements**

4.6.1 Job evaluation will enable the council to determine remuneration levels, which reward responsibility in a relative way within the council. However, from time to time it may be necessary to take account of the external pay market to attract and retain employees with particular experience, skills and capacity.

4.6.2 In due course the Council may draft a Market Supplements Policy to ensure that the requirement for such is objectively justified by reference to clear and transparent evidence of relevant market comparators, using appropriate data sources available from within and outside the local government sector. It is the Council's policy that any such additional payments be kept to a minimum and be reviewed on an annual basis so that they can be withdrawn where no longer considered necessary. An EIA would also be carried out on any proposal.

## **4.7 Honoraria**

- 4.7.1 When the Council requires an employee to carry out additional duties to those of their substantive post, for a prolonged period of time, an additional payment commensurate with those duties may be made in accordance with the Council's Acting Rank/Honorarium Protocol, which is attached as Appendix F.

## **5. CHIEF OFFICER REMUNERATION**

### **5.1 Definitions of Chief Officer & Pay Levels**

- 5.1.1 For the purposes of this statement, 'Chief Officers' are as defined within S43 of the Localism Act. The posts falling within the statutory definition of S43 of the Localism Act are set out below: (details of the salary of each are included at Appendix B):

- a) Chief Executive
- b) Corporate Directors
- c) Assistant Chief Executives
- d) Heads of Service

- 5.1.2 There has been no national pay award for JNC Chief Officers since 2008.

- 5.1.3 Each JNC Chief Officer grade consists of 4 incremental points.

No bonus or performance related pay mechanism exists in respect of Chief Officers' pay.

- 5.1.4 Any decision to vary the remuneration of chief officers [or those to be appointed] must be made by full Council, without the opportunity of delegating it to a committee of the Council.

### **5.2 Recruitment of Chief Officers**

- 5.2.1 The Council's Policy and Procedures with regard to recruitment of Chief Officers is contained within the Officer Employment Procedure Rules as set out in Part 4. Rules of Procedure of the Constitution. 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.
- 5.2.2 The 2014 Regulations prescribe that where an authority proposes to appoint a chief officer with an annual remuneration package of £100,000 or more the post must be publicly advertised. The only exception to this requirement is where the appointment would be for no longer than 12 months.
- 5.2.3 Where the Council remains unable to directly recruit Chief Officers or there is a need for interim support to provide cover for a vacant substantive Chief Officer post the Council may consider engaging individuals under 'contracts for service'. These will be sourced through a relevant procurement process ensuring the Council is able to demonstrate the maximum value for money. The Council does not currently have any Chief Officers engaged under such

arrangements. The Council is currently sourcing support from the WLGA on an Interim basis to cover the post of Corporate Director Resources.

### **5.3 Additions to Salary of Chief Officers**

- 5.3.1 The Council does not apply any bonuses or performance related pay to its Chief Officers.
- 5.3.2 The Council does pay all reasonable travel and subsistence expenses on production of receipts and in accordance with JNC conditions and other local conditions.
- 5.3.3 The cost of membership of one professional body is met by the Authority.
- 5.3.4 The Chief Executive is also appointed as Returning Officer. This is an Office Holding rather than an employment contract. The Chief Executive will receive a fee from the organisation requiring the election to be carried out in accordance with the Fee Order in force at the time. In the case of a local election the Authority's fee structure will be approved at the time.
- 5.3.5 The Deputy Returning Officer's fees are authorised by the Returning Officer in accordance with the Fee Order or, in the case of local elections, the Council's fee structure at the time.
- 5.3.6 Fees applied for all other Elections and referenda are prescribed by the UK Government or Welsh Government..

### **5.4 Payments on Termination**

- 5.4.1 The Council's approach to statutory and discretionary payments on termination of employment of Chief Officers (and all other employees), prior to reaching normal retirement age, is set out within its Early Retirement & Redundancy Policy in accordance with Regulations 5 and 6 of the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006. This is in respect of a redundancy payment being based on actual weekly earnings (Regulation 5) and when an enhanced redundancy payment of up to 45 weeks' pay would be granted (Regulation 6). Regulations 12 and 13 of the Local Government Pension Scheme (Benefits, Membership and Contribution) Regulations 2007 do not apply as the Authority does not increase the total membership of active members (Regulation 12) or award additional pension (Regulation 13).
- 5.4.2 Any other payments falling outside the provisions or the relevant periods of contractual notice shall be subject to a formal decision made by the Council or Committee of Council in the case of the Chief Executive or; Council or Council Committee or Officer with delegated powers at the time, in the case of other JNC Officers. The Chief Executive or officer with delegated power from the Chief Executive will determine such payments in respect of all other staff.

## **6. PUBLICATION**

- 6.1 Upon approval by the full Council, this statement will be published on the Council's Website.

- 6.2 In addition, for posts where the full time equivalent salary is at least £60,000 and where the posts have been designated as a head of paid service or a statutory or non-statutory chief officer, as required under the Accounts and Audit (Wales) (Amendment) Regulations 2010, the Council's Annual Statement of Accounts will provide information in relation to: salary, fees and allowances; expenses; termination payments and pension contributions. It will also publish the number of employees in the year to which the accounts relate whose remuneration is greater than £60,000 in multiples of £5,000 brackets of scale.

## **7. PAY RELATIVITIES WITHIN THE AUTHORITY**

- 7.1 The lowest paid persons employed under a Contract of Employment with the Council are employed on full time [37 hours] equivalent salaries in accordance with the minimum spinal column point currently in use within the Council's grading structure. As at 1<sup>st</sup> April 2014, this is £12,435 per annum. The Council employs Apprentices [and other Trainees] who are not included within the definition of 'lowest paid employees' as they are not employed under Contracts of Employment.
- 7.2 The statutory guidance under the Localism Act recommends the use of pay multiples as a means of measuring the relationship between pay rates across the workforce and that of senior managers, as included within the Hutton 'Review of Fair Pay in the Public Sector' (2010). The Hutton Report was asked by Government to explore the case for a fixed limit on dispersion of pay through a requirement that no public sector manager can earn more than twenty times the lowest paid person in the organisation. The report concluded that the relationship to median earnings was a more relevant measure and the Government's Code of Recommended Practice on Data Transparency recommends the publication of the ratio between highest paid salary and the median average salary of the whole of the Authority's workforce.
- 7.3 The current pay levels within the Council define the multiple between:
- 7.3.1 the lowest paid employee (full time equivalent) employee and the Chief Executive as **1:10**
- 7.3.2 the lowest paid employee and average Chief Officer as **1:7.3**
- 7.3.3 the multiple between the median (average) full time equivalent earnings and the Chief Executive as **1.45**
- 7.3.4 the multiple between the median (average) full time equivalent earnings and average Chief Officer as **1.32**

## **8. ACCOUNTABILITY AND DECISION MAKING**

- 8.1 In accordance with the Constitution of the Council, full Council decide upon the organisational structure, recruitment, pay, terms & conditions and severance arrangements for JNC Chief Officers.
- 8.2 The responsibility for the organisational structure, recruitment, pay, terms & conditions and severance arrangements for NJC, Craft, Youth & Community and Soulbury employees has been delegated to officers.

## **9. RE-EMPLOYMENT**

- 9.1 Whilst having due regard to the Council's duty under Section 7 of the Local Government and Housing Act 1989, no Chief Officer who was previously made redundant or granted early retirement from the Council will be later re-employed or re-engaged either as an employee (Contract of Service), as a Consultant (Contract for Service) or through an external contractor commissioned to work on behalf of the Council.

## **10. REVIEWING THE POLICY**

- 10.1 This Pay Policy Statement outlines the current position in respect of pay and reward within the Council at the time of writing. It will be reviewed once the outcome of the national pay negotiations is known.
- 10.2 The Council's Pay Policy Statement will be reviewed and reported to full Council on an annual basis.

**PAY SCALES FOR NJC EMPLOYEES.**

<b>Salary</b>	<b>SCP</b>	<b>Grades</b>	
£12,145	4		
£12,435	5	<b>Grade 1</b> (-249)	
£12,613	6		
£12,787	7		
£13,320	8		<b>Grade 2</b> (250-294)
£13,724	9		
£13,874	10		
£14,733	11		
£15,039	12	<b>Grade 3</b> (295-320)	
£15,444	13		
£15,725	14		
£16,054	15		<b>Grade 4</b> (321-349)
£16,440	16		
£16,830	17	<b>Grade 5</b> (350-379)	
£17,161	18		
£17,802	19		
£18,453	20		<b>Grade 6</b> (380-409)
£19,126	21		
£19,621	22	<b>Grade 7</b> (410-439)	
£20,198	23		
£20,858	24		
£21,519	25		<b>Grade 8</b> (440-469)
£22,221	26		
£22,958	27		
£23,708	28		
£24,646	29	<b>Grade 9</b> (470-503)	
£25,472	30		
£26,276	31		
£27,052	32		<b>Grade 10</b> (504-539)
£27,849	33		
£28,636	34		
£29,236	35		
£30,011	36	<b>Grade 11</b> (540-569)	
£30,851	37		
£31,754	38		
£32,800	39		<b>Grade 12</b> (570-599)
£33,661	40		
£34,549	41		
£35,430	42	<b>Grade 13</b> (600-639)	
£36,313	43		
£37,206	44		
£38,042	45		
£38,961	46		
£39,855	47		<b>Grade 14</b> (640-669)
£40,741	48		
£41,616	49		
£42,489	50		
£43,361	51	<b>Grade 15</b> (670-697)	
£44,236	52		
£45,109	53		
£45,981	54		<b>Grade 16</b> (698+)
£46,855	55		



**CHIEF OFFICERS PAY SCALES  
1<sup>ST</sup> APRIL 2012**

<b>CHIEF EXECUTIVE PAY RANGE</b>						
£122,323 - £131,091						
<b>DIRECTORS' PAY SCALES £97,435 - £ 104,068</b>						
<b>Point 1</b>	<b>Point 2</b>	<b>Point 3</b>	<b>Point 4</b>			
£ 97,435	£99,646	£101,857	£104,068			
<b>ASSISTANT CHIEF EXECUTIVE £87,692 - £93,661</b>						
<b>Point 1</b>	<b>Point 2</b>	<b>Point 3</b>	<b>Point 4</b>			
£ 87692	£ 89681	£91671	£93661			
<b>HEADS OF SERVICE £73,080, - £78,049</b>						
<b>Point 1</b>	<b>Point 2</b>	<b>Point 3</b>	<b>Point 4</b>			
£73,080	£74,736	£76,393	£78,049			

**SOULBURY PAY SCALES**

<b>EDUCATIONAL PSYCHOLOGISTS - SCALE A</b>	
<b>SPINE POINT</b>	<b>SALARY FROM 01.09.2009</b>
1.	£33,934
2.	£35,656
3.	£37,378
4.	£39,100
5.	£40,822
6.	£42,544
7.	£44,165
8.	£45,786
9.	£47,305
10.	£48,825
11.	£50,243

**NOTES:**

1. Salary scales to consist of six consecutive points, based on the duties and responsibilities attaching to posts and the need to recruit, retain and motivate staff.
2. Extension to scale to accommodate structured professional assessment points.

<b>SENIOR &amp; PRINCIPAL EDUCATIONAL PSYCHOLOGISTS - SCALE B</b>	
<b>SPINE POINT</b>	<b>SALARY FROM 01.09.2009</b>
1.	£42,544
2.	£44,165
3.	£45,786
4.	£47,305
5.	£48,825
6.	£50,243
7.	£50,825
8.	£51,912
9.	£52,989
10.	£54,085
11.	£55,159
12.	£56,255
13.	£57,370
14.	£58,447
15.	£59,575
16.	£60,693
17.	£61,618
18.	£62,942

**Notes:**

1. Salary scales to consist of not more than four consecutive points, based on the duties and responsibilities attaching to posts and the need to recruit, retain and motivate staff.

2. Normal minimum point for the Principal Educational Psychologist undertaking the full range of duties at this level.
3. Extension to range to accommodate discretionary scale points and structured professional assessments
4. Principals are paid on a 4 point scale 8-14 [this also includes 3 spa points]

**YOUTH & COMMUNITY SUPPORT WORKER**

JESC 172

<b>Pay Points</b>	<b>w.e.f 1.9.09</b>
1	14,143
2	14,733
3	15,324
4	15,917
5	16,509
6	17,100
7	17,697
8	18,291
9	19,047
10	19,636
11	20,591
12	21,525
13	22,489
14	23,485
15	24,166
16	24,875
17	25,574

**Professional Range**

<b>Pay Points</b>	<b>w.e.f 1.9.09</b>
11	20,591
12	21,525
13	22,489
14	23,485
15	24,166
16	24,875
17	25,574
18	26,279
19	26,975
20	27,673
21	28,461
22	29,352
23	30,219
24	31,091
25	31,968
26	32,847
27	33,726
28	34,613
29	35,496
30	36,377

**LONDON AREA ALLOWANCES  
w.e.f 1.9.09**

Inner	2,891
Outer	1,898
Fringe	740

**Bridgend County Borough Council**  
**Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr**

 [www.bridgend.gov.uk](http://www.bridgend.gov.uk)



## **REDUNDANCY AND REDEPLOYMENT POLICY**

**Date of Issue: March 2010**

## 1. Introduction

- 1.1 This policy is designed to assist with the management of redundancy and redeployment situations within the Authority. It should be read in conjunction with: the Authority's Early Retirement, Ill Health Retirement and Redundancy Policy and the Managers' Guidelines attaching to this policy.
- 1.2 Whilst the Authority's policy is to avoid redundancies wherever possible, the needs of the business may from time to time require a reduction in the overall number of staff employed or organisational changes that result in some employees being made redundant.
- 1.3 The Authority, in consultation with the Trade Unions, will seek to avoid or minimise redundancies by exploring alternative options, such as
  - "Natural wastage"
  - Redeployment
  - Retraining
  - Restrictions on recruitment [inc use of agency staff]
  - Early retirement
  - Voluntary redundancy, including "bumped redundancy" where someone other than the postholder's post is made redundant
  - Reduction or elimination of overtime
- 1.4 Where redundancy is inevitable the Authority will handle the matter in the most fair, consistent and sympathetic manner possible in order to minimise any hardship that may be suffered by the employee(s) concerned. The Authority will ensure that:
  - the total number of redundancies made is kept to a minimum;
  - employees and their representatives are fully consulted on any proposals and their implementation;
  - selection for redundancy is based on clear criteria that will be determined objectively and fairly applied;
  - every effort is made to redeploy or find alternative work for employees selected for redundancy; and
  - support and advice is provided to employees selected for redundancy to help them find suitable alternative work.

## 2. Consultation

- 2.1 When a potential redundancy situation has been identified it will be necessary to write to the recognised trade unions and issue notice of formal consultation.

2.2 Selection criteria will be identified, where necessary, and where possible agreed with the employees/Trade Unions in advance.

2.3 Consultations will be carried out with affected employees and with the recognised Trade Unions over the proposals and the process to be followed. The consultation should start as soon as practicable and at least:-

<b>Number of affected employees</b>	<b>Period of consultation</b>
• Less than 20 employees	30 days
• 20 to 99 employees	30 days
• 100 or more employees	45 days

2.4 At the start of the consultation, written details of the following will be provided to employees and recognised Trade Unions:-

- the reasons for the proposals
- the numbers of employees affected by the consultation and descriptions of employees that could potentially be dismissed as redundant
- the total number of employees of any such description employed at the service unit in question
- the criteria to be applied for selection for redundancy
- how the redundancies are to be carried out, including the period over which the redundancies are to take effect.

2.5 Formal consultation meetings with employee(s) will be held with those potentially affected by the proposed redundancy.

2.6 Where an agreed position has not been reached by the end of the consultation period a further notice of formal consultation will be issued. The length of the second consultation period will be the same as the original. It is necessary for all parties to have undertaken genuine consultation with a view to avoiding redundancy and reaching agreement. Consultation should continue until all issues have been aired and parties have had a reasonable amount of time to comment on information provided and proposals made.

2.7 Following the completion of the consultation process, if no satisfactory resolution has been agreed to avoid a redundancy, the selection criteria will be applied to determine which employees will be issued with notice of redundancy.

### **3. Voluntary Redundancy**

3.1 In order to minimise the need for compulsory redundancies, the Authority may consider inviting expressions of interests from employees for voluntary redundancies. However, the Authority reserves the right at its discretion to decline all or some of such expressions of interests.

### **4. Redundancy Selection**

4.1 Where the need for redundancies arises, selection will be made on the basis of objective criteria, which will be reasonably, fairly and consistently applied. The Authority will ensure that the selection criteria are applied to the affected employees.

4.2 The criteria to be used will normally include but is not limited to:

- Absence record
- Disciplinary record
- Qualifications
- Skills
- Standard of work performance

4.3 Where an employee in the pool for selection has declared themselves as being disabled, the Authority will ensure that full consideration is given to the Disability Discrimination Act 1995 and that he/she is not put at any disadvantage on account of the selection criteria and will make reasonable adjustments as appropriate.

## **5. Redeployment**

- 5.1 The Authority will make every effort to provide suitable alternative work to any employee who is selected for redundancy. Suitable alternative work will be considered both during the consultation period and after the conclusion of the consultation period. All current vacancies suitable for redeployment will be considered in respect of the selected employees, including where possible, consideration of retraining. If more than one employee is interested in a suitable, alternative post it may be necessary to apply selection criteria and/or conduct competitive interviews. This process will be ring-fenced to the affected employees in the first instance.
- 5.2 Prior consideration will apply where employee(s) have expressed an interest in a vacancy and meet the criteria for the post which is at a grade commensurate with their existing salary range.
- 5.3 Where interest is expressed for a post of a higher salary, the normal selection procedures will apply and consideration will be in competition with any other applicants.
- 5.4 Any offer of redeployment will be made in writing. This will include notification of the trial period which will apply to a redeployment appointment. Whilst this will be for a 4 week period, it can be extended or curtailed depending upon the individual circumstances.
- 5.5 During the trial period there will be performance review(s) at appropriate intervals. This will provide opportunity for the manager and employee to assess suitability. Should the redeployment be successful this will be confirmed and the written statement of particulars issued. If the redeployment is not successful this too will be confirmed in writing.
- 5.6 An employee may undertake more than one trial period during their period of notice.
- 5.7 Should an employee embark on a trial period and the four week period exceeds the date of termination, the trial period will continue for the 4 weeks. At the end of this period should it be unsuccessful redundancy will be confirmed.
- 5.8 Where an employee's remuneration is adversely affected by the redeployment, which is regarded as "suitable alternative employment" in terms of pay differential, the salary payable will be protected in line with the authority's protocol on pay protection. Where the employee chooses to accept a post which the Authority does not deem to be suitable to the employee, the substantive salary of the post applies.



- 5.9 Where the redeployment involves an employee changing their normal place of work they will be paid excess travelling expenses, in accordance with the authority's allowances and expenses policy.
- 5.10 Should the employee decline the offer of suitable alternative employment, further redeployment opportunities will be explored during the period of the consultation and notice.
- 5.11 Should an employee refuse an offer of suitable alternative employment or resigns during the trial period the right to a redundancy payment will be lost.
- 5.12 In certain circumstances to avoid a redundancy situation, employee(s) who are in comparable positions but not directly affected by the proposed redundancy can be invited to express an interest in redundancy. This is a bumped redundancy and will only be considered where its approval will save another employee facing redundancy.
- 5.13 If after carrying out these steps there appears to be no possibility of redeployment, the employee(s) will be terminated in accordance with their notice period.

## **6. Dismissal by reason of Redundancy**

- 6.1 In all cases where a dismissal is being considered the three step process will be followed:
- Step 1 - Employee to be advised in writing of the circumstances of the meeting.
  - Step 2 - Meeting takes place with the employee to determine the options.
  - Step 3 - Employee to be advised in writing of the outcome of the meeting.
- 6.2 Where an employee has been selected after the selection criteria has been applied, the employee will have the opportunity during the step 2 meeting to make any representations in support of or against their selection. Management will then consider these representations and, if necessary, extend the consultation period. A further meeting, if necessary, may be scheduled to inform the employee of the decision.
- 6.3 Whilst under notice of termination due to redundancy an employee is entitled to a reasonable amount of paid time off to look for alternative work, attend interviews etc. Employee(s) wishing to take advantage of this provision should seek prior approval for their absence with their manager in the normal manner.
- 6.4 Where an offer of employment is made by an associated employer i.e. any other local authority or other relevant public authority and employment commences within four weeks of the date of termination, this disqualifies the employee from a redundancy payment.

## **7. Redundancy Notification**

7.1 At least 90 days written notification must be given to the Department for Business, Enterprise and Regulatory Reform (BERR/BISS) if 100 or more employees are to be made redundant, and at least 30 days for 20 to 99 employees. For less than 20 employees, no notification to BERR/BISS is required.

## **8. Right of Appeal**

8.1 Any employee who has been selected for redundancy and who is dissatisfied with the way in which the Authority has applied its redundancy selection criteria [including DDA issues], or who believes that the procedure has not been applied correctly will have a right to appeal.

8.2 The employee has a right of appeal against the decision of the Authority.

8.3 The appeal will be heard by Elected Members.

8.4 The employee has 7 calendar days in which to exercise their right of Appeal from the date of receipt of the written notification of termination.

8.5 The Appeal must be made in writing stating the grounds of Appeal as outlined in 8.1 above.

8.6 The bundles for the Appeal must be exchanged no later than 7 calendar days before the date of the appeal hearing.

8.7 Members of the Sub-Committee will hear representations from the employee and his/her representative and from the Corporate Director (or nominated officer) before making its decision.

8.8 The decision of the Sub-Committee will be conveyed in writing to the employee and a copy provided to Human Resources.

8.9 The process to be adopted at the Appeal hearing is set out in Appendix 1.

**Procedure to be adopted at Appeal**

1. The hearing will be held by the Grievance and Disciplinary Appeals Committee, who will be supported by one of the Council's Solicitors in the role of Clerk, a Human Resources Advisor and a minute taker.
2. The parties and their representatives shall be called in simultaneously before the Committee. At the start of the hearing the Chairman will introduce those present and will explain the procedure.
3. The Chief Officer or his/her representative will present the management's case calling, if appropriate, any witnesses to assist in substantiating or clarifying the facts.
4. The appellant or his/her representative will be entitled to question the Chief Officer or his/her representative and any witnesses.
5. The appellant or his/her representative will present the appellant's case calling, if appropriate, any witnesses.
6. The Chief Officer or his/her representative will be entitled to question the appellant and any witnesses.
7. The Members, Clerk of the Committee and the Human Resources Advisor will be entitled at any time during the hearing, with the consent of the Chairman, to ask questions.
8. Where new evidence arises during an appeal it may be appropriate to adjourn in order to investigate or consider such points.
9. The Chief Officer or his/her representative will be given an opportunity to sum up but will not be able to introduce any new evidence at this stage.
10. The appellant or his/her representative will be given an opportunity to sum up. He/she will not be able to introduce any new evidence at this stage.
11. All parties other than the Members of the Committee, the Human Resources Advisor and the Legal Clerk will withdraw from the meeting. The Human Resources Advisor and Legal Clerk will remain in the meeting whilst the Committee require advice.
12. Once the Committee has received advice from the Human Resources Advisor and Legal Clerk the Human Resources Advisor and Legal Clerk will withdraw, while the Committee considered the appeal.
13. The Committee may recall the Human Resources Advisor, Legal Clerk and minute-taker to clarify any points. Should the Committee require advice from the Human Resources Advisor or Legal Clerk both officers should be recalled together.
14. The Committee may recall the parties to clarify any points but, if so, must recall both parties and their representatives and allow them to comment if they so wish.
15. After the Committee has reached a decision on the appeal the parties and their representatives will be recalled and the decision announced to them together with the

reasons for it. The decision will be confirmed in writing by the Human Resources Advisor as soon as possible after the hearing.

**NOTE:**

- The term 'Chief Officer' means Chief Executive, Assistant Chief Executive, Corporate Director or Head of Service of the Council.

The appellant may be represented by either his / her Trade Union representative or by a work colleague.

# **Bridgend County Borough Council** **Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr**



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## **ACTING RANK/HONORARIA PAYMENTS PROTOCOL**

### **PURPOSE**

It will be necessary for the Authority to make arrangements to cover the absence of officers other than for annual leave purposes.

The payment of honoraria is designed to cover relatively short-term and usually unplanned absences to ensure that there is no reduction in provision of service.

### **PAYMENT (Acting Rank)**

1. Employees who are requested to undertake the full range of duties and responsibilities of a higher graded post are entitled to additional remuneration commensurate with those duties, for the period during which they are undertaken.
2. An employee will only receive an additional payment after the additional duties and responsibilities have been undertaken for a continuous period of 4 weeks.
3. Once the qualifying period of 4 weeks has elapsed, the additional payment will be paid with effect from the first day on which the employee undertook the additional duties and responsibilities.

### **HONORARIUM**

1. Where employees who are requested to undertake less than the full duties and responsibilities of a higher graded post an honorarium may be paid on a pro rata basis.
2. Where the duties and responsibilities are shared between two or more employees then any amount paid will be calculated pro rata dependent upon the circumstances of each case.
3. Employees who are requested to perform additional duties and responsibilities outside the scope of their substantive post e.g. undertaking project work will receive an honorarium based upon the value of the duties and responsibilities (evaluated by HR/OD & JE).

## **SELECTION**

### **(Acting up and honorarium payment)**

1. An honorarium will be paid to an individual who is a recognised and agreed [by management] as deputy or assistant clearly identified within a section or division.
2. Where no obvious deputy exists the consideration should be given to sharing the honorarium between the direct line management reports of the [temporarily] vacant post.
3. Where no deputy or assistant exists but it is felt that just one person is required to undertake the full range of duties and responsibilities of the higher graded post, then competitive interviews should be undertaken.
4. The selection process will mirror the Authority's policy on Recruitment & Selection.
5. Where cover is anticipated to be required for between 1-3 months, the temporary vacancy will be ring-fenced to the Service Unit or Section in which it occurs.
6. Where cover is anticipated to be required for in excess of 3 months, it will be regarded as a temporary vacancy and will be dealt with under the Protocol for Secondments.

## **EXCEPTIONAL CIRCUMSTANCES**

### **(Acting up and honorarium payments)**

1. There may be occasions where the Corporate Director Resources [or nominated Officer] and the Head of HR/OD [or nominated officer] will determine that exceptional circumstances occur. In these cases there may be a requirement to deviate from the normal procedures, e.g., where a senior officer is absented, without notice, from his/her duties and responsibilities.
2. Each case will be determined on its merits and any deviation to the protocol will be authorised by a second Corporate Director and the Head of HR/OD.

## **AUTHORISATION**

1. All honorarium payments must be agreed with the Human Resources/Organisational Development Service Unit and only the Human Resources/Organisational Development Service Unit may authorise payment.

## **REVIEW PERIOD**

1. All honorarium payments will be subject to a review period of no less frequently than 3 months.

Issue Date: October 2013

## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO COUNCIL

17 SEPTEMBER 2014

### REPORT OF THE MONITORING OFFICER

#### INFORMATION REPORTS FOR NOTING

**1. Purpose of Report.**

- 1.1 The purpose of this report is to inform Council of any information reports for noting since its last ordinary meeting.

**2. Connection to Corporate Plan / Other Corporate Priorities.**

- 2.1 The report relates to the Corporate Priority working together to make the best use of our resources by improving the way we communicate and engage with citizens.

**3. Background.**

- 3.1 Council has previously agreed to receive a report of this content.

**4. Current situation / proposal.**

4.1 Information Reports

The following information report has been published since the last ordinary meeting of Council:-

<u>Title</u>	<u>Officer</u>	<u>Date published</u>
Urgent Delegated Decision	Monitoring Officer	11 September 2014

4.2 Availability of Documents

The above report has been circulated to Elected Members electronically via "Outlook" and placed on the BCBC website. A hard copy of the report has been placed in the Members Room for information and is available on request from Cabinet and Committee Services. The report is also available from the date of its publication.

**5. Effect upon Policy Framework and Procedure Rules.**

- 5.1 This report accords with the relevant Procedure Rules.

**6. Equality Impact Assessment.**

- 6.1 There are no equality implications attached to this report.

**7. Financial Implications.**

- 7.1 There are no financial implications regarding this report.

**8. Recommendation.**

8.1 That Council notes the publication of the document contained in Paragraph 4.1 of the report.

**P A Jolley**

**Assistant Chief Executive Legal and Regulatory Services and Monitoring Officer**

**22 August 2014**

**Contact Officer:** M A Galvin  
Senior Democratic Services Officer - Committees

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Level 2 Civic Offices  
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CF31 4WB

**Background documents:**

None were used in the production of this report



**BRIDGEND COUNTY BOROUGH COUNCIL**

**INFORMATION REPORT TO COUNCIL**

**17 SEPTEMBER 2014**

**REPORT OF THE MONITORING OFFICER**

**URGENT DELEGATED DECISION**

**1. Purpose of Report.**

1.1 To report to Council a delegated decision taken as a matter of urgency.

**2. Connection to Corporate Improvement Objectives / Other Corporate Priorities.**

2.1 The ability of Members and Officers to make decisions directly impacts upon the Authority's ability to implement the Corporate Improvement Objectives and Other Corporate Priorities.

**3. Background.**

3.1 This decision is required to be reported to Council under paragraph 18 of the Overview & Scrutiny Procedure Rules which are to be found at Part 4 of the Constitution. The background to the decision is shown in the Appendix to the report.

**4. Current situation / proposal.**

4.1 CHI-YOS-14-50 - Date of Decision 17 July 2014 (Delegated decision form attached as an Appendix.)

4.2 Details of Decision

The details regarding the decision are shown in Part 2. of the Appendix.

4.3 Reason for Decision

The reasons for the decision having to be taken as a matter of urgency are outlined in Part 3. of the Appendix.

4.4 Details of Consultation

Numerous meetings with all three Unions, ie Unison, Unite and GMB

**5. Effect upon Policy Framework & Procedure Rules.**

5.1 These decisions are required to be reported to Council under paragraph 18 of the Overview and Scrutiny Procedure Rules which are to be found under Part 4 of the Constitution.

## **6. Equality Impact Assessment**

6.1 There are no negative equality implications arising from this report.

## **7. Financial Implications.**

7.1 There are no financial implications.

## **8. Recommendation.**

8.1 It is recommended that Council note the urgent delegated decision as set out in the Appendix to this report.

**P A Jolley**

**Assistant Chief Executive Legal and Regulatory Services & Monitoring Officer**

**22 August 2014**

**Contact Officer: Mark Galvin**  
Senior Democratic Services Officer – Committees

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### **Background documents**

The Overview and Scrutiny Procedure Rules as set out in the Council's Constitution.

### SCHEMES OF DELEGATION OF FUNCTIONS RECORD OF DECISION

<b>1. Scheme Information:</b>	
a. Decision Reference Number:	CHI-YOS-14-50
b. Decision Type (Proposed or Actual):	Actual
c. Scheme under which decision is to be made	Scheme A
d. Paragraph Number:	1.1
e. Does this Decision contain Exempt Information? If so, provide details with reference to paragraph(s) 12 to 18, Part 4 and paragraphs 19 to 21, Part 5 Schedule 12A, Local Government Act 1972.	N/A
f. Does this Decision contain "Confidential information:	N/A
<b>2. Details of Decision (including: Any public interest test undertaken in relation to Part 1(e) above; equalities implications and details of any assessment undertaken)</b>	
<p>In April 2014, Cabinet agreed to accept a proposal to amalgamate the three youth offending services of Bridgend, Neath and Port Talbot and Swansea, with Bridgend as the lead authority. Within that proposal was the decision that the four management posts within the new structure would all become Bridgend posts. This would be the overall YOS manager post and the 3 locality manager posts.</p> <p>Following extensive consultation with unions it has become apparent that this issue is blocking the whole development and in order to move forward it is now recommended that the three locality posts be also offered as secondment opportunities in order for us to move ahead with recruitment of the posts.</p>	
<b>3. Reason for Decision (including any reasons for urgency which led to the implementation of the decision before the preparation of this record or before the expiry of 3 working days after the publication of the decision to which call-in provisions apply):</b>	
<p>The amalgamation of the Youth Offending Service has been a very protracted project. The three teams have been in an environment of uncertainty for an unreasonable amount of time. There is a requirement by the Youth Justice Board that the new single Youth Offending Service produce an annual report by September 2014 and Cabinet does not meet again until September 2014 and</p>	

therefore there is a need to ratify this decision outside of the normal processes using a delegated power.

**4. Details of Consultation undertaken prior to the decision or, if none reasons why none undertaken:**

Numerous meetings with all three unions, unison, unite and GMB.

**5. Details of any interest declared in relation to the decision:**

a. by any Cabinet Member consulted in relation to the Decision:

b. by any Cabinet Member who would have been the Decision maker except for the declaration of such an interest:

c. details of any dispensation granted by the Standards Committee in respect of interest declared:

**6. Contact Details:**

**Case Officer**

**Decision-Maker**

a. Name:	Nicola Echanis	Cllr Huw David
b. Job Title/Role:	Head of Strategy, Partnerships and Commissioning	Cabinet Member – Children and Young People
c. Telephone Number:	01656 642611	01656 643195
d. E-mail Address:	<a href="mailto:Nicola.echanis@bridgend.gov.uk">Nicola.echanis@bridgend.gov.uk</a>	Cllr.huw.david@bridgend.gov.uk
e. Date Decision made:		17 <sup>th</sup> July 2014
f. Signature:		Cllr Huw David

Notes:

1. Electronic copies of this form must be sent to Democratic Services - Committees (cabinet\_committee)

**7. Decision Administration Information (Cabinet & Committee Services use only)**

- |   |                                       |
|---|---------------------------------------|
| a. Date received                                | <input type="text" value="18/07/14"/> |
| b. Confirmation of Urgency                      | <input type="text" value="-"/>        |
| c. Date published                               | <input type="text" value="18/07/14"/> |
| d. End of Call - In period (Scheme A & B1 only) | <input type="text" value="-"/>        |
| e. Decision Called in.                          | <input type="text" value="-"/>        |
| f. Effective date of Decision.                  | <input type="text" value="17/07/14"/> |