

Staffing Committee

Agenda

Date: Thursday 21st January 2021
Time: 2.00 pm
Venue: Virtual Meeting

How to Watch the Meeting

For anybody wishing to view the meeting live please click in the link below:

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Or dial in via telephone on 141 020 33215200 and enter conference ID: 900802880# when prompted.

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.

It should be noted that Part 1 items of Cheshire East Council decision meetings are recorded and the recordings are uploaded to the Council's website.

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.

Please contact Rachel Graves on 01270 686473
E-Mail: Rachel.graves@cheshireeast.gov.uk with any apologies or requests for further information or to give notice of a question to be asked by a member of the public

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

In accordance with paragraph 2.32 of the Committee Procedural Rules and Appendix 7 of the Rules 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 or make a statement 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.

4. **Minutes of Previous Meeting** (Pages 5 - 8)

To approve the minutes of the meetings held on 6 July 2020 and 22 July 2020.

5. **HR Update** (Pages 9 - 24)

To brief the Committee on key Human Resource/Organisational Development priorities.

6. **Brighter Future Transformation (Culture) Programme Update** (Pages 25 - 30)

To receive an update on the work undertaken on the Brighter Future Transformation (Culture) Programme and the work planned for 2021.

7. **Pay Policy Statement 2021/22** (Pages 31 - 46)

To consider a report on the Pay Policy Statement for 2021/22 and make a recommendation to Council for approval and publication.

8. **Health and Safety Update** (Pages 47 - 54)

To brief the Committee on key Health and Safety developments.

9. **Exclusion of the Press and Public**

The reports relating to the remaining items on the agenda have been withheld from public circulation and deposit pursuant to Section 100(B)(2) of the Local Government Act 1972 on the grounds that the matters may be determined with the press and public excluded.

The Committee may decide that the press and public be excluded from the meeting during consideration of the following items pursuant to Section 100(A)4 of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Part 1 of Schedule 12A to the Local Government Act 1972 and public interest would not be served in publishing the information.

PART 2 - MATTERS TO BE CONSIDERED WITHOUT THE PUBLIC AND PRESS PRESENT

10. **Proposed New Senior Management Structure**

To receive a verbal presentation from the Chief Executive

Membership: Councillors C Browne, C Bulman (Chairman), J Clowes, S Corcoran (Vice-Chairman), L Jeuda, D Marren, M Simon and L Wardlaw

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Staffing Committee**
held on Monday, 6th July, 2020 (Virtual Meeting)

PRESENT

Councillor C Bulman (Chairman)
Councillor S Corcoran (Vice-Chairman)

Councillors C Browne, J Clowes, L Jeuda, D Marren, M Simon and L Wardlaw

1 APOLOGIES FOR ABSENCE

There were no apologies for absence.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 PUBLIC SPEAKING TIME/OPEN SESSION

There were no members of the public present wishing to speak.

4 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.

5 DIRECTOR OF GOVERNANCE AND COMPLIANCE (MONITORING OFFICER)

The Committee interviewed candidates for the position of Director of Governance and Compliance (Monitoring Officer).

RESOLVED

That Council be recommended to approve the appointment of Mr David Brown to the position of Director of Governance and Compliance (Monitoring Officer).

The meeting commenced at 9.30 am and concluded at 4.45 pm
Councillor C Bulman (Chairman)

CHESHIRE EAST COUNCIL

Minutes of a virtual meeting of the **Staffing Committee**
held on Wednesday, 22nd July, 2020

PRESENT

Councillor C Bulman (Chairman)
Councillor S Corcoran (Vice-Chairman)

Councillors C Browne, J Clowes, L Jeuda, D Marren, M Simon and L Wardlaw

Councillors in attendance

Councillors J Rhodes and D Murphy (Part 1 only)

Officers in attendance

Jane Burns, Executive Director of Corporate Services
Sara Duncalf, Acting HR Business Partner
Paul Davies, Employment Lawyer
Rachel Graves, Democratic Services Officer

6 APOLOGIES FOR ABSENCE

There were no apologies for absence.

7 DECLARATIONS OF INTEREST

No declarations of interest were made.

8 PUBLIC SPEAKING TIME/OPEN SESSION

There were no members of the public present.

9 MINUTES OF PREVIOUS MEETINGS

RESOLVED:

That the minutes of the meetings held on 23 January 2020, 30 January 2020 and 6 February 2020 be approved as a correct record.

10 APPOINTMENT OF AN INTERIM DIRECTOR OF GOVERNANCE AND COMPLIANCE (AND MONITORING OFFICER)

The Committee considered the appointment of an Interim Director of Governance (and Monitoring Officer).

Following the resignation of the current post holder, a recruitment process had been undertaken, which had resulted in the appointment of Mr David Brown to the permanent position of Director of Governance and

Compliance (and Monitoring Officer. Mr Brown had a three-month notice period to serve before he could join Cheshire East Council.

In the interim period it was proposed the Mr Asif Ibrahim, Head of Legal Services and Deputy Monitoring Officer, undertake the role of Interim Director of Governance and Compliance (and Monitoring Officer).

RESOLVED:

That the Staffing Committee recommend to Council the appointment of Mr Asif Ibrahim as the Acting Director of Governance and Compliance (Monitoring Officer) with effect from Thursday 23 July 2020 until David Brown takes up his appointment to the permanent role (provisionally 12 October 2020).

11 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 involves the likely discussion of exempt information as defined in Paragraphs 1 and 2 of the Schedule 12A of the Local Government Act 1972 and the public interest would not be served in publishing the information.

12 SEVERANCE PACKAGE

The Committee considered the proposed severance package with the value of £100,000 or more.

RESOLVED:

That the severance package be approved.

The meeting commenced at 2.00 pm and concluded at 3.15 pm

Councillor C Bulman (Chairman)



Working for a brighter future together

Staffing Committee

Date of Meeting: 21 January 2021

Report Title: HR Update

Senior Officer: Jane Burns, Executive Director of Corporate Services

1. Report Summary

1.1. The purpose of the report is to ensure Members are briefed on key Human Resource/Organisational Development priorities.

2. Recommendations

2.1. That Staffing Committee note the report.

3. Reasons for Recommendations

3.1 To ensure Members are kept up to date with Human Resource/Organisational Development priorities and that the Committee's Terms of Reference are followed.

4. Other Options Considered

4.1 Not applicable.

5. Background

5.1 The Committee's current remit is to review regular updates on performance information, in order to assess the effectiveness of current Human Resources, Organisational Development policies and practices.

6. NJC Pay

6.1 The National Employers final offer for the current year 2020/21 of 2.75% has been accepted by the Trade Unions and the updated pay rates and arrears from April 2020 have been paid in October salaries.

6.2 Further work has been undertaken with the trade unions in respect of the Council's NJC Pay Structure and a final proposal was submitted to the trade unions on the 19th August 2020 for consideration. Consultation with staff began

on the 9th December 2020 after which it is likely that the trade unions will ballot their membership on the proposals with a view to reaching a collective agreement.

7. JNC Pay Structure and Performance Related Pay

7.1 Final proposals were also submitted to the trade unions on the 19th August 2020 in respect of the changes to the JNC pay structure and also the removal of performance related pay. Consultation with staff began on the 10th December 2020 and it is likely that the trade unions will ballot their membership on the JNC pay structure proposals with a view to reaching a collective agreement. Consultation with staff began on the 10th December 2020 regarding the removal of PRP.

8. £95k Exit Payment Cap

8.1 The legislation to implement the £95k cap on exit payments in the public sector has completed the Parliamentary process and was signed into law on the 14th October 2020 meaning the regulations, and therefore the cap, come into force on 4th November. At the present time neither the guidance nor the directions have been published. MHCLG's consultation on changes to the Local Government Pension Scheme rules required to accommodate the £95k cap were due to conclude on 9th November and will, therefore, not conclude before the cap comes into effect. The LGA and the Trade Unions continue to raise concerns about the implementation of this legislation, including the treatment of exits currently in process, with MHCLG and HM Treasury. There are a number of live legal challenges which have had the effect of delaying implementation.

9. Attendance Management Update

9.1 Attendance Management remains a key focus for the Council. The Wellbeing and Attendance Management Policies and Procedures are used in conjunction with each other to proactively promote health and well-being at work and to provide appropriate support for employees when they are absent from work.

9.2 The Attendance Management target is 10 days absence per FTE in 2020/21.

9.3 During Quarter 3, there has been a continued focus for attendance management to support managers and staff in respect of Covid-19 and non-covid sickness absence. There has been an emphasis to protect and reassure staff in terms of attending work, and when they have been required to self-isolate or have had sickness absence due to Covid-19 as well as proactive and supportive management of overall sickness absence.

9.4 Meetings held under the Attendance Management Policy and Procedures routinely are held on a virtual basis provide reassurance to staff. Subject to the

national guidance in force at the time, meetings may take place in person if this is preferred by all parties.

9.5 Absences due to required self or household isolation have not been recorded as sickness absence to ensure that staff remained absent from work in line with national guidance to help control the spread of the virus.

9.6 Similarly, absence due to Covid-19 has been recorded as sickness absence and followed the Council's sick pay entitlements but have not counted towards the absence triggers within the Absence Management Policy and Procedure. This has been extended to 'Long Covid' with Managers monitoring the absence and supporting the employee as they would with other long-term sickness absence. This position is being kept under review in the event of the employee having further complications which result in a prolonged illness and lengthy absence or where guidance on the management of 'Long Covid' is updated by the Government.

9.7 The current absence figure, as shown in paragraph 15.4 was 7.06 days lost per FTE for quarter three. This is lower than during the same period in 2019 -20, when absence was 7.83 days lost per FTE employee. It is also slightly lower than the target of 7.48 days lost in order to reach the 12-month target of 10 days.

9.8 An Attendance Management e-learning package has been launched to complement a range of HR policy e-learning packages. The attendance management workshop has been adapted to be delivered virtually with workshops scheduled throughout 2021.

10. Exit Interviews and Surveys

10.1 There are a number of ways that the Council captures feedback from employees leaving the organisation to help to identify reasons for leaving and any patterns of change which have been occurring within the Council and the individual service. This information helps to identify from an employee experience, any ways in which a service could be improved and/or how new appointments can be supported to do their job. It also acts as an opportunity to confirm the reason for leaving.

10.2 All employees leaving the Council are offered an exit interview with their grandparent manager prior to their leaving date. This process is designed to be informal and constructive process by all parties. With the consent of the employee, the confidential information gathered may be used to take any action required as a result of the discussion.

10.3 A short online survey of leavers in late 2019 provided useful information on the exit interview process which, from the respondents, summarised:

- 85% of leavers confirmed they were offered an exit interview;

- Of which 72% of exit interviews were conducted;
- Where exit interviews were not undertaken, the most common reason was that the leaver declined the invitation.
- The most commonly reported reasons for not offering an exit interview were that the employee left with no notice or that they left under the MARS scheme which included a separate exit interview.

10.4 Following this survey, there was further promotion of the procedure for offering and conducting exit interviews to managers.

10.5 An on-line exit survey has also been developed to enable leavers to express their thoughts and share their experience in a confidential and anonymous manner. The survey ensures that we listen and learn from those leaving the organisation with the intent of, where necessary, improve our performance.

10.6 During 2020, there were 76 exit surveys completed which represented 21% of the overall leavers during the period. Further work continues to promote exit interviews for all staff who leave the organisation.

11. Education HR Consultancy

11.1 The Education HR Consultancy Services is a buy back service of the Council providing advice and support to head teachers and governing bodies on the full range of HR matters as well as the pay and conditions for teachers and head teachers.

11.2 During the third quarter of 2020/21, the HR Consultancy Service has continued to support schools in their response to the Covid-19 pandemic through the Autumn term when the schools re-opened in September 2021 by:

- Interpreting the regularly updated national Public Health and DfE guidance for school setting and providing tailored and updated Frequently Asked Questions (FAQs);
- Providing telephone advice and guidance on specific issues that arose;
- Meeting regularly with Director of Education and 14-19 Skills and the trade unions to maintain good employee relations and collaborative working.

11.3 The Safer Recruitment Training has been adapted so that it can be delivered on a virtual basis with training being successfully delivered during the Autumn term with six further sessions scheduled for the Spring term 2021.

11.4 Following a review of holiday pay across the Council due to a number of case law developments in recent years, there has been a change in relation to how holiday pay should be calculated for all employees. This has already been rolled out in services across the Council and now the review has been rolled out in all Cheshire East maintained schools with staff owed holiday receiving payment for

the 2017/18, 2018/19 and 2019/20 financial years. Schools are responsible for the calculation and payment of holiday pay from April 2020 onwards.

11.5 Cheshire East is also liable for the payment of holiday pay backpayment for eligible non-teaching staff from the 2017/18 financial year to the date that former maintained schools converted to academies. The HR Consultancy team are liaising with these academies in respect of the payments to staff and the reimbursement of the cost to the academies. Academies are responsible for any holiday pay calculations and payment from the date of conversion onwards.

12. Recognition

12.1 Engagement with the Council's recognition scheme remains steady, particularly Made my Days with an average of 200 sent each month. This demonstrates that staff are role modelling the 'I Will' behaviours and that the Council is upholding commitments outlined within the employee deal. Use of the monthly recognition scheme has reduced over recent months, following the peak in July which recognised the efforts during the initial lockdown in establishing support to residents and enabling staff to work remotely.

12.2 The decision was taken to not hold an annual awards event, due to current restrictions as well as a desire to recognise the contribution of all staff rather than a select few. However, a One Team Cheshire East thank you video has been produced to recognise the contribution of all staff and highlight what has been achieved during this extraordinary year.

12.3 The scheme will be reviewed during January as is the case each year, to ensure it recognises staff in the most appropriate way.

13. Wellbeing

13.1 The Council has made a clear commitment to every member of staff, through the Employee Deal, to care for their health and wellbeing. To support this a virtual winter wellbeing month was held during October covering a range of physical and mental wellbeing activities as well as opportunities for personal growth and learning new skills. Sessions were well attended and we have been able to continue to offer activities moving forward, helping staff observe some of the principles set out in the Golden Practices. We continue to promote wellbeing activities, suggestions and tips and tips across a range of platforms, with a particular focus on Winter Wellbeing currently.

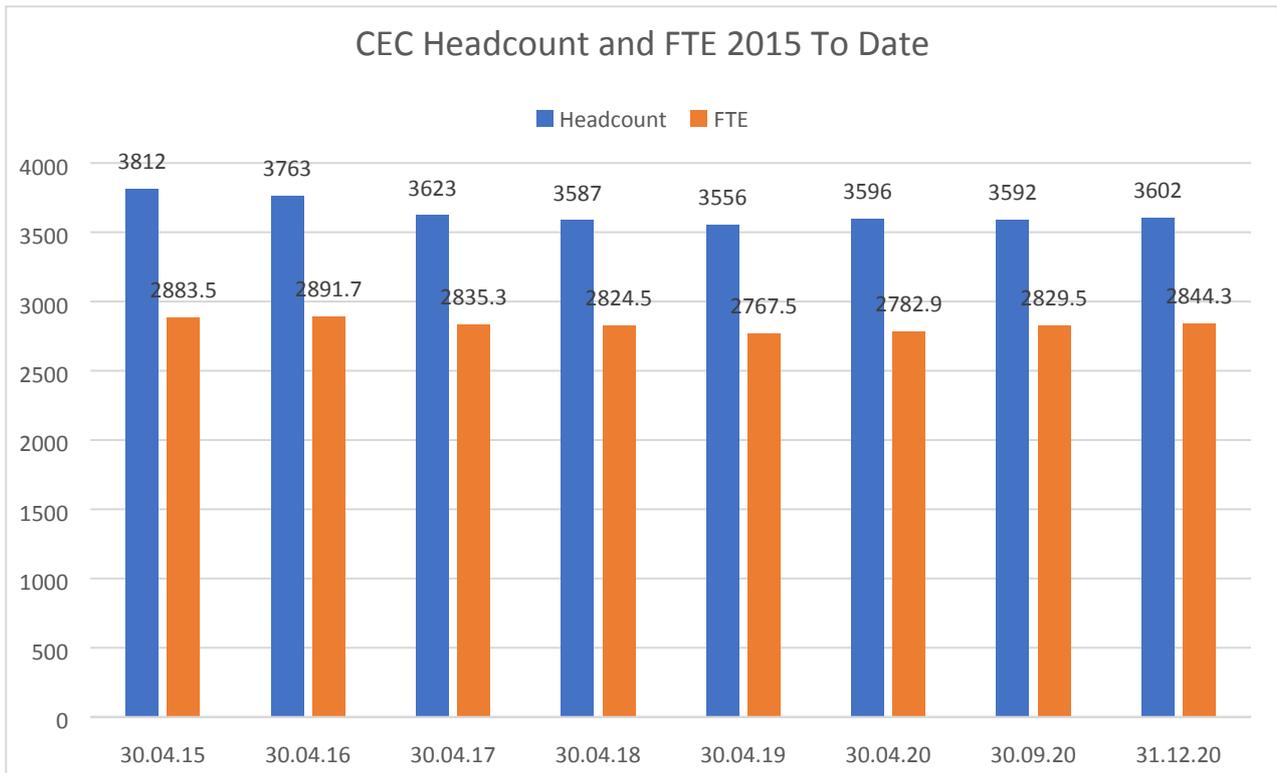
13.2 Work is currently underway to produce additional wellbeing principles following on from the Golden Practices to ensure staff continue to look after their health and wellbeing.

14. Apprenticeships

14.1 The Council's apprenticeship programme offers a variety of apprenticeship standards across all three Directorates and its ASDVs. New apprenticeship standards are introduced to the Council regularly, across all levels. A new cohort of 8 social work degree apprentices have been recruited and will begin their training programme in January 2021 with Staffordshire University, directly addressing current skills gaps. There are currently 112 apprentices on programme at the Council. 86 of these apprentices were already council employees and 26 were from outside the Council and new employees. This figure is slightly lower compared to the same period for 2019/2020. At the end of July 2020, there were 83 apprentices on programme. This included 64 existing members of staff undertaking an apprenticeship qualification and 19 new employees to the organisations, recruited in response to an apprenticeship being advertised.

15. HR PERFORMANCE DATA (Q3 2020-21)

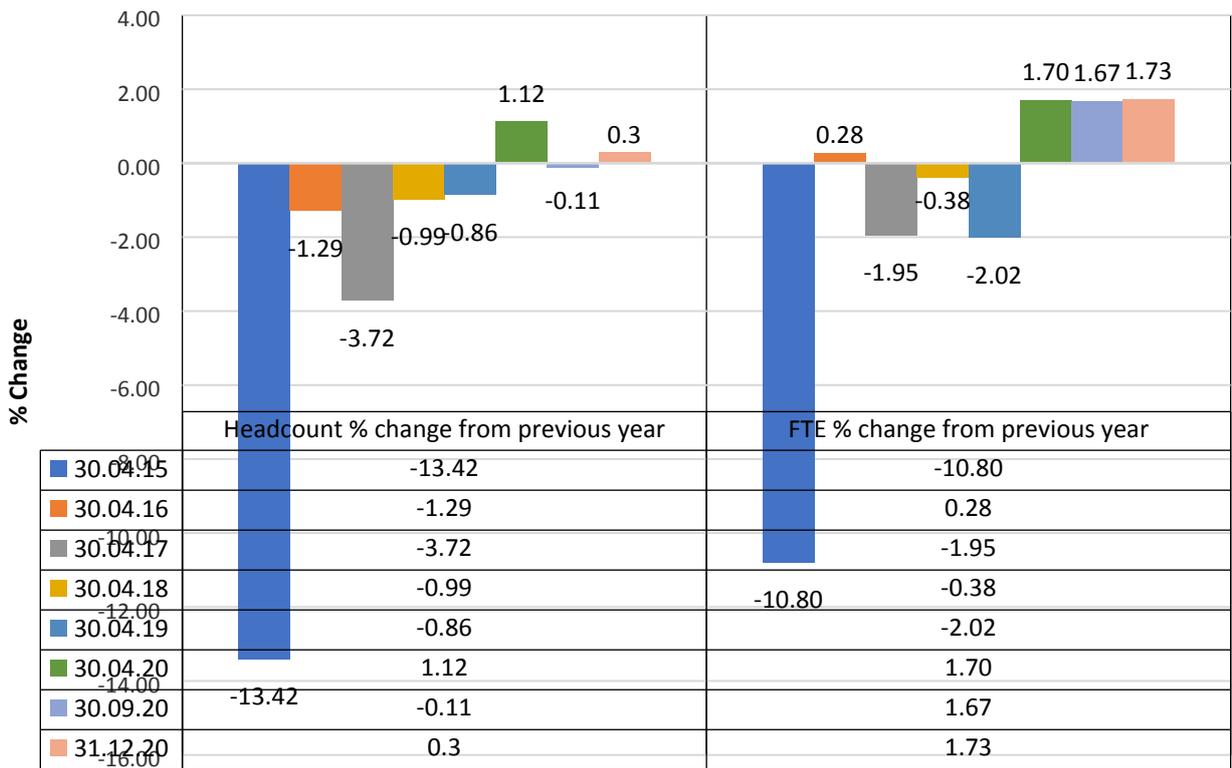
15.1 Headcount



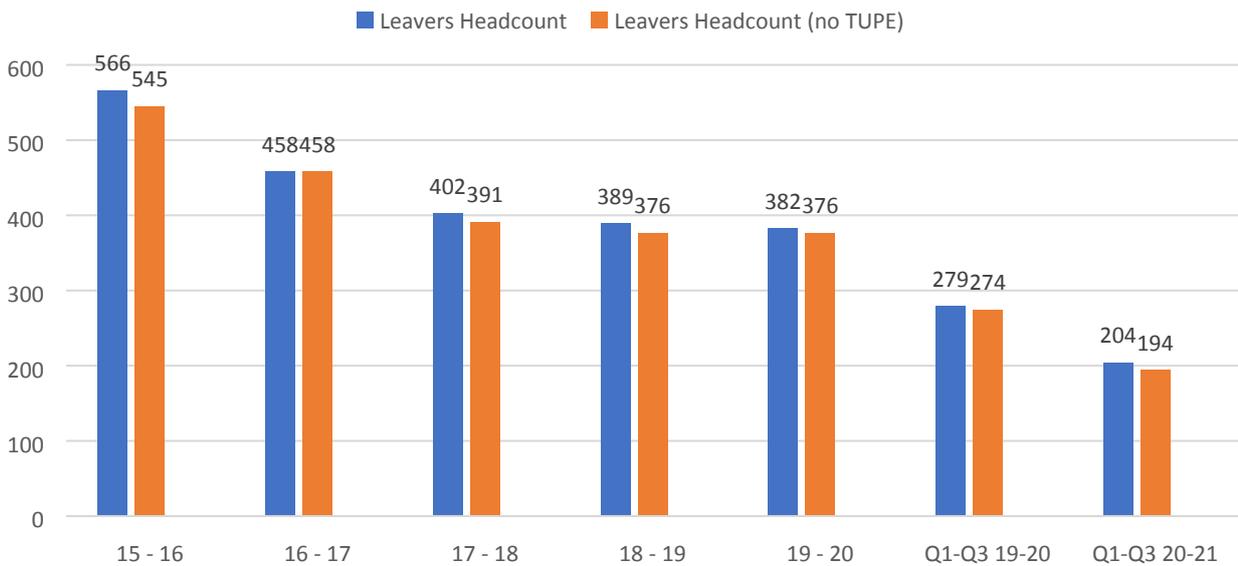
The chart above shows the overall Cheshire East headcount and FTE from 2015-16 to the third quarter of 2020-21. Between April 2015 and December 2020, the employee headcount has decreased by 5.5% and the number of FTE employees has decreased by 1.4% within the council.

During the current financial year, in comparison to the end of quarter three 2019-20, the headcount has increased by 0.3% and the FTE employees has increased by 1.7%. This can be seen in the chart below, which depicts the percentage change for both headcount and FTE during the same time periods.

CEC Headcount & FTE 2015 To Date



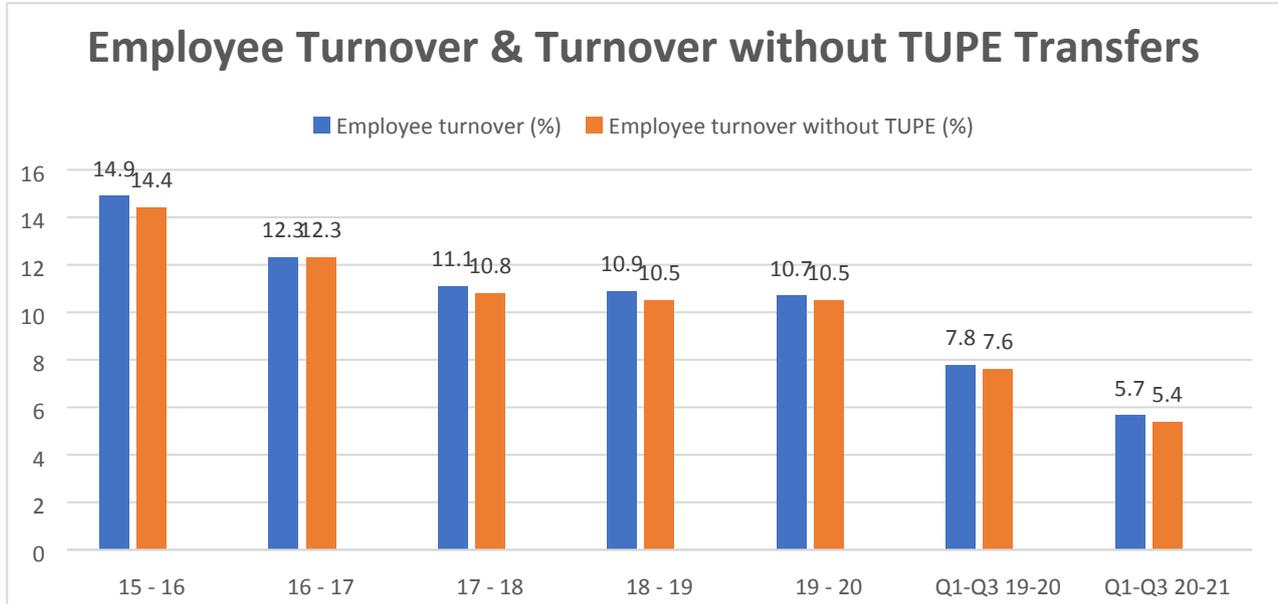
Total Leaver Headcount & Headcount without TUPE Transfers 2015 To Date



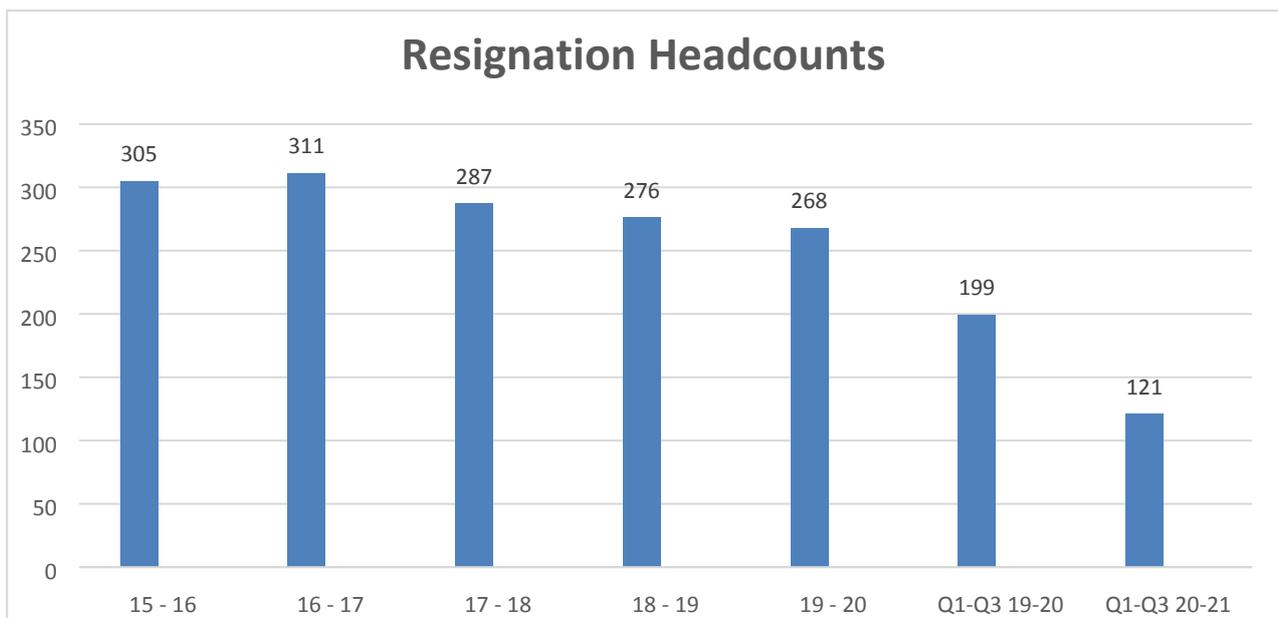
The chart above displays total leaver headcounts beside headcounts for all leavers except TUPE transfers between 2015-16 and 2019-20. There were no leavers due to TUPE transfers within the first or third quarters of 2020-21, however, in Quarter 3, 10 employees TUPE transferred into Cheshire East from Civivance, one of the former ASDVs.

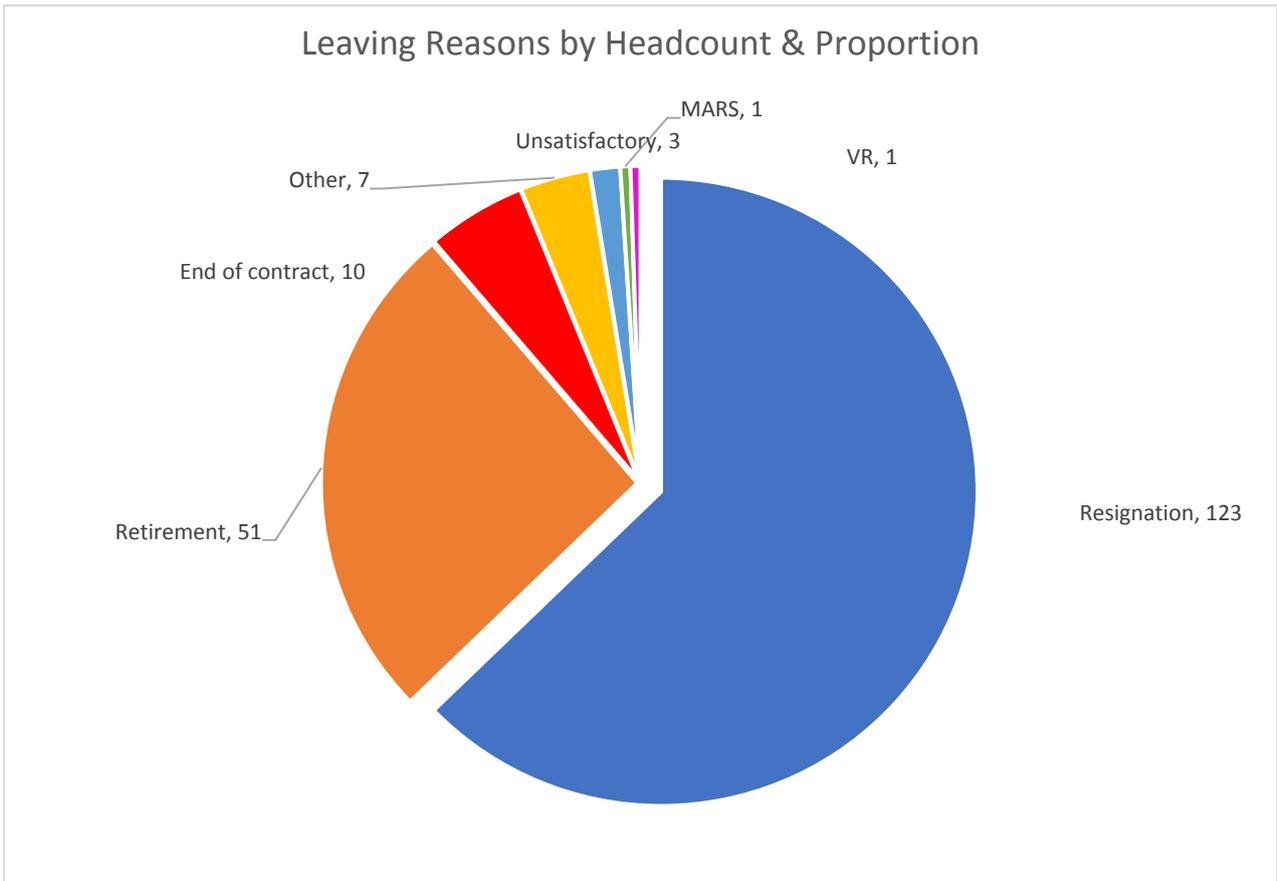
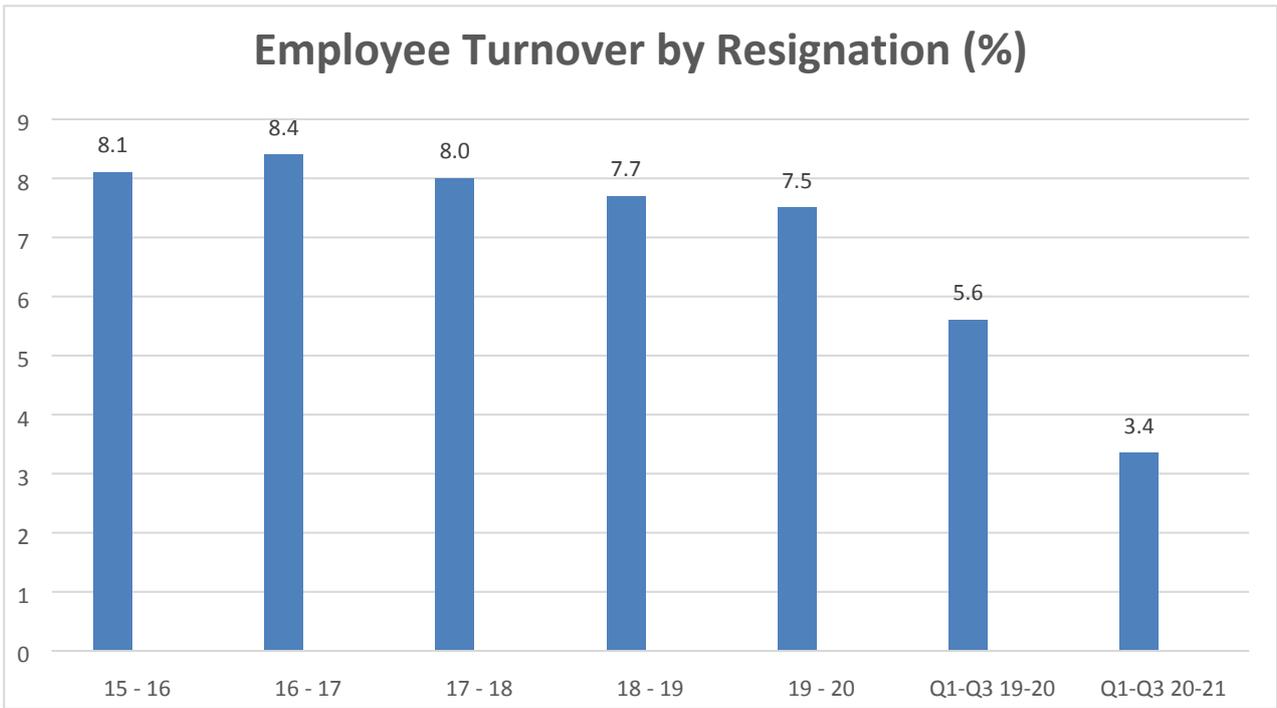
These figures can be compared with the first three quarters of 2019-20, when there were 5 TUPE transfers but 75 more leavers than in the current financial year. The chart below shows the corresponding turnover figures; in quarters one to three of 2020-21 turnover was 5.7%, which is lower than 7.8% in the in quarters one to three of 2019-20.

15.2 Employee Turnover



There were 121 resignations during the first three quarters of 2020-21, compared with 199 during the same period in 2019-20. The quarter 1 – 3 comparisons can be seen in the chart below, alongside the figures over full financial years between 2015-16 and 2019-20. Turnover as a result of resignation was 3.4%, lower than 5.6% in 2019-20. It is also visualised below:





A broad distribution of leaving reasons by headcount is shown in the chart above, excluding TUPE transfers. Resignation remains the most common leaving reason; the 'Unsatisfactory' category includes unsatisfactory probation or performance (capability), gross misconduct, or disciplinary action. 'Other' reflects mutual termination and death.

15.3 Agency Workers

Agency workers form an important part of the Council's workforce, providing short term cover, project work and flexible specialist skills to maintain service delivery in areas such as social services, ICT and other professional services.

The table below provides a summary of active agency worker assignments between September and December 2020, together with agency worker assignments as a percentage of all active Cheshire East assignments over the period.

Directorate	Active Assignments on 30.09.20	Active Assignments on 31.12.20	% of all Workforce Assignments on 30.09.20	% of all Workforce Assignments on 31.12.20
People	74	75	3.4%	3.5%
Corporate	87	94	12.8%	14.1%
Place	5	6	0.7%	0.8%
Total	166	175	5.0%	4.8%

The overall number of active agency assignments has remained stable during the first three quarters of 2020/21 with a small increase in the overall active assignments. The slight decrease in the percentage of all workforce assignments is due to an overall increase in workforce headcount between Quarter 2 and 3.

The breakdown of agency worker across the organisation by service area is:

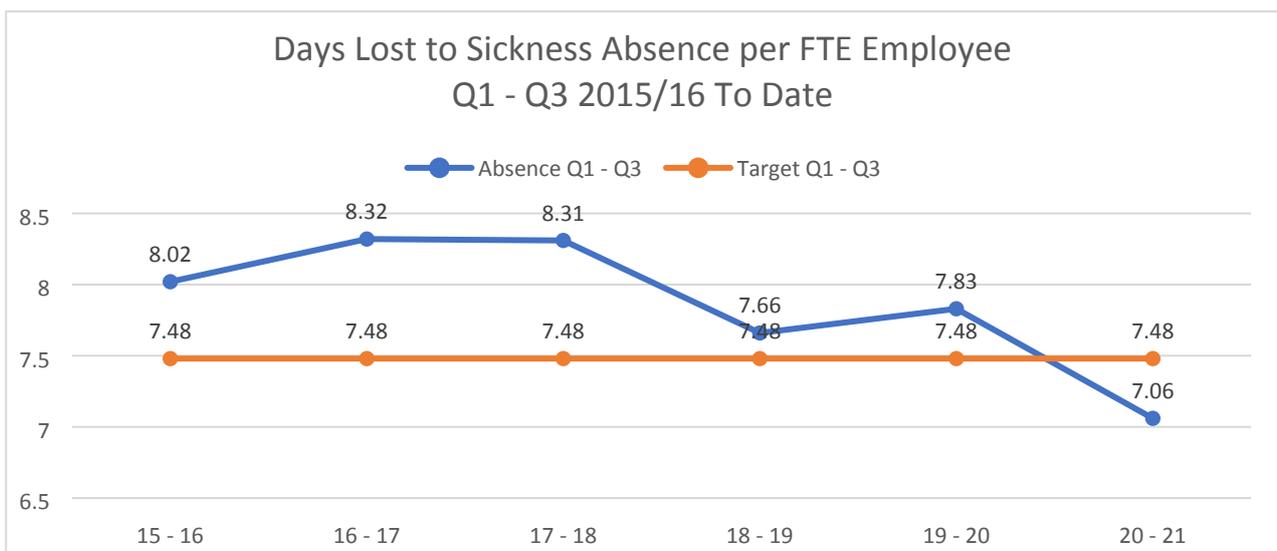
Cheshire East Council	No of Agency Workers
Corporate	94
Communications and PR	1
Customer Operations	10
Finance and Procurement	1
Governance and Compliance	2
Human Resources	5
ICT	62
Legal and Democratic Services	12
Professional Services	1
People	75
Adult Social Care and Health	34
Children's Services	41

Place	6
Growth and Regeneration	3
Infrastructure and Highways	1
Planning and Sustainable Development	2
Overall Total	175

Within Corporate Services, the majority of the agency workers are engaged by ICT (62) with a further 12 workers in Legal services. There are a small number of agency worker in other service areas.

Within People Services, there is a fairly balanced split of agency workers between Adult Social Care and Health and Children’s Services. These are predominately frontline workers such as social workers and other social care roles e.g. social care assessors, occupational therapists and support workers as well as for educational psychologists.

15.4 Sickness Absence



The chart above show sickness absence as days lost per FTE employee during the first three quarters of 2020-21, in comparison with the first three quarters of the previous five financial years. This is shown alongside a target of 7.48 days lost in order to reach the 12-month target of 10 days. Covid-19 Self Isolation and Maternity (including Paternity, Shared and Adoption) has been excluded from this data. Quarters 1 - 3 of 2020-21 has seen sickness levels of 7.06 days per employee which is under the target level of 7.48 days.

15.5 HR Casework

The Council’s HR procedures are used to seek outcomes to concerns raised where it has not been possible, or it is not appropriate to reach an informal resolution. The HR Team

works closely with managers to resolve these matters appropriate and at the earliest opportunity.

The tables below set out those cases that were considered through HR formal procedures. In light of the on-going Covid-19 pandemic, formal hearings are held virtually wherever possible although, if required and subject to national guidance, they may be held safely in person within corporate buildings.

Summary of current formal case work by employee

	Capability	Disciplinary	Grievance	Dignity at Work	ET
December 2019	0	6	4	0	1
March 2020	0	4	4	2	1
June 2020	0	1	3	2	2
September 2020	0	3	4	2	2
December 2020	1	2	3	0	1

ET = Employment Tribunal

Summary of closed formal case work during period by employee

	Capability	Disciplinary	Grievance	Dignity at Work	ET
Oct – Dec 2019	0	7	0	0	0
Jan – Mar 2020	1	3	0	1	0
Apr – June 2020	0	3	1	2	0
July – Sept 2020	0	0	1	3	1
Oct – Dec 2020	0	3	2	2	1

losed cases July – September 2020

Type of Case	Information/Length of Case
Capability	No formal capability cases have been concluded.
Disciplinary	1 x 1 month; 1 x 8 weeks; 1 x 9 months.
Grievance	1 x 2 months; 1 x 3 months.
Dignity at Work	1 x 5 weeks; 1 x 4 months.

With reference to the table above, casework matters are dealt with in as timely a manner as possible. There can be unavoidable slippage of time due to factors such as the general availability of the parties involved; for example, complainant, officers, trade union representatives as well as investigating officers. Since March 2020, the Covid-19 crisis has caused some delay in the conclusion cases.

Summary of new formal case work during period by employee

	Capability	Disciplinary	Grievance	Dignity at Work	ET
Oct – Dec 2019	0	4	2	2	1
Jan – Mar 2020	1	3	0	3	0
Apr – June 2020	0	0	0	2	0
July – Sept 2020	0	2	2	2	1
Oct – Dec 2020	1	2	1	0	0

16. Implications of the Recommendations

16.1 Legal Implications

Activity relating to the summaries in this report contributes to ensuring the Council's statutory HR and Health and Safety obligations are met.

16.2 Finance Implications

No financial implications arising from this report.

16.3 Policy Implications

Implications are dealt with in the body of the report.

16.4 Equality Implications

Implications are dealt with within the body of the report.

16.5 Human Resources Implications

Implications are dealt with in the body of the report.

16.6 Risk Management Implications

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

16.7 Rural Communities Implications

There are no implications for rural communities.

16.8 Implications for Children & Young People/Cared for Children

There are no implications for children and young people.

16.9 Public Health Implications

There are no implications for public health.

16.10 Climate Change Implications

There are no implications for climate change.

16.11 Ward Members Affected

No specific wards affected.

17. Consultation & Engagement

Implications are dealt with in the body of the report.

18. Access to Information

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

19. Contact Information

Any questions relating to this report should be directed to the following officer:

Name: Sara Barker

Job Title: Head of HR

Email: sara.barker@cheshireeast.gov.uk

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Working for a brighter future together

Staffing Committee

Date of Meeting: 21 January 2021

Report Title: Brighter Future Transformation (Culture) Programme Update

Senior Officer: Head of Human Resources

1. Report Summary

- 1.1. This report provides an update on the work undertaken on the Brighter Future Transformation (Culture) Programme and the work planned for 2021.

2. Recommendations

- 2.1. That Staffing Committee note the report and monitor progress of the future action plans.

3. Reasons for Recommendations

- 3.1. To ensure that Staffing Committee are informed.

4. Other Options Considered

- 4.1. Not applicable.

5. Background

- 5.1. Following the LGA culture review, the Council accepted the twelve recommendations that were made. All their recommendations have been addressed through the Brighter Future Culture Programme and work since has continued to embed the vision for workplace culture, values, behaviours and employee deal across the Council.
- 5.2. The Corporate Peer Challenge (CPC) carried out in January 2020 recognised the progress that has been made by the council in addressing historic issues and improving the culture of the organisation. The team also stated that they were impressed that whilst these improvements were delivered, the council had continued to deliver effective services. The report

produced by the team that carried out the CPC stated that ‘the culture change programme has made a profound difference to the way the organisation functions and the experience of staff’.

6. Briefing Information

- 6.1 There has been a slight shift in emphasis for the Brighter Future Culture Programme during 2020 to continue working towards the agreed vision for the Council’s culture, whilst paying a particular focus on supporting staff and promoting their wellbeing throughout the Covid-19 pandemic.
- 6.2 The BFT community has continued to meet virtually throughout the year on a monthly basis and been used to ‘sense check’ issues and initiatives and as a valuable source of feedback from staff on how services are working under difficult circumstances. These sessions are attended by Lorraine O’Donnell.
- 6.3 The Member Forum met virtually for the first time on 14th May 2020 and has continued to meet regularly since. Discussions are ongoing around the possibility of merging the current Member Forum with the Member Technology & Development Panel and the Member Enquiry Service Panel. Members are broadly in agreement with the caveat that the culture work would not be diluted as a result of any change.
- 6.4 A survey was carried out by Democratic Services during the Summer to seek Member views on what is working well and what could be even better if with regards to technology, working practices and culture. The results have been shared with Group Leaders and the Member Forum and included in the Members Briefing for all Members to access.
- 6.5 To further inform future working plans, a short ‘pulse staff survey’ was launched on July 6th 2020 for a two week period and achieved a response rate of 55%. The feedback from the survey was positive with 83% of respondents agreeing that communication from the council and from line managers has been effective during the COVID-19 response and 75% of staff agreeing that effective support in relation to wellbeing has been provided. The survey did highlight that some staff still had concerns around returning to their usual workplace and this has been taken into account in the work undertaken to ensure buildings are COVID secure.
- 6.6 An action plan to address the ‘pulse survey’ was developed and put into place with actions aimed at the welfare and wellbeing of staff outlined over the following paragraphs. A further ‘pulse survey’ is planned for early in 2021.

- 6.7 Time to Listen and Chat ‘TLC’ calls were set up in April 2020 to provide wellbeing support to all staff. The numbers of staff joining these weekly calls varies from week to week from 15 – 6 people, but it has been noted that people tend to dip in and out of these calls depending on how they are feeling. There is a theme for these calls to start the conversation, ranging from confidence with ICT following the upgrade, wellbeing support via Learning Lounge and the national lockdown.
- 6.8 More recently, a Clinically Extremely Vulnerable (CEV) support group has also been established.
- 6.9 An additional Workplace Wellbeing Conversation Toolkit was developed in July 2020 and added to those that already exist to support managers in having conversations with their staff around managing their resilience and wellbeing.
- 6.10 Manager Support Sessions were established in August 2020 as a response to the organisation managing the resilience and wellbeing of all its people managers. The sessions are held twice weekly and remain well attended with 60 – 70 over the 2 sessions. A variety of managers from across all three Directorates attend. The feedback they provide is that they feel these sessions provide a safe space to come together and share their experience and good practice. The themes vary each week, but have included personal resilience, team dynamics, managing remote performance and mental health awareness. These sessions will continue to run to support all people managers across the organization manage their staff and provide an opportunity to share best practice.
- 6.11 Wellbeing articles continue to be shared in the weekly Covid brief. In addition to this, a virtual winter wellbeing month was held during October with a different activity held each day. In total 250 people took part during the month. Following positive feedback from staff, a number of these activities will continue to run regularly to provide ongoing wellbeing support. Additional wellbeing pages have been added to CEntranet.
- 6.12 A new remote induction has been put into place for all new starters to the organization with induction handbooks for all staff and managers. This is supported by the development and launch of an e-learning induction module available to all. The Organisational Development Team is also running virtual drop-in induction sessions on a monthly basis.

- 6.13 To address concerns raised in the Pulse survey from staff that reported that they had occasionally or regularly worked more hours than usual during the COVID-19 pandemic, a set of 'Golden Practices' were developed and launched in September 2020 in conjunction with the Brighter Future Champions. These 'Golden Practices' are designed to help staff achieve the right balance between being productive and maintaining a positive approach to health and wellbeing at work each day. To offer further support on prioritization and themes that continue to emerge from the Manager Support Sessions and TLC Calls, a second 'Golden Practices' is in development, with a planned launch in January 2021.
- 6.14 A bespoke e-learning catalogue targeted at the issues around working through a pandemic has also been put into place. This has been rolled out on a phased approach. Modules have included resilience, wellbeing and managing staff remotely. Scheduled virtual resilience training for all staff and separate sessions for managers on managing resilience in their staff/teams have also been put into place.
- 6.15 A One Team Cheshire East Council Video was developed and launched to staff in mid December 2020 as a replacement for the annual Making a Difference Awards. This has been a virtual vehicle for thanking all staff for their hard work and commitment through an exceptional year.
- 6.16 In addition, all Cheshire East Council employees have been offered a 'Christmas Wellbeing Break' of three working days, without using their annual leave. This is to recognise that it is vital for staff's overall health, wellbeing and resilience to take time out from work, to rest and recharge.
- 6.17 Work has begun on refreshing the Brighter Future (Culture) Embedding Plan, which was shared with Staffing Committee in October 2019) to ensure it aligns with the council's vision for new ways of working. This will include the development of an updated 'Starting the Conversation', to be rolled out through the Brighter Future Champion network.

7. Implications of the Recommendations

7.1. Legal Implications

- 7.1.1. There are no identified legal implications for the Council associated with this report.

7.2. Finance Implications

7.2.1. Costs associated with some of the initiatives set out above have been met within existing budgets.

7.3. Policy Implications

7.3.1. There are no policy implications associated with this report.

7.4. Equality Implications

7.4.1. There are no equality implications associated with this report.

7.5. Human Resources Implications

7.5.1. The Human Resources service and the organisational development team in particular will be required to support the directors, managers and Brighter Future Community Champions in facilitating the conversations. The team will have responsibility for collating the actions and providing updates on progress through the Brighter Future Community.

7.6. Risk Management Implications

7.6.1. There are no identified risk management implications associated with this report.

7.7. Rural Communities Implications

7.7.1. There are no direct implications for rural communities.

7.8. Implications for Children & Young People/Cared for Children

7.8.1. There are no direct implications for children and young people.

7.9. Public Health Implications

7.9.1. There are no direct implications for public health.

7.10. Climate Change Implications

7.10.1. The report packs have not been printed but will be available to report owners electronically along with the toolkit and action plans. This will save paper, associated printing costs, and will contribute to the Council's environmental aspirations.

8. Ward Members Affected

8.1. There are no direct implications to ward members associated with this report.

9. Access to Information

- 9.1. The background papers relating to this report can be inspected by contacting the report writer.

10. Contact Information

- 10.1. Any questions relating to this report should be directed to the following officer:

Name: Sara Barker

Job Title: Head of Human Resources

Email: Sara.Barker@cheshireeast.gov.uk



Working for a brighter future together

Staffing Committee

Date of Meeting: 21 January 2021

Report Title: Pay Policy Statement 2021/22

Senior Officer: Sara Barker - Head of HR

1. Report Summary

- 1.1. Section 38 of the Localism Act (2011) requires Local Authorities to produce a Pay Policy Statement by 31st March on an annual basis. Regard continues to be given to any guidance from the Secretary of State in producing this statement and the Local Government Transparency Code (2015).
- 1.2. The Pay Policy Statement for 2021/2022 which reflects the expected position as at 1st April 2021 is attached as Appendix 1. Changes since last year's Statement are outlined in section 6.4 of this report.

2. Recommendation/s

- 2.1. That the changes since the 2020/21 Pay Policy Statement be noted as outlined in section 6.4 of this report.
- 2.2. That the attached Pay Policy Statement for 2021/22 be recommended by Staffing Committee to Council for approval and published accordingly.
- 2.3. That the agreed Pay Policy Statement for 2021/22 is reviewed in-year and any further changes are approved by the Monitoring Officer and published accordingly.

3. Reasons for Recommendation/s

- 3.1. A Pay Policy Statement has been required to be produced annually since 2012/13 under Section 38 of the Localism Act (2011). Local Authorities must have their Pay Policy Statement approved by full Council and published on their website no later than the 31st March prior to the financial year to which it relates.

4. Other Options Considered

4.1. Not applicable.

5. Background

5.1. The purpose of the Pay Policy Statement is to increase accountability, transparency and fairness with regard to the Council's approach to pay with particular focus on its Chief Officers.

6. Key Updates to the Pay Policy Statement

6.1. The Pay Policy Statement 2021/22 follows the style and format of the Statement published in 2020/21. The Statement focuses on the broad principles and policies regarding pay and has links to further information and statistical data available on the Council's website and associated policies.

6.2. The Statement has again been designed to be user friendly for public consumption and should require minimal updates each subsequent year.

6.3. The links to further information will be updated as appropriate through the coming year.

6.4. Changes since the last Pay Policy Statement:

6.4.1. Section 3.2 – the annual performance related pay incentive has been removed as a component of reward for senior posts as the Council are currently seeking to remove PRP. This is subject to further consultation with Trade Unions and employees/union members.

6.4.2. Section 3.4 – includes an update on the proposed new JNC pay structure for Chief Officers to remedy some outstanding anomalies. The new structure will be implemented during 2021/22, subject to further consultation with Trade Unions and employees/union members.

6.4.3. Section 3.5 – reflects a small change in the broad remuneration ranges for Chief Officers (Tiers 1-3) due to a 2.75% national pay increase in April 2020. The current salary package for the Chief Executive (Tier 1) has also been changed to a spot salary as stated rather than a salary range which is in line with the removal of PRP.

6.4.4. Section 3.6 – updates on further proposed changes to the NJC pay structure, including the removal of grade overlaps up to Grade 8 and the removal of the minimum spinal column point (SCP27) in Grade 9. This is subject to further consultation with Trade Unions and employees/union members.

- 6.4.5. Section 4 – updated the lowest pay point to £9.25 an hour in line with the national pay increase from 1st April 2020.
- 6.4.6. Section 5 – new appointments will be made in accordance with the JNC pay structure rather than the ‘achieving rate’ for the grade; reflecting the proposal to remove PRP.
- 6.4.7. Section 6 – the salary sacrifice lease car scheme is only applicable for salary sacrifice vehicles ordered before 7th September 2020 as the scheme ended on 15th September 2020.
- 6.4.8. Section 8 – reference to the Council’s Organisational Change Policy and Procedure has been included and that employees with two or more years’ service may be entitled to a redundancy payment. Reference to overtaken and outstanding leave regarding termination of employment has been updated in line with the Council’s latest Leaving the Council Policy and Procedure. An important note has been included about the Restriction of Public Sector Exit Payments Regulations 2020 which came into effect on 4th November 2020. This legislation introduced a £95,000 cap on exit payments. An update has also been provided on the proposed reform of the Discretionary Payments Regulations and LGPS Regulations. Proposals for change are still awaited from the government and the Council’s position will be considered once these changes are published. The Council’s policies and procedures are also currently under review in light of these changes.
- 6.4.9. Sections 10 and 11 – re-ordered so that Section 10 is Mutually Agreed Resignation Scheme (MARS) and Section 11 is Settlement Agreements. The section on MARS has also been revised to state that a decision is taken each year whether to run the scheme or not by the Chief Executive.
- 6.4.10. Annex 1 – external and internal links have been updated so that they refer to the current documents, policies and procedures.

7. Implications of the Recommendations

7.1. Legal Implications

- 7.1.1. The Council is required to produce and publish a Pay Policy Statement agreed by full Council each year, under Section 38 of the Localism Act (2011).
- 7.1.2. In addition, the Local Government Transparency Code (2015) requires information on organisational structure, senior salaries and pay multiples to be published annually each year.

- 7.1.3. This report and the accompanying Pay Policy Statement, with associated links in Annex 1, once approved and adopted ensures that Cheshire East Council complies with these requirements.

7.2. Finance Implications

- 7.2.1. There are no direct financial implications associated with approving the updated Pay Policy Statement 2021/22 and no budgetary adjustments are proposed in relation to this report.

7.3. Policy Implications

- 7.3.1. 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. Whilst the Statement can be amended during the year should the need arise, changes are subject to the approval of full Council.

7.4. Equality Implications

- 7.4.1. There are no direct equality implications associated with approving the updated Pay Policy Statement 2021/22, any potential implications relating to pay are addressed within the relevant pay policies.

7.5. Human Resources Implications

- 7.5.1. Associated pay policies and HR support must comply with the Pay Policy Statement.

7.6. Risk Management Implications

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

7.7. Rural Communities Implications

- 7.7.1. There are no direct implications for rural communities.

7.8. Implications for Children & Young People/Cared for Children

- 7.8.1. There are no direct implications for children and young people.

7.9. Public Health Implications

- 7.9.1. There are no direct implications for public health.

8. Ward Members Affected

8.1. There are no specific ward members affected.

9. Consultation & Engagement

9.1. The Pay Policy Statement 2021/22 will be shared with Trade Unions.

10. Access to Information

10.1. Background papers relating to this report can be inspected by contacting the report writer.

11. Contact Information

11.1. Any questions relating to this report should be directed to the following officer:

Name: Craig Hughes

Job Title: HR Business Partner

Email: craig.hughes@cheshireeast.gov.uk

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Pay Policy Statement 2020/21

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 guidance issued under the Local Government Transparency Code 2015.

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, and alternative service delivery vehicles) 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 Council, this policy statement will come into effect on the 1st April 2021 superseding the 2020/21 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 in an increasingly competitive market who are able to deliver the Council’s commitments 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.

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 behaviours) and market rates (where these may be relevant, with evidence).
- Reward for senior roles will be fair and proportionate by comparison to reward for the wider workforce.

3.2 Reward components

For many senior posts, reward will continue to comprise basic salary and a range of benefits. Reward will **not** include an annual performance related pay incentive as the Council are seeking to remove Performance Related Pay (PRP). This is subject to further consultation with Trade Unions and employees/union members.

The components are described as follows:

- **Basic salary:** This is guaranteed fixed cash remuneration, paid monthly. The level of basic salary is contractual.
- **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 (LGPS) are principal benefits.

As previously stated, PRP is being removed so no employee will be in receipt of a performance related pay incentive during 2021/22.

3.3 Job Evaluation and Banding

The Council uses the Hay Group job evaluation scheme to position roles into the Cheshire East Senior Management pay bands. The bands are linked to Hay Job Evaluation points 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 Chief Officers) conditions of service. A score is produced from the evaluation process which equates to a pay band on the Council's senior manager pay structure.

A review of the JNC Pay Structure for Chief Officers was carried out in 2020 to remedy some outstanding anomalies, and a new pay structure has been proposed. This will be implemented during 2021/22, subject to further consultation with Trade Unions and employees/union members. The **current** pay structure for senior managers who are subject to JNC conditions of service can be seen by accessing the [senior manager pay and grading structure](#).

As previously stated (see para 3.2), each grade within the senior manager pay structure will no longer have an achieving rate and the potential for a defined exceeding performance award during 2021/22 as the Council are seeking to remove this scheme.

In addition, there is a small proportion of public health employees who transferred under TUPE to the Council on NHS Pay and Terms and Conditions on 1st April 2013 and these employees remain on the terms and conditions of their previous NHS employer.

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 packages.

Chief Executive – Tier 1

- The current salary package of the post is £155,153.

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

- The salary package of these posts falls within a range of £119,955 to £136,313.

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

- The salary package of these posts falls within a range of £77,862 to £105,670.

3.6 Pay and grading structure for employees

The **current** [pay and grading structure for employees](#) on NJC (National Joint Council for Local Government Services) is also available.

The Council reviewed its local pay structures (Grades 1 to 12) as a result of the two-year national agreement which covered the period 2018-2020 and introduced an interim structure in June 2019 which assimilated all employees on to the new NJC Pay structure in line with the National Agreement. These changes brought Cheshire East Council in line with the NJC for Local Government Services pay structure and the revised national pay spine (spinal column points).

More recently, further changes to the NJC pay structure have been proposed; including the removal of grade overlaps up to Grade 8 and the removal of the minimum spinal column point (SCP27) in Grade 9. The revised NJC pay structure is subject to further consultation with Trade Unions and employees/union members.

4. Living Wage

As a result of the 2018-20 NJC pay agreement, it is no longer necessary to pay a Local Living Wage supplement because the updated pay points for the lowest paid employees have been increased and now exceed the National Living Wage. For information, the lowest pay point is £9.25 an hour with effect from 1st April 2020, and future pay awards are intended to take this into account in order to maintain parity with National Living Wage requirements.

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 arrangements set out in the Constitution. Full Council approval will be sought for the establishment of a role on a salary package exceeding £100,000 where remuneration departs from the pay policy statement.

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 Confident Commitment, Mindful Employer, Redeployment 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 in accordance with the JNC pay structure, 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, put in place the most effective arrangements to engage individuals. These arrangements will comply with HMRC IR35 requirements, relevant procurement processes and ensure the Council is able to demonstrate maximum value for money.

6. Additions to Chief Officers' Salaries

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

- Returning and Deputy Returning Officers' Fees
- Travel Allowances and Expenses
- Salary Sacrifice Lease Car Scheme (only applicable for salary sacrifice vehicles ordered before 7th September 2020 as this scheme ended on 15th September 2020)
- Relocation Expenses
- Professional Fees and Subscriptions

Further details of [Additions to Chief Officers' salaries](#) are published in the Council's Transparency Data and in the Statement of Accounts.

7. Local Government Pension Scheme (LGPS)

Details of the [Local government pension scheme](#) discretions exercised, contribution bands, actuarial rates, and discretions policy application are available.

8. Redundancy Payments and Payments on Termination

The Council's policy on compulsory redundancies, including redundancy payments, is set out in the Organisational Change Policy and Procedure. If employees have two or more years' service, they may be entitled to a redundancy payment. The payment is based on the statutory formula (on actual weekly pay). Any overtaken leave/flexi will be deducted from their final salary. Where there is an outstanding leave entitlement, this must be taken during their notice period and before their employment ends.

In order to minimise the need for compulsory redundancies and in conjunction with other measures, e.g. restricting recruitment, the Council may consider requests from employees to be made redundant (voluntary redundancy). Employees who leave on grounds of voluntary redundancy will normally be entitled to receive a redundancy payment in accordance with the statutory formula (on actual weekly 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.

The Council's **current** approach to statutory and discretionary payments on termination of employment of Chief Officers, prior to reaching normal retirement age, is set out within the Leaving the Council Policy & Procedure and for those eligible for retirement, in the Leaving the Council Policy & Procedure 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 Organisational Change Policy & Procedure and the Leaving the Council Policy & Procedure.

The Council reserves the right to change all discretionary elements.

Important Note: The Restriction of Public Sector Exit Payments Regulations 2020 came into effect on 4th November 2020. This legislation introduced a £95,000 cap on exit payments. Exit payments include all redundancy payments, severance payments, pension strain costs – which arise when an LGPS pension is paid unreduced before a member's normal pension age – and other payments made as a consequence of termination of employment.

Payments related to death in service or ill health retirement, pay in lieu of holiday, payments made in compliance with an order made by a court or tribunal and payments in lieu of notice that do not exceed a quarter of a person's salary are not exit payments for the purposes of these regulations. Although statutory (compulsory) redundancy is included as an exit payment it cannot be reduced. If the cap is exceeded, other elements that make up the exit payment must be reduced to achieve an exit payment of £95,000 or less.

The government also consulted on a proposed reform of the Discretionary Payments Regulations and Local Government Pension Scheme (LGPS) Regulations. The proposed changes to regulations place additional restrictions on severance payments and a limit on the amount an employer can contribute to pension strain costs where an employee draws their pension early as a result of redundancy or efficiency of the service. Proposals for change on the reform of Discretionary Payments Regulations and LGPS Regulations are still awaited from the government and the Council's position will be considered once these changes are published. The Council's policies and procedures are also currently under review in light of these changes.

9. Early Retirement and Severance on the Grounds of Business 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 business 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 Leaving the Council Policy and Procedure.

10. Mutually Agreed Resignation Scheme (MARS)

The Council had operated a Mutually Agreed Resignation Scheme (MARS) which enables individual employees, including Chief Officers, in agreement with the Council, to choose to leave their employment voluntarily in return for a discretionary 'severance' payment. This scheme creates resourcing flexibility to avoid compulsory redundancies in future, enable the redeployment of resources to higher priority areas of work and reduce costs in lower priority areas. MARS is non contractual and has no pension liabilities. A decision is taken each year whether to run the scheme or not by the Chief Executive.

11. Settlement Agreements

The Council uses settlement agreements for all voluntary redundancies/severance and MARS severance payments, for all employees, including Chief Officers. The use of 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.

12. 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 Local Government Association (LGA) guidance to calculate the relationship between the rate of pay for the lowest paid, median and Chief Officers, known as [pay multiples](#).

13. 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 in any capacity, except in exceptional circumstances and subject to the agreement of the Head of 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 for 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.

14. Publication and access to information

Upon approval by Council, this Statement will be published on the Council's website (www.cheshireeast.gov.uk). 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.

The Council will also publish, on an annual basis, Gender Pay Gap data in line with the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017.

Prepared by: HR Strategy and Policy Team

Date: January 2021

Review date: January 2022

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Annex 1 – Links

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

Section 1: Additional information

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

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

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

Link 4 – [Pay multiples](#)

[Statement of Accounts for 2019/20](#)

Section 2: Internal intranet links to the further relevant policies, procedures and other relevant information

- [Payment of a Market Supplement](#)
- [Pay and Allowances Policy](#)
- [Pensions Discretions Policy](#)
- [Organisational Change Policy and Procedure](#)
- [Leaving the Council Policy and Procedure](#)
- [Recruitment Policy and Procedure](#)
- [Disability at Work Commitment](#)
- [Mindful Employer](#)
- [Redeployment Procedure](#)
- [Equality in Employment Policy](#)
- [Relocation and Excess Travel Policy and Procedure](#)

For those seeking to access copies of policies and procedures externally, please email hrcommunications@cheshireeast.gov.uk to request copies of the relevant documents.

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Working for a brighter future together

Staffing Committee

Date of Meeting: 21st January 2021

Report Title: Health and Safety Update

Senior Officer: Jane Burns, Executive Director of Corporate Services

1. Report Summary

- 1.1. The purpose of this report is to ensure Members are briefed on key Health and Safety developments.

2. Recommendations

- 2.1. That Staffing Committee note the report.

3. Reasons for Recommendations

- 3.1. To ensure Members are kept up to date with Health and Safety developments and that the Committee's Terms of Reference are followed.

4. Other Options Considered

- 4.1. Not applicable.

5. Background

- 5.1. Health and Safety team members have worked with colleagues in Public Health, HR and Facilities Management, and in liaison with Trade Union representatives to provide advice, guidance and support in response to Covid-19 to services within the organisation, schools and to our alternative service delivery vehicles.
- 5.2. This has been achieved through the coordinated support to the Workplace Recovery workstream, including a "Covid Secure" working group, which has met at regular intervals, and support to individual services as activities have been changed in accordance with the requirements of various tiers.
- 5.3. Whilst the response to Covid-19 has been a significant element of the Health and Safety team's work in recent months, the "traditional" aspects of ensuring the Council's responsibilities for the health, safety and wellbeing

of its staff remain, and colleagues have continued with regular liaison and support across the organisation.

- 5.4. The tables in Appendix 1 provide data on the number of accidents and incidents reported and recorded to the end of quarter 3 of 2020/21, including any events which have been reported under the Reporting of Injuries, Diseases, or Dangerous Occurrence Regulations (RIDDOR).
- 5.5. These regulations require the employer to report certain categories of accident, injury, certain diseases, and certain types of dangerous occurrences (those which had the potential to cause injury) to the Health and Safety Executive (HSE). Also reportable are accidents where the injury results in the person being off work for more than 7 days. The HSE may choose to further investigate these reports.
- 5.6. An incident is an event where no physical injury occurs, although this may still be reportable under RIDDOR depending on the circumstances. Data is provided on events reported from Council staff, School Staff and Members of the Public (MOTP).
- 5.7. Accidents and incidents relating to pupils in schools are recorded as members of the public; hence many school's accidents are reported as RIDDORs as pupils attend hospital as a precaution. The Health and Safety Executive advice is for these to be reported under RIDDOR only where there is a fault with equipment, facilities or the accident arose as a lack of supervision. Notably there are no RIDDORS in schools during 2020/21 to date.
- 5.8. If a member of the public is taken to hospital as a result of an accident it becomes reportable irrespective of the injury, (or lack of serious injury).
- 5.9. High level information about RIDDOR reportable accidents is provided below;

5.9.1. Quarter 1

- Care4CE support worker was off work for more than 7 days following an assault by a client.
- CEC Employee injured by livestock; off work for more than 7 days
- Member of the public fell at Poynton Coppice; given first aid and taken to hospital for further assessment and treatment.

5.9.2. Quarter 2

- Adult Services support worker fell against a door; attended by paramedics. Off work for more than 7 days

- Member of the public fell at Tatton Park; taken to hospital

5.9.3. Quarter 3

- Care4CE support worker was off work for more than 7 days following a slip outside.
 - Member of public slipped on path at Tatton Park, taken to hospital for assessment and treatment.
 - Member of public (cyclist) injured in an accident caused by another pedestrian, taken to hospital for assessment and treatment.
- 5.10. Data relating to the Council's Alternative Service Delivery Vehicles is not reflected in these figures. Data relating to Academies is also excluded; Academies are responsible for their own accident and RIDDOR reporting.
- 5.11. There have been no accidents or incidents involving the HSE from Council or School figures during the year to date.
- 5.12. Comparison to accident and incident figures from the same periods in the previous year shows a significant reduction; this is due to the impact of lockdown on council services and in schools and the number of staff, pupils and members of the public present in premises being significantly lower.
- 5.13. A range of Health and Safety related training is co-ordinated by the Health and Safety team, in conjunction with the Council's Workforce Development team. This is provided to Council and School delegates. Course provision usually includes a variety of first aid training, including refresher and requalification training, and courses such as "Leading Safely" and "Managing Safely" supported by the Institute of Occupational Safety and Health (IOSH).
- 5.14. The Health & Safety Executive allowed extensions to First Aid certificates which expired after 16th March, 2020 and gave first aiders up until 30th September, 2020 in which to re-qualify. During recent months, training for essential provision only, such as the first aid has been prioritised and conducted following Covid secure practices. Colleagues are reviewing training requirements to identify where effective training provision can be delivered using remote means.
- 5.15. The tables below outline the training conducted over the 2020/21 year to date.

Quarter 1			
Course	Number of courses held	Attendees (Council Staff)	Attendees (School Staff)
<i>No training delivered during this period due to the national lockdown.</i>			

Quarter 2			
Course	Number of courses held	Attendees (Council Staff)	Attendees (School Staff)
First Aid Requalification (2 day)	6	11	11
Emergency First Aid at Work (1 day)	1	8	0
Total	7	19	11

Quarter 3			
Course	Number of courses held	Attendees (Council Staff)	Attendees (School Staff)
First Aid at Work (3 days)	1	1	1
First Aid Requalification (2 day)	2	7	2
Emergency First Aid at Work (1 day)	3	12	8
Total	6	20	11

5.16. Support to maintained schools is supplemented by a bought back advice and guidance service provided by the Health and Safety team. This is also available to Academies. Visits to schools were paused during the first national lockdown, but have since been restarted, through a combination of 'virtual' and physical site visits, which have been positively received. Advice and guidance has been provided throughout the pandemic, to the Council's Education team, and individual schools as needed.

5.17. The table below shows the numbers, and types of schools visited since 1st April 2020.

Type of School	Quarter 1	Quarter 2	Quarter 3
Primary Maintained	0	6	30
Primary Academy	0	8	10
Secondary Maintained	0	1	0
Secondary Academy	0	1	6
Special Maintained	0	1	3
Special Academy	0	1	2
Local Exhaust Ventilation (LEV) testing Design and Technology	0	4	6
Local Exhaust Ventilation (LEV) testing Science	0	4	7

- 5.18. Of the 18 visits carried out during quarter 2, 11 were carried out remotely, with 21 of the 51 visits being carried out in this way during Quarter 3. Further visits have been scheduled for the spring term (Academic Year 2020/21); the Health and Safety team will work with schools to review and reschedule these as necessary during the current national lockdown.
- 5.19. The Corporate Health and Safety policy has recently been updated; this involved a small number of updates to reflect organisational change and the appointment of the new Chief Executive. The policy is available on the Council's intranet site.
- 5.20. The Health and Safety team undertake reviews of policies on a rolling basis to ensure they reflect relevant legislation, current best practice and the operation of the Council.
- 5.21. Policies which have recently been updated include New and Expectant Mothers and Control of Contractors; there have been no significant changes made to these policies in terms of operational requirements or legislative changes.

6. Implications of the Recommendations

6.1. Legal Implications

- 6.1.1. Activity relating to the summaries in this report contributes to ensuring that the Council's statutory responsibilities as an employer are met.

6.2. Finance Implications

- 6.2.1. There are no implications for the Council's MTFS arising from this report.

6.3. Policy Implications

- 6.3.1. Implications are covered in the body of the report.

6.4. Equality Implications

- 6.4.1. There are no direct equality implications.

6.5. Human Resources Implications

- 6.5.1. Implications are dealt with in the body of the report.

6.6. Risk Management Implications

- 6.6.1. There are no specific risks arising as a result of this update report.

6.7. Rural Communities Implications

- 6.7.1. There are no direct implications for rural communities.

6.8. Implications for Children & Young People/Cared for Children

6.8.1. There are no direct implications for children and young people.

6.9. Public Health Implications

6.9.1. There are no direct implications for public health.

6.10. Climate Change Implications

6.10.1. There are no direct implications for climate change.

7. Ward Members Affected

7.1. No specific wards are affected.

8. Consultation & Engagement

8.1. Consultation and engagement with Trade Unions and other parts of the Council are covered in the body of the report.

9. Contact Information

9.1. Any questions relating to this report should be directed to the following officer:

Name: Josie Griffiths

Job Title: Head of Audit and Risk

Email: josie.griffiths@cheshireeast.gov.uk

Appendix 1

Accident and Incident Figures

Council (EMPLOYEES)	Q1 2020/21	Q1 2019/20	Q2 2020/21	Q2 2019/20	Q3 2020/21	Q3 2019/20
Average Head Count	3,601	3,554	3,660	3,593	3,602	3,951
Accidents	22	68	42	67	44	66
RIDDOR Reportable	1		1	5	1	4
Average Accident Rate Factor (%)	6.1	19.1	11.5	18.6	12.2	16.7

Schools (EMPLOYEES)	Q1 2020/21	Q1 2019/20	Q2 2020/21	Q2 2019/20	Q3 2020/21	Q3 2019/20
Average Head Count	3,029	3,198	3,113	3,079	3,107	3,094
Accidents	4	27	15	13	26	23
RIDDOR Reportable	-	2	-	2	0	1
Average Accident Rate Factor (%)	1.3	8.4	4.8	4.2	8.3	7.4

Council (MOTP)	Q1 2020/21	Q1 2019/20	Q2 2020/21	Q2 2019/20	Q3 2020/21	Q3 2019/20
Accidents	83	140	93	200	71	224
RIDDOR Reportable	1	-	1	4	2	6

Schools (MOTP)	Q1 2020/21	Q1 2019/20	Q2 2020/21	Q2 2019/20	Q3 2020/21	Q3 2019/20
Accidents	7	87	27	71	155	76
RIDDOR Reportable	-	-	-	3	-	7

Total Accidents	Q1 2020/21	Q1 2019/20	Q2 2020/21	Q2 2019/20	Q3 2020/21	Q3 2019/20
Council	105	208	135	267	115	-
Schools	11	114	42	84	181	-

Incidents	Q1 2020/21	Q1 2019/20	Q2 2020/21	Q2 2019/20	Q3 2020/21	Q3 2019/20
Council	55	133	131	122	180	105
Schools	13	13	0	7	7	30

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