

# **BRIDGEND COUNTY BOROUGH COUNCIL PAY POLICY STATEMENT – 2019/20**

## **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 The Pay Policy Statement came into effect on 1<sup>st</sup> April 2012 and has been subject to review on an annual basis in accordance with the relevant legislation above.

## **2. LEGISLATIVE FRAMEWORK**

- 2.1 In determining the pay and remuneration of all 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 2010, the Council must ensure that there is no pay discrimination within its pay structures and that all pay differentials can be objectively justified.

### **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.
- 3.2 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.
- 3.3 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) [NJC Pay Scales \(Appendix A\)](#)
- b) [JNC Pay Scales \(Appendix B\)](#)
- c) [Soulbury Pay Scales \(Appendix C\)](#)
- d) [JNC \(Youth & Community\) \(Appendix D\)](#)
- e) [Policy on Redundancy and Severance Payments \(including additional pension payments\) \(Appendix E\)](#)
- f) [Acting Rank/Honoraria Payments Protocol \(Appendix F\)](#)

#### **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, suitable remuneration levels are needed to attract candidates from a wide pool of talent as 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.

## **5.0 PAY STRUCTURE**

### **5.1 National Joint Council**

- 5.1.1 The Council's pay structure for NJC employees was implemented in September 2013 following the signing of a collective agreement with UNISON, GMB and UNITE. The pay structure was devised following the evaluation of all posts using the Greater London Provincial Council (GLPC) Job Evaluation Scheme. Each pay grade has a corresponding job evaluation score(s).
- 5.1.2 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.
- 5.1.3 Addendums to the collective agreement have been agreed with the Trade Unions. They reflect Council's decision to alter the pay structure to allow movement between the NJC and JNC structures and the introduction of the national pay award and new pay spine on 1 April 2019.
- 5.1.4 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.
- 5.1.5 New appointments will normally be made at the minimum of the relevant grade, although flexibility exists to ensure the best candidate is secured.

### **5.2 Pay and Performance**

- 5.2.1 The Council does not employ any performance related pay mechanisms.

### **5.3 Job Evaluation**

- 5.3.1 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.

5.3.2 An initial Equality Impact Assessment (EIA) was conducted in 2013. This will be completed every three years, the next planned for 2019.

#### **5.4 Market Supplements**

5.4.1 The Council does not currently have a Market Supplement Policy.

#### **5.5 Honoraria**

5.5.1 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.

### **6. CHIEF OFFICER REMUNERATION**

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

6.1.1 For the purposes of this statement, Chief Officers and Deputy Chief Officers are as defined within section 43 of the Localism Act. Such posts include the Chief Executive, Corporate Directors, Heads of Service and other officers who report directly to the Chief Executive (within the meaning of the Act). Details of the salary of each are included at Appendix B

6.1.2 The Council also has a category of employees employed as Group Managers (Grade 17 and 18). Such officers are also employed on JNC Chief Officer terms and conditions of employment although not all are defined as Chief Officers within the meaning of section 43 of the Localism Act.

6.1.3 Each Chief Officer grade has incremental points.

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

6.1.5 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.

#### **6.2 Recruitment of Chief Officers**

6.2.1 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 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.

6.2.2 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.

6.2.3 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 Welsh Local Government Association (WLGA) on an interim basis to cover the post of Head of Finance / s. 151 Officer.

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

6.3.1 The Council does not apply any bonuses or performance related pay to its Chief Officers.

6.3.2 The Council does pay all reasonable travel and subsistence expenses on production of receipts and in accordance with JNC conditions and other local conditions.

6.3.3 The cost of membership of one professional body is met by the Council.

6.3.4 The Chief Executive is also appointed as Returning Officer. This is an Office Holding rather than an employment contract. The Returning Officer 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 Council's fee structure will be approved at the time.

6.3.5 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.

6.3.6 Fees applied for all other Elections and referenda are prescribed by the UK Government or Welsh Government.

### **6.4 Payments on Termination**

6.4.1 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 Ill Health, Early Retirement & Redundancy Policy in accordance with Regulations 5 and 6 of the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006. 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).

- 6.4.2 Statutory Guidance issued by the Welsh Government states that it “recommends that full Council should be offered the opportunity to vote before severance packages of £100,000 and above are approved for staff leaving the organisation. However, Members must be aware of the statutory or contractual entitlements due to an employee and the consequences of non-approval by Council which may allow an employee to claim damages for breach of contract”.
- 6.4.3 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.

## **7. PUBLICATION**

- 7.1 Upon approval by the full Council, this statement will be published on the Council’s Website prior to the 1<sup>st</sup> April 2019.
- 7.2 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 as amended, 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.

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

- 8.1 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 2019, this is £17,364 per annum.
- 8.2 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 average 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 average salary of the whole of the Authority’s workforce.
- 8.3 The current pay levels within the Council define the multiple between:

- 8.3.1 the lowest paid employee (full time equivalent) and the Chief Executive as **1:7.9**
- 8.3.2 the lowest paid employee and average Chief Officer as **1:5.4**
- 8.3.3 the multiple between the average full time equivalent earnings and the Chief Executive as **1:3.8**
- 8.3.4 the multiple between the average full time equivalent earnings and average Chief Officer as **1:2.6**

## **9. ACCOUNTABILITY AND DECISION MAKING**

- 9.1 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.
- 9.2 The responsibility for the organisational structure, recruitment, pay, terms & conditions and severance arrangements for Non Chief Officer JNC, NJC, Craft, Youth & Community and Soulbury employees has been delegated to officers.

## **10. RE-EMPLOYMENT**

- 10.1 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.

## **11. REVIEWING THE POLICY**

- 11.1 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 and updated and published annually as a matter of course and in the event of any changes taking place during a financial year.

NJC PAY SCALES - 1 APRIL 2019

SCP	SALARY	Grades		SCP	Salary	Grades	
1	£17,364	Grade 1		26	£29,636		Grade 10
2	£17,711		Grade 2	27	£30,507		
3	£18,065			28	£31,371		
4	£18,426	Grade 3		29	£32,029		
5	£18,795			30	£32,878	Grade 11	
6	£19,171		Grade 4	31	£33,799		
7	£19,554	Grade 5		32	£34,788		
8	£19,945			33	£35,934		Grade 12
9	£20,344		Grade 6	34	£36,876		
10	£20,751				35	£37,849	
11	£21,166				36	£38,813	Grade 13
12	£21,589	Grade 7		37	£39,782		
13	£22,021			38	£40,760		
14	£22,462			39	£41,675		
15	£22,911			40	£42,683		
16	£23,369			41	£43,662		Grade 14
17	£23,836			42	£44,632		
18	£24,313		Grade 8	43	£45,591		
19	£24,799				44	£46,547	
20	£25,295				45	£47,503	Grade 15
21	£25,801			46	£48,461		
22	£26,317			47	£49,417		
23	£26,999	Grade 9		48	£50,373		Grade 16
24	£27,905			49	£51,330		
25	£28,785						



## JNC PAY SCALES - 1 APRIL 2019

Designation	Grade	SCP	SALARY
Group Manager [2]	Grade 17	1	£54,608
		2	£55,664
		3	£56,741
		4	£57,839
Group Manager [1]	Grade 18	5	£60,755
		6	£61,930
		7	£63,128
		8	£64,350
Head of Service [3]	Grade 19	9	£64,900
		10	£65,888
		11	£66,891
		12	£67,910
Head of Service [2]	Grade 20	13	£71,244
		14	£72,860
		15	£74,512
		16	£76,201
Head of Service [1]	Grade 21	17	£79,112
		18	£80,905
		19	£82,698
		20	£84,491
Corporate Director [2]	Grade 22	21	£91,121
		22	£93,189
		23	£95,305
		24	£97,469
Corporate Director [1]	Grade 23	25	£105,477
		26	£107,871
		27	£108,102
		28	£110,449
Assistant Chief Executive	Grade 24	29	£116,252
		30	£119,031
		31	£121,876
		32	£124,789
Chief Executive	Grade 25	33	£129,823
		34	£132,925
		35	£136,027
		36	£139,128

## SOULBURY PAY SCALES - 1 SEPTEMBER 2018

<b>EDUCATIONAL PSYCHOLOGISTS - SCALE A</b>	
<b>SCP</b>	<b>SALARY</b>
1	£36,446
2	£38,296
3	£40,146
4	£41,994
5	£43,844
6	£45,693
7	£47,434
8	£49,175
9	£50,806
10	£52,439
11	£53,961

<b>SENIOR &amp; PRINCIPAL EDUCATIONAL PSYCHOLOGISTS - SCALE B</b>	
<b>SCP</b>	<b>SALARY</b>
1	£45,693
2	£47,434
3	£49,175
4	£50,806
5	£52,439
6	£53,961
7	£54,586
8	£55,754
9	£56,911
10	£58,089
11	£59,243
12	£60,420
13	£61,617
14	£62,774
15	£63,986
16	£65,186
17	£66,395
18	£67,602

**EDUCATIONAL IMPROVEMENT PROFESSIONALS**

<b>SCP</b>	<b>SALARY</b>	<b>SCP</b>	<b>SALARY</b>
1	£34,749	26	£64,173
2	£35,993	27	£65,282
3	£37,168	28	£66,405
4	£38,359	29	£67,532
5	£39,543	30	£68,656
6	£40,727	31	£69,771
7	£41,971	32	£70,903
8	£43,168	33	£72,036
9	£44,563	34	£73,197
10	£45,807	35	£74,353
11	£47,035	36	£75,544
12	£48,223	37	£76,715
13	£49,569	38	£77,899
14	£50,769	39	£79,066
15	£52,095	40	£80,233
16	£53,293	41	£81,406
17	£54,495	42	£82,578
18	£55,674	43	£83,749
19	£56,891	44	£84,925
20	£57,519	45	£86,099
21	£58,727	46	£87,274
22	£59,780	47	£88,454
23	£60,939	48	£89,623
24	£61,978	49	£90,797
25	£63,089	50	£91,972

## YOUTH &amp; COMMUNITY PAY SCALES - 1 SEPTEMBER 2018

SUPPORT WORKER RANGE	
SCP	SALARY
2	£16,757
3	£17,267
4	£17,681
5	£18,141
6	£18,556
7	£19,009
8	£19,645
9	£20,456
10	£21,090
11	£22,116
12	£23,118
13	£24,153
14	£25,225
15	£25,955
16	£26,718
17	£27,468

PROFESSIONAL RANGE	
SCP	SALARY
13	£24,153
14	£25,225
15	£25,955
16	£26,718
17	£27,468
18	£28,223
19	£28,972
20	£29,724
21	£30,568
22	£31,525
23	£32,456
24	£33,392
25	£34,335
26	£35,277
27	£36,221
28	£37,175
29	£38,122
30	£39,070

## **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 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.



- 5.9 Should the employee decline the offer of suitable alternative employment, further redeployment opportunities will be explored during the period of the consultation and notice.
- 5.10 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.
- 5.11 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.
- 5.12 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.

## 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 a member of the Corporate Management Board [or nominated Officer] and the Group Manager 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 member of the Corporate Management Board and the Group Manager 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.