

Staffing Committee

Agenda

Date: Thursday 14th January 2016
Time: 2.00 pm
Venue: Committee Suite 1,2 & 3, Westfields, Middlewich Road,
Sandbach CW11 1HZ

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the top of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**
2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests in any item on the agenda.

3. **Public Speaking Time/Open Session**

In accordance with Procedure Rules Nos.11 and 35 a total period of 10 minutes is allocated for members of the public to address the Committee on any matter relevant to the work of the body in question.

Individual members of the public may speak for up to 5 minutes but the Chairman will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers.

Members of the public wishing to ask a question at the meeting should provide at least three clear working days' notice in writing and should include the question with that notice. This will enable an informed answer to be given. It is not required to give notice of the intention to make use of public speaking provision, however, as a matter of courtesy, a period of 24 hours notice is encouraged.

4. **Minutes of Previous meeting** (Pages 1 - 6)

To approve the minutes of the meetings held on 15 October 2015 and 30 November 2015

5. **Health and Safety, HR and Organisational Development** (Pages 7 - 28)

To receive an update on progress with Health and Safety, Human Resource and Organisational Development items

6. **HR Policies**

a) **Terms of Voluntary Redundancy & Voluntary Early Retirement**
(Pages 29 - 34)

To consider a report which recommends that the current terms of voluntary redundancy be retained until 31 March 2017 and that a further review be carried out in October 2016, looking ahead to 2017/18

b) **Pay Policy Statement** (Pages 35 - 56)

To consider a report on the Pay Policy Statement for 2016/17 and make a recommendation to Council for approval and publication

c) **Code of Conduct for Employees** (Pages 57 - 72)

To consider a report on amendments to the Code of Conduct for Employees and make a recommendation to the Constitution Committee for the Constitution to be amended.

d) **Implementing the Recent Constitutional Changes for Staffing Committee**
(Pages 73 - 76)

To consider a report on implementing the recent Constitution changes for the Staffing Committee

7. **Establishment of a Staffing Sub Committee**

To receive an oral report from Councillor David Brown and Councillor Barry Moran

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Staffing Committee**
held on Thursday, 15th October, 2015 at Committee Suite 1,2 & 3, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor B Moran (Chairman)
Councillor G Barton (Vice-Chairman)

Councillors D Brown, P Findlow, J Jackson, D Newton and A Stott

Officers

Peter Bates, Chief Operating Officer
Anita Bradley, Head of Legal Services and Monitoring Officer
Rosie Ottewill, Organisational Development Manager
Dinah Robertson, HR Business Partner
Karen Begley, HR Business Partner
Amanda Sherratt, Senior Corporate Health & Safety Adviser
Rachel Graves, Democratic Services

14 APOLOGIES FOR ABSENCE

Apologies were received from Councillors M Jones and D Marren.

15 DECLARATIONS OF INTEREST

Councillor J Jackson declared that she was a member of GMB.

16 PUBLIC SPEAKING TIME/OPEN SESSION

No members of the public were present.

17 MINUTES OF PREVIOUS MEETING**RESOLVED:**

That the minutes of the meeting held on 16 July 2015 be approved as a correct record.

18 HEALTH AND SAFETY, HR AND ORGANISATIONAL DEVELOPMENT

The Committee considered a report on the progress with Health and Safety.

It was reported that during Quarter 2, 89 employees from the corporate core and schools had attended 9 health and safety courses. The Health and Safety Team had carried out visits and inspections to various locations including primary and secondary schools, a number of children's

centres and to council offices. The Committee asked for details of the key issues which had arisen from the inspections and the actions undertaken to deal with them.

A total of 675 accidents and incidents were reported in Quarter 2 by corporate core and school employees, with 4 being RIDDOR reportable. The Committee asked about the health and safety information available for academy schools and how this was reported back to the Council.

The Committee considered a report on the progress with Human Resources and Organisational Development matters.

HR officers were supporting a number of service restructures within the Council by identifying redeployment and re-training opportunities and were working with Job Centres to provide guidance on preparing CVs, job applications and interview preparation and with external providers to identify job opportunities.

Working groups had been established to look at ways of recruiting staff and were working with managers to improve the training available to them in the use of the new recruitment platform. They would be looking at ways of improving the non-electronic application process for potential applicants and improving support to candidates accessing applications on-line.

It was reported that from 1 November, all staff directly employed by the Council would be paid the Living Wage of £7.85 an hour. This would be paid by adding a supplement to the current pay scale points which fell below the Living Wage. The increase in pay could affect staff receiving benefits and the Council's Benefits Team would be running surgeries for those who wished to discuss their circumstances in private.

Details of the Council's headcount at September 2015 were included in the report. The Committee was informed that the headcount did not include agency staff and that it was the Council's policy to reduce the number of agency staff used.

The cumulative average days lost to sickness, per FTE employee, throughout Quarter 2 in 2015/16 was slightly lower than the same period in 2014/15. The absence levels within individual months during quarter 2 were initially lower than in the same months in 2014/15, with the exception of September where absence levels were the same.

The turnover of staff between July and September 2015 was 3.26%. It was noted that 93 members of staff had resigned during this period. The Committee was informed that the resignations were for a number of reasons. A breakdown of the reasons would be circulated to committee members.

RESOLVED:

- 1 That the report be noted.
- 2 Details of the key issues arising from Health and Safety Inspections and Visits, and actions undertaken to deal with them, be circulated to Committee members.
- 3 Details of the Health and Safety Information available for Academy Schools and how this is reported back to the Council be circulated to Committee members.
- 4 A breakdown of the reasons for staff resignations from the Council be circulated to Committee members.

19 RECRUITMENT OF DIRECTOR OF LEGAL SERVICES AND MONITORING OFFICER

The Committee received an update on the recruitment of the Director of Legal Services and Monitoring Officer.

The proposed timetable for the longlasting, shortlisting, technical assessment and interviews was shared with the Committee and Members were asked to note the meeting dates for their involvement in the process.

RESOLVED:

That the timetable for the recruitment of the Director of Legal Services and Monitoring Officer be noted.

The meeting commenced at 2.00 pm and concluded at 3.15 pm

Councillor B Moran (Chairman)

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Staffing Committee**
held on Monday, 30th November, 2015 at The Kim Ryley Room - Westfields,
Middlewich Road Sandbach

PRESENT

Councillor B Moran (Chairman)
Councillor G Barton (Vice-Chairman)

Councillors D Brown, JP Findlow (substitutue for Cllr D Marren), J Jackson,
D Newton and M Parsons (substitute for Cllr A Stott)

20 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M Jones, D Marren
and A Stott.

21 DECLARATIONS OF INTEREST

No declarations of interest were made.

22 PUBLIC SPEAKING TIME/OPEN SESSION

No members of the public were present.

23 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

That the press and public be excluded from the meeting during
consideration of the following item pursuant to Section 100(A)4 of the
Local Government Act 1972 as amended on the grounds that it involved
the likely discussion of exempt information as defined in Paragraphs 1 and
2 of Part 1 of the Schedule 12A of the Local Government Act 1972 and the
public interest would not be served in publishing the information.

24 APPOINTMENT OF THE DIRECTOR OF LEGAL SERVICES AND MONITORING OFFICER

The Committee interviewed the candidates for the position of Director of
Legal Services and Monitoring Officer and made a recommendation to
Council on the appointment.

RESOLVED:

That the appointment of Bill Norman to the position of Director of Legal Services and Monitoring Officer, at the appropriate salary and with the appropriate job title, be recommended to Council.

The meeting commenced at 9.05 am and concluded at 6.00 pm

Councillor B Moran (Chairman)

CHESHIRE EAST COUNCIL

Staffing Committee

Date of Meeting:	14 January 2016
Report of:	Chief Operating Officer
Subject/Title:	Health and Safety, HR and Organisational Development

1.0 Report Summary

- 1.1 To update the Committee on progress with Health and Safety, Human Resource (HR) and Organisational Development (OD) items. A report on Health and Safety is provided followed by an update under each heading of the Council's Workforce Strategy.

2.0 Recommendation

- 2.1 To note the report.

3.0 Reasons for Recommendations

- 3.1 To ensure Members are kept up to date with HR and OD developments and that the Committee's Terms of Reference are followed terms of reference are followed.

4.0 Wards Affected

- 4.1 No specific wards affected.

5.0 Local Ward Members

- 5.1 Not applicable.

6.0 Policy Implications

- 6.1 No significant policy issues identified as a result of this update report.

7.0 Financial Implications

- 7.1 No direct financial implications arising from this report.

8.0 Legal Implications

- 8.1 No direct legal implications arising from this report.

9.0 Risk Management

- 9.1 No significant risks identified as a result of this update report. Risks relating to specific matters are dealt with separately.

10.0 Health and Safety

Health and Safety Update – Quarter 3

Data within this report refers only to employees working in schools and in the corporate core, following a decision made by Staffing Committee Members in October 2014. Health and Safety data relating to ASDVs will be included in Cheshire East Residents First's annual board report.

10.1 Delivery of Training during Quarter 3: – 01.10.15 – 31.12.15

16 courses have been delivered across **150** employees from the Corporate Core and from Schools:

NO.	COURSE	ATTENDEES
1	IOSH Managing Safely (4 days)	3 (2 Corporate 1 School)
1	IOSH Managing Safely Refresher (1 day)	2 Corporate
2	AED Training (½ day)	12 Corporate
1	First Aid at Work (3 days)	11 (9 Corporate 2 Schools)
2	First Aid HSE Refresher (½ day)	12 (9 Corporate 3 Schools)
1	Paediatric First Aid (2 days)	11 (2 Corporate 9 Schools)
1	Caretaker's Course (1 day)	12 (2 Corporate 10 Schools)
1	CIEH Level 2 - Principles of Risk Assessment	8 (7 Corporate 1 School)
3	Emergency First Aid at Work - accredited (1 day)	35 (28 Corporate 7 Schools)
1	Emergency First Aid at Work – non-accredited (1 day)	26 Schools
2	First Aid at Work Re-qualification (2 days)	18 (13 Corporate 5 Schools)
16	TOTALS	150 (86 Corporate 64 Schools)

10.2 Visits and Inspections Undertaken during Quarter 3:

The following school visits and Local Exhaust Ventilation (LEV) tests were undertaken:

- Primary Reviews – 28
- Secondary Reviews – 3
- Special School - 2
- LEV Tests Design & Technology – 2
- LEV Tests Science – 1

Inspections undertaken included:

- The Stanley Centre
- Redesmere
- 113 Broad Street
- Mount View
- Lifestyle Centre
- Nantwich Lights Switch On
- Crewe Lights Switch On
- Tatton Park
- Ethel Elks Family Centre
- Knutsford Library
- Handforth Library
- Salinae at Middlewich
- Warwick Mews
- Congleton Library
- Congleton Lights Switch On
- Hurdsfield Family Centre
- Congleton Children's Centre

There were no significant / major outcomes noted during any of these visits.

10.3 Final Health and Safety Buy-Back from Schools for the Current Academic Year

The buy-back period closed on 30.09.15. The final position is that 94% of schools (144) have purchased a service for the 2015 – 2016 academic year.

10.4 Corporate Accident & Incident Statistics – Quarter 3:

Statistics are shown in relation to employee numbers and follow the HSE formula for calculating the Accident Frequency Percentage:

$$\frac{\text{No. accidents} \div \text{no. employees} \times 100,000}{100 \text{ (to show \%)}}$$

Relevant commentary is presented relating to a selection of specific accidents and incidents of note.

The format of accident / incident¹ statistics which the Staffing Committee receives every quarter reflects the:

- reduced number of staff remaining within CEC
- separate identification of schools data
- fact that statistics regarding Academies are no longer reflected in these figures - as Academies are now responsible for their own accident and RIDDOR reporting
- fact that statistics regarding ASDVs are no longer reflected in these figures

¹ An incident is an event where no physical injury occurs, although this may still be RIDDOR reportable depending upon the circumstances – e.g. a fire, loss of electric power or a scaffold collapse.

Total number of RIDDOR Accident / Incidents

Reporting Period	No. of Accidents & Incidents on PRIME	No. of RIDDOR ² Reports
Q1– Q4: 2012- 2013	5956	151
Q1– Q4: 2013- 2014	6271	113
Q1– Q4: 2014- 2015	4969	93

Q1: 2015 - 2016 (excluding ASDVs)	939	6
Q2: 2015 – 2016 (excluding ASDVs)	675	4
Q3: 2015 – 2016 (excluding ASDVs)	983	9

Q3 2015 – 2016: Accidents & Incidents (excluding ASDVs)			
Corporate Core	RIDDOR	Schools	RIDDOR
463	1	520	9

Monthly statistics for October, November and December 2015 are shown below.

ACCIDENT & INCIDENT OVERVIEW DETAILS: 01.10.15 – 31.10.15

		Corporate Core employees: 3772	Schools employees: 4247
Accidents	Employees	34	20
Accident Rate Factor (Employees)		9%	4.7%
	MOTP ³	90	163
Incidents	Employees	17	0
	MOTP	25	5
A&I Total		166	188

		Corporate Core	Schools
RIDDOR	Employees	0	0
	MOTP	0	6
RIDDOR Total		0	6

² RIDDOR – the Reporting of Incidents, Diseases and Dangerous Occurrences Regulations

³ MOTP – Members of the Public

Academy details for Quarter 3 2015:

There are 51 Academies within the Cheshire East borough. Of these:

- 36 Academies purchase the Health & Safety service and access to PRIME
- 3 Academies purchase PRIME only
- 2 Academies purchase the Health & Safety service only
- 5 Academies do not purchase either the Health & Safety Service or access to PRIME

ACCIDENT & INCIDENT OVERVIEW DETAILS: 01.11.15 – 30.11.15

		Corporate Core employees: 3762	Schools employees: 4273
Accidents	Employees	28	31
Accident Rate Factor (Employees)		7.5%	7.3%
	MOTP	78	169
Incidents	Employees	22	2
	MOTP	40	0
A&I Total		168	202

		Corporate Core	Schools
RIDDOR	Employees	0	1
	MOTP	1	1
RIDDOR Total		1	2

ACCIDENT & INCIDENT OVERVIEW DETAILS: 01.12.15 – 31.12.15

		Corporate Core employees: 3731	Schools employees: 4177
Accidents	Employees	27	12
Accident Rate Factor (Employees)		7.2%	2.9%
	MOTP	57	114
Incidents	Employees	29	0
	MOTP	16	4
A&I Total		129	130

		Corporate Core	Schools
RIDDOR	Employees	0	0
	MOTP	0	1
RIDDOR Total		0	1

10.5 Commentary:

- No Health and Safety Executive (HSE) investigations involving the Authority were carried out during October or December. Apart from the initial enquiry mentioned at November (2) regarding the school RIDDOR, no other HSE investigations involving the Authority were carried out in November.

Corporate Core – RIDDOR Reports

- **October & December** – no RIDDOR reports were made
- **November:** 1 incident involved a service user in a wheelchair who was being transported in a community bus. The chair was inadequately secured, the wheelchair tilted backwards and the service user sustained a head injury which required a trip to hospital. Although the injury was not serious, the fact that a hospital visit was necessary made the accident RIDDOR reportable

Corporate Core - General

- **October** (1): Tatton Park recorded 10 accidents, 7 involving members of the public and 3 staff injuries were sustained. None of the accidents were serious. 1 report involved a user of the park being attacked by an aggressive stag. The injured person was badly shaken and sustained scratches and bruising.
- **October** (2): Incidents reported mainly involved Care4CE service users displaying challenging behaviour
- **November:** incidents reported were mainly aggressive or threatening behaviour directed at staff by service users or members of the public. There were also several cases of attempted self harm, an incident of suspicious behaviour and criminal damage at one of the youth hubs
- **December** (1): Slips, trips and falls accounted for 19 accidents, falls from height⁴ were responsible for 8 accidents and 36 incidents involved assaults on staff or aggressive behaviour to staff. No-one was injured or required hospital treatment. Most incidents were as a result of challenging behaviour from service users
- **December** (2): Tatton Park reported 1 incident involving equipment failure. A tractor developed a hydraulic problem and collided with a gate. No-one was injured and only minor damage resulted

Schools – RIDDOR Reports

- **October** (1): 4 RIDDOR reportable accidents arose from PE accidents - injuries included a broken leg and a dislocated knee
- **October** (2): 2 RIDDOR reports involved pupils injured whilst engaged in other curriculum activities. One sustained a broken hand and the other sustained a head injury
- **November** (1): 1 RIDDOR injury involved a teacher who tripped over an obstacle in the classroom suffering a fracture
- **November** (2): 1 RIDDOR injury to a pupil who fell from a climbing frame sustaining a spiral fracture of her leg. The HSE initially showed some interest in this accident – however when supplied with evidence of maintenance, risk assessments for the equipment and accident investigation reports from the school, this interest was not followed by a visit from an enforcement officer.
- **December:** 1 RIDDOR injury involved a pupil sustaining a fractured elbow whilst using a trampoline. He fell, missing a crash mat and landed on the floor. He was not detained in hospital

⁴ 'Height' is defined as a fall far enough to cause injury and is typically less than 1 meter.

Schools General

- **All three months:** the majority of reports arise either from playground accidents or sporting injuries – and arise either from slips / trips / falls or from being hit by flying / moving objects (e.g.: footballs and other sporting equipment).
- **October:** Incidents included acts of verbal aggression directed towards school staff by pupils or parents / visitors

ACCIDENT & INCIDENT QUARTER 3 SUMMARY

		Corporate Core	Schools
Accidents	Employees	89	64
Accident Rate Factor (Employees)			
	MOTP	225	446
Incidents	Employees	68	2
	MOTP	81	9
A&I Total		463	520

		Corporate Core	Schools
RIDDOR	Employees	0	1
	MOTP	1	8
RIDDOR Total		1	9

11.0 Workforce Priorities

This section of the report is structured under the headings of the Council's Workforce Strategy.

Culture and Values

- 11.1 The Council's "Making a Difference" employee recognition scheme celebrates and recognises those people who role model the Council's FIRST values and through this have made a positive impact on their team, colleagues or wider community. The scheme has continued to be well used and received in 2015 with:

- 550 Made my Days were sent by colleagues
- 95 Making a Difference Monthly nominations made
- 30 Employee of the Month Winners
- 19 Team of the Month Winners
- 60 Making a Difference Annual Award Nominees

A successful end of year celebratory event was held on 10th December where the annual award winners were announced. Further information is available on [Centranet](#).

- 11.2 A full employee survey was last carried out in January / February 2014. Since then, Cheshire East Council has changed significantly, and, as the Council embark on this next critical stage of our journey, it is important to fully understand the current views, perceptions and levels of engagement of staff across the Council and how this has changed since the last survey.

Plans are being developed to run the next survey in June 2016 and that the Council work in partnership with Survey Solutions who managed the 2014 survey. The aim is to broadly use the same questions, based on nine key themes to provide a continuum for officers and to enable trends to be identified and assessed as follow:

1. **Your job** – clarity, motivation, valued, pay and benefits, agile working
2. **Teamwork** – understanding, common goals, networking, collaboration
3. **Managers & Leaders** – support, consults, accessibility, in touch
4. **Communication** – informed, involved, open and honest
5. **Performance & Development** – feedback, responsibility, potential, coaching
6. **Wellbeing** – resources, fairness, respect, pressure, resilience
7. **Residents and Community** – fit, value, reputation, standards
8. **Change and the future** – open, willingness, commitment, optimism
9. **Our Council** – pride, advocacy, satisfaction, FIRST values, culture

The full survey results will be at a whole Council level but also broken down by Directorship and key service areas. This will include an overall measure of employee engagement alongside other indicators about change, communication, management, leadership and resilience. The results will be benchmarked internally and externally, using public and private sector comparator groups.

12.0 Organisational Design

- 12.1 HR continues to advise managers on change and restructuring programmes to achieve efficiencies and respond to the changing demands on the organisation. These include the transfer of the ICT function of CoSocius to Cheshire East Council, relocation of staff to the Crewe Lifestyle Centre, SEN Review, and a number of service reviews across the organisation.

12.2 Care4CE

Changes in Care4CE relating to the Closure of Mount View, Lincoln House and Hollins View, has meant that 98 staff have or will leave the organisation and 62 have been redeployed or are on work trials.

Vacancies at other adult establishment and work areas have been held open for some time pending this decision creating redeployment opportunities for staff who wish to remain employed in Adult Services. Taster days have been offered, work trials have been agreed, and redeployment out of Adult Services have been confirmed.

Nineteen open day events, at two of these establishments have been held, employers from the area were invited to attend and promote their employment opportunities.

The Job Centre has delivered two workshops looking at other options, such as self employment, training opportunities and other job centre services. The Job Centre also delivered CV and interview skills workshops.

One to One's have been held with the HR Redeployment Officer following which training in IT skills was arranged together with 'life after' voluntary redundancy workshops, and resilience workshops.

The HR Redeployment Officer continues to work with a Supported Employment Officer to help staff with disabilities.

- 12.3 Early work around job design and job evaluation has been undertaken to support the Adult Integrated Care programme working jointly with Eastern Cheshire PCT and Mid Cheshire PCT.

12.4 Alternative Service Delivery Vehicles (ASDVs)

The Cheshire Skills and Growth ASDV is on target for 1st April 2016 and HR are supporting the creation of the new organisation and TUPE transfer.

13.0 Leadership and Management

- 13.1 The Management Development Programme continues with primarily in-house delivery of ILM levels 3 & 5 in Leadership and Management. There are currently 70 registered on these qualifications:

- Level 3 – 41 candidates currently registered.
- Level 5 – 29 candidates currently registered.

- 13.2 The Level 5 Diploma in HSC Leadership continues with six candidates currently registered. A new six month 'Aspiring Managers' programme has also started with the new academic year. Offered to those identified through the appraisal process as future managers, there are 11 candidates in the first cohort. The programme is now over half way through and the candidates have achieved a 100% pass rate so far.

14.0 Building Capability and Capacity

- 14.1 The Corporate Training programme has offered 82 training sessions on 42 topics between October and December 2015, with percentage take up of places slightly ahead of expectation with 1,018 delegates attending training this quarter.
- 14.2 Team development programmes have continued for Planning, Public Health, Education Strategy Team and Project Management Office, led by the Workforce Development team.
- 14.3 11 applications for individual funding support have been approved through the Continued Professional Development (CPD) virtual panel this quarter.

- 14.4 Adult Social Care - training for the new practice recording tool in Adults (Liquid Logic) was paused in September due to a change in the 'go-live' date. Training is due to commence in early 2016.
- 14.5 Adult Social Care - 34 new starters received training in the current electronic social care system (PARIS) through a basic tutor-led training session. Four new employees in business Support also received ContrOCC training and two new employees within Care4CE also received StaffPlan training. In total 40 staff have received appropriate systems related training.
- 14.6 Adult Social Care – a new advocacy NVQ qualification was introduced in October, for employees and providers, in line with the requirements of the Care Act 2014.
- 14.7 The Children and Families service has received training sessions on the following topics:
- Child Sexual Abuse and Section 47 – three sessions, 47 attended;
 - Child Sexual Exploitation – five sessions, 53 attended.
- 14.8 Children and Families Service- Progression pathways. Funding requests have been approved for seven social workers to take up places on a PGDip course at Salford University (Sept 2015) to support progression. Four social workers have also been approved to complete one module at Salford (Sept 2015) to support progression year two programme. A new second year progression programme has been drafted to offer more streamlined development programme and a series of Research in Practice (RiP) bespoke training classes rather than university module, from January 2016.
- 14.9 Assessed and Supported Year in Employment (ASYE): Adults: 10 currently registered on the programme, five newly registered this quarter. Children's: nine passed at panel this quarter, 29 currently on programme, one newly registered this quarter.

15.0 Resourcing and Talent

- 15.1 The Staffing Committee made recommendations to Council for the appointment of the role of Director of Children's Services/Deputy Chief Executive and Director of Legal and Monitoring Officer, leading to appointments in Q3.
- 15.2 One apprentice secured a position with the Council during Q3, with four securing positions in Q2. This has impacted on the number of apprentices currently being employed to 36 (44 in Q2). The majority of this cohort is working towards a Business Admin NVQ. Breakdown per service is COO – 18, Economic Growth and Prosperity – eight, Adult Social Care - three, Children and Families - six, Public Health - one.
- 15.3 In August, Cheshire East Council launched a new pilot work readiness programme, entitled the Cygnet Pathway, launched to help prepare cared-for young people into work. Six young people are, on the six-month programme.
- 15.4 Cheshire East Council continues to offer a Graduate Programme, which includes Graduate Internships and a Graduate Development Programme to recognise the importance of early career development.

- 15.5 Opportunities are currently in progress across three directorates. The Graduate Development Programme has provided learning events throughout Q3, offering both permanent staff recent graduates and graduate interns the opportunity to learn strategic and business focused skills. The Graduate Programme continues to receive positive feedback regarding benefits to individuals and services involved in terms of harnessing new perspectives and enthusiasm, while preparing individuals for worthwhile future careers.
- 15.6 The Grow Your Own Social Work Trainee Scheme of Children and Families recruited two more trainees for cohort three who started in September 2015. There are now a total of eight on the scheme. Three from Cohort one are on track to qualify in summer 2016 and then apply for SW posts in Children and Families (with a tie in for three years).
- 15.7 The current contract for the supply of agency workers to the Council is due to expire on 31st March 2016. A collaborative procurement process has been undertaken with Cheshire West and Chester Council, Vivo, ANSA, and CoSocius and the new contract has recently been awarded to Comensura.

The key benefits of entering into the new contract are:

- An improvement on costs/savings, including additional strategic services;
- A robust supply chain of agencies to meet resourcing requirements, including local suppliers;
- A user friendly IT system which will enable comprehensive reporting;
- The ability to divest managers of the responsibility and the significant effort required in order to source requirements for temporary workers; and;
- The ability to continue to provide protection against claims arising under the Agency Worker Regulations.

16.0 Reward and Recognition

16.1 National pay review

Local government national pay negotiations for 2016 continue and the Local Government Association have recently advised that Council employees have been offered a two-year pay increase from 1 April 2016. The majority of employees - those on salaries starting at £17,714 per annum - would receive an uplift of one per cent on 1 April 2016 and a further one per cent on 1 April 2017, with those on lower salaries receiving higher increases to take account of the new National Living Wage. This pay offer does not apply to Chief Executives, senior officers or teachers, who are covered by separate national pay arrangements and have not yet been advised.

16.2 Living wage

The Council implemented the “local” Living Wage at the rate of £7.85 an hour in November 2015 and so pay adjustments have been made accordingly. It is recognised that the Council will need to align with the Government’s national proposals to increase to at least £9 an hour by 2020.

16.4 Total reward review

Pay and reward hold a central place in the Council's business and HR strategy as a major lever, not just in recruitment and retention, but also in improving performance, shaping behaviours and supporting constructive employment relations. This is against a backdrop of continued financial pressures and austerity both locally and nationally.

Research indicates that individuals are attracted, retained and engaged by a whole range of financial and non-financial rewards and that these can change over time depending on personal circumstances, beliefs and values. Total Rewards are all of the tools available to the employer that may be used to attract, motivate and retain employees and include everything the employee perceives to be of value resulting from the employment relationship.

To ensure the Council is in the best position to continue to attract and retain the talent it needs a review of our Total Rewards approach will be scoped and taken forward during 16/17.

17.0 HR Policy pipeline

This section provides a summary of key HR Policy development of changes which are in the pipeline for agreement during the coming year:

Title	Summary	Anticipated implementation
Pay during holiday and sick leave	Following the recent Bear Scotland ruling, consideration will be given to how the Council will respond.	Spring 2016
Pensions discretions	The Council is required to review and publish a set of discretions by July 2016.	Summer 2016
£95k cap on termination payments	Following national consultation in Aug 2015, the government is proceeding to legislate for a cap on termination payments, including severance, pension costs and notice pay.	Late summer 2016
Code of Practice on English language requirements for Public Sector Workers	The Immigration Bill creates a duty to ensure that all public authority staff working in customer-facing roles speak fluent English or Welsh to an appropriate standard.	TBC 2016/17
Trade Union Bill	A Bill is progressing through the House of Lords to make provision about industrial action and trade unions which may have an impact on current agreements.	TBC 2016/17

18.0 Voluntary Redundancies

- 18.1 The Council's voluntary redundancy scheme continues to support organisational change and the delivery of the planned programme of change in the Council's Three Year Plan. The effective use of voluntary redundancy in this way enables the Council to achieve its planned savings and efficiencies and also helps to maintain good employee relations within the Authority and minimises the prospect of compulsory redundancy.
- 18.2 Twenty one people have left the Council under voluntary redundancy terms in Q3. The total severance cost, for all employees was £315,172, inclusive of redundancy and actuarial costs. Over the next five years, these reductions are estimated to save the Council over £1,414,925 (which is the combined accumulated costs of the deleted posts).
- 18.3 A total of thirty two staff have left under voluntary redundancy so far in the 2015/16 financial year.

19.0 Absence

- 19.1 As previously reported, the Council's overall absence rate for 2014/2015 was almost 12 days per employee, which is a slight increase on 2013/2014 and very similar to the previous three years. The measure of day's absence per employee per year is the Best Value Performance Indicator (BVPI) which is used across Local Government to monitor absence and facilitate comparisons across different employers.
- 19.2 Working time lost to sickness absence as a proportion of all working time available in 2014/2015 was 4.6% compared with 4.3% in 2013/2014. 65% of this absence was long term and 35% short-term. The most common reason given for absence in 2014/2015 was stress (17% of all absence).

The first six months of 2015/2016

- 19.3 The overall position is that in the six months April to September 2015, attendance improved slightly as the BVPI for this period was 5.19 compared to 5.58 at the same point in 2014. Working time lost as a proportion of all working time available was just below 2%.
- 19.4 The proportion of absence attributed to stress was slightly lower in this period (15% compared to 17% last year). A series of training workshops for managers on helping staff develop greater resilience has been well received and a further two workshops are scheduled for 2015/16 and are fully subscribed. Further analysis is provided in Appendix 1 of this report.
- 19.5 An end of year report will be provided to Staffing Committee in July 2016.

20.0 Education HR Consultancy

The final buy back for Education HR Consultancy by schools has been very encouraging and in particular take up of the three year contract option has been very strong. The position is as follows:

3 Year Gold Package	63
1 Year Gold Package	54

3 Year Silver Package	2
1 Year Silver Package	13

Four primary school academies have not bought back due to them joining Multi Academy Trusts who use an alternative HR provider. One maintained Primary School is in the process of converting to become an academy and has decided not to buy back; however, one primary school has decided to buy back this year having not done so in previous years. Fermain Academy in Macclesfield decided to buy the service from 1st December 2015 to the 31st August 2016.

21. HR Performance Data

Headcount/FTE by Directorate:**Quarter 3 2015-16 (Oct-Nov-Dec 2015)**

Directorate/Service	Oct-15 FTE	Nov-15 FTE	Dec-15 FTE
Public Health	22.2	22.2	23.2
Strategic Commissioning	1643.8	1644.5	1623.9
Adults Social Care & Independent Living	859.0	859.1	839.7
Children's Services	784.8	785.4	784.2
Chief Operating Officer	911.3	910.8	907.8
Commissioning	42.0	40.0	40.0
Corporate Resources and Stewardship	249.9	301.4	301.8
Democratic Services and Governance	57.0	55.6	56.0
Legal Services	30.3	29.2	28.8
Media (Communications and PR)	7.9	7.9	7.9
Commissioning and Client Support ^o	23.8	27.4	26.4
Communities	407.7	401.4	400.0
Apprentices	47.0	47.0	46.0
Economic Growth & Prosperity	276.6	278.7	277.7
Growth and Regeneration	23.0	75.0	77.0
Crewe – High Growth City	3.0	3.0	3.0
Investment	77.1	27.1	27.1
Planning and Sustainable Development	63.8	65.8	64.8
Strategic Infrastructure	8.5	8.5	8.5
Countryside, Culture and Visitor Economy	95.2	93.3	92.3
Cheshire East Council Total	2862.8	2857.2	2,833.6

Note: Strategic Housing and Intelligence moved from Investment to “Growth and Regeneration” in November 2015 in Oracle. **NB:** Employees with multiple assignments across services will appear in the headcount figures for each service, but will be counted only once in the total (CE) headcount figure.

Quarter 3 2014-15 (Oct-Nov-Dec 2014)

Directorate/Service	Oct-14 FTE	Nov-14 FTE	Dec-14 FTE
Public Health	17.9	17.9	17.9
Media (Communications and PR)	10.0	10.0	10.0
Strategic Commissioning	2118.5	2114.3	2117.1
Adults Social Care & Independent Living	864.4	865.8	861.4
Children's Services [□]	757.8	752.1	761.2
Commissioning and Client Support ^o	53.7	51.3	51.3
Communities	441.6	444.1	442.1
Chief Operating Officer	509.7	504.62	510.5
Commissioning	44.0	44.0	46.6
Corporate Resources and Stewardship	285.1	278.4	278.0
Democratic Services and Governance	60.5	63.9	66.6
Legal Services	36.1	35.1	35.1
People and OD	48.3	47.5	46.5
Apprentices / Graduate Trainees	34.7	34.7	36.7
Economic Growth & Prosperity	299.2	302.7	301.9
Assets	27.0	28.0	28.0
Investment	80.0	80.0	79.7
Strategic and Economic Planning	100.6	105.6	107.2
Strategic Infrastructure	9.0	9.0	9.0
Visitor Economy, Culture and Tatton Park	81.5	79.0	77.0
Cheshire East Council Total	2956.2	2950.5	2958.4

NB: Employees with multiple assignments across services will appear in the headcount figures for each service, but will be counted only once in the total (CE) headcount figure. [□]: Includes Integrated Safeguarding – not included in Adults to avoid double counting. **Note:** within this table the Chief Executive has not been included in any of the Directorate/Service information, but is counted in the overall Cheshire East Council headcount and FTE figures.

Headcount/FTE trend (whole council – excluding schools and casuals):

Date	Headcount	% change from previous year	FTE	% change from previous year
30 Apr 2009	6,522	n/a	4892	n/a
30 Apr 2010	6,155	-5.63	4583	-6.31
30 Apr 2011	5,860	-4.79	4385	-4.31
30 Apr 2012	5,449	-7.01	4080	-6.96
30 Apr 2013	5,103	-6.35	3881	-4.89
30 Apr 2014	4,403	-13.72	3233	-16.70
Date	Headcount	% change from previous month	FTE	% change from previous month
31 Aug 2014	3,976	0.40	2966	0.29
30 Sep 2014	4,011	0.88	2956	-0.38
31 Oct 2014	4,014	0.07	2956	0.06
30 Nov 2014	4,011	-0.07	2951	-0.19
31 Dec 2014	4,010	-0.02	2958	0.27
31 Jan 2015	3,893	-2.92	2911	-1.61
28 Feb 2015	3,885	-0.21	2909	-0.06
31 Mar 2015	3,875	-0.26	2897	-0.43
30 Apr 2015	3,812	-1.63	2884	-0.45
31 May 2015	3,794	-0.47	2868	-0.54
30 Jun 2015	3,810	0.42	2876	0.27
31 Jul 2015	3,790	-0.52	2867	-0.31
31 Aug 2015	3,821	0.82	2894	0.94
30 Sep 2015	3,799	-0.58	2883	-0.38
31 Oct 2015	3,772	-0.71	2862.8	-0.69
30 Nov 2015	3,762	-0.27	2857.2	-0.20
31 Dec 2015	3,731	-0.82	2833.6	-0.83

NB On 1st April 2014, 351 employees (334 FTE) TUPE transferred to ANSA and 24 employees (24 FTE) TUPE transferred to Orbitas. On 1st May 2014, 693 employees (193 FTE), including casuals, TUPE transferred to ESAR and 106 employees (100 FTE) TUPE transferred to CoSocius. On 1st January 2015, 71 employees (31 FTE) TUPE transferred to TSSL; a number of Cleaners also TUPE transferred to schools/Academies/private companies on 1st January 2015. On 31st March 2015, 44 employees TUPE transferred to Civiance.

Between April 2009 and December 2015 the overall Cheshire East Council employee headcount has reduced by 42.79%, and the overall number of FTE Cheshire East Council employees has decreased by 42.07%. Between April 2014 and December 2015 the overall Cheshire East Council employee headcount has reduced by 15.26%, and the overall number of FTE Cheshire East Council employees decreased by 12.35% over the same period.

Leavers during Quarter 3 2015-16 (October-December 2015):

Reason for leaving	Headcount of leavers	FTE
Resignation	68	46.33
Voluntary Redundancy	23	15.48
Retirement (including Normal Retirement - 60/65, Early Retirement - Request)	12	9.12
TUPE Transfer	10	6.70
Contract Terminated	5	3.86
Mutual Termination	4	3.52
Capability	1	0.76
Unspecified	1	0.00
Total	124	85.78

Excluding TUPE transfers, the Cheshire East turnover between October and December 2015 (only) was 3.3% (124 leavers divided by 3755 (average) headcount). 54.8% of all leavers during Q3 in 2015-16 left following resignations, 18.6% due to voluntary redundancies, 9.7% following retirements and 8.1% as a result of TUPE transfers. **Please note:** these figures reflect reasons for leaving entered by managers into the Oracle employee database.

Working days lost due to sickness absence:

Figures for absence reflect (*calculated*) days lost to sickness absence per FTE employee).

Cumulative Absence – year to date figures:

	Oct	Nov	Dec
Q3 2015/16	1.00	0.99	1.01
Q3 2014-15	1.08	1.03	1.36

Whole Council excluding Schools – year to date cumulative absence; figures show cumulative calculated days lost to sickness absence per FTE employee

Absence within month – year to date figures:

	Oct	Nov	Dec
Q3 2015/16	6.12	7.01	8.02
Q3 2014-15	6.57	7.54	8.87

Whole Council excluding Schools – year to date cumulative absence; figures show cumulative calculated days lost to sickness absence per FTE employee

The cumulative average days lost to sickness, per FTE employee, throughout quarter 3 in 2015/16 was slightly lower than the same period in 2014/15; absence levels within individual months during quarter 3 of 2015/16 were slightly lower than in the same months in 2014/15.

Redeployment

Staff who are at risk WEF 23 Dec 2015	Adults	Childrens	COO	(blank)	Grand Total
Closure of unit	14	35			49
Health	1				1
Restructure		2	16		18
Grand Total	15	37	16		68

Staff who have been redeployed or left – Reasons for redeployment (Oct – Dec 15)	Adults	Childrens	COO	EGP	Grand Total
Closure of unit	161				161
End temp contract		1			1
Health	2				2
Restructure		2	1	4	7
(blank)					
Grand Total	163	3	1	4	171

Staff who have been redeployed or left – outcome (Oct – Dec 15)	Adults	Childrens	COO	EGP	Grand Total
End of contract (Left)	3				3
Permanent appointment	62	2		3	67
Promotion	1				1
Resigned / left / mutual termination.	5	1			6
Returned to substantive post	1		1		2
Voluntary Redundancy	91			1	92
Grand Total	163	3	1	4	171

HR Casework

Summary of current formal case work.

	Capability	Disciplinary	Grievance	Dignity at Work	ET
As at June2015	3	12	3	1	0
As at Sept 2015	4	6	2	0	0
As at Dec 2015	4	2	1		1

Summary of closed formal case work during period.

	Capability	Disciplinary	Grievance	Dignity at Work	ET
Oct – Dec 2015	1	8	1		

Summary of new formal case work during period.

	Capability	Disciplinary	Grievance	Dignity at Work	ET
Oct - Dec 2015	1	4	1		

Member training took place in December and all Staffing Committee members are trained to do appeals.

Two appeals were considered by the Staffing Appeals Sub Committee during Q3.

22. Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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Appendix 1 - Attendance Management - mid year report

1. Introduction

This report provides a mid-year analysis of recorded absence information from April to September 2015, identifies the actions being taken to manage and improve attendance and provides some comparative information drawn from the Chartered Institute of Personnel and Development for 2014, as this has just been published. The report does not cover schools or the ASDVs.

Attendance figures have identified that levels of absence overall had not varied significantly for a number of years, and that whilst it is essential for managers to continue to manage absence it is also essential to consider steps to boost the wellbeing of staff to try to improve attendance, in addition to managing absence once it starts. This emphasis involved the creation of the Wellbeing and Resilience group.. Clearly many of the steps also being taken in services to deal with work-load, recruitment and training are vital in helping to build a healthy working environment.

Corporate level of attendance April to September 2015

The Best Value Performance Indicator of absence per person per year is used to compare absence levels across Local Authorities. Table 1 below shows the trend over the past four years.

Table 1

	2011/12	2012/13	2013/14	2014/15	2015/15 to end September
Days absence per employee excluding schools	11.67	12.03	11.33	11.97	5.19

Working time lost to sickness absence as a proportion of all working time available increased to 4.6% 2014/15 compared with 4.3 % in 2013/14.

Although the winter months tends to involve higher absence, it is encouraging that attendance has improved slightly in the first six months of this year, as the BVPI recorded for this period is 5.19, compared to 5.58 at the same point in 2014. Working time lost as a proportion of all working time available so far this year is just below 2%.

Long term sickness (90 days or more) has accounted for 64% of all absence. This is similar to previous years. At present there are 43 staff who have been absent for 90 days or more and are still off sick. In the first half of the year over 50 long term sick cases have been resolved, and although the number off had reduced from 58 in February 2015, the current of cases is very similar to the number in October 2014. There will always be a core of long term sickness due to serious health conditions and operations, but there may be scope to reduce the absences attributed to stress.

3. Reasons for absence

The top ten reasons given for recorded absence in the six month period are shown in table 2, alongside the proportions for the previous two full financial years.

Table 2

Reason	% of absence attributed to this reason in 2013/2014April	% absence attributed to this in 2014/2015	% absence attributed to this in April to September 2015
Stress	14	17	15
Medical examinations/investigations	9	10	9
Anxiety/fatigue/exhaustion	5	5	6
Back pain	7	6	5
Depression	5	5	5
Joint problems	4	4	5
Bereavement	2	3	5
Broken/fractured bones	4	3	4
Chest/lung disease/infection	4	4	3
Stomach/intestine problems			3

4. Actions being taken to manage attendance

Attendance management is led by managers within the framework of corporate policy and procedures with support from OHU and HR in the more complex cases. The full range of corporate tools available is not provided here (e.g. the policies, procedures, role of OHU, use of phased returns, access to work, redeployment on health grounds) as these are well documented but MGB may wish to note that work has taken place in the last twelve months on the following areas;

- A toolkit is available on Centranet for managers, to help manage attendance
- Bite size training on attendance management is available for managers on request, in addition to the courses on the corporate training programme
- The Employee Assistance Programme has been promoted by individual letters to all staff in October to inform them of the change in contact numbers and to remind them of the services available
- A new 'dashboard' of HR data is being piloted with an analysis of team attendance
- A set of three short modules for staff at risk of redundancy has been designed for Care4CE and if this is well received it will be offered to other staff who may be at risk in the future, as part of the support available to them
- A series of resilience workshops have taken place and continue into 2016

20 Chartered Institute of Personnel and Development Absence Survey of 2014

The CIPD survey covers private and public organisations and has identified the following key points;

- The average level of absence increased slightly in 2014 (which was reflected in the Council)
- Absence in the public sector is now 50% higher than in private organisations
- Absence tends to be higher in larger organisations and in the care sector
- Half of public sector organisations report that stress-related absence has risen
- Workload remains the most common cause of stress, followed by non-work relationships, family, management style and relationships at work
- The most common methods used to reduce stress are staff surveys, flexible working options/improved work-life balance, and risk assessments/stress audits
- Half the organisations surveyed invested in training for line managers in managing stress
- Just under half the organisations surveyed report that operational demands tend to take precedence over well-being consideration while a similar proportion assert take employee well-being into consideration in business decisions.
- Access to counselling and employee assistance programmes are the most common wellbeing benefits on offer. Many organisations with well-being activities focus equally on physical health, mental health and good life-style choices
- A third of organisations reported an increase in staff coming to work ill, in the last twelve months. This is associated with an increase in stress-related absence and in mental health problems.

CHESHIRE EAST COUNCIL

Staffing Committee

Date of Meeting:	14 th January 2015
Report of:	Peter Bates
Subject/Title:	Terms of Voluntary Redundancy & Voluntary Early Retirement
Portfolio Holder:	Councillor Paul Findlow

1.0 Report Summary

- 1.1 The Council continues to support voluntary redundancy and strives to avoid compulsory redundancies in all situations. In reviewing the terms that the Council offers to employees volunteering for redundancy/ early retirement, the Council is keen to ensure that it demonstrates respect to its employees and promotes positive employee relations as well as ensuring that the terms provide value for money by enabling the Council to reduce its workforce in a way that is efficient and cost-effective.
- 1.2 This report recommends that the Council retain the current voluntary redundancy terms for the financial year 2016/2017 and that the next review should take place in October 2016, looking ahead to 2017/2018.
- 1.3 However, as part of the context for this review, it should be noted that in August 2015 the Government consulted Local Government and other public sector employers, on the proposal to cap exit payments at £95,000. This cap was proposed to include severance payments, the actuarial cost of any early release of pension, notice pay and payment for any annual leave not taken. The Government has responded to the consultation and confirmed that it proposes to continue to legislate to introduce a cap on exit payments. There will be some change from the original proposal in that payment for annual leave not taken will be excluded from the cap, but most of the original proposal will be progressed. It might be necessary to review the Council's policy before October 2016 once the timing and detail of the legislation are available.

2.0 Recommendations

- 2.1 It is recommended that the Council retain the current terms of voluntary redundancy until 31 March 2017 and carry out a further review in October 2016, looking ahead to 2017/18.

3.0 Reasons for Recommendations

- 3.1 To enable the Council to continue the rapid development of the Commissioning Council which will require further significant workforce change and reduction in the coming two years. Also taking into account value for money alongside the importance of striking the right balance in facilitating organisational change and maintaining our constructive employee relations and levels of employee engagement. The terms currently offered by Cheshire East Council are more generous than those offered by some other Local Authorities in the region but less generous than those offered by Cheshire West and Chester. As closer collaboration with CWAC is anticipated there may be value in not differentiating too much between the two Authorities.

4.0 Wards Affected

- 4.1 None

5.0 Local Ward Members

- 5.1 None

6.0 Policy Implications

- 6.1 Any change to the current arrangements would represent a change to the Council's policy as to how it applies the Local Government (Early Termination of Employment) Discretionary Compensation) (England and Wales) Regulations 2006. In this event the policy would be updated to reflect the changes and published in accordance with the requirements.
- 6.2 In addition, the Council's Pay Policy Statement would need to be amended to take account of those changes and referred to Council with a recommendation that the revised Pay Policy Statement be adopted. Following any such Council decision, any amendments that the Council makes to its application of the discretionary regulations must be published for a month before any new terms are implemented. Traditionally, changes to the scheme have also been considered by Staffing Committee.

7.0 Financial Implications

- 7.1 Each case for voluntary redundancy (VR) is scrutinised by a panel including an Elected Member and two senior Officers, to evaluate the ongoing financial implications to the Council, and to check that alternative employment has been explored as an alternative to redundancy. This process will remain in place. This reduces risks and promotes value for money in the process, by comparing the costs of each VR with the associated annual savings, and considering the pay-

back period. Cases proposed which involve a pay-back period of over a year are particularly carefully scrutinised.

- 7.2 The medium term financial strategy assumes the costs of redundancy will be met on existing terms, from approved budget envelopes, so the recommendation to retain existing terms will have no additional financial implications.

8.0 Legal Implications

- 8.1 The proposed voluntary severance terms are in accordance with pension regulations and are therefore legally compliant.
- 8.2 The voluntary redundancy process is handled in such a way as to minimise the risk of Employment Tribunal and breach of contract claims and no settlements will be paid unless an approved settlement agreement has been put in place.
- 8.3 Managing workforce change through a compulsory process would demand significantly more formal consultation with individual employees and formal meetings to give notice of dismissal. It would also inevitably result in the Authority being open to greater legal challenge. Such challenge would initially be by way of appeals/grievances from employees who consider that they have been unfairly selected for redundancy and/or that there have been procedural flaws and thereafter by way of Employment Tribunal claims. As it would not be a voluntary process it would not be possible to minimise the risk of claims by the use of settlement agreements. All of this would lead to managers spending more time and effort on the redundancy process and on managing the staff affected by the risk of redundancy, and requiring greater support from HR and Legal Services than they would for a voluntary process.

9.0 Risk Management

- 9.1 The Council has achieved major headcount reductions over the past six years and the approach of offering enhanced terms for voluntary redundancy has facilitated this change.
- 9.2 Further staffing reductions will be required to achieve the savings required over the next two years, and support restructuring. In particular the reduction of in-house care services, closer integration with health partners and the need to reduce support services will all be facilitated by continuing to have a clearly differentiated offer for voluntary redundancy.
- 9.3 There is a risk that, if the staffing reductions which arise from organisational change are not managed or achieved in a timely way, the Council will overspend its staffing budgets.

- 9.4 The application of a voluntary scheme acts to support staff, minimise the disruption caused by organisational change and reduce the effects on staff morale during a lengthy period of organisational change. Voluntary arrangements can help to achieve the required workforce reductions through redeployment, re-skilling and voluntary redundancy.
- 9.5 The availability and use of a voluntary scheme also sets out the organisation's commitment to its workforce, supports its reputation and can minimise any prospect of industrial action.
- 9.6 Should a voluntary scheme be offered, the Council may still need to consider making staff compulsorily redundant if the voluntary terms offered are not sufficient to attract the necessary number of volunteers.

10.0 Background and Options

- 10.1 On 28th May 2012, Cabinet resolved that in relation to the Council's workforce change and severance/ termination arrangements, a multiplier of 1.80 times would be applied to a week's pay up to a maximum of 50 weeks, with effect from 20 August 2012. These were reviewed in October 2013 and July 2014 and are due to be reviewed again now.

The options available are to:-

- 10.1.1 Retain the existing terms and review at a later date.
 - 10.1.2 Increase the current terms; or
 - 10.1.3 Reduce the current terms to a more economical model e.g. to reduce the multiplier.
- 10.2 Councils have two key discretions as to how they can manage voluntary redundancies, firstly the ability to pay up to 104 weeks pay, with the Council having elected to pay up to a maximum of 50 weeks. Secondly Councils can elect to base the payment on the employee's actual weekly wage, a statutory upper limit or to use an amount in between the two. The Council applies the actual weekly wage.
 - 10.3 Given the current financial situation, and the sufficient number of volunteers coming forward for redundancy in the past 12-18 months, there appears no immediate requirement to increase the current voluntary termination package and therefore this is not recommended.
 - 10.4 Reductions to the voluntary severance scheme would make the scheme less financially attractive for some employees than compulsory terms, as notice payments only accrue in compulsory redundancy situations. It is highly likely that reductions to the voluntary redundancy terms would lead to an increase in compulsory redundancies with the

associated risks. The greater calls on HR and Legal services are likely to outweigh any difference in cost of offering the voluntary redundancy terms over compulsory / statutory terms.

- 10.5 The workforce reductions expected in care in the coming two years are likely to involve a large number of lower paid staff. Reducing the terms at this point is likely to be perceived as detrimental to these staff compared with the terms offered to colleagues in other restructuring projects including the Senior management Review in 2013. In view of the need to achieve significant savings by the end of 2016/2017 it is recommended that the current terms be maintained at least until 31 March 2017. This would provide a degree of consistency and equity for the workforce during this period of change.

11.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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CHESHIRE EAST COUNCIL

Staffing Committee

Date of Meeting:	14 January 2016
Report:	Head of Strategic Human Resources
Subject/Title:	Pay Policy Statement 2016/17
Portfolio Holder:	Cllr Paul Findlow

1.0 Report Summary

- 1.1 Section 38 of the Localism Act 2011 requires local authorities to produce a Pay Policy Statement by 31 March on an annual basis. Regard is to be given to any guidance from the Secretary of State in producing this statement and the Local Government Transparency Code 2014.
- 1.2 The Pay Policy Statement for 2016/17, which reflects the position as at 1st April 2016, is attached as **Appendix 1**. Significant changes since last year's Statement are outlined in Section 12 of this summary report.

2.0 Recommendations

- 2.1 That the significant changes since the 2015/16 Pay Policy Statement be noted as outlined in Section 12.2 of this report.
- 2.2 That the attached Pay Policy Statement for 2016/17 be recommended to full Council for approval and publication.

3.0 Reasons for Recommendations

- 3.1 A Pay Policy Statement has been required to be produced annually since 2012/2013 under Section 38 of the Localism Act 2011. Local Authorities must have their Pay Policy Statement approved by full Council and published on their web site no later than the 31st March, prior to the financial year to which it relates.

4.0 Background

- 4.1 The purpose of the Pay Policy Statement is to increase accountability, transparency and fairness with regard to the Councils approach to pay, with particular focus on its Chief Officers.

5.0 Wards Affected

- 5.1 Not applicable.

6.0 Local Ward Members

6.1 Not applicable.

7.0 Policy Implications

7.1 Any decisions relating to the pay and remuneration of Chief Officers must comply with the Pay Policy Statement in place at the time for that financial year and, whilst the Statement can be amended during the year, should the need arise, changes are subject to the approval of full Council.

8.0 Implications for Rural Communities

8.1 Not applicable.

9.0 Financial Implications

9.1 There are no direct financial implications associated with approving the updated Pay Policy Statement 2016/17 and no budgetary adjustments are proposed in relation to this report.

10.0 Legal Implications

10.1 The Council is required to produce and publish a Pay Policy Statement, agreed by Council each year, under Section 38 of the Localism Act.

10.2 In addition, the Local Government Transparency Code 2014 requires information on organisational structure, senior salaries and pay multiples to be published annually each year.

10.3 This report and accompanying Pay Policy Statement, with associated links, once approved and adopted, ensures that the Council complies with these requirements.

11.0 Risk Management

11.1 If the Council does not follow specific aspects of the guidance issued by DCLG and therefore not achieve appropriate levels of openness and accountability, it can take steps to require the Council to adapt particular policies.

12.0 Key updates to the Pay Policy Statement

12.1 The Pay Policy Statement 2016/17 has been amended in line with the Local Government Transparency Code 2014 and the LGA guidelines and follows a similar style and format to the statement published in 2015/16. The statement focuses on the broad principles and policies regarding pay and has links to statistical data available on the Councils website via the Transparency portal and associated policies. The Pay Policy Statement has been designed to be user friendly for public consumption and should require minimal updates each year. The links here to further information will be updated as appropriate.

12.2 An outline of the main changes since the last pay policy statement is that:

- Section 3.2 notes the introduction of inclusive salaries for a small number of the Council's most senior managers (as agreed at Council on 23.07.15).
- Section 3.5 outlines Chief Officer Remuneration.
- Section 4 covers the Council's commitment and introduction of a "Living Wage" for lower paid employees.
- Section 7 refers to the annual review of the Council's voluntary redundancy enhancements and outlines the Governments proposals for capping of exit payments in the public sector once legislation is passed.

12.3 For information **Appendix 2** provides the content of four additional information links which will be electronic links when published.

13.0 Access to Information

13.1 The background papers relating to this report can be inspected by contacting the report writer:

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Appendix 1

Pay Policy Statement 2016/17

1. Introduction and Purpose

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 (the ‘statement’) sets out the Council’s approach to pay policy in accordance with the requirements of Section 38-43 of the Localism Act 2011 and due regard to the associated Statutory Guidance including the Supplementary Statutory Guidance issued in February 2013 and recent guidance issued under the Local Government Transparency Code 2014.

The purpose of the statement is to provide transparency with regard to the Council’s approach to setting the pay of its senior employees (excluding teaching staff, employees working in local authority schools and academies) by identifying:

- The methods by which salaries of all employees are determined;
- The detail and level of remuneration of its most senior employees i.e. ‘Chief Officers’, as defined by the relevant legislation;

“Remuneration” for the purposes of this statement includes three elements - basic salary, pension and all other allowances arising from employment.

Once approved by full Council this policy statement will come into immediate effect, superseding the 2015/16 statement and will continue to be reviewed on an annual basis.

2. Background

In determining the pay and remuneration of all of its employees, the Council takes account of the need to ensure value for money in respect of the use of public expenditure. This is balanced against the need to recruit and retain employees who are able to deliver the Council’s residents first commitment and meet the requirements of providing high quality services, which are delivered effectively and efficiently and at times at which those services are required.

The Council complies with all relevant employment legislation and codes of practice. The Council ensures there is no pay discrimination within its pay structures and that all pay differentials can be objectively justified through the

use of job evaluation mechanisms and the application of key criteria, which directly establish the relative levels of posts in grades according to the requirements, demands and responsibilities of the role.

A recent Equal Pay analysis on the Council's pay structure, including senior managers determined that no major issues exist between men and women's pay in the workforce. The analysis was based on the Equality and Human Rights Commission guidance concerning pay variances. This will be kept under review by the Head of Strategic HR.

3. Pay Structure

Senior Management

3.1 Principles

There are a number of overriding principles which govern the Council's approach to senior management reward:

- The policy will be affordable; with reward being commensurate with individual and corporate performance.
- Reward policy for senior post-holders will be transparent, clearly defined and readily understood.
- The policy will offer the flexibility to reward for job size, capability, performance (objectives and behaviour), and market rates (where relevant, with evidence).
- Reward for senior roles will be fair and proportionate to reward for the wider workforce.

3.2 Reward components

For the majority of senior posts, reward will comprise basic salary, an annual performance related pay incentive and a range of benefits.

The components are described as follows:

- **Basic salary (Achieving Rate):** this is guaranteed fixed cash remuneration, paid monthly. The level of basic salary is contractual.
- **'Exceeding' Performance Award:** this is paid as a lump sum annually with basic salary for the previous year's performance. After the year, it is withdrawn unless re- earned. This element is pensionable.
- **Benefits:** the Council provides a range of benefits, some of which are guaranteed and form a part of the contract of employment. Generous holiday and access to the Local Government Pension Scheme are principal benefits.

A small number of the Council's most senior managers no longer receive a performance related pay incentive. This has been replaced by an inclusive salary which comprises basic pay, plus a market supplement where appropriate.

3.3 Job Evaluation and Banding

The Council uses the Hay Group job evaluation to position roles into the Cheshire East Senior Management bands. The bands are linked to Hay Job Evaluation point's ranges which have been determined as part of the Council's operating model.

3.4 Senior Manager Pay Structure

This defined pay structure determines the salaries of senior managers on JNC (Joint National Council for Local Government Services). All other jobs are evaluated under the national Job Evaluation Scheme and the evaluated job scores will equate to a pay band on the Council's salary scale.

Each grade within the senior management population has an achieving rate and the potential for a defined exceeding performance award, within each role. The defined pay structure which determines the salaries of senior managers who are on JNC conditions of service can be seen by accessing the [senior manager pay and grading structure \(link 1\)](#).

In addition a number of public health employees transferred to the Council on 1/4/2013. Those employees who have transferred including the Director of Public Health remained, after transfer, on the terms and conditions of their previous employer under TUPE Regulations.

3.5 Chief Officer remuneration

When applying the senior manager pay structure, for the purposes of this statement the definition of Chief Officers is as set out in Section 43 of the Localism Act.

The posts falling within the statutory definition are set out below, with details of their salary package as at 1st January 2016.

Chief Executive – Tier 1

- The salary package of the post is within the range of £150,000 to £160,000

Chief Officer – Tier 2 (direct reports to the Chief Executive, plus Monitoring Officer)

- The salary package of these posts fall within a range of £90,000 to £135,000

Deputy Chief Officer – Tier 3 (direct reports to Tier 2 managers)

- The salary package of these posts fall within a range of £54,060 to £101,451

3.6 Pay and grading structure for staff

The [pay and grading structure for staff \(link 1\)](#) on NJC (National Joint Council) is also available.

4. Commitment to the Living Wage

The Council implemented on the 1st November a “local” Living Wage of £7.85 an hour for directly employed staff (excluding apprentices, work placements and traineeships, which have been created to enable access to work place training and job opportunities).

The rate will be paid by adding a clear supplement to the NJC pay scale points up to and including scp 10 rates. Enhancements for working unsocial hours will continue to be calculated on the NJC pay rates.

All employers are expected and required to pay the Minimum Wage, and also the new national Living Wage which is being introduced at £7.20 from April 2016 and is due to rise to £9 an hour in 2020. The Council will monitor the development of the new National Living Wage as this may mean that it is no longer to add the supplement to the NJC rates which will need to rise to equal the new National Living Wage rates as they increase over the period from 2016 to 2020.

5. Recruitment of Chief Officers

The Council’s policy and procedures with regard to recruitment of Chief Officers is set out in the Council’s Constitution and Scheme of Delegation and is undertaken by an appointment panel made up of members of the Staffing Committee in accordance with Constitutional arrangements. Full Council approval will be sought for the establishment of a role on a salary package exceeding £100,000.

When recruiting to all posts, the Council will take full and proper account of all provisions of relevant employment law and its own Recruitment Policy and Procedure, Disability at Work Commitment, Mindful Employer, Redeployment Policy and Procedure and Equality in Employment Policy.

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 and in line with this Pay Policy Statement. New appointments will normally be made at the achieving rate for the grade, although this can be varied on an exceptional basis where necessary to secure the best candidate and will take into account the appointee’s existing pay and their relevant experience and qualifications taking account of equal pay within the Council.

From time to time it may be necessary to take account of the external pay levels in the labour market in order to attract and retain employees with particular experience, skills and capacity. Where necessary, the Council will ensure the requirement for such is objectively justified by reference to clear

and transparent evidence of relevant market comparators, using data sources available from within the local government sector and outside, as appropriate. Any such payments will be reviewed at regular intervals to ensure their ongoing suitability and appropriateness.

Where the Council is unable to recruit Chief Officers, or there is a need for interim support to provide cover for a substantive Chief Officer post, the Council will, where necessary, consider engaging individuals under a contract for service. These will be sourced through a relevant procurement process ensuring the Council is able to demonstrate maximum value for money, in securing the relevant service. In assessing such, it should be noted that in respect of such engagements, the Council is not required to make either pension or national insurance contributions for such individuals.

6. Additions to Chief Officer's Salaries

The following payments can be applied to Chief Officers' salaries:

- Returning and Deputy Returning Officers' Fees
- Travel Allowances and Expenses
- Green Salary Sacrifice Lease Car Scheme
- Relocation Expenses
- Professional Fees and Subscriptions

Further details of [additions to Chief Officers' salaries \(link 2\)](#), are published in the Councils Transparency Data and in the Statement of Accounts. A link to these documents is included in Appendix 1 of this Statement

Public health employees who have transferred to the Council and have remained on NHS terms and conditions receive additional allowances such as clinical excellence award, Directors of Public Health supplement, extra programmed activities and on call availability supplement.

7. Local Government Pension Scheme

Details of the [Local Government Pension Scheme \(link 3\)](#), the discretions exercised, contribution bands, actuarial rates, and discretions policy application are available.

8. Redundancy Payments and Payments on Termination

The Council has a Redundancy Scheme which is applicable to all employees and is based on the statutory formula, and payment for any leave for employees leaving the Council's employment with accrued leave which by agreement is untaken at the date of leaving.

The Voluntary Redundancy Scheme is also applicable to all employees. Employees who leave on grounds of voluntary redundancy will normally be entitled to receive a redundancy payment in accordance with the statutory formula but based on the employee's actual week's pay plus an additional

severance payment of 0.8 times the statutory payment, bringing the total payment to 1.80 times the statutory formula and up to a maximum of 50 week's pay. This was reviewed in 2015 and the formula has not been changed. Further reviews will be undertaken annually to ensure these payments remain appropriate and meet the Councils needs. The Council reserves the right to change all discretionary elements.

The Council's approach to statutory and discretionary payments on termination of employment of Chief Officers, prior to reaching normal retirement age, is set out within the Redundancy Policy and Procedure and for those eligible for retirement, in the Retirement and Severance Policy and are in accordance with the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006 and Local Government Pension scheme Regulations 2007.. All payments under this section are subject to the approval process set out in the Redundancy Policy and Procedure.

The Government has confirmed it will proceed in April 2016 with proposed legislation setting a legal capping limit for public sector exit payments of £95,000. This may have implications for the Councils current Redundancy Scheme which will be considered once the legislation is passed and the details have been assessed.

9. Severance and Retirement on Grounds of Efficiency

In line with the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006, the Council also operates a voluntary scheme to facilitate early retirement or severance on grounds of efficiency to enable the Council to continue to achieve effective use of resources and provide value for money. The terms of this are set out in the discretionary policy.

10. Settlement Agreements

The Council uses settlement agreements as a matter of course for all voluntary redundancies/severances and this applies to all employees, including Chief Officers. The use of standard settlement agreements on this basis minimises any risk of future claims against the Council and can ensure that any threatened or pending legal proceedings and their associated legal costs can be avoided. The Council follows the current guidance for public sector settlement agreements in these circumstances.

11. Pay Multiples

The Council publishes a range of information to meet the Transparency Code requirements and has used the recommended formulae in the code guidance and LGA guidance to calculate the relationship between the rate of pay for the lowest paid, median and Chief Officers, known as [pay multiples \(link 4\)](#). This has been updated to reflect the introduction of the Living Wage into the Council in November 2015. See also section on the Living Wage in 3.4

12. Re-employment or re-engagement

Any decision to re-employ an individual (including Chief Officers) already in receipt of a Local Government Pension (with same or another local authority) will be made on merit, taking into account the use of public money and the exigencies of the Council.

In particular, the Voluntary Redundancy Scheme provides that former Cheshire East/ Legacy Authority employees who left their employment on grounds of voluntary retirement or severance will not be re-employed or re-engaged in any capacity, except in truly exceptional circumstances and subject to the agreement of the Head of Strategic HR in consultation with the Leader and the relevant Portfolio Holder. Re-engagement includes all types of contractual relationships whether they are a contract of employment, contract of service etc. and whether the individual is appointed as an employee or engaged as an interim, direct consultancy or via an agency or other supplier.

13. Publication and access to information

Upon approval by Full Council, this statement will be published on the Council's website. Additionally, in line with Code of Practice and Accounts and Audit Regulations, salary, allowances and bonus compensation and employers pension contributions will be published for:

- a) Senior employees whose salary is £150,000 or more (who will also be identified by name)
- b) Senior employees whose salary is £50,000 or more.

Prepared by:	HR Strategy and Policy Team
Date	February 2016
Review date:	February 2017

Annex 1 – Links

All of the relevant policies and procedures as referred to in the Pay Policy Statement can be found using the links in section 1 below. Please contact HREnquiries@cheshireeast.gov.uk should you have any difficulties accessing this information.

- 1. Additional information** (links 1- 4 in the process of being updated, content provided in Appendix 3.)

Link 1 – [Pay and grading structure for senior managers and staff](#)

Link 2 – [Additions to Chief Officer's salaries](#)

Link 3 – [Local government pension scheme](#)

Link 4 – [Pay multiples](#)

[Statement of Accounts for 2014/15](#)

- 2. Internal intranet links to the further relevant policies, procedures and other relevant information:**

[Payment of Market Supplements](#)

[Pay and Allowances Policy](#)

[Pensions Discretions Policy](#)

[Redundancy Policy **and** Procedure](#)

[Retirement and Severance Policy](#)

[Recruitment Policy **and** Procedure](#)

[Disability at Work Commitment](#)

[Mindful Employer](#)

[Redeployment Policy **and** Procedure](#)

[Equality in Employment Policy](#)

[Relocation Expenses Policy](#)

For those seeking to access copies of policies externally via www.cheshireeast.gov.uk please contact HREnquiries@cheshireeast.gov.uk to request copies of the policies.

Appendix 2

Cheshire East Pay Policy Statement

Additional information Links 1 – 4 content.

**Provided in a paper format for Staffing Committee
– will be electronic links for Council.**

LINK 1

CHESHIRE EAST PAY AND GRADING STRUCTURE (NJC and JNC) FROM 1ST JANUARY 2016**Senior Managers Pay Structure**

This table shows Senior Manager Pay grades and salaries as at 1st January 2016 and the performance payments that can be awarded if an exceeding award is achieved.

	Achieving salary set between	Exceeding rate opportunity set at
Manager	£48,960 - £59,160	Achieving rate plus £4000
Senior Manager	£56,100- £71,400	Achieving rate plus £5000
Director	£76,500 - £96,900	Achieving rate plus £5000
Executive Director	£110,000 - £125,000 (<i>Chief Executive salary set separately</i>)	Achieving rate plus £10,000

NJC SALARY STRUCTURE (effective from 1st October 2015)

Cheshire NJC

GRADE	SCP	SALARY			
1	6	£13,614	11	41	£37,348
				42	£38,464
				43	£39,577
2	6	£13,614		44	£40,818
	7	£13,715		45	£42,053
	8	£13,871		46	£43,368
	9	£14,075	12	46	£43,368
3	9	£14,075		47	£44,689
	10	£14,338		48	£46,214
	11	£15,207		49	£47,742
	12	£15,523		50	£48,748
	13	£15,941		51	£49,753
4	13	£15,941	JNC Chief Officers		
	14	£16,231			
	15	£16,572	Manager	£48,960 - £59,160	
	16	£16,969			
	17	£17,372	Senior Manager	£56,100 - £71,400	
5	17	£17,372	Director	£76,500 - £96,900	
	18	£17,714			
	19	£18,376	Executive Director	£110,000 - £125,000	
	20	£19,048			
	21	£19,742			
6	21	£19,742	<p>Note: The Council introduced a living wage of £7.85 per hour with effect from 1 November 2015, with first payments being made on 18th December. This equates to a FTE salary of £15,145. The existing Cheshire East NJC grade structure has been retained but any NJC employees with a spinal column point (SCP) value below £15,145 will receive a supplement to bring their basic pay up to the “CEC Living Wage” hourly rate – premium payments (<i>e.g. for work at week-ends or in the evenings</i>) will continue to be calculated on the current NJC rate of pay for each SCP.</p>		
	22	£20,253			
	23	£20,849			
	24	£21,530			
	25	£22,212			
7	25	£22,212			
	26	£22,937			
	27	£23,698			
	28	£24,472			
	29	£25,440			
8	29	£25,440			
	30	£26,293			
	31	£27,123			
	32	£27,924			
	33	£28,746			
	34	£29,558			
9	33	£28,746			
	34	£29,558			
	35	£30,178			
	36	£30,978			
10	37	£31,846			
	37	£31,846			
	38	£33,043			
	39	£34,236			
	40	£35,613			
	41	£37,348			

Link 2 ADDITIONS TO SALARY OF CHIEF OFFICERS

Fee for acting as the Returning Officer and Deputy Returning Officer(s)

Cheshire East Council is required to appoint a Returning Officer by virtue of section 35 of the Representation of the People Act 1983. In Cheshire East the Chief Executive has been appointed as the Returning Officer. This is a personal appointment, separate from their other duties. In this capacity he is the Returning Officer for elections to the Council and to Parish Councils within this Borough. For Borough and Parish Council elections, the Returning Officer fee is calculated in accordance with an agreed Scale of Fees.

The Returning Officer fee is payable for the substantial additional duties undertaken, and leadership required of the Returning Officer in planning, delivering and undertaking the elections and recognises the personal nature and personal responsibility of the role of the Returning Officer. The agreed scale of fees is used to determine the fees of the Deputy Returning Officers, who are appointed from time to time and other elections employees.

The Returning Officer for Cheshire East leads the electoral process for the Authority. There are scheduled Borough and Parish Elections during the 2015/16 financial year. For each election the scales of fees are set by the Government and the Returning Officer is directly accountable in law to the Government in regards to their electoral duties.

Travel Allowances and Expenses

The rates for use of private vehicles on Council business for all employees are currently:

	Engine Size	Engine Size
REGULAR USERS	451 -999cc	1000cc+
Lump Sum	£846	£963
Per mile first 8,500	36.9p	40.9p
Per mile after 8,500	13.7p	14.4p

	Engine size	Engine Size
OCCASIONAL USERS	451 -999cc	1000cc+
Per mile first 8,500	46.9p	52.2p
Per mile after 8,500	13.7p	14.4p

The Council has a small number of employees who are assessed as regular car users and receive a lump sum payment (payable monthly) with a reduced mileage rate. Assessment criteria are used to determine eligibility for all employees (including Chief Officers).

‘Green’ Salary Sacrifice Lease Car Scheme

The Council has a ‘green’ salary sacrifice lease car scheme. This is an

employee benefit, born out of the Government's introduction of a lower banding for benefit in kind taxation on low emission vehicles. The scheme enables employees to drive a new, fully maintained and insured car, but at a significantly reduced cost and offers savings in tax (employee only) and national insurance for both the employer and the employee.

The Green Car Scheme is underpinned by a salary sacrifice arrangement. Salary sacrifice is a contractual arrangement whereby an employee gives up the right to receive part of their cash remuneration, usually in return for their employer's agreement to provide some form of non-cash benefit, in this case a car.

Whilst the scheme operates at no cost to the employer, in fact generating a saving overall, because it is being provided as a benefit by the Council it attracts a 'Benefit in Kind' (BiK) tax for employees on the scheme. The scheme is open to all employees of the Council, subject to meeting the criteria set out in the scheme rules.

The level of CO2 emissions on the car chosen is important as it determines the benefit in kind tax to pay on the car (the non-cash benefit). The more environmentally friendly the car is, the greater the savings will be.

Relocation Expenses

Where it is necessary for a newly appointed employee to relocate to take up an appointment the Council may make a contribution towards relocation expenses, in accordance with the Relocation Expenses Policy. Under this policy, the Chief Executive, or their nominee, has discretion to agree relocation financial assistance for any external candidate appointed, up to a maximum of £10,000. The details of any such payment must be agreed at the time of making a job offer/during initial appointment. The relocation must bring the employee nearer to their work base and, as such, support will not normally be given to employees who already live within 30 miles of the work base. This discretion covers all items for which assistance may be given, which must be directly related to a home relocation within two years of appointment, for example removal expenses, legal and estate agents fees.

Travel Assistance may also be agreed for expenditure arising from a move from temporary accommodation to a permanent home, (as well as for the initial move to temporary accommodation), normally provided that the second move takes place within the maximum two year period. Both sets of assistance are subject to the overall limit of £10,000 and the policy is very clear that an employee must not make a net financial gain from the assistance.

An employee who leaves the Council's employment within one year of appointment will be required to repay all of the assistance given. If they leave during the second year, the assistance must still be repaid but the amount will be reduced by one twelfth for each completed month of employment in that year. The same policy applies to Chief Executive, Chief Officers and other employees.

Professional Fees and Subscriptions

The Council will reimburse professional fees only for those employees where it is a legal requirement of their employment (subject to the employee paying the first £50) or, where employees are undertaking a training course and the membership of a professional body it is a requirement of the course. In those circumstances it will be paid for the period of study only. The Council has one policy and does not differentiate between Chief Officers and other employees.

Link 3 LOCAL GOVERNMENT PENSION SCHEME

The Local Government Pension Scheme and policy with regard to the exercise of discretions in Pension provision is an important part of the remuneration package.

All employees under the age of 75 and who have a contract of employment which is for 3 months or more are entitled to join the statutory Local Government Pension Scheme (LGPS). There are no restrictions on the minimum number of hours an employee must work to be entitled to join.

From 1st March 2013 (the staging date) Cheshire East Council has complied with the new pensions duties under the Automatic Enrolment Regulations 2012 as follows:

- All new Cheshire East employees from 1st March 2013 have automatically been entered into Scheme membership, and have to elect to opt out if they wish.
- All existing eligible employees who have previously opted out of scheme membership will be automatically re-enrolled into the scheme with effect from 1st October 2017, at the end of the allowed transitional period. They will retain the right to opt out again if they wish.
- All existing employees who fall into the non-eligible category have been monitored from 1st March 2014 and will be automatically enrolled into scheme membership at the point that they meet the earnings and age threshold. They will retain the right to opt out if they wish.
- The Automatic Enrolment exercise will be repeated on a three yearly basis following the initial staging date.

The bands are shown below.

Annual Rate of Pay	Rate of Employee Contributions
More than £150,000	12.5%
100,001 – 150,000	11.4%
85,001 – 100,000	10.5%
60,001 – 85,000	9.9.%
43,001 – 60,000	8.5%
34,001 – 43,000	6.8%
21,001 – 34,000	6.5%
13,501 – 21,000	5.8%
Up to 13,500	5.5%

This is the banding rate applicable as at 1st April 2014 and the expected rates in future years. These rates will go up in line with the Consumer Price Index (CPI) each April.

Where employees have exercised their statutory right to become members of the Local Government Pension Scheme, the Council must make a contribution to the scheme representing a percentage of the pensionable remuneration due under the contract of employment of that employee. The rate of contribution is set by Actuaries advising the Cheshire Pension Fund and reviewed on a triennial basis in order to ensure the scheme is appropriately funded. However there has been a shift in the way employer contributions are expressed, so that we now have a certified rate for the future service contributions (16.4%) and a certified monetary amount which needs to be paid to the Fund to cover the past service deficit. The next revaluation will take place as at 31st March 2016 and this will set revised employer contribution rates for the three year period from 2017-18 to 2019-20'.

For more comprehensive details of the Local Government Pension Scheme and Cheshire Pensions Fund see <http://www.cheshirepensionfund.org/>

Neither the Scheme nor the Council adopt different policies with regard to benefits for any category of employee: the same terms apply to the Chief Executive, Chief Officers and other employees alike.

Employer Discretions

The Scheme also provides for the exercise of discretions that allow for retirement benefits to be enhanced. The Council will consider each case on its merits but has determined that its usual policy is not to enhance benefits unless early release of pensions is agreed on compassionate/appropriate grounds. However, the Council has agreed to adopt the provision to enable redundant employees to purchase additional pension contributions with the non statutory part of their redundancy payment (additional redundancy payment if employees are in receipt of such a non-statutory payment)

The Pensions Discretions Policy details the Council's agreed Pensions Discretions and applies equally to the Chief Executive, Chief Officers and other employees. The Council currently operates 2 policies one for employees in the scheme prior to 1st April 2014 and another post 1st April 2014.

The Pension Scheme also provides for flexible retirement. In applying the flexible retirement provision no distinction is made between the Chief Executive, Chief Officers and other employees. Employees aged 55 and above may apply to have their hours and/or their pay grade reduced and to seek agreement to early release to some or their entire pension.

The request can be considered if;

Either

- their substantive grade reduces by a minimum of 2 grades (e.g. Grade 6 to Grade 4)

And/or

- their contract hours reduce by a minimum of 1/5

And

- At the same time, the employee can request early release of their accrued pension benefits in full or some of their accrued rights. Employees can

now choose to take:

- All or none of their pre April 2008 rights; and
- All, some or none of their post March 2008 rights.

Any consequential fund strain payments to the pension fund are recoverable in three years with the discretion to extend the three years in exceptional circumstances.

Link 4 PAY MULTIPLES

The following information is based on basic salaries (only) as at 1st January 2016. Pay Multiples based upon employees' total financial year remuneration will be published as part of the annual [Transparency Code](#) declaration after the March 2016 payroll – full financial year payments are not available as at 1st January and so accurate 15-16 remuneration based pay multiples cannot be presented here.

The figures below exclude schools based employees and teachers as the Localism Act does not apply to local authority schools. They also exclude casual employees.

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 1st January 2016, this was equivalent to £13,614 per annum, equating to Spinal Column Point (SCP) 6 in both grade 1 and grade 2 – however, employees paid on this SCP (and SCPs 7 to 10 (inclusive)) now receive the CEC Living Wage supplement to increase their FTE basic salary to £15,145 per annum, effective from 1st November 2015. There were 447 employees / 109 FTE (excluding casuals) paid at the CEC Living Wage, across grades 1, 2 and 3, on 1st January 2016.

Separate to the Council's pay and grading structure, we offer one year apprenticeship placements. The Council operates this scheme in line with the National Minimum Wage.

Additionally, there are a number of employees on other pay and conditions, as noted above, such as NHS and Soulbury employees on different pay structures, but none fall below the £15,145 FTE CEC Living Wage salary.

The current pay levels within the Council define the multiple between the median full time equivalent earnings (£20,253) and the highest paid Chief Officer, the Chief Executive (£150,000), as 7.41, and the multiple between the lowest full-time equivalent earnings (£15,145) and the Chief Executive (£150,000) as 9.90. Additionally, the multiple between the lowest paid employee (£15,145) and average Chief Officer salaries (£81,219) is 5.36.

The Council does not explicitly set the remuneration of any individual or group of posts by reference to a simple multiple of another post or group of posts. The use of multiples cannot capture the complexities of a dynamic and highly varied workforce in terms of job content and skills required or the competitive demands of the external market.

The pay multiples will be monitored during the year to ensure they remain acceptable. As part of its overall and ongoing monitoring of alignment with external pay markets, both within and outside the sector, the Council will use available benchmark information as appropriate.

CHESHIRE EAST COUNCIL

Staffing Committee

Date of Meeting:	14 th January 2016
Report:	Head of Strategic HR
Subject/Title:	Code of Conduct for Employees
Portfolio Holder:	Cllr Paul Findlow

1.0 Report Summary

- 1.1 Following a recent Internal Audit inspection, minor amendments are proposed to the Code of Conduct for employees to strengthen the requirement employees to declare any interests.

2.0 Recommendations

- 2.1 That Staffing Committee recommend to Constitution Committee approval of the following minor changes highlighted in yellow in Appendix 1.
1. All employees are required to complete an annual declaration of interest return, to confirm that they have nothing to declare, and to then report issues as and when they occur.
 2. In Adult's and Children's Social Care no gift should be accepted under any circumstances.

3.0 Reasons for Recommendations

- 3.1 In this era of greater public scrutiny and the need for transparency, implementing these changes will demonstrate the Council's commitment to upholding the values expressed in the Code of Conduct and its desire to ensure transparency.
- 3.3 Small insignificant gifts of a value of less than £5, such as pens, diaries, calendars, mouse-mats or mugs may be accepted. However, this is not the case for those working in Adults and Children's Social Care, where no gift, of however little the value, should be accepted under any circumstances. This is to reflect stricter guidelines introduced following the Care Act 2015.

4.0 Wards Affected

- 4.1 Not applicable

5.0 Local Ward Members

5.1 Not applicable.

6.0 Policy Implications

6.1 As stated.

7.0 Implications for Rural Communities

7.1 Not applicable

8.0 Financial Implications

8.1 Not applicable

9.0 Legal Implications

9.1 None

10.0 Risk Management

10.1 The changes will reduce organisational risk of an interest not being reported, a report of an interest not being duly authorised and recorded, and not being able to demonstrate corporate knowledge of employees' interests.

10.2 In addition the changes will increase employees' awareness of the rules on interests permitted and the need to report them, thereby reducing the incidence of non-reporting and remove the defence of ignorance of the need to report any interest

11.0 Background and Options

11.1 Currently, the Code of Conduct for Employees places the duty of reporting any of the 3 following interests on each individual employee:-

- Approval for outside employment (for those who are you are Grade 7 or above)
- An Interest or Connection
- An offer of Gifts or Hospitality

11.2 These declarations are currently authorised by the Head of Service and then held locally, so this information is maintained in discrete areas throughout the Council.

11.3 A report by Internal Audit recommended these 2 changes:-

1. That each employee should be asked to complete a Declaration of Interests each year
2. That the process of compiling and maintaining these annual returns should be centralised, so that a full picture of the interests of all employees is easily available to Council Members and Officers.

12.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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Appendix 1

HUMAN RESOURCES POLICY

Title: Code of Conduct for Employees

SCOPE

This Code of Conduct applies to all employees of Cheshire East Borough Council except schools-based employees.

There are specific policies for schools employees which can be accessed via the Schools Intranet Site at the link below.

<http://centranet.ourcheshire.cccusers.com/SchoolsHR/Pages/default.aspx>

AIMS

The public is entitled to expect the highest standards of conduct from all employees who work in local government and the aim of this Code of Conduct is to give clear guidance to Cheshire East Council employees to ensure that they are fully aware of the standards of conduct and behaviour required of them both inside work and, where applicable, in their personal life.

Where employees are required to follow specific job related or professional standards within their job role, this Code of Conduct should be read in conjunction with those standards.

PRINCIPLES

The responsibility for complying with this code lies with employees, who are encouraged to seek advice if they are in any doubt about the interpretation or impact of any aspect of the code.

All employees have a responsibility to act and to take decisions based on public interest and should act with honesty, integrity, objectivity and impartiality at all times. They must always act in accordance with the trust that the public is entitled to place on them and be open about, and take accountability for, their actions and decisions.

Employees should always remember their responsibilities to the community that they serve and ensure courteous and efficient service delivery at all times. All members of the local community, customers and other employees have a right to be treated with fairness and equity and all employees must ensure that they always comply with the Council's policies, and the law, relating to equality and discrimination.

Council employees also need to take care that their behaviour outside the workplace does not conflict with their work responsibilities and will not bring the Council into disrepute

COMPLIANCE

It is vital that all Council employees are exemplary in their conduct at work and non-compliance with this code will be dealt with in accordance with the Council's Disciplinary Policy and Procedure.

Employees who believe that other employees may be breaching this Code of Conduct have a duty to report this, in confidence, to their line manager who will investigate the situation and, where necessary, take appropriate action. Employees who report a potential breach of the code, will not be penalised or discriminated against for having done so.

The principles of this Code of Conduct reflect the Cheshire East Council's values.

CONTENT

This Code of Conduct details the standards of conduct that the Council requires employees to follow in a range of areas and circumstances, as listed below:

- Gifts, Hospitality and Sponsorship
- External Activities or Employment
- Financial and Non Financial Interests
- Use of Financial Resources
- Use of Council Identity, Property and Facilities
- Appointments and Other Employment Matters
- Tendering and Contracts
- Private Use of Firms Dealing with the Council
- Political Neutrality
- Working Relationships
- Personal Relationships
- Confidentiality/Disclosure of Information
- Intellectual Property

Where appropriate, this policy should be read in conjunction with other relevant Cheshire East Council policies and codes of practice e.g. The ICT Code of Practice and the Social Networking guidelines.

This policy is not intended to cover day to day work conduct, performance or attendance issues which are covered by the relevant employment policies. Details of these policies and their coverage can be found on the HR Intranet page.

GIFTS, HOSPITALITY AND SPONSORSHIP

Employees need to be aware that it is a serious criminal offence to corruptly receive any gift, hospitality, sponsorship or other reward or advantage for doing or not doing anything or showing favour or disfavour to any person in their official capacity. If an allegation is made, it will be up to the employee to demonstrate that they have followed the Council's Code of Conduct and that any such rewards have not been corruptly obtained.

All employees are required to complete an annual declaration of interest return, even if this is to confirm that they have nothing to declare, and to then report issues as and when they occur.

Gifts

Employees should not accept significant personal gifts from people or organisations, e.g. contractors or suppliers, who are or may be dealing with the Council as to do so could render the Council and the employee open to criticism or, in serious cases, to criminal charges of corruption.

However, Small insignificant gifts of a value of less than £5, such as pens, diaries, calendars, mouse-mats or mugs may be accepted. However, this is not the case for those working in Social Care, where NO gift, of however little the value, should be accepted under any circumstances.

Where an employee is offered a personal gift that could be regarded as significant, they should politely decline the gift and report the circumstances to their Head of Service, who must keep a record of the event. The Declaration and Reporting Form can be accessed on the intranet.

It is acknowledged that there are specific occasions when staff may consider it appropriate to give a personal gift to a service user. This is only acceptable practice where the giving of the gift has been agreed with the senior manager, and the action is recorded.

Hospitality

Employees should think very carefully before accepting any offer of hospitality and must take the following points into account:

- i) whether the scale of the hospitality is appropriate to the circumstances. For example, the offer of light refreshments or a sandwich lunch at a meeting will generally be acceptable whilst an invitation to an expensive restaurant for a three course meal is unlikely to be acceptable.
- ii) whether the invitation is a corporate one or a personal one
- iii) if corporate, whether attendance at the meeting or event where the hospitality is offered genuinely falls within the employee's job role and has been agreed by their line manager
- iv) whether the timing of the offer of hospitality could be linked to any decisions that the Council may be taking in relation to the organisation which is offering the hospitality

- v) whether acceptance of the hospitality could result in suggestions of improper influence.

Where, having considered the above points, an employee is concerned about hospitality being offered to them, they should seek authorisation from their Head of Service, using the Declaration and Reporting Form, so that they can determine whether or not the employee can accept and to keep a record of the event.

Sponsorship

If an outside organisation wishes to sponsor a local government activity, whether by invitation, tender, negotiation or voluntarily, the rules detailed above about accepting gifts and hospitality will apply. However, particular care should be taken when dealing with contractors or potential contractors.

If the Council chooses to sponsor an event or service, no employee or anyone connected with them may benefit from the sponsorship. Similarly, if the Council wishes to give financial support in the Community any employee who is involved in this should ensure that any advice they give is impartial and that they do not have any conflict of interests. Where applicable the employee will be required to complete a Declaration and Reporting Form.

EXTERNAL ACTIVITIES OR EMPLOYMENT

It is recognised that employees may wish to undertake various activities outside work. However, employees should not take on any type of external private work or activity which conflicts with the Council's interests or which prevents them from doing their normal job properly or from fulfilling the terms of their contract of employment. They must also ensure that they understand and can comply with both Working Time and Health and Safety Regulations before undertaking external private work or activities.

All employees are required to complete an annual declaration of interest return, even if this is to confirm that they have nothing to declare, and to then report issues as and when they occur.

On this basis employees must not:

- i) Undertake private work or activities during their Council working hours
- ii) Use Council premises, property or facilities for private work or activities.
- iii) Undertake any private work which prevents them from carrying out the full range of their Council duties, including contractual overtime.
- iv) Undertake private work or activities for any person, firm or company if it will involve the Council.
- v) Undertake any private work or activities which could involve or bring about a conflict of interest with their normal job.
- vi) Undertake any private work or activities for any person, firm or company who have (or are likely to have) a contractual relationship with or who are commissioned by the Council for any type of work.

- vii) Undertake private work for another employee who is responsible for supervising them, or whom they supervise, or for an elected member of the Council.
- viii) Prepare on behalf of or assist another person, in a private capacity, with any applications to the Council, for example planning or building, if they normally deal with these as part of their job.
- ix) Access Council services, e.g. when making a personal planning application, without declaring that they are an employee of that Council. In these circumstances, a covering letter should be attached to the application which should be submitted via the line-manager.

Where an employee is unsure in any way about private work or activities that they are considering, they should seek advice from their line manager or Human Resources Advisor before undertaking those activities.

Employees who are above NJC Grade 7 or equivalent are required to obtain the consent of their Head of Service, using the Declaration and Reporting Form before undertaking external private work or activities.

FINANCIAL AND NON FINANCIAL INTERESTS

Financial

All employees are required to disclose and declare any direct or indirect financial interest in a contract involving the council or which could bring about a conflict with the Council's interests. They should notify this to their Head of Service using the Declaration and Reporting Form. Failure to disclose or declare such an interest could be a disciplinary or criminal offence.

All employees are required to complete an annual declaration of interest return, even if this is to confirm that they have nothing to declare, and to then report issues as and when they occur.

Non- Financial

Employees should also inform their Head of Service (as above) of the following circumstances, if they believe there could be a conflict of interest:

- i) If they have any direct or indirect interest in any organisation, company, or other body that is doing business with, or has dealings with, the Council, where this may conflict with the employee's job role.
- ii) If they have relationships or roles outside work which might be seen to influence judgements or give the impression of a personal motive.

If prior to or during the course of attending a meeting an employee believes that an item on the agenda may cause them a conflict of interest, they should advise the chair of the meeting and leave the meeting for part or all of the meeting, as appropriate.

Employees also need to be aware that membership of organisations with secrecy about rules, membership and conduct may be incompatible with their work. If, in connection with their employment with the Council, an employee uses such membership for their own or someone else's personal or financial gain, they will be regarded as being in breach of this Code of Conduct.

USE OF FINANCIAL RESOURCES

All employees must ensure that they use any Council or other public funds entrusted to them through their job role in a responsible and lawful manner. The Council's Standing Orders, Financial Regulations and Operating Procedures should be followed at all times.

Employees must also try to ensure value for money and take care to avoid the risk of legal challenge to the Council in relation to the use of its Financial Resources.

USE OF COUNCIL IDENTITY, PROPERTY AND FACILITIES

Use of Council Identity

Employees indicating their affiliation to the Council e.g. via an e-mail address or any other identifier, in personal communications with others external to the Council must clearly indicate that the opinions expressed are their own and not necessarily those of the Council.

Where employees are using social networking sites in their personal life, they must ensure that they comply with the Council's Social Networking Policies, taking care to maintain the reputation and confidentiality of the Council at all times.

Cheshire East Council letter-headed paper must only be used for official correspondence and employees must never use this type of paper for personal correspondence.

Employees who are asked to give a personal reference for a work colleague, must make it clear that the reference is being given on a personal basis and that the opinions expressed are not necessarily those of the Council. As above, letter-headed paper must not be used in these circumstances.

Use of Council Property and Facilities

All employees are responsible for the safe keeping and proper care of any Council property or equipment that they use in the course of their work. Any deliberate or negligent failure to take proper care will be viewed as misconduct and will lead to disciplinary action.

At work employees will have access to a range of Council property and facilities including office equipment, computers, stores, transport and other machinery. These are provided to support employees in carrying out their work and should not generally be used for personal purposes.

However, some light personal use is permitted by the Council in the following circumstances:

Telephones and Mobile Phones/Blackberrys - ideally private telephone calls should not be made or received through the Council's telephone systems or through Council owned Mobile Phones or Blackberrys. However, in practice, employees may need to make or receive urgent or essential calls but these should be kept to a minimum and any costs incurred should be reimbursed to the Council.

Fax machines and photocopiers – if necessary, personal fax messages may be dispatched to locations within United Kingdom. Photocopies of personal documents (up to a maximum of 10 copies at one time) may be taken, with costs being reimbursed to the Council.

Computer Internet access and e-mails - employees are expected to adhere to the guidance given in the Council's ICT Code of Practice which allows some light personal use of internet and e-mail facilities, subject to certain conditions.

All employees need to be aware that it is against Council policy to forward or respond to chain e-mails.

Lease Cars

Employees who have a Council Lease Car must ensure that they comply at all times with the terms of their Lease Car Agreement with the Council and must not allow anyone who is not qualified to drive, or who is not covered by the terms of the agreement, to drive the car. Leased vehicles must be carefully maintained and regularly serviced and, at the end of the lease period, returned in good order, repair and condition, taking account of normal wear and tear.

APPOINTMENTS AND OTHER EMPLOYMENT MATTERS

All employees who are involved in the recruitment and selection of Council employees should follow the Council's policies on recruitment and selection (link) and should ensure that all appointments are made on the basis of merit. No employee should make an appointment which is based on anything other than the ability of the candidate to undertake the duties of the post.

To avoid any possible accusations of bias, employees should not be involved in any appointment where they are related to, or have a close personal relationship with, one of the applicants. This includes the providing of a reference for that person.

Similarly no employee should be involved in procedures or decisions about disciplinary action, pay or promotion relating to another employee who is a relative, partner or close friend.

TENDERING AND CONTRACTING

All employees who are involved in tendering or contracting processes as part of their job role must follow the Council's rules and guidance on Procurement at all times. They should always act with fairness, openness and impartiality when dealing with contractors, suppliers and other customers during these processes.

All orders and contracts must be awarded on merit, by fair competition between tenders. No special favours should be shown to current or former employees or to relatives, associates or friends, when contracts are being awarded. Where an employee feels that there may a conflict of interest in the work they are doing because of some link or relationship with potential or actual tenderers, they should declare this on the Declaration and Reporting Form.

Employees should also clear on the importance of 'separation' of duties and responsibilities within the Procurement process, for example:

- a) where an employee is involved in an 'in-house' bid for a particular service, they should not also be involved in client tasks, such as selecting tenders.
- b) where an employee is responsible for selecting contractors to tender or supply quotations, they should not also be involved in the receipt or opening of tenders or quotations.
- c) where exceptionally a senior manager has both a client and contractor responsibility, they must at all times be aware of the need for accountability and openness in all actions that they take.

All information that an employee has access to as part of a tendering and contracting process, should be regarded as confidential and must not be disclosed to any unauthorised party or organisation.

PRIVATE USE OF FIRMS DEALING WITH THE COUNCIL

No employee should use their position/employment with the Council to seek to obtain a discount or preferential terms when purchasing goods from, or using the services of, firms that they know to have dealings with the Council. Any offer of discounted or preferential terms should be politely refused and employees should cease to deal with the firm if they feel that the offer of preferential terms is designed to promote the firm's interests with the Council.

Goods and services may be purchased from firms who have dealings with the Council, provided the price offered is readily available to the general public.

Employees may take advantage of discounts where these are offered as a result of Trade Union membership.

POLITICAL NEUTRALITY

All employees are expected to follow every lawful policy of the Council and must not allow their own personal or political opinions to interfere with their work.

Employees work for the Council as a whole and must, therefore, work with and for all councillors, not just those of any controlling group or particular political party.

Those employees who may be required to give advice to political groups in the course of their work should do so in a way which does not compromise their political neutrality and should follow the appropriate Council conventions in this regard.

Certain employees hold politically restricted posts (PoRPs) and will be notified of this. (A register of PoRPs is maintained by Human Resources). These employees must observe the restrictions imposed and are disqualified from membership of any local authority, other than a Parish or Community Council, or from being an MP or MEP.

WORKING RELATIONSHIPS

All Council employees are expected to maintain professional working relationships with all individuals and groups of individuals that they have dealings with in the course of their work. They should always dress in a manner that reflects their job role and working environment and behave in a professional manner at all times and should not allow work and personal interests to conflict.

Where an employee works regularly with a Councillor or Councillors, mutual respect is essential and care should be taken to ensure they behave professionally at all times and that close familiarity does not develop which might damage the working relationship.

Where an employee works with members of the local Community or Service Users, they are expected to give efficient and impartial service to all groups

and individuals within that community, following the relevant policies of the Council at all times.

Where an employee finds themselves in a situation where their job with the Council brings them into contact with someone with whom they have, or have had, a private business or personal relationship, they should declare this to their line manager using the Declaration and Reporting Form.

PERSONAL RELATIONSHIPS

It is acknowledged that employees who work together may form close personal friendships and, in some cases, romantic relationships. Whilst the Council would not generally wish to interfere with such friendships and relationships, there would be cause for concern, and/or action to be taken, if potential or actual difficulties and problems at work were to arise from such relationships. Similar concerns could also arise where family members work closely together.

All employees have an obligation to the Council not to compromise standards of behaviour, conduct or performance through personal or family relationships. They are expected to act responsibly and to ensure that such relationships do not influence or prejudice the proper conduct of Council business, bring the Council into disrepute, or cause offence and embarrassment to other colleagues. Additionally, employees must never be involved in recruitment, disciplinary action or other employment matters relating to someone with whom they have a personal or family relationship.

Where employees feel that a personal or family relationship at work may lead to problems or conflict they should discuss this with their manager so that any potential difficulties can be resolved. Similarly where a manager has cause for concern about relationships within their team, they should discuss this with the employees concerned to seek to resolve any issues that might occur. Where it is felt that a relationship at work is causing, or is likely to cause, real difficulties, it may be necessary to move one or both of the employees involved to a different team or work location. Advice should be sought from HR if necessary.

Applicants for posts within the Council are asked to disclose any personal or family relationships with existing Council employees or elected members so that recruiting managers can discuss this with them during the selection process. Failure to do so could disqualify the applicant. Unless, there are exceptional circumstances, such relationships should not generally affect the decision to appoint or not appoint the applicant but will allow for appropriate arrangements to be made, where necessary, to reduce the possibility of problems arising from the relationship.

CONFIDENTIALITY/DISCLOSURE OF INFORMATION

Data Protection

Employees must follow the Council's Policies on Confidentiality at all times and should be fully aware of the provisions of the Data Protection Act in relation to any information that they receive, hold, or use whether manually or electronically.

In addition, employees must not:

- i) Disclose or use confidential work related information for personal gain or benefit or pass it on to others who do not have clearance to receive the information or who might use it in an inappropriate way.
- ii) Give information to the media, or other third party, unless authorised to do so.
- iii) Prevent another person from gaining access to information that they are lawfully entitled to.
- iv) Disclose confidential or personal information about someone else, unless the request is from an approved source such as HMRC or the Department of Social Security or, where the subject has authorised it, from a bank or building society.
- v) Disclose sensitive personal information about an employee when providing a reference for that person, unless they have given their agreement.
- vi) Make any public comment, when acting in a private or unofficial capacity, on Council Policy or any specific matter relating to the Council.

Where an employee is in any doubt, they should always seek guidance from their line manager or, if appropriate, from the Council's Data Protection Officer or Communications Team.

Media Relations

All employees should familiarise themselves with the Council's Media Relations Protocol which states clearly that employees should not communicate externally or disclose any information to the press or other media about the Council, which is not already in the public domain.

If an employee receives an enquiry from the media they should not make any initial comment or response and must immediately direct the enquiry to the Communications team, who will either respond to the enquiry or work with the employee to ensure that the information given out is accurate and timely.

Any unauthorised comment made to the media on behalf of the Council that is potentially harmful to its reputation may result in disciplinary action.

INTELLECTUAL PROPERTY

The term Intellectual Property refers to products of the mind, such as inventions, designs, trade marks, creative writings, programs or drawings. It will normally be the case that ownership of all such products and the copyright of all written material created by an employee in the course of their work for the Council will belong to the Council.

This generally means that the employee who has created the product has no rights to use or sell the product to others outside the Council. However, this is a complex area and further guidance can be sought from the Council's Legal Services Department.

EQUALITY

Cheshire East Council will ensure that, when implementing this Code of Conduct ~~that~~ no employee will be disadvantaged on the basis of their gender or transgender, marital status or civil partnership, racial group, religion or belief, sexual orientation, age, disability, pregnancy or maternity. This means that the Code may need to be adjusted to cater for the specific needs of an individual including the provision of information in alternative formats where necessary.

MONITORING

Data relating to this Code of Conduct will be collated and monitored regularly ~~regularly~~ annually to ensure that the Policy is operating fairly, consistently and effectively. Issues that are identified from the data will be dealt with appropriately.

REVIEW

The code will be reviewed in the light of operating experience and/or changes in legislation.

CHESHIRE EAST COUNCIL

Staffing Committee

Date of Meeting:	14 th January 2015
Report of:	Head of Strategic HR
Subject/Title:	Implementing the Recent Constitutional Changes for Staffing Committee
Portfolio Holder:	Councillor Paul Findlow

1.0 Report Summary

- 1.1 The changes to the Council's constitution, as agreed in October 2015, give "Staffing Committee responsibility to approve all human resources policies including pay and grading structures (except those that must be approved in law by the Council and the implementation of national terms and conditions which will be undertaken by the Chief Exec/head of paid Service), employees terms and conditions of employment, including changes to those terms and conditions and to approve policies on how the Council exercises its functions under the LGPS and any other relevant pension scheme."
- 1.2 This report makes proposals for putting these functional responsibilities into practice with particular focus on the approval and practical implementation of HR Policies.

2.0 Recommendation

- 2.1 That Staffing Committee:
 - Approve the Senior Officer delegations outlined in section 5 of this report.
 - Regularly review with the Head of Strategic HR the effective implementation of the constitution in relation to staffing matters.

3.0 Roles and responsibilities

- 3.1 It is recognised that Members set policy to reflect local interests and needs and Officers are responsible for how these policies are implemented (procedures and guidelines) within a framework laid down by Members. The focus of Staffing Committee is therefore on consideration of policy and when a procedural matter directly affects members of Staffing Committee those procedures will be of particular interest and require member consideration e.g. the procedures relating to disciplinary and grievance appeals.

4.0 Policy development in practice

4.1 The need to create or revise a HR policy can arise for a variety of reasons including:

- New legislation
- The development of case law which has implications on policies
- Operational experience showing issues and / or scope for improvement in existing policies
- Benchmarking indicating that a policy is out of date in comparative Councils and other relevant organisations
- A policy no longer meets the service needs of the Council.

4.2 The development or revision of policy is usually an iterative process, involving a scoping phase, research, consultation with unions, drafting and redrafting. It may in addition require input from a technical expert. During this development it may be valuable to informally discuss option/s with Staffing Committee Members prior to the final draft coming forward for formal approval.

5.0 Senior Officer delegations

5.1 Recognising the different roles of Members and Officers to agree and implement HR policies effectively and efficiently, it is proposed that a delegation is given to the Head of Strategic HR in consultation with the Chair of Staffing Committee or Deputy to:

- Approve all HR procedures and guidance (except where a procedural matter directly affects members of Staffing Committee e.g. appeals) that are designed to clarify or give effect to approved policy.
- Make minor and consequential amendments to HR Policy e.g. to clarify an issue, reinforce a point or take into account knock on effects of other policies changes.
- Approve legislative changes to HR Policy, reporting such changes to Staffing Committee.

5.2 The exception to these delegations being that all policy and procedure changes relating to disciplinary and grievance matters are required to be approved by Staffing Committee Members.

6.0 Other working assumptions

6.1 Where urgent decisions are required before the next Staffing Committee meeting then either a special meeting can be convened in conjunction with the Chair or if it is not possible to convene in a timely manner then the Committee procedure rules apply i.e.:

Urgent Decisions – Non-Executive Matters

An item of urgent business which has to be decided before the next meeting of a Committee or Sub-Committee can be determined by the Chairman and Vice-Chairman (or, in their absence, their nominees) in accordance with the provisions of the functions of Staffing Committee.

7.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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