

Committee Ref:

ADM&REGC/3/21

**Luton**

# Notice of Meeting

## Administration and Regulation Committee

Date : Tuesday, 30 March 2021

Time : 18:00

Place : Virtual meeting via\*Skype

Councillors : Akbar (Chair) S. Hussain  
Abid Mead  
Adrees Wynn  
Castleman (Vice-Chair)  
Lovell

Quorum: 3 Members

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[Skype Meeting Link](#)

### PURPOSE

Administration functions: the Committee deals with all matters relating to elections and referendums, civic and ceremonial activities, Bye-laws, the Local Government Pension Scheme, any change in the name of the Borough or the Council, conferring the Freedom of the Borough and the appointment of representatives to outside organisations relating to the Committee's work.

Regulation functions: the Committee deals with matters relating to contaminated land, pollution control, statutory nuisances, the control of street litter under the Environmental Protection Act 1990, the registration of births, deaths and marriages, Health and Safety at Work legislation and the formulation of policy guidance on all aspects of the Council's licensing functions.

**\*SKYPE:** During the Covid 19 emergency period, this meeting will take place virtually, via Skype. To access the meeting, please click on the link to the meeting above.

# AGENDA

<i>Agenda Item</i>	<i>Subject</i>	<i>Page No.</i>
1.	<b>Apologies for Absence</b>	
2.	<b>Minutes</b>	
	<b>1. 23 February 2021</b>	<b>1 - 7</b>
3.	<b>Section 106, Local Government Finance Act 1992</b>  Those item(s) on the Agenda affected by Section 106 of the Local Government Finance Act 1992 will be identified at the meeting. Any Members so affected is reminded that (s)he should disclose the fact and refrain from voting on those item(s).	
4.	<b>Disclosures of Interest</b>  Members are reminded that they must disclose both the existence and nature of any disclosable pecuniary interest and any personal interest that they have in any matter to be considered at the meeting unless the interest is a sensitive interest in which event they need not disclose the nature of the interest. A member with a disclosable pecuniary interest must not further participate in any discussion of, vote on, or take any executive steps in relation to the item of business. A member with a personal interest, which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member's judgment of the public interest, must similarly not participate in any discussion of, vote on, or take any executive steps in relation to the item of business. Disclosable pecuniary interests and Personal Interests are defined in the Council's Code of Conduct for Members and Co-opted members.	

**5. Urgent Business**

The Chair to report on any business which is considered to be urgent and which should be discussed at the meeting in accordance with Section 100B(4)(b) of the Local Government Act 1972 and to determine when, during the meeting, any such business should be discussed.

**6. References from committees and other bodies**

**Reports**

**7. Market Supplements Report - Annual Update 8 - 17**

(Report of the Service Director, Customer and Organisation Development)

**8. Redundancy And Leavers Demographics 2019-2020 18 - 21**

(Report of the Service Director, Customer and Organisation Development)

**9. Administration and Regulation Committee Draft Work Programme 2021-22 22 - 25**

(Report of the Service Director, Customer and Organisation Development)

**10. Local Government Act 1972, Part VA**

To consider whether to pass a resolution under Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting during consideration of any item listed above if it is likely that if members of the public were present during those items there would be disclosure to them of exempt information falling within the Paragraphs of Part 1 of Schedule 12A to the Local Government Act 1972.

# Administration & Regulation Committee

## Minutes

23 February 2021 at 6.00 pm

### Present:

Councillor Akbar (Chair); Councillors Abid, Adrees, Castleman (Vice-Chair), Lovell, S. Hussain, Mead and Wynn

### 1 Minutes (Ref 2.1)

**Resolved:** That the minutes of the meeting of the committee held on the 16 December 2020 be taken as read, approved as a correct record and signed by the Chair in due course.

### 2 Scales of Charges 2021-22 (Ref 7)

The Finance Business Partner presented the report (Ref: 7), seeking the committee's approval for the 2021/22 Scale of Charges, that were within its remit.

He informed the committee that detail the proposed charges to be approved by the Committee were as set out in Appendices A1 to A8.

He added that many of the fees were set by statute or linked to regulatory guidance and some required notice periods before implementing any changes. The implementation date for the proposed charges was 1 April 2021.

He referred the committee to paragraphs 10 to 24 of his report, which provided a summary of the proposed increases, which were broadly in line with inflation, except for the vehicle licence plate system for Hackney Carriages and Private Hire vehicles. The proposed increase in fee for the latter would be 5%, to reflect the cost of the materials that the Council had to purchase and was aimed solely at covering the costs. More details were set out in Appendix A2.

Dealing with members' questions and comments, the Finance Business Partner provided further information, as set out in the below paragraphs.

On why the discount offered if Fixed Penalty Notices were paid early had been removed at page 25 of the papers, he explained that the discount was still available and was in the notes on the ticket, but not published in public. He did not know the reason why it was removed, but could ask the service to put it back in for the sake of transparency.

Members agreed that the discount offer should be put back in and published in public, particularly as the discount offer for Smoke Free Enforcement was still published on the same page.

The Corporate Director, Inclusive Economy requested that she be allowed to check with the relevant service manager, the reason why the offer of the discount had been stuck off and respond to members outside the meeting, which was agreed.

The Vice-Chair, in the Chair moved that the recommendation in the report be approved, subject to the re-insertion and publication of the Fixed Penalty Notice discount offers, unless a valid reason could be shown, why not, following the check by the Corporate Director.

**Resolved:** That the proposed Scales of Charges 2021/22 to apply from 1 April 2021 be approved, subject to the re-insertion and publication of the Fixed Penalty Notice discount offers, unless a valid reason could be shown, why not.

### 3 Pay Policy Statement 2021-22 (Ref 8)

The HR Strategy and Policy Officer presented Pay Policy Statement 2021-22 report (Ref: 8), reminding the Committee of the Council's obligations under the terms of the Localism Act 2011 to produce and publish a Pay Policy Statement by the 31 March each year and requesting that the Committee agree to recommend the Pay Policy Statement 2021/22 at Appendix A to Full Council for approval and publication.

She said that the statement had been amended to account for the senior management re-structure and the introduction of a higher level pay spine (SD2) for Service Directors with statutory responsibilities.

She added that the Council must publish, for example, the ratio of the pay of the Chief Executive to that of the lowest paid employees, which had increased from 10.37:1 as at 1 January 2020 to 10.6:1 at 1 January 2021, due to the increment of the Chief Executive pay in May 2020.

As at 1 January 2021, the ratio of the Chief Executive's salary to the median full time equivalent earnings was 7.2:1, a very marginal increase from 7.1:1 in October 2020, due to the relative values of their median pay increments.

Other changes included the uplift in 'the living wage' to £9.50 per hour from 1 April 2021 (subject to a later report on the agenda). For those earning less than that, a supplements of 25p per hour or 7 p per hour were proposed to bring pay up to £9.50 per hour, until the national pay increase was agreed, when the supplement could be adjusted or removed, as appropriate. Options were provided to the Committee at Item 10.

In relation to exit payments for employees made redundant or who chose to take voluntary redundancy, the officer said that legislation to cap exit payments at £95k had been revoked on 12th February 2020, since the report was prepared.

Dealing with questions and comments from members, further information was provided, with key points recorded as set below.

To comments of the apparent unfairness of why the pay of the Chief Executive kept rising, when the pay of the lowest paid remained the same, it was explained that it was due to the fact that the lowest

pay grade of L1A was not subject to increments, compared with the Chief Executive's pay which had four increments. The NJC payspine was also set at national level, with local councils only having discretion to fit grades across that payspine. Previous annual uplifts at the lowest points of the NJC payspine had removed the increments within grade L1A. The annual pay uplift for the Chief Executive and chief officers were also subject to national decisions.

The Chair moved that the recommendations in the report, subject to any amendments discussed, be approved, which was agreed.

**Resolved:** (i) That the Committee acknowledge its awareness of the statutory responsibilities under the Localism Act 2011 to produce and publish a Pay Policy Statement annually by 31 March each year

(ii) That the Pay Policy Statement 2021/22, as attached Appendix A to the report (Ref 8) be agreed

(iii) That the Pay Policy Statement 2021/22 attached as Appendix A to the report be submitted to the Full Council meeting on 23 March 2021 for approval, subject to any amendments needed following the resolution of the committee on Item 10, 'The Living Wage at minute 5 below

(iv) That the need for the Pay Policy Statement 2021/22 to be updated and re-published when the pay awards are settled be approved.

#### 4 Gender Pay Gap Update (backward view) and Gender Pay Gap 2021-22 (forward view) (Ref 9)

The HR Strategy and Policy Officer presented the Gender Pay Gap update report (Ref: 9). She said the report was retrospective and forward looking, to advise the Committee of the council's 2020 Gender Pay Gap (GPG), as at 31 March 2020 and the actions devised to narrow the council's GPG and its effectiveness in light of the pandemic and beyond.

She reminded the Committee that since April 2017, legislation required all public sector employers of 250 or more employees to capture specific gender pay and bonus gap data annually, at a snapshot date of 31 March and to publish this data by 30 March of the following year.

Key points covered were as set out in the below paragraphs.

There had been a marked narrowing of the GPG from the previous year, with the mean GPG decreasing from 7% in favour of males in 2019 to 3.7% in 2020. Similarly, the median GPG decreased from 12.62% in favour of males in 2019 to 8.35% in 2020.

She explained that the variations were due to the change in the pay structure, with a reduction in the number of pay points in the NJC pay spines and in the way market supplements were paid, with recipients having a choice of lump sum payments in advance or monthly payments in their pay. With about 80% of those receiving market supplements being females, mostly in social work, the boost in their monthly pay could be as much as £500 a month in some cases, which had influenced the narrowing of the GPG.

She added that there was little difference between males and females, but the pay gap was due to females having breaks in service and had less time in posts.

The data at Appendix 1 also showed a marked narrowing of gender bonus gaps, which relied on payments of the market supplement as an incentive, which could change in future years, as it also depended on whether staff chose lump sum payments or monthly payments with their wages.

Dealing with a question from the Chair on what actions had been taken to narrow the GPG, the committee was informed that these were set out in Appendix 2 to the report. These included more flexible working from day one of employment, home working, particularly since the pandemic and the promotion of female staff taking up mentoring and coaching roles to assist in their career advancement. However, the recruitment moratorium had slowed overall recruitment which may have stifled some movement of female employees into higher graded roles.

She added that Luton was ahead of other local authorities and the private sector in reducing its GPG.

There was a large cohort of female employees in the council, which would also have an impact of the GPG. To eliminate the GPG, there was a need to get more female staff into the higher grades and senior management tiers within the Council.

The vice-Chair commented that it was good to see female staff on their way to more equality and fairness in pay. He added that, as most directors were female, that should help with narrowing the GPG.

The Chair also welcomed the narrowing of the GPG and looked forward to more progress in the next year. He moved that the recommendations in the report be approved, which was agreed.

**Resolved:** (i) That the Committee be aware the Council's statutory responsibilities under the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017 to calculate and publish its gender pay gap data for the snapshot date of 31 March 2020 by 30 March 2021

(ii) That the gender pay gap data attached at Appendix 2 be submitted to the Council meeting on 23 March 2021, with a recommendation that they be approved for publication by 30 March 2021.

## 5 The Living Wage (Ref 10)

The Business Manager, HR Strategy presented the report (Ref: 10), requesting the Committee to consider whether to apply the new real Living Wage rate of £9.50 per hour from 1 April 2021.

She said that the Committee previously agreed to adopt the real Living Wage at £9.30 per hour from 1 April 2020, which currently only applied to SCP1 (£9.25 per hour) on the NJC pay spine, as SCP 2 was £9.43 per hour and above the real Living Wage.

She added that the Committee needed to consider the three options in the recommendations in the report and decide which one was preferred. There was budget provision to pay for any of the three options, by way of pay supplements.

She said that Schools Forum had been advised of the uplift and had been encouraged to adopt it for all staff whose pay is determined by the governing bodies, particularly where fewer than five employees within the school would be affected.

She also said that from 1st April all schools catering staff would no longer be directly employed by Luton Council, this had reduced the numbers in the workforce who would be due a pay supplement to bring their pay in line with £9.50 per hour.

Dealing with members' questions and comments, the HR Business Manager, provided further information and clarifications, as set out in the below paragraphs.

There were no exact costing figures to hand for the three options under consideration, but she said there was budget provision for each one of them, which was cleared by Finance, with a cost saving with Option 3, as staff would remain on £9.30 per hour, instead of the proposed uplift to £9.50.



After a short discussion, members preferred option 2 (ii), that the council awaits the outcome of the NJC national pay negotiations (effective from 1 April 2021) before determining any pay supplements to align to the Living Wage.

The Corporate Director, Inclusive Economy suggested that the words from option 2 (i), reading, 'that schools be encouraged to pay the same', be added to the resolution, which was agreed.

The Chair moved that that Option 2 (ii) with the additional sentence, 'that schools be encouraged to pay the same', be approved, which was agreed.

**Resolved:** That the council awaits the outcome of the NJC national pay negotiations (effective from 1 April 2021), before determining any pay supplements to align to the Living Wage and that schools be encouraged to pay the same.

## 6 Ethnicity Pay Gap Update (Ref 11)

The HR Strategy and Policy Officer presented the Ethnicity Pay Gap Update

report (Ref: 11), to advise the Committee of the Council's 2020 Ethnicity Pay Gap (EPG), calculated in accordance with legislation introduced in April 2017 for measuring Gender Pay Gap and based on data captured on the snapshot date of 31 March 2020.

She said that the report was based on the same data as for the gender pay gap report (at minute 4 above) and referred members to Appendix 1 – Ethnicity Pay Gap 2020 data.

She added that analysis of the data suggested that the mean (average) Ethnicity Pay Gap was 7.4% in favour of white employees and the median (mid-point) Ethnicity Pay Gap was 7.6 % in favour of white employees in relation to all council staff. The gap was due to the disproportionate number of BAME employees in roles with lower salaries and allowances, compared to white employees occupying the same roles and not due to white employees being paid more for the same roles.

She sounded a note of caution on the reliability of the analysis, as it was based on 80% of staff who chose to provide data on their ethnicity. The data shows 20% of staff chose not to say (for reasons of personal choice) or their ethnicity was 'not known' because it has not been captured or checked during their employment..

In terms of the mean (average) Ethnicity Bonus Gap , this was 9.6% and the median (mid-point) Ethnicity Bonus Gap was 11.1% in favour of BAME employees. This was due to the relatively high proportion of BAME employees receiving market supplement payments and long service awards compared to white workers.

She re-iterated that the results were unreliable until ethnicity data was collected from the 600 or so employees who did not provide the information. Actions were being taken to encourage employees to provide the missing information, through the i-Trent self-service platform, as part of the People Plan.

Dealing with a question from the Chair on the disparity at M5 grade and above (Appendix 1, page 83 of the report), she said that the ethnicity pay gap (7.7% in favour of white employees) was due to the larger number of white senior officers compared with BAME officers at these grades, whereas there were larger numbers of BAME officers at the lower grades. Conversely, the ethnicity bonus pay gap in favour of BAME was due to larger numbers from this group who received market supplement payments, albeit that the overall numbers receiving these allowances were quite small.



Answering another question on a progress report back to the committee, she said this would be part of the People Plan, which was being developed and would be presented to the committee in due course.

The Chair moved that the recommendations to note the report be approved, which was agreed.

**Resolved:** (i) That the analysis set out in the report, showing an Ethnicity Pay Gap between 7.4% and 7.6%, based on 80% of staff, as 20% of employees had declined or omitted to reveal their ethnicity and that this did not mean that white or BAME staff were paid differently for equivalent work and rather reflected the proportional ethnicity split within different grades and roles in the Council, be noted

(ii) That the activity underway to address any ethnicity pay gap and the measures being taken to support the recruitment, retention and development of staff from a BAME background, built on the Council's clear and unequivocal commitment to equality and fairness, including a specific commitment to increase the proportion of BAME staff and the development of a new People Plan, which would have equality and diversity at its heart, be noted.

## 7 People Plan Annual Report (Ref 12)

The Workforce and Organisational Development Manager presented the report (Ref: 12), updating the Committee on the Council's People Plan since the last annual update in 2019.

She clarified that the report focused on progress and achievements in the previous year to December 2020, relating to the current People Plan and did not cover work on the new People Plan being developed, which was planned for launch in April 2021 to cover the forthcoming 3 years.

She acknowledged and thanked all HR and other colleagues, who had contributed and collaborated in the progress achieved and on the new initiatives since 2019, details of which were provided in the report and appendices. She emphasised that much had been achieved despite the challenges of Covid-19, which was remarkable.

She requested that the Committee note the progress and achievements made on the People Plan up to 2020 and the fact that a new People Plan was being developed to cover from April 2021 for the following 2 years, aligned to Luton 2020-2040, the Corporate Plan 2021-2023 and the Council's Target Operating Model.

In the absence of any questions, the Chair moved that the recommendation to note the report be approved, which was agreed.

**Resolved:** (i) That the progress and achievements made on the People Plan in 2020, as detailed in the report (Ref: 12) be noted

(ii) That it be also noted that a new People Plan 2021-24 was being written, in consultation with Service Directors and Service Managers, to support delivery of Luton 2020-2040, the Corporate Plan 2021-2023 and the Council's Target Operating Model

## 8 Administration & Regulation Committee Work Programme 2020/21 (Ref 13)

The Service Director, Customer and Organisation Development presented the report (Ref: 13), requesting that the committee to review its work programme for the meeting on 30 March 2021, as Appendix A.

He drew members' attention to the item on 'Missing Sensitive Data on i-Trent and Leavers' Demographics 2019/2020', which would deal with the issues of the 20% missing data, including sensitive ethnicity data, discussed at minute 6 above, which would later be included in the new People Plan.

The absence of any questions, the Chair moved that the work programme for the meeting on 30 March 2021 be approved, which was agreed.

**Resolved:** (i) That the work programme for the meeting on 30 March 2021 be approved,

(ii) That the Democratic Services Officer be requested to update the work programme in consultation with the Service Director, Customer and Organisation Development and the Chair as required.

A member congratulated all the officers for their excellent work and the way they dealt with questions, which were handled very well.

(Note: (i) In the absence of the Chair at the beginning of the meeting, the Vice-Chair took the Chair to the end of Item 7. The Chair took over from Item 8 to the end of the meeting

(ii) The meeting ended 7.04 pm)

<b>Committee:</b>	<b>Administration and Regulation Committee</b>		
<b>Date of Meeting:</b>	30 March 2021		
<b>Subject:</b>	Market Supplements – Annual Update		
<b>Report Author:</b>	<b>Aidan Wilkie, Service Director, Customer and Organisation Development</b>		
<b>Contact Officer:</b>	Anne Davies, HR Business Manager, HR Strategy Ext 6330		
<b>Implications:</b>	Legal <input type="checkbox"/>	Community Safety <input type="checkbox"/>	
	Equalities <input type="checkbox"/>	Environment <input type="checkbox"/>	
	Financial <input type="checkbox"/>	Consultations <input type="checkbox"/>	
	Staffing <input type="checkbox"/>	Other <input type="checkbox"/>	
<b>Wards Affected:</b>	Click here to enter text.		

## Purpose

1. In line with the recommendation from Administration and Regulation Committee 15<sup>th</sup> July 2020, to provide the committee with an update following the review of market supplement payments which are due to expire on 31st March 2021.
2. To provide Administration and Regulation Committee with a list of all current, agreed market supplement payments alongside the numbers of employees occupying posts which attract these payments compared to previous years.

## Recommendation

3. The Committee is recommended to note the report and to be advised that a further report will be scheduled in Autumn 2022 ahead of the majority of market supplement payments due to expire March 2023.

## Background

4. The council introduced market supplements in April 2013. The latest revised Market Supplement Policy and Procedure was agreed at Administration and Regulation Committee on 29th January 2019. It became effective from 1st April 2019.
5. There were a number of significant changes agreed from 1st April 2019.
  - Agreements span 2 years rather than 1 year as previously
  - Employees can choose to receive their payments annually in advance or monthly with their usual salary
  - Repayment terms for leaving the council before the expiry of the 2 year agreement encourage retention for the full 2 year period
  - Pay Panel membership was streamlined
  - Reduced administrative burden on managers when payments are reviewed

- Agreements run with financial years to assist in budgetary planning, rather than July to June as previously
6. As the majority of market supplement payments were due to expire on 31<sup>st</sup> March 2021, the review of market supplement payments commenced in the summer of 2020 to provide certainty to existing employees and also to new recruits around their future pay level beyond 31<sup>st</sup> March 2021.
  7. The review was conducted by a series of Pay Panels, chaired by the Service Director, Human Resources and Monitoring Officer. Future panels will be chaired by the Service Director, Customer and Organisation Change. Managers submitted applications for market supplements to be awarded/maintained and comparative market data was provided by the HR Strategy team to inform decisions around future payments. The Pay Panels adhered strictly to the Market Supplement Policy and Procedure.
  8. There are 3 Learning Disability nurse posts (M1, M2, M3) which were awarded a market supplement payment in April 2020. The 2 year period for these payments will expire at the end of March 2022 and therefore these payments will be reviewed in the Autumn this year.

## Report

9. Appendix 1 shows details of all current, agreed market supplement payments for the next 2 year term, April 2021 – March 2023.
10. **Employees who receive a market supplement payment**  
There are 220 employees (211 FTEs) who currently receive market supplement payments (January 2021 data). This compares to 190 employees who were receiving payments in June 2019. This represents a 16% increase in the number of employees receiving these payments over the last 2 years.
11. The majority of current payments (85%) are made to employees occupying social care roles (including 5 nurses) – similar to previous years.
12. It is encouraging to note that 146 employees (66.4 % of those receiving a market supplement) have chosen to receive their payments annually in advance. This was one of the key changes introduced to the scheme from April 2019 in order to make it more attractive as a recruitment and retention tool. 26.4 % have chosen monthly payments alongside salary and 7.2 % are still to decide.
13. **Same level payments**  
Of the existing market supplements awarded for April 2019 – March 2021, all apart from two posts were agreed to remain the same for the next 2 year term, April 2021 – March 2023. Some requests to increase the payment level were also refused.
14. **Increased payments**  
The payment for Building Services Engineer, M5 will increase from £2000 to £3000 from April 2021.
15. **Reduced payments / Removed payments**  
The payment of £5,500 pa, for Care Proceeding Officer, M4 was removed after the job

description was updated (and regraded to M3) as a social worker qualification was no longer required for the role. No payments were reduced following the review.

## 16. New requests agreed

Whilst Appendix 1 shows some new payments which have been agreed (in red type), in general these are qualified social worker posts where post titles changed and where post occupants were generally within the workforce and already receiving a market supplement.

There are some genuinely newly created posts, such as those within the Social Work Academy and these have been awarded payments in line with other qualified social workers. As a result of the 'Side-by-side' review within Adult Social Care, two new posts Primary Care Network Link Worker, M2 and Prevention Co-ordinator, M3 were awarded payments.

## 17. New requests refused

Some requests have been refused such as for Team Leader, Democracy and Scrutiny. The post occupant has been in post for several years and therefore the application for a payment did not meet the strict criteria of the scheme. The scheme requires evidence that a post has been vacant for more than a year or that it has been filled repeatedly following recruitment campaigns but that occupants do not remain employed long term and leave for a higher salary, in a similar role with another employer.

## 18. Posts due to be reviewed before March 2022

The Learning Disability nurses (M1, M2 and M3) have market supplement agreements which run for a 2 year term, ending March 2022. These payments will be reviewed before December 2021 in order to give existing employees and future new recruits some certainty around their pay from April 2022.

## 19. Are market supplement payments achieving their aim?

**Children's social care** – it is worth noting that this scheme has resulted in increased employee numbers within almost all of the posts which are eligible for payments, compared to June 2019 (Appendix 1). Significant increases can be seen within grades M1, M3, M5 and M8 compared to the position around 2 years ago.

Overall, this cohort of the workforce now has 26 additional employees receiving payments compared to June 2019 – an increase of 26.3 % for the Children's social care workforce occupying these posts. The data evidences that the scheme plays an important role in stabilising the Children's social care workforce across the whole grade range. Attracting and retaining officers at M1 and M3 has benefits for continuity in case management whilst recruiting and retaining managers at M5 and M8 is key for leadership continuity and delivery of planned service improvements.

## 20. Adults' social care (ASC) – there is a more mixed picture within ASC. Whilst there are more employees in post at M2 than previously, it still remains a challenge to retain M1 officers in both social worker and occupational therapy roles.

The 'Side-by-side' review in ASC introduces a richer skill mix at M2 and M3 which is intended to address issues around retention.

Paying supplements to Community Learning Disability nurses has resulted in one further person joining this team since 2019 and the remainder of the team has been retained.

## 21. Other service areas

Across the remaining service areas where market supplement payments are in place, Appendix 1 shows a fairly stable picture, although Planning remains a challenging area showing some 'churn' despite these payments.

22. **In summary** the application of market supplements is helping to stabilise and increase post occupancy levels in most job groups and in particular within Children's social care. The reduction or removal of these pay supplements would make the situation worse. Market Supplements are part of a wider picture which includes management support, training, caseload monitoring, the council 'brand' and the overall package of employee benefits – all of which feature in employees' decisions around joining and staying in the workforce.

## 23. Leavers 2019 – 2020 and payback

The scheme requires employees to sign a legally binding agreement which specifies strict terms which apply in the event that any employee fails to remain employed for the full 2 year period of the agreement. Administration and Regulation Committee, at its meeting on 15<sup>th</sup> July 2020, requested details around the level and frequency of payments that have been reclaimed from leavers. Table 1 below gives a summary based on data for 2019/20. In total £35,688 was reclaimed from 11 employees who left before serving the full term of their agreements.

24. In most cases employees stay for the full period of their agreement and they understand that leaving early will incur financial penalties. Where repayment is required this is generally deducted from final salary. The council takes a firm stance on repayments even where significant sums are involved and also where employees claim they did not understand the repayment clauses in their agreement.

## 25. Table 1

Service area	Leavers April '19 to Mar '20	Payback
Adult Social Care	6 X M1	1 X £1267 1 X £2250 1 X £3000
Children's Social Care	4 X L7 3 X M1 6 X M2	1 X £1899  1 X £2230 1 X £5500

	4 X M3  1 X M4  1 X M5	1 X £5500 1 X £5000 1 X £2875
Place and Infrastructure	2 X M2   2 X M3	1 X £4000 1 X £2167
<b>TOTAL REPAYMENTS</b>		<b>£35,688</b>

## 26. Equalities

At the meeting of Administration and Regulation Committee on 23<sup>rd</sup> February 2021 the committee will recall reports for the council's Gender Pay Gap and Ethnicity Pay Gap.

27. The mean (average) gender bonus gap for the council is **10.7%** (in favour of women) and the median gender bonus gap is **2.3%** (in favour of women). Of those employees in receipt of market supplement payments in the year preceding 31 March 2020, over 78% were female. Whilst the definition of 'bonus' also includes the long service award, (in the form of shopping vouchers to the value of £200, which is awarded to employees with 25 years of continuous service with the Council), the analysis included only 21 recipients of the long service award compared to 220 employees who receive market supplement payments.
28. The mean Ethnicity Bonus Gap in 2020 was 9.6% whilst the median (mid-point) Ethnicity Bonus Gap was 11.1% in both cases favouring Black, Asian and Minority Ethnic employees. This means that across the Council in the financial year 2019/20, the average bonus amount paid was 9.6% more to Black, Asian and Minority Ethnic employees than white employees.
29. In summary, the bonus pay gap currently favours women and employees from BAME backgrounds, largely as a result of the relatively high proportion of employees from these groups who occupy roles which attract market supplement payments.

## Proposal/Options

30. That Administration and Regulation Committee notes this report; the outcomes from the review of market supplement payments made 2019 – 2021 and the list of agreed payments due for payment 2021 – 2023.

## Appendix

31. Appendix 1 - Market Supplements Agreed for 2021 to 2023



## List of Background Papers - Local Government Act 1972, Section 100D

32. None

### Implications

Item	Details	Clearance Agreed By	Dated
<b>Legal</b>	Paying Market Supplement Payments creates equal pay risks. These risks can be minimised by robustly following the Council's Market Supplement Policy.	Jasbir Josen, Senior Solicitor, Legal Services	8th March 2021
<b>Finance</b>	<p>Appendix 1 shows the payments due following the recent review of payments, under the current 2 year agreements from April 2019 to March 2021.</p> <p>Agreed payments will be paid for the new 2 year term from April 2021 to March 2023.</p> <p>Market supplement payments in 2019/20 totalled approximately £756,000. This included some cross over between the old scheme which paid in arrears and the new scheme which paid either in advance or monthly with normal salary.</p> <p>The spend on market supplement payments in 2020/21 is estimated at £778,000. Costs may increase in the future, following successful recruitment campaigns resulting in new employees receiving market supplement allowances once their employment commences.</p> <p>One of the aims in applying market supplements is that vacancies will be filled and employees will be retained, thereby reducing agency costs.</p> <p>The costs of the market supplements shown in this report have been built into budgets. However, decreases in agency costs resulting from</p>	Dev Gopal, Director of, Finance, Revenues and Benefits (Section 151 Officer).	15th March 2021

Item	Details	Clearance Agreed By	Dated
	successful recruitment to vacancies will cover the total costs of market supplements if all the posts are eventually filled.		
<b>Equalities</b>	<p>A robust process of allocating market supplement payments, as detailed within the report, is critical to avoid inequalities.</p> <p>Recent analysis of the gender bonus pay gap and ethnicity bonus pay gap showed pay gaps that favoured women and employees from BAME backgrounds in respect of market supplement payments.</p>	Maureen Drummond, Cohesion and Equalities Adviser	4th March 2021
<b>Environment</b>			
<b>Community Safety</b>			
<b>Staffing</b>	This Report has implications for a number of posts, employees and the Council's recruitment and retention policies and strategies.	Aidan Wilkie, Service Director, Customer and Organisation Development	10th March 2021
<b>Consultations</b>	The Trade Unions have been provided with the outcome of the 2020 market supplement review and are aware of all the posts that have been allocated a market supplement.		
<b>Other</b>			

## Item 7 - Appendix 1 – Market Supplements Agreed for 2021/2023

JOB TITLE	Grade	Market Supplement Agreed 2021-2023	Head count (January 2021)	Net changes since June 2019
Children, Families and Education				
Children's Social Care				
Children – Social Worker (ASYE)	L7	£2,500 (same)	11	+1
Children – Social Worker (NQ)	L7	£4,500 (same)	9	+2
Children - Social Worker (experienced)	M1	£5,500 (same)	28	+5
Children – Occupational Therapist	M1	£4,000 (same)	0	-1
Children - Senior Practitioner	M2	£5,500 (same)	29	+2
Children – Social Work Academy Senior Practitioner	M2	£5,500 (new)		
Children - Social Work Academy & Developing Officer	M2	£5,500 (new)		
Children – Social Work Academy – AYSE Assessor/Practice Educator (in the Safeguarding & QA team)	M2	£5,500 (new)		
Children – Extremism Safeguarding Practitioner	M2	£5,500 (same)		
Children - Senior Practitioner Occupational Therapy	M2	£3,500 (same)		
Children - Deputy Local Authority Designated Officer	M2	£5,500 (new)		
Children - Deputy Team Manager (includes 2 X Practice Lead in the Assessment Team)	M3	£5,000 (same)	20	+9
Children - Social Work Academy (in the Safeguarding & QA Team) - Practice Development Officer	M3	£5,000 (new)		
Children – Quality Assurance Practice Improvement Officer	M3	£5,000 (new)		
Children – IRO Quality Assurance Reviewing Officer (Fostering)	M2	£5,500 (same)	0	-1
Children – IRO Independent Reviewing Officers	M4	£5,500 (same)	8	+1
Children – Care Proceeding Officer Removal of SW Qualification, therefore Market Supplement has been removed	M4	£5,500 (removed)	0	N/A
Children – Local Authority Designated Officer (LADO)*	M5	£5,000 (new)	1	+5
Children - Team Manager – (in Communities)	M5	£5,000 (same)	15	
Children – Social Work Academy - Practice Manager (in the Safeguarding & QA team)	M5	£5,000 (new)		
Children-Service Manager - Corporate Parenting Children-Service Manager - Multi-Agency Safeguarding Team Children-Service Manager – Child Protection and Assessment, Mash Children-Head of Service – Safeguarding QA & Practice Development	M8	£5,000 (same)	4	+3

## Item 7 - Appendix 1 – Market Supplements Agreed for 2021/2023

JOB TITLE	Grade	Market Supplement Agreed 2021-2023	Head count (January 2021)	Net changes since June 2019
<b>Population Wellbeing</b>				
Adults Social Care				
ASC - Social Worker – Best Interest Assessor/Court of Protection	M1	£3,000 (same)	26	-2
ASC - Social Worker (experienced) –( includes 1x DoLs, 1x Safeguarding teams)	M1	£3,000 (same)		
ASC - Occupational Therapist	M1	£4,000 (same)	5	-1
ASC Senior Occupational Therapist	M2	£3,500 (same)	0	0
ASC - Advanced Practitioner (includes DoLs Adv Pract and Community Learning Disability teams)	M2	£3,500 (same)	17	+3
ASC - Safeguarding Advanced Practitioner	M2	£3,500 (same)		
ASC – Primary Care Network Link Worker	M2	£3,500 (new)		
ASC – Prevention Co-ordinator	M3	£3,500 (new)	0	No previous record
ASC - Team Manager Hospital & CART Manager & CLD ( <i>this has now been changed to the Ops Managers with each specialism, early prevention, back door, therapies etc.</i> )	M5	£2,500 (same)	7	+1
ASC – Operational Manager – Therapies & AT	M5	£2,500 (new)		
ASC – Principal Social Worker	M5	£2,500 (new)		
ASC - Service Manager Assessment & Care Planning	M8	£5,000 (same)	1	0
ASC – Lead Community Learning Disability Nurse Agreement 8 <sup>th</sup> Apr 2020 to 31 <sup>st</sup> Mar 2022	M3	£3,500	1	0
ASC – Community Learning Disability Nurse Agreement 8 <sup>th</sup> Apr 2020 to 31 <sup>st</sup> Mar 2022	M2	£3,500	2	0
ASC – Community Learning Disability Nurse Agreement 8 <sup>th</sup> Apr 2020 to 31 <sup>st</sup> Mar 2022	M1	£3,500	2	+1
Learning Disability Nurses' Market Supplement payments are due to	be	reviewed before	31.03.22	
<b>Housing</b>				
Temporary Accommodation Team Leader	M1	£3,000 (same)	4	–
Team Leader Housing North	M1	£3,000 (same)		
Team Leader Housing South	M1	£3,000 (same)		
<b>Inclusive Economy</b>				
<b>Commissioning and Procurement</b>				
Procurement Manager	M3	£2,500 (same)	3	+1
<b>Sustainable Development</b>				
Team Leader Planning Applications & Strategic Applications	M4	£2,000 (same)	2	0

## Item 7 - Appendix 1 – Market Supplements Agreed for 2021/2023

Principal Planning Office (Contributions & Enforcement)/Team Leader Enforcement	M3	£2,000 (same)	1	+1
Principal Planning Officer	M2	£4,000 (same)	2	-1
Principal Planning Officer Strategic Applications	M2	£4,000 (same)	1	0
Planning Operations Manager	M1	£3,000 (same)	0	0
Conservation & Planning Officer	M1	£3,000 (same)	0	0
Planning Officer (L4-L7)	L4-L7	£2,000 (same)	4	+2
Planning Policy & Environment Team Manager	M5	£2,000 (same)	1	0
Senior Planning Officer	M2	£4,000 (same)	0	-1
Senior Planner	M2	£4,000 (same)	0	0
Planning Officer	M1	£3,000 (same)	0	0
Senior Mechanical Design Engineer	M3	£3,500 (same)	1	0
EHO, Food Officers (Food Safety) + Technical Officers	M1/M2	£2,600 (same)	4	-1
Building Services Engineer Manager	M5	£3,000 (Increased from £2k)	1	0
Property and Infrastructure				
Estates Surveyor	M3	£3,500 (same)	4	+1
Customer and Organisation Development				
Occupational Health Adviser	M1	£3,000 (same)	2	0
Chief Executives				
Democracy & Scrutiny Officer	L5-L7	£2,000 (same)	3	0
		<b>TOTAL</b>	<b>220</b>	<b>+30</b>

**Note – All posts above, (apart from those highlighted in orange) allocated a market supplement will be due for review between November 2022 and March 2023 in order to determine any market supplement due from April 2023.**

**Agreed 2 year term April 2020 – March 2022**

**There are 30 additional employees receiving Market Supplement payments as at January 2021 compared to June 2019**

<b>Committee:</b>	<b>Admin &amp; Regulation</b>			
<b>Date of Meeting:</b>	30 March 2021			
<b>Subject:</b>	<b>Redundancy and Leavers Demographics 2019/2020</b>			
<b>Report Author:</b>	Denise Morgan, HR Operations Team Manager			
<b>Contact Officer:</b>	Click here to enter text.			
<b>Implications:</b>	Legal	<input checked="" type="checkbox"/>	Community Safety	<input type="checkbox"/>
	Equalities	<input checked="" type="checkbox"/>	Environment	<input type="checkbox"/>
	Financial	<input checked="" type="checkbox"/>	Consultations	<input type="checkbox"/>
	Staffing	<input checked="" type="checkbox"/>	Other	<input type="checkbox"/>
<b>Wards Affected:</b>	Click here to enter text.			

## Purpose

1. Update the committee on the diversity statistics of those who left the council between 1 April 2019 until 31 March 2020 due to **Redundancy**. An up to date report on redundancies between 1 April 2020 and 31 March 2021 will be produced earlier in the next financial year.

## Recommendations

2. The Committee is recommended to note the content of the report and support the ongoing work of HR and the Equality and Diversity Board

## Background

3. Between 1 April 2019 until 31 March 2020, there were a higher than expected number of males made redundant, 61% compared to the council average of 33% Male and 66% Female division. It is believed that this was due to the type of roles they fulfil and the areas of the council they worked in. E.g. three from P&I, two from Public Health, and one each from Customer & Commercial, Chief Execs and Children's the latter being a music teacher. The year previously The gender profile of the redundant group shows an 85% to 15% split between female and male employees, which shows a marked differential with the overall workforce gender profile of 67.3% female and 32.7% male.

## Report

4. There is an even split with seven employees under 55 and six being over 55 with immediate access to their pensions.
5. Length of service ranged from one with two years, another with three years up to 41 years, with the average coming out at 17.5 years as five of the employees had 25 or more years' service.
6. As with the previous year and the withdrawal of the Voluntary Separation scheme these were all compulsory redundancies resulting from OCA's, although one of these

was an end of a fixed term contract. VSS has since been re-introduced but for the date range of this report, those numbers are excluded.

- 7.** None of the group declared themselves disabled, but there were 4 declined to specify/not stated.
- 8.** With regard to ethnicity there were four BAME employees 30% of this group compared to 26% of the known workforce.
- 9.** Three people had declare having no religion. Five were Christians, one was Hindu and four declined to say/not stated.
- 10.** Eight of the 13 declared themselves being heterosexual, one was a gay man and 4 declined to say/not stated.



## 11. Redundancy IIA

REDUNDANCY IIA								
Hours per Week	Age	Sex	Religion	Disabled	Sexuality	Ethnicity	Service	years of service
37.00	61	Female	Christian	Not Disabled	Heterosexual	British	CC	30
37.00	54	Male	Christian	Disabled	Heterosexual	Not Stated	CE	34
10.00	55	Female	Not Stated	Not Stated	Not Stated	White-British	Children	10
37.00	43	Male	None	Not Disabled	Heterosexual	British	PI	25
37.00	62	Male	Christian	Not Disabled	Heterosexual	British	PI	41
37.00	65	Male	Christian	Not Disabled	Heterosexual	British	PH	14
37.00	58	Male	Hindu	Not Disabled	Heterosexual	Indian	PI	3
37.00	41	Female	Not Stated	Not Stated	Not Stated	Not Stated	Childrens	9
1.64	39	Male	Declined to Specify	Not Disabled	Declined to Specify	British	Childrens	13
30.00	54	Female	None	Not Disabled	Heterosexual	Bangladeshi	PH	18
37.00	47	Male	Christian	Not Disabled	Heterosexual	African	PH	2
37.00	55	Female	Declined to Specify	Not Disabled	Declined to Specify	Not Stated	CC	30
37.00	42	Male	None	Not Known	Gay Man	White-British	CC	10

## List of Background Papers - Local Government Act 1972, Section 100D – none

### Implications

Item	Details	Clearance Agreed By	Dated
<b>Legal</b>	Risk of unfair discrimination or unfair dismissal claims from under-represented staff	Jasbir Josen	2/3/21
<b>Finance</b>	Cost of redundancies and potential cost for discrimination claims	Dev Gopal	16/3/21
<b>Equalities</b>	Ensuring we adhere to the council's commitment to equality & diversity when going through major and minor restructures.	Maureen Drummond	2/3/21
<b>Environment</b>		n/a	
<b>Community Safety</b>		n/a	
<b>Staffing</b>	As the new Service Director for Customer & Organisation Development he is ultimately accountable for HR	Aidan Wilkie	15/3/21
<b>Consultations</b>		n/a	
<b>Other</b>		n/a	

<b>Committee:</b>	<b>Administration and Regulation</b>		
<b>Date of Meeting:</b>	30 March 2021		
<b>Subject:</b>	Administration and Regulation Committee Draft Work Programme 2021 - 22		
<b>Report Author:</b>	Service Director, Customer and Organisation Development		
<b>Contact Officer:</b>	Aidan Wilkie		
<b>Implications:</b>	Legal <input type="checkbox"/>	Community Safety <input type="checkbox"/>	
	Equalities <input type="checkbox"/>	Environment <input type="checkbox"/>	
	Financial <input type="checkbox"/>	Consultations <input type="checkbox"/>	
	Staffing <input type="checkbox"/>	Other <input type="checkbox"/>	
<b>Wards Affected:</b>	None		

## Purpose

1. To enable the Administration and Regulation Committee to plan and determine its work programme for the year 2021-22.

## Recommendations

2. **The Committee is recommended to:**
  - (i) **Examine and identify possible items for future meetings of the Committee and note the items listed on the work programme.**
  - (ii) **Note any request for additional meetings that may arise for urgent matters, which may need to be heard before the next calendared meeting.**

## Report

3. The Administration and Regulation Committee is responsible for managing its work programme attached as an Appendix to this report.

## Appendix

Appendix A – Draft Work Programme 2021-22 (To be confirmed after Full Council meeting in May 2021)

## List of Background Papers - Local Government Act 1972, Section 100D

None

## ADMINISTRATION & REGULATION COMMITTEE WORK PROGRAMME – 2021/22 (DRAFT)

(Future items for inclusion in the work programme shown at the end of document)

<b>Meeting Date:</b> 30 March 2021	<b>Time:</b> 6.00 pm
<b>Reminder Date:</b> 1/3/21	
<b>Deadline for Titles:</b> 8/3/21	
<b>Deadline for Reports submission:</b> 15/3/21	
<b>Democracy &amp; Scrutiny Officer:</b> Eunice Lewis	

Agenda items	Report Author/ Format/ Comments
Market Supplements - annual update	Aidan Wilkie, Service Director, Customer and Organisation Development Written report
Redundancy And Leavers Demographics 2019-2020	Denise Morgan Written report - (Moved from February 2021 meeting)
<del>Housing complaints Report (tbc)</del>	<del>Zoe Bulmer/Sarah Markham Written Report - (Requested by A&amp;RC on 16/12/20) - Moved to a future meeting</del>
<del>Missing Sensitive Data on iTrent &amp; Leavers Demographics 2019/2020 (To include progress of the retention strategy)</del>	<del>Andrew Williams Written report - (Moved from February 2021 meeting - S H A email of 6/1/21 refers) (Moved to a future meeting)</del>
<del>OCA/TUPE of the DBS Team, HR Recruitment (tbc)</del>	<del>Andrew Williams/ Paul Cripps, HR Written report - (Moved from 23 February 2021) (Moved to a future meeting)</del>
Work Programme (Standing item)	Democracy & Scrutiny Officer Written report (Standing Item)

### Items to be programmed:

- Customer Services Operating Model and Restructure – Nikki Middleton
- Housing Complaints Report – Zoe Bulmer/Sarah Markham
- Missing Sensitive Data on iTrent & Leavers Demographics 2019/2020 (Andrew Williams)
- OCA/TUPE of the DBS Team, HR Recruitment (Andrew Williams/ Paul Cripps)

## ADMINISTRATION & REGULATION COMMITTEE WORK PROGRAMME – 2021/22 (DRAFT)

(Future items for inclusion in the work programme shown at the end of document)

### Proposed Additional Meeting

<b>Meeting Date:</b> April 2021	<b>Time:</b> 6.00 pm
<b>Reminder Date:</b> ??	
<b>Deadline for Titles:</b> ??	
<b>Deadline for Reports submission:</b> ??	
<b>Democracy &amp; Scrutiny Officer:</b> DSO	

Agenda items	Report Author/ Format/ Comments
Missing Sensitive Data on iTrent & Leavers Demographics 2019/2020 (To include progress of the retention strategy)	Andrew Williams Written report - Moved from March 30 meeting
TUPE of the DBS Team, HR Recruitment (tbc)	Andrew Williams/ Paul Cripps, HR Written report (Moved from 23 February 2021)
Work Programme (Standing item)	Democracy & Scrutiny Officer Written report (Standing Item)

## ADMINISTRATION & REGULATION COMMITTEE WORK PROGRAMME – 2021/22 (DRAFT)

(Future items for inclusion in the work programme shown at the end of document)

<b>Meeting Date:</b> 16 June 2021(TBC) <b>Time:</b> 6.00 pm
<b>Reminder Date:</b> 15/5/21
<b>Deadline for Titles:</b> 25/5/21
<b>Deadline for Reports submission:</b> 01/6/21
<b>Democracy &amp; Scrutiny Officer:</b> DSO

Agenda items	Report Author/ Format/ Comments
Housing complaints Report (tbc)	Zoe Bulmer/Sarah Markham Written Report – moved from 30 March 2021
Customer Services Operating Model and Restructure	Nikki Middleton
Work Programme (Standing item)	Democracy & Scrutiny Officer Written report (Standing Item)