



## Cambridge City Council Civic Affairs

**Date:** Wednesday, 29 January 2020

**Time:** 5.30 pm

**Venue:** Committee Room 1 & 2, The Guildhall, Market Square, Cambridge, CB2 3QJ

**Contact:** [democratic.services@cambridge.gov.uk](mailto:democratic.services@cambridge.gov.uk), tel:01223 457000

### Agenda

- 1 Apologies
- 2 Declarations of Interest
- 3 Minutes (Pages 3 - 12)
- 4 Public Questions
- 5 Statement of Accounts 2018/19  
The External Auditor has not completed the audit 2018/19 at the time of this agenda publication. Therefore, the Committee will need to agree a date for a special meeting to consider the Statement of Accounts and other related reports which are included on the Forward Plan scheduled for 29 January meeting. (For discussion).
- 6 Draft Pay Policy Statement 2020/21 (Pages 13 - 32)
- 7 Amendment to Council Procedure Rules (Pages 33 - 36)

**Civic Affairs Members:** McPherson (Chair), Sargeant (Vice-Chair), Chadwick, Dalzell, Davey and Thornburrow

**Alternates:** Martinelli and Moore

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## **CIVIC AFFAIRS**

9 October 2019

5.30 - 7.05 pm

**Present:** Councillors McPherson (Chair), Sargeant (Vice-Chair), Chadwick, Dalzell, Moore and Thornburrow

### **Officers:**

Chief Executive: Antoinette Jackson

Strategic Director: Fiona Bryant

Head of Corporate Strategy: Andrew Limb

Head of Finance: Caroline Ryba

Head of Shared Internal Audit Service: Jonathan Tully

Head of Shared Waste Service: Trevor Nicoll

Business & Development Manager: Tony Stead

Interim Deputy Head of Finance: Ken Trotter

Democratic Services Manager: Gary Clift

Electoral Services Manager: Vicky Breeding

Committee Manager: James Goddard

### **Others Present:**

Ernst & Young External Auditor: Suresh Patel

Deputy Head of Finance: Jody Etherington

## **FOR THE INFORMATION OF THE COUNCIL**

### **19/32/Civ Apologies**

Apologies were received from Councillor Davey. Councillor Moore was present as the Alternate. Apologies were also received from Rob Bennett (Independent Person).

### **19/33/Civ Declarations of Interest**

No interests were declared.

### **19/34/Civ Minutes**

The minutes of the meetings held on 24 July 2019 were approved as a correct record and signed by the Chair.

**19/35/Civ Public Questions**

There were no public questions.

**19/36/Civ Oral Update on 2018/19 External Audit Process**

The Committee received a verbal report from the External Auditor:

- i. Referred to the letter sent to Head of Finance.
- ii. Ernst & Young were unable to start the audit on time as agreed with the Head of Finance.
- iii. The pace of the audit (obtaining information) was affected by:
  - a. Change in ledger.
  - b. Changes in personnel.
- iv. The audit was in progress. Information for clarification purposes was being sought over the next three to four weeks, so a conclusion should be reached soon.

The Head of Finance said:

- i. Thanked Interim Deputy Head of Finance for staying on to see out the audit process.
- ii. Officers were trying to complete the audit as soon as possible.
- iii. It was difficult to submit information to Ernst & Young through their portal.
- iv. Introduced Jody Etherington as the replacement to Interim Deputy Head of Finance (Ken Trotter). Jody would take over from Ken in future.
- v. A candidate had been identified for one accounting post, but another post was still vacant.

The Committee made the following comments in response to the report:

- i. Expressed concern the audit had not been completed.
- ii. Queried when the audit would be completed.
- iii. Observed the City Council was not the only local authority awaiting audit sign-off by Ernst & Young. Queried how the situation could be resolved (now) and avoided in future.

The External Auditor said the following in response to Members' questions:

- i. The 2018/19 audit had not been signed off as Ernst & Young required some further information. They acknowledged there were some issues when submitting details through their portal.
- ii. Ernst & Young hoped to avoid issues re-occurring in future. Referred to comments made at 24 July 2019 Civic Affairs. Ernst & Young hoped to recruit further staff by January 2020, so they would be at full capacity prior to starting the 2019/20 audit (having first cleared any backlog).

- iii. Public Sector Audit Appointments Limited undertook contract monitoring to ensure that Ernst & Young delivered against contractual obligations.

The Interim Deputy Head of Finance said the following in response to Members' questions:

- i. A "lessons learnt" file was being built for next year to pass onto new officers to ensure continuity of knowledge.
- ii. The 2018/19 audit had been delayed because:
  - a. The finance regime had changed so old format papers were no longer valid. This delayed submission.
  - b. There was a lack of discussion between the City Council and Ernst & Young before the audit started due to a lack of staff capacity and loss of several experienced City Council staff.
- iii. The same issues should not arise in 2019/20.

Councillor Thornburrow noted the next Civic Affairs meeting was 29 January 2020 and asked how the audit would be signed off if completed circa October 2019. The Chair said a special Civic Affairs meeting would be timetabled.

**Unanimously resolved** to note the presentation.

### **19/37/Civ Internal Audit Plan: Progress Report**

The Committee received a report from the Head of Internal Audit regarding the work of Internal Audit, completed between April 2019 to September 2019.

The Head of Internal Audit said the following in response to Members' questions:

- i. (Agenda p18) The Council has currently achieved a 24% improvement against a target of 15% for carbon management data quality. It was hoped this trend would continue in future but improvements may be harder to achieve.
- ii. (Agenda p19) Referred to the action plan setting out details regarding gas safety compliance. Internal Audit will follow up these actions.
- iii. (Agenda p21) Safeguarding had changed from "reasonable" to "limited". This reflected a small element of the overall system where processes needed improvement to provide assurance.

**Unanimously resolved** to note the contents of the report.

## **19/38/Civ Polling District Review**

The committee received a report from the Electoral Services Manager regarding the review of Polling Districts. She referred to an amendment sheet that included comments received after the report had been published and corrected boundary maps (as referenced in report recommendations).

Councillor Robertson addressed the committee to state some venues in Petersfield were unsuitable as polling stations. He asked if Hanover Court could be considered.

The Committee made the following comments in response to the report:

- i. Some venues in city wards were unsuitable as polling stations.
- ii. Asked if Milton Road Library and St Lawrence's Church should be the only polling stations in West Chesterton on grounds of accessibility and familiarity.
- iii. Expressed concern about the disabled access at the polling station at New Chesterton Institute.

The Electoral Services Manager said the following in response to Members' questions:

- i. It was not explicitly set out in Electoral Commission Polling District Review Guidance, but in exceptional circumstances polling stations outside an area could be used if no suitable ones could be found within the polling place.
- ii. Polling districts/places were agreed by the Civic Affairs Committee. The Returning Officer was responsible for allocating polling stations.
- iii. The Committee could set a polling place anywhere within its polling district, however allocating the whole polling district as a polling place would be more suitable. If required (ie no suitable ones available when required) details of alternates could be brought back to a future committee for approval. The Returning Officer could then set specific polling stations to use on polling day subject to availability.

### **Unanimously resolved:**

- i. To approve the changes to polling districts in Cambridge as laid out in maps (Appendix A of the Officer's report and amendment sheet).
- ii. That the polling place for each polling district is the polling district boundary, unless otherwise stated in Appendix B of the Officer's report and amendment sheet.

## 19/39/Civ Annual Complaints Report 2018-19

The Committee received a report from the Head of Corporate Strategy regarding the Annual Complaints Report. The Officer updated his report to say on page 5 of the report (page 73 of the agenda pack) the report gave the number of complaints in the last year (1161), and the number by which this had increased on the previous year (463). These were also shown in the chart at the top of the following page. Due to a calculation error when working out the percentage increase, this was erroneously stated as a 34% increase. The correct figure is 66%.

The Head of Corporate Strategy, Head of Shared Internal Audit, Head of Shared Waste Service and Business & Development Manager said the following in response to Members' questions:

- i. The Council has a Local Code of Governance which is a framework of policies and processes that Councillors and Officers should follow. The complaints process is part of this framework that is reviewed annually by Members as part of the Annual Governance Statement.
- ii. The Council had a risk-based approach to Internal Audit planning and any significant risks or governance issues would be included.
- iii. Complaint 'response within target' trend information for the council as a whole could be reported back in future to show statistics such as year on year comparison.
- iv. The number of complaints had risen since 2018/19, but this was due to a number of factors. For example, people could complain about policy decisions (eg bin collection days, the policy on collecting missed bins or the policy on green waste collections) as well as operational matters such as repeatedly-missed individual bins. The City Council reported missed bin collections due to blocked roads (i.e. factors outside its control) unlike most other local authorities. The Waste Service had a tracker system to monitor, address and spot trends.
- v. The Council had a system that could separate complaints into different categories e.g. policy or operational. Services were learning how to do this; some were more advanced than others.
- vi. The City and South Cambridgeshire had growth areas. The Waste Service could receive complaints if bins were not collected as access roads were unsuitable for collection vehicles or the Service was unaware of new housing developments (i.e. not notified of them). The Waste Service reacted to complaints when received.
- vii. Each local authority reported complaints in different ways so it was hard to compare the City Council with others. However, the level of complaints

in recent years seemed to be lower than some comparable local authorities.

- viii. The scope of the Independent Complaints Investigator was modelled on the Local Government Ombudsman. Removing Stage 3 from the Council's complaints procedure would not leave people unable to make complaints.

**Unanimously resolved:**

- i. Considered the draft Annual Complaints Report for 2018-19, and approved for publication on the Council's website.

**Resolved (by 4 votes to 0):**

- ii. Agreed to amend the Civic Affairs Committee's Terms of Reference as explained in paras 3.6 – 3.12 of the Officer's report and also set out in Appendix C.
- iii. Agreed to remove Stage 3 from the Council's complaints procedure from 1 April 2020 as explained in paras 3.13 – 3.23 of the Officer's report.

**19/40/Civ Freedom of Information, Data Protection and Transparency: Annual Report 2018/19**

The Committee received a report from the Information Governance Manager regarding an annual report on performance and activity during 2018/19 on transparency issues. This included data protection; requests for information under Freedom of Information (FOI) and Environmental Information Regulations (EIR); and open data.

In addition, the report covered snap shots of projects the council was addressing in line with the Data Protection Act (DPA) and General Data Protection Regulations (GDPR) 2018 Regulations.

The Strategic Director said an amended report would soon be published to correct inconsistencies in the first one. She also referred to the amendment sheet which replaced the table on page 115 of the Civic Affairs Agenda Reports Pack.

The Strategic Director amended the recommendation in the report.

- ~~Withdrawn: The Council needs to review the Data Protection Act and General Data Protection Regulations 2018 to ensure they align with current processes and procedures.~~
- New: It is recommended that the Committee note the contents of the report.

The Committee made the following comments in response to the report:

- i. The number of Freedom of Information (Fol) requests had risen and queried why.
- ii. Cyber security was an important issue, requested more details in future.

The Strategic Director said the following in response to Members' questions:

- i. Fol requests often came from suppliers asking for contract and product information (eg asking when a contract was due to change), prior to the supplier putting in a sales pitch.
- ii. The public sector was obliged (by Central Government) to respond to Fol requests in order to be seen to be transparent. The Council had some discretion to restrict the information given out if it was commercially sensitive.
- iii. Responding to Fol requests took time and officer resources. The City Council could liaise with the Local Government Association to see if certain types of Fol requests could be prioritised in future so that information for sales pitches was not treated in the same way as other Fol requests.
- iv. It was proposed to continue publishing data sets relating to frequently-requested information on the council website to minimise the number of questions being submitted in future.
- v. Cyber security details (eg certificate of compliance) would be included in the updated officer report.

**Unanimously resolved** to note the contents of the report.

### **19/41/Civ Proxy Voting at Council Meetings**

At the last Committee (19/23/CIV) Councillor Katie Porrer submitted a written request for officers to investigate this issue of proxy voting at local authority committee meetings. The report from the Democratic Services Manager answered that request.

Councillor Porrer raised the following points:

- i. Welcomed the City Council writing to the Local Government Association.
- ii. Expressed disappointment that proxy voting was currently illegal for councils.
- iii. Requested an amendment to the Officer's recommendation requesting that such a scheme should cover shared parental leave.

The Committee agreed to amend the Officer recommendation to reflect the additional request.

The Democratic Services Manager said the following in response to Members' questions:

- i. Noted Councillors willingness for the City Council to pilot any future scheme for local government.
- ii. It was difficult to predict when the legislation would be introduced as it was unlikely to be a Government priority..

**Unanimously resolved** to ask the Chief Executive to write to the Local Government Association requesting that it raises with Government the equality issue raised in this report and whether it should consider introducing this for local government meetings.

### **19/42/Civ Calendar of Meetings 2020/21**

The Committee received a report from the Democratic Services Manager seeking approval of the Council's meeting calendar for the Municipal Year 2020/21 (indicative).

In response to the report Councillor Sargeant proposed retaining the current start time of 11am for Annual Council in 2020.

**Unanimously resolved** to:

- i. Approve the meetings calendar 2020/21 and, if required, to delegate final approval to the Chief Executive in consultation with Group Leaders by the end of October.
- ii. Confirm cancellation of the April 2020 Council Meeting.

**Resolved (by 4 votes to 0)** to:

- iii. Agree the start time for the Annual Meeting of Council 2020 as 11am.

### **19/43/Civ Flag Flying Protocol**

The Committee received a report from the Democratic Services Manager seeking the Committee's consideration of the current flag flying protocol and whether the Human Rights flag should be added to it.

In response to the report Councillors commented that the council should celebrate diversity in the city by flying the Human Rights flag.

**Unanimously resolved** to support flying the Human Rights flag on World Human Rights Day, 10 December and amend the flag flying protocol accordingly.

The meeting ended at 7.05 pm

**CHAIR**

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Item

## Draft Pay Policy Statement 2020/21

**To:**

Civic Affairs 29 January 2020

**Report by:**

Deborah Simpson, Head of Human Resources

Tel: 01223 458101 Email: Deborah.Simpson@cambridge.gov.uk

**Wards affected:**

All

## Open

### 1. Introduction

- 1.1 This report sets out a draft pay policy statement as required under the Localism Act. The Localism Act requires the Council to have considered, approved and published a pay policy statement for each financial year. This must be approved by Full Council and be in place by 31<sup>st</sup> March each year.
- 1.2 The pay policy statement covers posts designated 'chief officer'. For Cambridge City Council this includes the chief executive, strategic directors and heads of service. The areas to be covered in the statement are: salary, expenses, bonuses, performance-related pay, severance payments, how election fees are paid and the pay policy on re-engagement of ex-employees. The Localism Act also requires the statement to define the lowest paid employees and the ratio to the highest earning employee.

- 1.3 In 2018 two-year national pay awards (1 April 2018 to 31 March 2020) were agreed for Chief Executive's and for Chief Officers (relating to Strategic Directors and Heads of Service). Both awards were for 2% in 2018 and 2% in 2019. The pay scales shown in the Pay Policy Statement 2019 show salary levels following these two pay awards.
- 1.4 In April 2018 a two-year national pay award (1 April 2018 to 31 March 2020) was also agreed for employees covered by the National Joint Council for Local Government Services (NJC), affecting pay Bands 1-11 at Cambridge City. The award was also for 2% from 1 April 2018 and 2% from 1 April 2019 and included changes to the national pay scale with effect from 1 April 2019, to be implemented locally by each council. It was necessary to redesign the Council's pay scale to enable the introduction of the NJC pay scale changes and following consultation with staff and the trade unions these changes were implemented with effect from 1 April 2019.
- 1.5 There has been no agreement to date on national pay awards for chief executives or chief officers or employees covered by the NJC with effect from 1 April 2020. If there is any update on this by the time of the Civic Affairs Committee on 29 January it will be reported at the meeting.
- 1.6 The Council is an accredited Real Living Wage employer (£9.30 per hour with effect from November 2019) and pays a Cambridge Weighting supplement in addition to salary and the Real Living Wage supplement, to bring the hourly rate to an equivalent of £10.00 per hour.
- 1.7 Following the transfer of staff from Cambridge Live to the Council on 1 April 2019 under TUPE (Transfer of Undertakings (Protection of Employment) Regulations) we now need to consider how to determine pay awards for staff on Cambridge Live terms and conditions of employment. Prior to the transfer this had been a matter for determination by the Cambridge Live Board. As there is no equivalent body within Cambridge City Council it is proposed that we adopt a new mechanism for determining pay awards for staff on this set of terms and conditions.
- 1.8 The Civic Affairs Committee are asked to note that the Pay Policy Statement 2020/21 contains reference to the 2019 pay review of senior officer salaries: chief executive, strategic director and heads of service and further information is set out below.

- 1.9 This report presents the Council's Pay Policy Statement 2020/21 for consideration by Civic Affairs and Council.

## **2. Recommendations**

### **The Civic Affairs Committee is asked to:**

- 2.1 Consider and recommend to Council the draft Pay Policy Statement 2020/21 attached as Appendix 1.
- 2.2 To receive an oral update at the Civic Affairs Committee meeting regarding any progress on national pay awards for chief executives or chief officers or employees covered by the NJC, with effect from 1 April 2020.
- 2.3 Note that a review of senior officer salaries has been undertaken in 2019 and that no change to the pay levels of the Chief Executive, Strategic Directors and Heads of Service is recommended as a result of that review.
- 2.4 To recommend to Council to delegate authority to the Head of Human Resources to update the Pay Policy Statement 2020/21 should a chief executive and/or chief officer and/or NJC pay award be agreed.
- 2.5 To recommend to Council that a pay award mechanism is introduced with effect from 1 April 2020 for staff on Cambridge Live terms and conditions of employment, based on comparison to the NJC pay award and authority is delegated to the Head of Human Resources to implement any future pay awards, following consultation with the Chief Executive and Executive Councillor for Finance and Resources.

## **3. Background**

### **National Pay Awards**

- 3.1 Pay awards are nationally determined in accordance with the Joint Negotiating Committee (JNC) for Chief Executives, the Joint Negotiating Committee (JNC) for Chief Officers and the National Joint Council for Local Government Services (NJC) for staff on Bands 1-11.

- 3.2 With effect from 1 April 2018 there were nationally negotiated two year pay awards affecting staff on Bands 1-11, Directors, Heads of Service and Chief Executives. The pay awards cover the period 1 April 2018 to 31 March 2020 and include for 2% on basic salary with effect from 1 April 2018 and 2% on basic salary with effect from 1 April 2019. The NJC pay award included implementation of a revised national pay scale.
- 3.3 At the time of drafting this report there has been no agreement on national pay awards with effect from 1 April 2020.

## **2019 PAY REVIEW**

- 3.4 The Council has an agreement that senior officer pay scales will be reviewed every three years. The three year pay review has been undertaken for 2019 by the Head of Human Resources, using a range of pay benchmarking data including:
- Local Government Association research report - Chief Executive and Chief Officer pay survey
  - 'Epaycheck' benchmarking data for chief executives, directors and heads of service level posts. This is a national data base of salary data used for benchmarking purposes. Data was submitted by 146 councils on a voluntary basis. The benchmarking comparison size varies by type of post, authority and region. Data was compared by:
    - all councils
    - all councils in the East of England region
    - districts and boroughs
    - districts and boroughs in the East of England
- 3.5 The current benchmarking of senior salaries suggests the pay levels for our chief executive, strategic director and heads of service grades are broadly in line with our comparator authorities.
- 3.6 As a result of analysing the benchmarking pay comparison data there is no recommended increase or reduction in the pay grades for these posts. There is no recommendation to reduce or increase the number of points in the pay grades for these posts, currently four.
- 3.7 The outcome of this review is the recommendation that the current pay grade structure for the posts of Chief Executive, Strategic Director and

Heads of Service on grades remain unchanged as a result of the review as follows:

- Chief Executive - £115,299 to £130,013
- Strategic Directors - £88,942 to £99,476
- Head of Service - £69,043 to £76,062

3.8 The pay points within the grades are however still subject to nationally agreed pay awards with effect from 1 April 2020 and would increase in line with any nationally agreed percentage.

3.9 The next three year review will be in 2022.

### **Cambridge Live Pay Awards**

3.10 Following the transfer of staff from Cambridge Live to the Council on 1 April 2019 under TUPE (Transfer of Undertakings (Protection of Employment) Regulations) we have two implementation dates for the Real Living Wage and two sets of employment terms and conditions.

3.11 Pay awards for staff on Cambridge Live terms and conditions of employment had prior to the transfer been a matter for determination by the Cambridge Live Board. As there is no equivalent body within Cambridge City Council and therefore no mechanism for determining pay awards, it is proposed that we adopt a new mechanism for staff on this set of terms and conditions. The Cambridge Live pay arrangements do not have pay scales in the same way as the City Council.

3.12 The proposal is to use the equivalent percentage pay award of the nationally negotiated NJC award. Staff within Cambridge Live are employed on salaries within a similar range to City Council Band 1 to Band 11 pay rates. Pay awards for this range of City grades are covered by the NJC pay awards.

3.13 The Council's budget setting process includes provision for pay inflation, currently 2.5% for 2020/21 and 2% thereafter and provision for any pay award to Cambridge Live staff is included within this.

- 3.14 By using the equivalent percentages of the NJC pay awards we will have a recognizable pay award mechanism and one within our budget provision. It will also be equivalent to that awarded to staff on Cambridge City terms and conditions.
- 3.15 As nationally agreed pay awards can have variable percentages on different pay points, there is often some form of bottom loading, (higher percentage awards at the bottom of the pay scale) and Cambridge Live did not have a directly comparable pay scale, it is recommended that delegation is given to the Head of Human Resources, following consultation with the Chief Executive and Executive Councillor for Finance and Resources to determine the exact pay percentage awards for Cambridge Live salary points with effect from 1 April 2020.
- 3.16 The trade unions and staff of Cambridge Live will be consulted on the proposal to use the nationally negotiated NJC pay award as a mechanism for determining future pay awards for staff on Cambridge Live terms and conditions.

## **4. Implications**

### **a) Financial ImplicationsPage: 6**

The Council has made budget provision in the Medium-Term Financial Strategy for 2.5% pay inflation in 2020/21. This includes provision for staff on Cambridge Live terms and conditions of employment.

### **b) Staffing Implications**

This report relates to the pay, terms and conditions of staff.

### **c) Equality and Poverty Implications**

An equality impact assessment has not been undertaken for this report.

Equality information by grade is reported annually to the Equalities Panel and is available on the Council's website.

**d) Environmental Implications**

The proposal has no climate change impact.

**e) Procurement Implications**

The Living Wage Policy as it relates to contractors is included in the Pay Policy Statement.

**f) Community Safety Implications**

This report relates to the pay, terms and conditions of staff and does not impact directly on community safety matters.

**5. Consultation and communication considerations**

- 5.1 The Chief Executive, Strategic Directors, Head of Legal Practice, Head of Finance, Payroll Manager, Democratic Services Manager, Equality and Anti-Poverty Officer and Strategic Procurement Manager have been consulted on this report and the attached draft Pay Policy Statement.
- 5.2 The Executive Councillor for Finance and Resources have been consulted on the outcomes of the senior pay review. The Opposition Spokesperson will be consulted on the published report.
- 5.3 Senior Officers and the trade unions have been updated on this report and the senior pay review.
- 5.4 The Strategic Director, Head of Community Services and Executive Councillor for Finance and Resources have been consulted on the proposed pay award mechanism for staff engaged on Cambridge Live terms and conditions of service.
- 5.5 The trade unions and staff of Cambridge Live will be consulted on the proposal to use the nationally negotiated NJC pay award as a mechanism for determining future pay awards for staff on Cambridge Live terms and conditions.
- 5.6 This pay policy statement once approved by Full Council will be published on the Councils website. The Pay Policy Statement will be

updated following any agreed national pay award changes which affect the council's pay scales.

## **6. Background papers**

Background papers used in the preparation of this report:

- Pay Policy Statement 2019/20
- Provisions of the Localism Act relating to chief officer pay statements
- Communities and Local Government Openness and accountability in local pay: Guidance under section 40 of the Localism Act February 2012 and Supplementary Guidance February 2013.
- Local Government Association Localism Act: Pay Policy Statements Guidance (November 2011) and Supplementary Notes 1 and 2.
- City Council Pay scales
- Epaycheck benchmarking data
- Local Government Association research report - Chief Executive and Chief Officer pay survey

## **7. Appendices**

- Appendix 1- Pay Policy Statement 2020/21

## **8. Inspection of papers**

To inspect the background papers or if you have a query on the report please contact: Deborah Simpson, Head of Human Resources, Tel: 01223 458101, email: [Deborah.Simpson@cambridge.gov.uk](mailto:Deborah.Simpson@cambridge.gov.uk).





## Pay Policy Statement 2020/21

### Scope

This pay policy statement covers the posts of the chief executive, strategic directors and heads of service.

The Council is an accredited Real Living Wage Employer and this statement incorporates the Council's policy on the Real Living Wage. This statement also incorporates the Cambridge Weighting which is paid as a pay supplement to bring the minimum council pay rate to £10.00 per hour.

Following the transfer of staff from Cambridge Live to the Council on 1 April 2019 under TUPE (Transfer of Undertakings (Protection of Employment) Regulations) we have two implementation dates for the Real Living Wage and two sets of employment terms and conditions. This is referred to below in the section on the real Living Wage, Cambridge Weighting and pay ratios.

The Council has a number of apprenticeship opportunities and there is a statement relating to apprenticeships.

### Salary

The salary scales for the chief executive, strategic directors and heads of service, following the nationally agreed pay award with effect from 1 April 2019, are shown below.

Progression through the pay band (a four-point scale) is subject to a range of criteria that are currently assessed via the annual performance review.

Post	Point 1	Point 2	Point 3	Point 4
<b>Chief Executive</b>	£115,299	£120,197	£125,086	£130,013
<b>Strategic</b>	£88,942	£92,455	£95,963	£99,476

<b>Director</b>				
<b>Head of Service</b>	£69,043	£71,394	£73,710	£76,062

## **Review of Salary levels**

The Council has an agreement that senior officer pay scales will be reviewed every three years in line with current median level pay. A review of senior officer salaries has been undertaken in 2019.

The outcome of this review is the recommendation that the pay levels for the posts of Chief Executive, Director and Heads of Service remain unchanged.

The pay points within the grades are however still subject to nationally agreed pay awards with effect from 1 April 2020 and would increase in line with any nationally agreed percentage.

The next three year review will be in 2022.

## **Pay Awards**

Pay awards are nationally determined in accordance with the Joint Negotiating Committee (JNC) for Chief Executives and the Joint Negotiating Committee (JNC) for Chief Officers.

In 2018 two-year national pay awards were agreed for Chief Executive's and Chief Officers (relating to Strategic Directors and Heads of Service), covering the period 1 April 2018 to 31 March 2020. Both awards were for 2% in 2018 and 2% in 2019. At the time of drafting this pay policy there have been no pay awards with effect from April 2020.

## **Terms and Conditions of Employment**

The terms and conditions of employment for the chief executive, strategic directors and heads of service within the scope of this pay policy statement are determined in accordance with collective agreements, negotiated from time to time, by the JNC for Chief Executives and the JNC for Chief Officers, as set out in the Scheme of Conditions of Service. These are supplemented by local collective agreements reached with trade unions recognised by the Council and by the rules of the Council.

## **Remuneration on Recruitment**

Recruitment to the posts of chief executive and strategic director is undertaken by a committee of councillors appointed by Council. In the case of the chief executive, the appointment is made by Full Council, following a recommendation from the Employment (Senior Officer) Committee. Recruitment to posts of strategic director is subject to notification to Executive Councillors before a job offer can be made. The salary on recruitment will be within the current salary range for these posts at that time.

Recruitment to posts of head of service is undertaken by the chief executive or a strategic director. The salary on recruitment will be within the current salary range for these posts at that time.

There are occasions when the salary determined by the grading for a post results in an inability to successfully recruit to or retain staff in particular posts or specific occupational areas due to fluctuations in the labour market supply. These recruitment and retention problems can affect ability to deliver services. In such cases it may be appropriate to pay a market supplement in addition to the salary where there is evidence to justify that market factors are the “material reason” for the post attracting a higher rate of pay than other posts graded similarly. Any additional market supplement will be made in accordance with the Market Pay Policy.

There may be occasions when due to recruitment and retention difficulties within a specific service area or role, it may be more appropriate to use a recruitment and retention package approach than a market supplement. Such an approach offers a fixed lump sum payment for new appointments or to the staff in identified roles at a given date. The payment is tied to a defined retention period (two years) and must be repaid in full if the person leaves the employment of the Council within the designated period. The aim of this approach is to recruit new staff and retain existing staff where there is evidence of both types of difficulty and a market supplement approach is assessed as less effective.

Rules governing the recruitment of the chief executive, strategic directors and heads of service are set out in the council’s constitution in section; Part 4i, Officer Employment Procedure Rules.

## **Bonuses**

There are no bonus arrangements payable to the chief executive, strategic directors or heads of service.

## **Performance Related Pay**

Performance and progression through the pay band is assessed annually in line with the Council's performance review schemes. For the chief executive and strategic directors, performance is assessed by a panel of Councillors, the Chief Officer Performance Review Working Party. For heads of service, performance is assessed by their strategic director.

There is no performance related pay scheme outside of the performance review scheme, which determines the salary point of an officer, within the salary scale set out above.

## **Salaries over £100,000**

The post of chief executive is the sole post which carries a salary range of over £100,000.

## **Publication of salary data**

Salary data for the chief executive, strategic directors and heads of service is published on the council's website, in Open Data, Transparency in local government, senior salaries.

This pay policy statement once approved by Full Council will be published on the Councils website.

## **Expenses**

The expenses which may be payable to the chief executive, a strategic director or head of service include:

- car/bicycle/motorcycle allowances at HMRC rates
- re-imbursment of travel and subsistence
- one professional subscription per annum
- payments under the eye sight tests scheme
- relocation assistance in accordance with the Relocation Scheme

## Severance Payments

Severance payments are made in accordance with the council's employment policies and are the same for all staff.

Employees with more than two years' service will be entitled to redundancy pay in line with local government guidelines and statutory provisions.

Redundant employees may receive the following elements in their final pay:

- Normal pay up to the agreed leaving date
- Where applicable, payment in lieu of outstanding notice
- Severance payment (where entitled).

Under the council's redundancy scheme a weeks pay will be calculated on the basis of actual weekly pay. Cambridge City Council will not apply the statutory weeks pay definition.

Employees in the pension scheme and who are over age 55 are entitled to immediate onset of pension benefits based on actual reckonable service if:

- They are over 55 at the termination date
- They meet the two years vesting period in the Local Government Pension Scheme (LGPS)

Once an employee is in receipt of early payment of pension benefits, if their total pay and pension benefits together (if reemployed by another employer covered by the Local Government Modification order) exceeds their salary as at the leaving date, the difference may be claimed back from pension payments.

An employee will lose their entitlement to redundancy pay if they take up a post with another body covered by the Redundancy Payments (Local Government) (Modification) (Amendment) Orders within 4 weeks of the date of the redundancy and the offer of the new job has been made before the end of the original contract.

The chief executive, monitoring officer and chief finance officer can only be dismissed by the Full Council. All other directors and heads of service can only be dismissed in accordance with the Councils constitution, Part 4i, Officer Employment Procedure Rules.

Any proposals with a salary or severance package with a total value over £100k will be reported by the Employment (Senior Officer) Committee to Full Council for decision.

## **Pension and Pension Enhancements**

The employees within the scope of this pay policy are entitled to and receive pension contributions under the Local Government Pension Scheme (LGPS). This is a contributory scheme and they currently contribute between 9.9% and 11.4% of their pensionable pay to the scheme.

The employer contribution rate is currently 17.4% i.e. the council contributes 17.4% of pensionable pay to the pension of a member of staff within the pension scheme. The rate of 17.4% is the same for all staff. The rate is reviewed every 3 years following a valuation of the fund by the appointed actuaries. Review has been undertaken in 2019, with the outcome effective for 2020/21.

The Council's discretions on enhancement of pension are set out in the Pensions Discretion Statement 2019. This policy was approved by the Civic Affairs Committee on the 30 January 2019. The policy is reviewed every 3 years and/or in line with changes to the Local Government Pension Scheme (LGPS) as advised by the Local Government Pensions Committee (LGPC) and the Administering Authority (Cambridgeshire County Council).

## **Pay Ratios, Real Living Wage, Cambridge Weighting and Apprenticeships**

Set out below are the Council's pay arrangements with regard to the Real Living Wage, the Cambridge Weighting, apprenticeships, and the highest paid council staff.

The table below shows a number of pay ratios.

The Council does not have a policy on maintaining or reaching a specific pay ratio between the lowest and highest paid staff.

- **Apprentices**

The Council has engaged a number of apprentices in apprenticeship roles. These roles provide development opportunities and do not replace existing

posts. They are outside of the Real Living Wage and Cambridge Weighting policies.

We pay apprentices in line with the National Living Wage/Minimum Wage Rates in their first year of apprenticeship.

The current lowest rate for apprenticeships is £7.70 and this pay rate has been used in the ratios.

The apprentice rates with effect from 1 April 2020 will be: for apprentices under 18 to £4.55; apprentices aged 18-20, £6.45; apprentices aged 21-24, £8.20 and for apprentices aged 25 and over, £8.72.

- **Lowest paid staff**

The lowest paid staff within the Council's pay structure are on Band 1. We have chosen staff employed on Band 1 as our definition of the 'lowest paid' for the purposes of this policy. The current lowest pay point is £17,711.

Cambridge City Council is an accredited Real Living Wage employer and also pays a Cambridge Weighting supplement. This means that the minimum pay level for staff engaged on Cambridge City terms and conditions of employment is £10.00 per hour, equivalent to £19,294.

The terms and conditions of employment for Band 1 staff are in accordance with collective agreements, negotiated from time to time, by the National Joint Council for Local Government Services, as set out in the Scheme of Conditions of Service (commonly known as the Green Book). These are supplemented by local collective agreements reached with trade unions recognised by the Council and by the rules of the Council.

Pay policies which apply to Band 1 employees include:

- car/bicycle/motorcycle mileage at HMRC rates
- re-imbusement for travel and subsistence
- overtime/enhanced rates
- standby and callout arrangements
- one professional subscription per annum
- payments under the eye sight tests scheme
- Travel scheme (where applicable)

- **Median average of employees**

The current median average salary is £29,636.

- **Real Living Wage**

The Council has adopted a Real Living Wage policy for staff, agency workers and contractors engaged through the Council's Procurement processes.

There are currently two implementation dates for the Real Living Wage; November (for staff engaged on city council terms and conditions of employment) and April (for staff engaged on Cambridge Live terms and conditions of employment).

The Council will pay the Real Living Wage rate for staff engaged on city council pay rates by way of a supplement to pay rates.

The Council will pay the minimum of the relevant Real Living Wage rate to agency workers after 4 weeks of their engagement with the City Council.

The Council will require contractors engaged through the Council's procurement processes to pay at least the Real Living Wage to all their staff who work on the Council's premises (or land maintained by the Council) for two or more hours on any day of the week for eight or more consecutive weeks. The only contracts that will be excluded from the requirement to pay the Real Living Wage are:

- contracts where it would be unlawful to require the payment of the Real Living Wage
- contracts where, following evaluation, it is considered inappropriate to impose the requirement.

With effect from November 2019 the Real Living Wage has increased from £9.00 per hour to £9.30 per hour.

- **Cambridge Weighting**

The Council implemented a Cambridge Weighting with effect from 1 April 2018, paid to employees and agency workers earning less than £10 per hour. For employees on city council terms and conditions the weighting is paid in addition to salary and the Real Living Wage supplement, to bring the hourly rate to an equivalent of £10 per hour (£19,294). For agency workers engaged on city council equivalent posts the weighting

applies in addition to current hourly rates and the Real Living Wage arrangements. The weighting is variable, depending upon the current hourly rate and the Real Living Wage supplement payable at that time.

We are currently investigating the potential for payment of the Cambridge Weighting (£10.00 per hour) to staff and agency workers engaged on Cambridge Live terms and conditions of employment.

- **Chief Executive**

The highest paid officer of the council is the chief executive, with a current salary of £130,013.

- **Pay Ratios**

	<b>Annual Salary</b>	<b>Ratio to Chief Executive salary/Highest pay point</b>	<b>Explanation</b>
Apprentice rate of £7.70	£14,855	1:8.76	The Chief Executive/Highest pay point and lowest apprenticeship rate
Real Living Wage Rate of £9.00	£17,362	1:7.49	The Chief Executive/Highest pay point and real Living Wage rate of £9.00
Lowest council pay scale point (£9.18)	£17,711	1:7.34	The Chief Executive/Highest pay point and lowest council pay scale point
Real Living Wage Rate of £9.30	£17,943	1:7.25	The Chief Executive/Highest pay point and real Living Wage rate of £9.30
Cambridge Weighting – minimum £10.00	£19,294	1:6.74	The Chief Executive/Highest pay point and £10

			hour Cambridge Weighting
Median Average salary	£29,636	1:4.39	The Chief Executive/Highest pay point and current median salary
Chief Executive/Highest pay point	£130,013	-	Chief Executive's current salary and highest pay point

## **Election Fees**

The Returning Officer is the person who has the overall responsibility for the conduct of elections. The Returning Officer is an officer of the Council who is appointed under the Representation of the People Act 1983. Although appointed by the Council the role of the Returning Officer is one of a personal nature and distinct and separate from their duties as an employee of the Council. Elections fees are paid for these additional duties and they are paid separately to salary.

The Chief Executive is the council's Returning Officer.

The fees for Parliamentary, Police & Crime Commissioner, Euro Elections and national referenda are set by the Government. The fees for County Council elections are set by the County Council. The fees for the Combined Authority Mayoral election are set by the combined authority. The fees for Parliamentary and European Elections are pensionable.

Fees for district elections are set locally and current fees were agreed by the Civic Affairs Committee in April 2010 as £373 per contested ward and £55 per uncontested ward. Fees for district elections are pensionable.

Other officers, including senior officers within the scope of this policy, may receive additional payment for specific election duties.

## **Tax Avoidance and IR35**

The Council takes tax avoidance seriously and will seek to appoint individuals to vacant positions using the recruitment procedures on the

basis of contracts of employment and apply direct tax and National Insurance deductions from pay through the operation of PAYE.

Where consultants are recruited the Council will seek to avoid contractual arrangements which could be perceived as being primarily designed to reduce significantly the rate of tax paid by that person, such as paying the individual through a company effectively, controlled by him or her.

These principles will be embedded in contract clauses and guidance for managers when employing consultants.

In addition workers employed directly by the Council will be assessed to establish whether they fall within scope of the IR35 legislation using the HMRC employment status tool. Workers that fall within scope will have Income Tax and National Insurance contributions deducted and paid over to HMRC.

The Council will continue to advise employment agencies for each role, whether the role has been assessed to be within scope of IR35, or not.

### **Re-engagement of ex City Council staff within the scope of this policy**

All permanent or fixed term posts are advertised in accordance with the council's recruitment policies and appointment is made on merit.

Interim management appointments are made in accordance with the council's procurement policies and the provisions for contract for services.

The council will not engage an ex city council member of staff within the scope of this policy outside of these arrangements.

**January 2020**



Item

## Amendments to Council Procedure Rules

**To:**

Civic Affairs Committee 29/01/20

**Report by:**

Democratic Services Manager, Gary Clift

Tel: 01223 - 457011 Email: gary.clift@cambridge.gov.uk

**Wards affected:**

None directly affected

### 1. Introduction

- 1.1 The report seeks approval to change the rules for Council Meetings regarding (i) the duration of the meetings (ii) the length of time allocated to Group Leaders for introducing Annual Statements.

### 2. Recommendations

- 2.1 To recommend to Council a change to Council Procedure Rule 10 and the Scheme for Annual Statements as set out in this report.

### 3. Background

- 3.1 An informal discussion between Group Leaders, Chair and spokes of Civic Affairs Committee and the Mayor took place early last autumn. Under discussion were issues concerning Council meetings, two topics were resolved by this Committee at its meeting on 9 October. The other topics discussed at the time but not reported to the October committee are reported now.

## **Council Procedure Rule 10-duration of the meeting**

- 3.2 It is proposed to alter the wording of Council Procedure Rule 10 to encourage a finish time of no later than 11pm. If the Committee recommends the change to Council it should note that if approved it would not take effect at the budget meeting on 13 February but the next scheduled meeting.

### **Current procedure rule:**

#### 10. Duration of meeting

10.1 When a meeting of the Council, on a Thursday evening, lasts to 10.30 pm a vote shall be taken as to whether or not the meeting be adjourned; on a decision to adjourn the adjournment shall be until 6 pm on the following Monday.

### **Proposed procedure rule:**

10.1 When a meeting of the Council lasts to 10.30pm, the Mayor will announce that, if the meeting has not finished by then, a vote will be taken at 11.00pm on whether to close the meeting and (if it is a reasonable request given the remaining workload) urge members to assist in completing the remaining business by 11pm.

10.2 At 11.00pm, the Mayor will ask the Council if the meeting should close. Unless any member present dissents, the Mayor will then proceed to close the business of the meeting and go straight to the vote on any outstanding items without further debate.

- 3.3 The Committee should note that this proposal was not consensual when discussed last autumn.

### **Scheme for Annual Statements**

- 3.4 To amend the time allocated to Group Leaders to introduce Annual Statements at the Annual Council Meeting from 15 minutes each to 10 minutes each (paragraph 3 of the Scheme would be changed to reflect this).

#### **4. OPTIONS**

The informal discussions also considered an officer proposal of reducing all Member contributions at Council meetings from 3 minutes to 2 minutes, but this was not supported by either Group.

#### **5. Implications**

**(a) Financial Implications** - none

**(b) Staffing Implications**-none

**(c) Equality and Poverty Implications**- Long late night council meetings can be challenging for those with disabilities or health conditions or caring responsibilities. They are also challenging for those who have to be at work early the next day or are reliant on public transport to get home. Not tackling this issue could impact on the ability for the council to recruit and retain officers and elected members from those groups and risk our reputation as an equal opportunities employer. It also makes it harder for members of the public from these groups to engage effectively with the full business of council meetings.

**(d) Environmental Implications** - none

**(e) Procurement Implications** - none

**(f) Community Safety Implications** - none

#### **5. Consultation and communication considerations**

The Chief Executive and Group Leaders were consulted on this report.

#### **6. Background papers**

There were none.

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