

NOTICE OF MEETING

Meeting: GENERAL PURPOSES AND LICENSING COMMITTEE

Date and Time: MONDAY, 25 FEBRUARY 2019, AT 5.00 PM*

Place: COMMITTEE ROOM 1, APPLETREE COURT,
LYNHDURST

Telephone enquiries to: Lyndhurst (023) 8028 5000
023 8028 5588 - ask for Karen Wardle
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PUBLIC PARTICIPATION:

*Members of the public may speak in accordance with the Council's public participation scheme:

- (a) immediately before the meeting starts, on items within the Committee's terms of reference which are not on the public agenda; and/or
 - (b) on individual items on the public agenda, when the Chairman calls that item.
- Speeches may not exceed three minutes. Anyone wishing to speak should contact the name and number shown above.

Bob Jackson
Chief Executive

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This Agenda is also available on audio tape, in Braille, large print and digital format

AGENDA

Apologies

1. MINUTES

To confirm the minutes of the meeting held on 16 November 2018 as a correct record.

2. DECLARATIONS OF INTEREST

To note any declarations of interest made by members in connection with an agenda item. The nature of the interest must also be specified.

Members are asked to discuss any possible interests with Democratic Services prior to the meeting.

3. PUBLIC PARTICIPATION

To note any issues raised during the public participation period.

4. PAY POLICY STATEMENT 2019-20 (Pages 1 - 10)

To recommend to the Council that the Pay Policy Statement 2019-20 be approved.

5. PAY 2019 (Pages 11 - 18)

To receive an overview of the current issues to be taken into account when reviewing and considering pay discussions for 2019.

6. RETURNING OFFICERS' FEES AND EXPENSES (Pages 19 - 28)

To consider the Returning Officers' Fees and Expenses for 2019/20.

7. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

To: **Councillors**

S J Clarke (Chairman)
L R Puttock (Vice-Chairman)
G C Beck
G R Blunden
S P Davies
Ms L C Ford
R L Frampton
A T Glass

Councillors

L E Harris
J M Olliff-Cooper
M H Thierry
D N Tungate
A S Wade
J G Ward
Mrs P A Wyeth

GENERAL PURPOSES AND LICENSING COMMITTEE: 25 FEBRUARY 2019

PAY POLICY STATEMENT 2019/20

1. INTRODUCTION

- 1.1 The Localism Act 2011 requires the Council to prepare a pay policy statement for each financial year. The statement must be prepared and approved by the end of March each year. A recommended statement for 2019-20 is included at Appendix 1. The statement details the policies in place from 1 April 2019.
- 1.2 Once the Local Pay Award for 2019-20 is agreed the attached Appendix 1 will be updated.
- 1.3 The Pay Policy Statement previously referred to the 'Pay Panel' negotiating and discussing Pay, Terms and Conditions matters, it is proposed going forward these matters are formally discussed and consulted upon at the Employee Engagement Panel before recommendations are taken forward to General Purposes and Licensing Committee.

2. BACKGROUND

- 2.1 A pay policy statement must set out the authority's policies for the financial year relating to:
 - (a) The remuneration of its chief officers,
 - (b) The remuneration of its lowest-paid employees, and
 - (c) The relationship between –
 - (i) the remuneration of its chief officers, and
 - (ii) the remuneration of its employees who are not chief officers.
- 2.2 The statement must state –
 - (a) The definition of "lowest paid employees" adopted by the authority for the purposes of the statement, and
 - (b) The authority's reasons for adopting that definition

3. EMPLOYEE ENGAGEMENT PANEL COMMENTS

- 3.1 The Employee Engagement Panel will consider the matter on 14 February 2019.

Reference was made to part 28 of the Policy "28. *Pay awards are considered annually for staff. For all staff up to and including the Chief Executive the outcome of the national consultations by the Local Government Employers in negotiation with the Trades Unions is applied.*" and an Employee Side representative disputed the accuracy of the Statement as they did not feel that the nationally agreed pay award for 2019 had been 'applied' in this instance.

4. RECOMMENDATION

4.1 That it be a recommendation to the Council:

That the Pay Policy Statement 2019/20, as set out in Appendix 1 be approved.

For further information please contact:

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Background Papers
Pay Policy Statement
Council Feb 2019

New Forest District Council

Pay Policy Statement Financial year 2019-20

Background

1. The purpose of this Pay Policy Statement (“Pay Statement”) is to set out New Forest District Council’s pay policies relating to its workforce for the financial year 2019-20, including the remuneration of its Chief Officers and that of its lowest paid employees. Once the Local Pay Award for 2019-20 has been agreed the Pay levels in this document will be amended accordingly.
2. The functions of appointment, dismissal and related matters for all employees below Chief Officer Level shall be dealt with by the Chief Executive and Executive Heads, or such other employees as may be authorised. Standing Orders for General Procedures deal with procedures for appointing and dismissing employees at Chief Officer Level.
3. With the exception of apprentices on the National Minimum Wage, pay for all staff, including Chief Officers, is formally discussed and consulted upon at the Employee Engagement Panel before recommendations are taken forward to General Purposes and Licensing Committee who will make recommendations to Council.
4. For the purposes of this Pay Statement and in accordance with the Localism Act 2011 (“Localism Act”), staff employed by the Council have been separated into two groups:-
 - (a) Chief Officers as defined by the Localism Act
 - (b) Employees who are not Chief Officers as defined by the Localism Act
5. An “employee who is not a Chief Officer” refers to all staff that are not covered within the “Chief Officer” group as outlined below. This includes the “lowest paid employees”. In the context of the Council, the “lowest paid employees” are those employed at Band 1 on the District Council’s pay structure (this is appended as item 1).
6. Section 43(2) of the Localism Act defines Chief Officers for the purposes of the Localism Act. The following roles within the Council fall within the definition of “Chief Officers”: -
 - (a) Head of Paid Service (Chief Executive)
 - (b) Monitoring Officer
 - (c) Section 151(Chief Finance Officer)
 - (d) Non-Statutory Chief Officers (Executive Heads)
 - (e) Officers reporting directly to those officers falling within (a), (b), (c) and (d) above (Deputy Monitoring Officer and Deputy S151 Chief Finance Officer)

Chief Officers as defined by the Localism Act 2011

7. The Chief Executive’s pay is set in comparison with other district councils. The Chief Officers below the Chief Executive are paid on Band 11 of the Council’s pay structure (the Band for each role is determined by a consistent job evaluation process), Chief Officer current salaries are outlined below:

8. The Head of Paid Service salary range is detailed below, CX4 (£119,388) and CX5 (£123,081) are available for exceptional performance:

Spinal points	Salary
CX1	£108,963
CX2	£112,333
CX3	£115,807

9. The Council has a duty to appoint a Returning Officer responsible for local government elections, and has decided that this role be carried out by the Chief Executive. The Returning Officer fees are regarded as a special responsibility payment in relation to independent duties carried out.
10. The fees and charges for European, UK Parliamentary and Police Commissioner elections and National Referendums are set by external bodies. The scale of fees and expenses for County, District, Parish and Town Council elections will be set in partnership with the County Council and other Hampshire local authorities to ensure uniformity and will be submitted to General Purposes and Licensing Committee.
11. The Monitoring Officer and 2 Executive Heads salary range (Band 11) is detailed below, spinal point 73 (£81,480) and spinal point 74 (£83,868) are available for exceptional performance:

Spinal points	Salary
70	£74,725
71	£76,899
72	£79,157

12. The Executive Head of Operations also takes on the additional role of Deputy Chief Executive and receives an additional payment of £6,000 per annum.
13. The Section 151 (Chief Financial Officer) salary range (Band 10A) is detailed below. Spinal Point 67 (£68,644) and spinal point 68 (£70,600) are available for exceptional performance.

Spinal points	Salary
64	£63,236
65	£64,967
66	£66,773

14. The Deputy Monitoring Officer will be paid on band 10 (see point 15 below). The Deputy S151 (Chief Financial Officer) will be paid on Band 9.

15. The Service Managers salary range (Band 10) is detailed below:

Spinal points	Salary
58	£54,884
59	£56,036
60	£57,191
61	£58,430
62	£59,995
63	£61,581

- 16. The Council reviews its terms and conditions and pay levels regularly. The Chief Executive, Executive Heads and Service Managers pay was reviewed in 2015/16.
- 17. Pay awards are considered annually for all staff including Chief Officers. The outcome of the national consultations by the Local Government Employers in negotiation with the Trade Unions is applied unless this distorts the councils local pay structure.
- 18. The Chief Executive, Chief Officers' and Service Managers' performance and pay progression is reviewed annually on the achievement of clear organisational objectives. Incremental progression does not apply to these roles. The Chief Executives' annual review is undertaken by a member panel (comprising of the Leader of the Council, plus three other Portfolio Holders to be determined by the Leader).
- 19. The Council recognises that Chief Officers sometimes incur necessary expenditure in carrying out their responsibilities e.g. travel costs. Chief Officers will be reimbursed for reasonable expenses incurred on council business in accordance with local Terms and Conditions.
- 20. Chief Officers as a result of their employment are eligible to join the Local Government Pension Scheme in the same way as other employees. The pension's policy statement is appended as item 2 to this statement applies to all employees including chief officers.
- 21. All employees including Chief Officers with more than 2 years continuous service will be entitled to a redundancy payment. If employees are aged at least 55 they are also automatically entitled to the immediate payment of pension benefits if they are retired on the grounds of redundancy. The redundancy payments are based on actual weekly pay. The number of weeks individuals are entitled to is based on the statutory redundancy grid which provides for a maximum of 30 weeks. A multiplier of 1.5 is used to support efficient organisational change. The Council scheme therefore provides for an entitlement of up to a maximum of 45 weeks based on length of service and age. The Council operates one redundancy scheme for both voluntary and compulsory redundancies. All redundancies are subject to a full Business case which requires a maximum financial payback of 3 years.
- 22. The Council practice is not to re-employ Chief Officers who have received a redundancy or severance package on leaving the council.

23. In accordance with the Code of Recommended Practice for Local Authorities on Data Transparency, pay and benefits information for staff paid over £58,200 are published. This information is contained on 'Transparency and Open Government' pages on the Council's external website.

Employees who are not Chief Officers as defined by the Localism Act

24. These employees are all paid on the Council's pay structure on Bands 1-9. Each employee will be on one of the 9 Bands based on the job evaluation of their role. Each Band consists of 3, 5 or 6 spinal points. Pay progression within the Band is subject always to good performance.
25. Each "lowest paid employee" is paid within the salary range for Band 1. All other employees are paid within the salary range for the Band of their role i.e. (2-9). In very exceptional cases individuals are paid a pay supplement.
26. Employees new to the Council will normally be appointed to the first spinal point of the salary range for their Band. Where the candidate's current employment package would make the first spinal point of the salary range unattractive (and this can be demonstrated by the applicant in relation to current earnings) or where the employee already operates at a level commensurate with a higher salary, a different spinal point in starting salary may be considered by the recruiting manager. This will be within the salary range for the Band. The candidate's level of skill and experience should be consistent with that of other employees in a similar position on the salary range.
27. Employees' performance during the course of the year is reviewed within the Council's performance management arrangements, and pay progression within the Band is subject always to good performance.
28. Pay awards are considered annually for staff. For all staff up to and including the Chief Executive the outcome of the national consultations by the Local Government Employers in negotiation with the Trades Unions is applied.
29. The Council believes in rewarding outstanding performance. It operates this through a system of bonus payments which are designed to reward outstanding performance at the time it occurs. The size of the award paid to an employee will be commensurate with the work being rewarded. All bonuses are subject to Executive Management Team approval.
30. The Council recognises that employees sometimes incur necessary expenditure in carrying out their responsibilities, for example travel costs. Employees will be reimbursed for reasonable expenses incurred on Council business in accordance with the Council's local Terms and Conditions.
31. Band 9 staff are entitled to the lease car cash alternative. The Essential User allowance only applies to jobs that are visiting officers or jobs that manage across more than one site (average of 2500 miles per annum) and agreed by the Service Manager.

32. All employees as a result of their employment are eligible to join the Local Government Pension Scheme. Details of the Council's pension policy are appended as item 2 of this Pay Statement.
33. The Council's redundancy scheme is detailed in paragraph 20 and this applies to all employees.
34. The Council practice is not to re-employ staff who have received a redundancy or severance package on leaving the Council; any request to do so would require specific approval from the appropriate Executive Head.
35. In accordance with The Local Government Association guidance on the Government's requirement for reporting remuneration relationships (the ratio between the highest paid employee and the median average earnings across the organisation as a multiple). Based on current salaries for 1st April 2018 this has been calculated as follows:

Chief Executive Remuneration	£115,807
Employees Median average remuneration	£21,827
Ratio	5.31

Leave Days	April 2019	Hourly Rate Apr 2019	SCP	BAND 1	BAND 2	BAND 3	BAND 4	BAND 5	BAND 6	BAND 7	BAND 8	BAND 9	BAND 10	BAND 10A	BAND 11	Chief Exec (CX)
27	£118,123	£61.2261	CX3													£118,123
27	£114,580	£59.3897	CX2													£114,580
27	£111,142	£57.6077	CX1													£111,142
27	£105,148	£54.5009	81													
27	£102,090	£52.9158	80													
27	£99,115	£51.3738	79													
27	£96,229	£49.8779	78													
27	£93,428	£48.4261	77													
27	£90,692	£47.0079	76													
27	£88,063	£45.6453	75													
27	£85,545	£44.3401	74													
27	£83,110	£43.0780	73													
27	£80,740	£41.8496	72												£80,740	
27	£78,437	£40.6559	71												£78,437	
27	£76,220	£39.5067	70												£76,220	
27	£74,078	£38.3965	69													
27	£72,012	£37.3256	68													
27	£70,017	£36.2916	67													
27	£68,108	£35.3021	66											£68,108		
27	£66,266	£34.3473	65											£66,266		
27	£64,501	£33.4325	64											£64,501		
27	£62,813	£32.5576	63									£62,813				
27	£61,195	£31.7189	62									£61,195				
27	£59,599	£30.8917	61									£59,599				
27	£58,335	£30.2365	60									£58,335				
27	£57,157	£29.6259	59									£57,157				
27	£55,982	£29.0169	58									£55,982				
27	£54,816	£28.4125	57													
27	£53,860	£27.9170	56													
27	£52,884	£27.4111	55													
27	£51,916	£26.9094	54													
27	£50,957	£26.4123	53													
27	£49,977	£25.9043	52													
27	£49,013	£25.4047	51													
27	£47,868	£24.8112	50													
27	£47,082	£24.4038	49									£47,082				
27	£46,127	£23.9088	48									£46,127				
27	£45,166	£23.4107	47									£45,166				
27	£44,182	£22.9006	46									£44,182				
27	£43,187	£22.3849	45	Politically Restricted Above Point 43								£43,187				
27	£42,158	£21.8516	44									£42,158				
27	£40,817	£21.1565	43													
26	£40,446	£20.9642	42								£40,446					
26	£39,241	£20.3396	41								£39,241					
26	£38,264	£19.8332	40								£38,264					
26	£37,265	£19.3154	39								£37,265					
26	£36,302	£18.8162	38								£36,302					
26	£35,156	£18.2222	37							£35,156						
26	£34,141	£17.6961	36							£34,141						
26	£33,186	£17.2011	35							£33,186						
26	£32,318	£16.7512	34							£32,318						
26	£31,665	£16.4128	33						£31,665	£31,665						
26	£30,776	£15.9520	32						£30,776							
26	£29,883	£15.4891	31						£29,883							
25	£29,027	£15.0454	30						£29,027							
25	£28,122	£14.5763	29						£28,122							
25	£27,202	£14.0995	28						£27,202							
24	£26,157	£13.5578	27						£26,157							
24	£25,308	£13.1178	26						£25,308							
24	£24,502	£12.7000	25						£24,502							
23	£23,722	£12.2957	24						£23,722							
23	£22,997	£11.9199	23						£22,997							
23	£22,264	£11.5400	22						£22,264							
23	£21,612	£11.2020	21						£21,612							
22	£20,979	£10.8739	20						£20,979							
22	£20,366	£10.5562	19						£20,366							
22	£19,770	£10.2473	18						£19,770							
22	£19,191	£9.9472	17						£19,191							
22	£18,629	£9.6559	16						£18,629							
22	£18,085	£9.3739	15						£18,085							
22	£17,554	£9.0987	14						£17,554							
22	£17,364	£9.0002	13						£17,364							
22	£16,727	£8.6700	12						£16,727							
Employee Notice Period			One Month							Two Months			Three Months			

Pension Policy Statement

Under the Local Government Pension Scheme, the Council is required to publish a written statement of policy in relation to pensions.

Any decision that has a financial impact will be subject to a Business Case, where a payback period of no more than three years, is achievable.

1. Regulation 16 (2e)(4d) Shared cost additional pension contributions

Discretion not exercised. (Decision at Council July 2014)

2. Regulation 30(6) Power to allow flexible retirement

Discretion exercised in line with Policy agreed from 1 May 2015 (Decision at Council April 2015)

3. Regulation 30 (8) Waiving of actuarial reductions on compassionate grounds

Discretion exercised provided there is no cost to the Council (Decision at Council July 2014)

4. Regulation 31 Power to award additional pension

Discretion not exercised. (Decision at Council July 2014)

5. (LGPS Regulations 2014 (Transitional provisions, savings and amendments – paragraph 2 (2) of schedule 2)) – Switching on the 85 year rule

Discretion not exercised (Decision at Council July 2014)

6. Regulation B30(2)(5)B30A(3)(5) Post – 31 March 2008 /pre – 1 April 2014 leavers early payment of pension

Discretion not exercised (Decision at Council July 2014)

7. Membership aggregation Regulation 22 (7)(b), (8)(b)

Discretion not exercised (Decision at Council July 2014)

8. Transfers of Pension Rights (Administration Regulation 100 (6))

Discretion not exercised (Decision at Council July 2014)

9. Pension Contribution Bands (Regulations 9 and 10 of LGPS Regulations 2013)

Discretion is exercised (Decision at Council July 2014) - The Council's policy is to review an employee's contributions band when there is a contractual change to the member's salary or hours at some point during the year, when the change is permanent. Any changes in variable pay (i.e. overtime) will only be reviewed once on 1st April each year.

10. Assumed Pensionable Pay and 'regular lump sum' (regulations 21(4)(a), 21(4)(b) and 21(5) of the LGPS Regulations 2013)

Discretion not exercised (Decision at Council July 2014)

11. Election of Early Payment of Benefits

The Council's Early Retirement Policy came into effect from 1 July 2009, and applies to all employees at least 55 and over. Early Retirement can only occur in the following circumstances:

REDUNDANCY – for employees where employment is terminated for reasons of redundancy.

EFFICIENCY - for employees where early retirement is in the interests of the efficiency of the service.

GENERAL PURPOSES & LICENSING COMMITTEE – 25 FEBRUARY 2019

PAY 2019

1. PURPOSE OF REPORT

- 1.1 To provide an overview of the current issues which need to be taken into account when reviewing and considering pay discussions for 2019.

2. BACKGROUND AND FACTORS FOR CONSIDERATION

Agency Spend

- 2.1 In 2016 the council entered into a framework contract to procure agency staff in all areas of the council. Individual Service Managers or their nominated officers have a procedure in place to recruit temporary employees through the nominated agencies.
- 2.2 If the nominated agencies are unable to provide the staff required then Managers are free to go to other agencies not on the framework to secure the necessary staff.
- 2.3 In the 12 month period from October 2017 – September 2018 the council spent just over £853k on agency staff. This was allocated between the business units listed below. The agency spend was most significant in Housing Maintenance (Surveying, Gas, Offices, Planned, Reactive, Electrical) £332,000 and Refuse £260,000. Other areas included:

- Planning
- Vehicle Maintenance
- ICT
- Audit
- Engineering Works
- Grounds Maintenance
- Office Cleaners
- Building Control
- Leisure Centres Maintenance

Recruitment spend

- 2.4 From January 2018 to October 2018 we advertised 519 vacancies.
- 2.5 Of those vacancies 63 were not filled first time. This equates to just over 12%.
- 2.6 The cost of advertising continues to rise and although the council uses social media and its' own website at no cost the council spend on recruitment in the last 12 months was **£60,310.21**.
- 2.7 We have used an executive search on a number of occasions over the last 12 months and although the cost for this is more we have had better success with this method in attracting the right calibre of staff at senior levels.

Consultants Report – Benchmarking Exercise

- 2.8 A benchmarking exercise conducted by external consultants has been completed looking at Bands 1-7 to ascertain their position in the market place when compared with the market median.
- 2.9 The overall results show that due to the changes made to bands 1-4 over the last 18 months the council is in a good place with regards to Band 1 being in the correct place for the market median.
- 2.10 However the benchmarking exercise does show that bands 2-7 are behind the market median. This variance increases significantly from band 5 and above.

Table 1 – Median Market Data

Band	Staff Numbers	Actual Average Base Pay (£)	Median Market Rate (£)	Variance (%)
7	59	31,479	34,200	-8.6
6	54	27,998	30,100	-7.5
5	240	24,886	26,200	-5.3
4	604	21,661	22,300	-3.0
3	148	19,647	20,000	-1.8
2	364	17,716	18,200	-2.7
1	166	16,500	16,400	+0.6

3. CURRENT SITUATION

- 3.1 The Council moved to local pay scale and structure in April 1990. The structure over this time has been modified to take account of the local market and the pay scales have been regularly reviewed and amended accordingly, most recently including a review of bands 1-4 conducted in 2017/18 (which included the moving up of minimum pay point in each of the 4 bands).
- 3.2 The council agreed that from April 2018 Spinal column point 12 would be the lowest spine point and would have an hourly rate of £8.50. All other spine points had a 2% cost of living rise applied.
- 3.3 The council agreed to further review its pay award once any national agreement was reached. The national agreement was a two year pay deal with some bottom loading for lowest paid, a minimum rate of pay in April 2019 of £9 per hour and then a general 2% rise for all others in April 2018 and another 2% in April 2019.
- 3.4 Currently we have 24 staff being paid in the market supplement.
- 3.5 We need to invest in methods which identify the behaviours that we want to reward – whether that is attendance, performance or both and then reward our current staff in an appropriate manner.
- 3.6 This in turn should lead to a greater sense of loyalty and achievement for staff.

4. PROPOSAL FOR APRIL 2019

4.1 The following is proposed for April 2019:

- Band 1 is reduced to one scp (with scp 12 being deleted)
- The lowest scp is £9 per hour
- A 2% rise for all other scp's.

4.2 The pay scales shown in Appendix 1 would be adopted from April 2019.

4.3 It also needs to be accepted that the Council will undertake a more fundamental review of the current pay structure during 2019.

5. LOOKING AHEAD

5.1 Clearly the council needs to redress the issues which are causing such expenditure in areas which could be avoided.

5.2 A clear strategy is required to consider how we are going to address some of the issues which we currently have including:

- High Agency Spend
- Difficulties in recruitment
- Addressing the market median within pay scales
- Reducing Sickness and Improving attendance in certain areas

6. FINANCIAL IMPLICATIONS

6.1 The Council's Medium Term Financial Plan (MTFP) allows for over £500k per annum to cover the anticipated increases in costs, in the ordinary course of business, for increments and pay award (currently assuming that 2% will continue). Increases in employer pension costs have also been significant in recent years, adding £1m to the Council's annual pay bill in the 4 years covering 2017/18 to 2020/21. With zero levels of government support grant now being received, the Council's ability to offset these cost increases can only be achieved through increases in local taxation, the identification of efficiency savings and the targeting of new additional income.

6.2 The financial implication of achieving the £9.00 minimum pay point from 1 April 2019 has been covered within the Council's medium term financial planning.

6.3 Staffing is the single largest area of expenditure for the Council and amendments to pay structures must be carefully considered. An appropriate balance must be struck taking into account the Council's financial position over the medium term, as against the Council's ability to attract and retain the right calibre of staff through appropriate remuneration to carry out the services delivered by the Council to the tax payers of the New Forest.

7. ENVIRONMENTAL IMPLICATIONS

7.1 There are no direct environmental implications arising from this report.

8. CRIME & DISORDER IMPLICATIONS

8.1 None.

9. EQUALITY & DIVERSITY IMPLICATIONS

9.1 A full Equality Impact Assessment will need to be completed for any pay review conducted in 2019.

10. EMPLOYEE ENGAGEMENT PANEL COMMENTS

The Employee Engagement Panel considered these proposals at its meeting on 14 February 2019, and the following views were expressed:

10.1 EMPLOYEE SIDE COMMENTS

UNISON – Regional Organiser:

UNISON does not accept the proposal and is seeking formal agreement that the nationally agreed NJC bottom-loaded increases are applied as soon as possible.

Although UNISON recognises that with changes made to Bands 1-4 over the last two years some progress has been made by the council to improve pay at NFDC the current proposal does not address the fact that many employees within these four grades will not be receiving the nationally agreed bottom-loaded, two-year NJC cost of living pay award. This also includes all staff on Band 5, none of whom (other than those at the top spinal point of Band 5) will be awarded their nationally agreed percentage increase.

This will result in losses of up to £460pa for staff in this band. This is not acceptable and failure to fully implement the agreed award for all staff in April 2019 could put the authority at serious risk of legal challenge and claims for unlawful deductions of wages at the Employment Tribunal.

10.2 EMPLOYER'S RESPONSE

The Council moved to local pay scales and structure in April 1990.

This means that the values of the NJC spine points do not match the Council's and are unrelated. Therefore to try and compare one set of scale points against another is impossible as this is not comparing like with like.

Added to that, the Job Evaluation Schemes are also different which compounds the difficulties with comparing and matching spine points, bands and values.

However, the Council intends to implement a bottom pay point of £9 per hour which will mirror the NJC lowest rate. NFDC pay scales from 1 April 2019 for bands 1-4 will then progress in increments of 3%. It should be noted that the new NJC spine points from 1 April only increase by 2%.

The Employer believes that means that employees of NFDC are in a better position under our local pay arrangement.

Furthermore the Council intends as a result of the findings in this report to have a work programme of pay reviews within the next 12-18 months to consider and address some of the issues highlighted within the report.

These are:

- Housing Maintenance
- Operational
- Bands 5-9
- Senior Management Review
- Health and Leisure

Working Groups would be set up to deal with each area, and updates will be brought to the Employee Engagement Panel on a regular basis.

The Council was keen to ensure that it was competitive as an employer in terms of pay and recruitment and retention of staff.

10.3 OTHER EMPLOYEE SIDE COMMENTS MADE AT THE MEETING

The Employee Side did not agree that the mismatch in NJC/NFDC pay spines or job evaluations was a relevant consideration and that matching scale points was a straightforward exercise in applying nationally agreed NJC increases. As an NJC employer, the Council had benefited in the years when no increase had been applied nationally. It was further pointed out that the Council had recently made a number of organisational changes with no union involvement and whilst the recent improvements to the lower bands were acknowledged, it was felt that some employees would not benefit to the same extent as the national award, and reiterated that the Council could face a legal challenge. The Employee Side claimed that there were other councils in the south east region which were not affiliated to the NJC scheme, but who were paying more than NFDC. Some Employee Side representatives reported that some staff had felt undervalued by the proposals.

UNITE AND GMB:

No comments received

11. RECOMMENDATIONS

- 11.1 That the Committee note the Employee Side comments set out above together with the Employer's responses, consider the proposals for pay from 1 April 2019 as summarised in paragraph 4 of the report, and make recommendations to Council.

For further information contact:

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Leave Days	April 2019	Hourly Rate Apr 2019	SCP	BAND 1	BAND 2	BAND 3	BAND 4	BAND 5	BAND 6	BAND 7	BAND 8	BAND 9	BAND 10	BAND 10A	BAND 11	Chief Exec (CX)
27	£118,123	£61.2261	CX3													£118,123
27	£114,580	£59.3897	CX2													£114,580
27	£111,142	£57.6077	CX1													£111,142
27	£105,148	£54.5009	81													
27	£102,090	£52.9158	80													
27	£99,115	£51.3738	79													
27	£96,229	£49.8779	78													
27	£93,428	£48.4261	77													
27	£90,692	£47.0079	76													
27	£88,063	£45.6453	75													
27	£85,545	£44.3401	74													
27	£83,110	£43.0780	73													
27	£80,740	£41.8496	72												£80,740	
27	£78,437	£40.6559	71												£78,437	
27	£76,220	£39.5067	70												£76,220	
27	£74,078	£38.3965	69													
27	£72,012	£37.3256	68													
27	£70,017	£36.2916	67													
27	£68,108	£35.3021	66											£68,108		
27	£66,266	£34.3473	65											£66,266		
27	£64,501	£33.4325	64											£64,501		
27	£62,813	£32.5576	63									£62,813				
27	£61,195	£31.7189	62									£61,195				
27	£59,599	£30.8917	61									£59,599				
27	£58,335	£30.2365	60									£58,335				
27	£57,157	£29.6259	59									£57,157				
27	£55,982	£29.0169	58									£55,982				
27	£54,816	£28.4125	57													
27	£53,860	£27.9170	56													
27	£52,884	£27.4111	55													
27	£51,916	£26.9094	54													
27	£50,957	£26.4123	53													
27	£49,977	£25.9043	52													
27	£49,013	£25.4047	51													
27	£47,868	£24.8112	50													
27	£47,082	£24.4038	49									£47,082				
27	£46,127	£23.9088	48									£46,127				
27	£45,166	£23.4107	47									£45,166				
27	£44,182	£22.9006	46									£44,182				
27	£43,187	£22.3849	45	Politically Restricted Above Point 43								£43,187				
27	£42,158	£21.8516	44									£42,158				
27	£40,817	£21.1565	43													
26	£40,446	£20.9642	42								£40,446					
26	£39,241	£20.3396	41								£39,241					
26	£38,264	£19.8332	40								£38,264					
26	£37,265	£19.3154	39								£37,265					
26	£36,302	£18.8162	38								£36,302					
26	£35,156	£18.2222	37							£35,156						
26	£34,141	£17.6961	36							£34,141						
26	£33,186	£17.2011	35							£33,186						
26	£32,318	£16.7512	34							£32,318						
26	£31,665	£16.4128	33						£31,665	£31,665						
26	£30,776	£15.9520	32						£30,776							
26	£29,883	£15.4891	31						£29,883							
25	£29,027	£15.0454	30						£29,027							
25	£28,122	£14.5763	29						£28,122							
25	£27,202	£14.0995	28						£27,202							
24	£26,157	£13.5578	27					£26,157								
24	£25,308	£13.1178	26					£25,308								
24	£24,502	£12.7000	25					£24,502								
23	£23,722	£12.2957	24					£23,722								
23	£22,997	£11.9199	23					£22,997								
23	£22,264	£11.5400	22					£22,264								
23	£21,612	£11.2020	21					£21,612								
22	£20,979	£10.8739	20					£20,979								
22	£20,366	£10.5562	19					£20,366								
22	£19,770	£10.2473	18					£19,770								
22	£19,191	£9.9472	17					£19,191								
22	£18,629	£9.6559	16					£18,629								
22	£18,085	£9.3739	15					£18,085								
22	£17,554	£9.0987	14					£17,554								
22	£17,364	£9.0002	13				£17,364									
22	£16,727	£8.6700	12				£16,727									
Employee Notice Period			One Month							Two Months			Three Months			

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RETURNING OFFICERS' FEES AND EXPENSES

1. INTRODUCTION

- 1.1 The fees and expenses for Returning Officers in Hampshire and the Isle of Wight to conduct local elections are agreed annually by a working party of representatives of Hampshire County Council and other Local Authorities in the area. This practice (approved by the Council) ensures uniformity across councils and has been in place for many years. The scale of fees and expenses is published on this and other councils' websites. The current (2018/19) scale is available to view at <http://www.newforest.gov.uk/CHttpHandler.ashx?id=36054&p=0>

2. PAY POLICY STATEMENT AND ADJUSTMENTS IN FEES

- 2.1 The Council's Pay Policy Statement 2019/20, which is dealt with elsewhere on this agenda, provides for the Returning Officer's fees and expenses to be submitted to the General Purposes and Licensing Committee. Accordingly, the fees and expenses agreed by the county-wide Working Party for 2019/20 are attached, at Appendix 1, for the Committee's consideration.
- 2.2 In setting the fees, the Working Party has to be mindful of the Government's decision to increase the national living wage each year. It will rise to £8.21 for persons aged 25 or over with effect from 1 April 2019, and is expected to increase to £9 per hour from 2020. This Council's lowest hourly rate is currently £8.50, and it is being proposed (but still to be formally considered) that this rises to £9 per hour with effect from 1 April 2019. The fee proposed for a poll clerk for 2019/20 is marginally above £9/hour.

3. FINANCIAL IMPLICATIONS

- 3.1 Costs of elections are borne by the body, or responsible authority for the body or individual, being elected. The revised fee scale for 2019/20 attached to this report should therefore apply to the quadrennial elections for District and Parish Councils on 2 May 2019. The application of the new fees at the May 2019 elections will increase the cost of the combined District and Parish elections in May 2019 by approximately £2,560.

4. ENVIRONMENTAL, CRIME & DISORDER AND EQUALITY & DIVERSITY IMPLICATIONS

- 4.1 There are none.

5. RECOMMENDATION

- 5.1 That the fees and expenses for Returning Officers for 2019/20, as set out in Appendix 1, be approved.

Further information:
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Background Papers:
None

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APPENDIX 1

(2019/2020)

LOCAL GOVERNMENT ACT 1972**HAMPSHIRE AND ISLE OF WIGHT****SCALE OF COSTS, CHARGES AND EXPENSES AT ELECTIONS OF
COUNTY COUNCILLORS, DISTRICT COUNCILLORS AND PARISH COUNCILLORS****PART 1 - FOR SERVICES AND EXPENSES**

Fees for conducting the election, giving the prescribed notices, preparing and supplying nomination papers, distributing, filling up, verifying and adjudicating upon the same, appointing Deputy Returning Officers, arranging for or conducting the poll, counting the votes, declaring results and making return of same, and generally performing all the duties which a Returning Officer is required to perform under the Act or the Rules and Regulations made under it, and including all disbursements and expenses other than those for which special provision has been hereinbefore made, shall be as set out below save that where there is currently in force a scale which provides for the payment of a greater amount by way of fees and costs, such scale shall remain in full force in those respects in which it is more favourable.

Where a Returning Officer acts as Presiding Officer, he or she is also entitled to the Presiding Officer's fee; he or she is not entitled to the fee for counting.

Where a Deputy Returning Officer acts as Presiding Officer, he or she is also entitled to the Presiding Officer's fee and, where he or she has been appointed to attend at the count for the purpose of declaring the result of the poll and carrying out any other duty deputed by the Returning Officer, he or she is also entitled to the fee prescribed in Part 2 of this scale.

DISTRICT COUNCILS:	For the first 1000 local government electors within each electoral area	For each additional 500 local government electors or fractional part of 500
Contested elections:		
including the preparation, first revision and the issue of poll cards on the occasion of an election:	£100.00	£38.00
Uncontested elections:	£67.00 for each electoral area	

PARISH COUNCILS:	For the first 500 local government electors within each electoral area	For each additional 100 local government electors or fractional part of 100
Contested elections:		
Where the election is for Parish Councillors only:	£64.00	£12.00
Where the elections are for District Councillors and Parish Councillors on the same day:	£42.00	£6.00
Uncontested elections:		
Where the election is for parish Councillors only:	£36.00	
Where there are District and Parish Council elections on the same day:	£24.00	

COUNTERMANDED ELECTIONS

In the event of an election being countermanded, the fees for an uncontested election shall be paid, plus **£20.10** if the election is countermanded after the latest time for withdrawal of candidature.

POSTAL VOTING

In the event of a contest, the fee payable to the Returning Officer for services in connection with the despatch and receipt of ballot papers of persons entitled to vote by post shall be:

(a) for one electoral area for which an election is held on any one day if the number of persons entitled to vote by post does not exceed 50:	£24.00
for each additional 50 or fraction thereof:	£3.00
(b) for each of the remaining electoral areas for which elections are held on the same day, if the number of persons entitled to vote by post does not exceed 50:	£8.00
for each additional 50 or fraction thereof:	£3.00

POLLS CONSEQUENT UPON PARISH MEETINGS

For every poll consequent on a parish meeting where such poll is not taken as to the elections of parish councillors, to cover all the services of the Returning Officer and, if the poll is taken on more than one question on the same day in any parish, only one fee to be charged:

(a) For the first 500 local government electors in a parish	£64.00
(b) For each additional 100 local government electors or fractional part of 100:	£12.00

If the poll is not taken in consequence of the withdrawal of any candidates, for services preliminary to the poll: **£36.00**

Disbursements in connection with these polls are to be made in accordance with Part 2 of this scale.

TRAINING

For Providing Training to Presiding Officers and Poll Clerks, per session (suggested ratio 1 trainer per 20/25 staff) Where a training session is undertaken by a person other than the Returning Officer, the fee shall be payable to that person accordingly	£167:00
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PART 2 - DISBURSEMENTS

<ul style="list-style-type: none"> • for use and fitting up of a building for polling or constructing a polling station with its fittings and compartments } } • for the hire of a venue for postal vote processing or the count, where a commercial rate is payable and recoverable in accordance with the current Parliamentary Election Guidance Notes } } • for each ballot box required to be purchased } } • for the use of each ballot box when hired } } • for stationery, postages, telephone } } • for printing and providing poll cards } } • for printing and providing ballot papers } } • for each stamping instrument } } • for copies of the register of electors } } • for printing and providing notices, nomination forms and other documents required in and about the election and cost of publishing same } 	Actual and necessary cost
PRESIDING OFFICER – for each Presiding Officer	£255.00
For the Presiding Officer where more than one election is held on the same day:	The fee for a Presiding Officer plus £25.00

POLL CLERK - for each Poll Clerk	£160.00
For each Poll Clerk employed for part only of the period of the poll:	The hours worked to be paid at the Poll Clerk's hourly rate, plus up to 25% of that total at the discretion of the Returning Officer
For the Poll Clerk where more than one election is held on the same day:	The fee for a Poll Clerk plus £15.00
COUNTING ASSISTANT - for each Counting Assistant	£14:00 per hour for a daytime count £17:00 per hour for a night time, weekend or bank holiday count (A night time count is a count that starts once polling closes and runs through the night)
COUNTING SUPERVISOR - for each Counting Supervisor	The fee for a Counting Assistant plus £60:00
SENIOR SUPERVISOR - for each Senior Supervisor (number and duties to be determined locally)	The fee for a Counting Supervisor plus £50:00
COUNT MANAGER – for each Count Manager (number and duties to be determined locally)	The fee for a Senior Supervisor plus £100:00

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<p>For each DEPUTY RETURNING OFFICER appointed to conduct the count in the absence of the Returning officer (<i>where for example two counts are being conducted simultaneously but in geographically different locations warranting the DRO taking full responsibility for a Count</i>)</p>	<p>£77.00 for each electoral area, except that where the count for more than one electoral area is conducted by the same DRO, a further £61.00 be paid for the second electoral area and thereafter at the rate of £36.00 for each electoral area. The fee shall be increased by 60% in any electoral area where the number of electors exceeds 5000.</p>
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<p>For Returning Officer's travelling expenses where necessary to make arrangements for the poll and for the conveyance of ballot boxes and papers etc to and from the polling place:</p> <p>For Presiding Officers, Poll Clerks and Counting staff travelling expenses including collection of the ballot box and delivery to place of count:</p>	<p>} Second class railway or bus fare }or, where not available, sums actually } and necessarily incurred. For private } cars (to be shared wherever practicable) } the current AMAP (HM Revenue and Customs) rate } }</p>
<p>For clerical and other assistance not specifically mentioned in this scale, including the employment of persons in connection with the preparation and issue of official poll cards, including charges for employers' share of national insurance and superannuation contributions where payable</p>	<p>£51.00 per electoral area plus, in contested elections, £35.00 for each 500 electors or part thereof. (NOTE: This is a maximum allowance and it is not an entitlement)</p>
<p>For the remuneration of persons employed for the despatch and receipt of ballot papers of persons entitled to vote by post (in each electoral area)</p>	<p>Actual and necessary cost</p>
<p>Expenses in connection with the provision of security measures</p>	<p>Actual and necessary cost</p>
<p>Expenses in connection with the hire of mobile telephones</p>	<p>Actual and necessary cost</p>
<p>Polling Station Inspectors (suggested ratio – 1 Inspector per 15 stations)</p> <p>At the discretion of the Returning Officer, an appropriate payment may be made for a second team of polling stations inspectors, to assist with the collection of postal votes therefrom.</p>	<p>The fee for a Presiding Officer</p>
<p>For each Presiding Officer and Poll Clerk who attends a training session</p>	<p>£40.00</p>

PART 3 - COUNTY COUNCIL ELECTIONS

In respect of Hampshire County Council Elections:

1. The County Returning Officer shall not receive a fee. No fees for election duties are included in Hampshire County Council Chief Officer salaries, nor are any additional fees payable for such responsibilities.
2. Deputy County Returning Officers (Local Returning Officers) shall receive the Returning Officer fee payable for District Elections set out in Part 1 of this Order net of superannuation
3. Deputy County Returning Officers (Local Returning Officers) shall receive the amount payable for District Elections set out in Part 1 of this Order in respect of postal voting and training
4. In respect of Disbursements(Part 2), the Deputy County Returning Officers (Local Returning Officers) shall receive the amounts set out in Part 2 of this Order payable for District Elections
5. The terms of this order shall be construed accordingly eg 'each electoral area' shall be taken to mean each County Electoral Division (as opposed to Ward)

NOTES:

1. "Electoral area" means any district, ward or parish council for which a separate election is held.
2. The fees prescribed for Presiding Officers and Poll Clerks are for the hours of poll from 7am to 10pm. In the event of an election or poll for a non-principal area where the hours of poll are fewer in number, the fees payable to Presiding Officers and Poll Clerks shall be at the discretion of the Returning Officer.
3. With regard to Business Improvement Districts (BIDs), each BID area shall be treated as one electoral area and this schedule shall be used as the basis for calculating both the Ballot Holder's fee and the clerical support fees.
4. With regard to other electoral activities and events where there is not a fees and charges order set by Government (this includes but is not limited to business and residential neighbourhood planning referendums, council tax referendums and local polls) this schedule shall be used as the basis for calculating the fees and charges.
5. By law, all expenditure properly incurred by a returning officer in relation to the holding of an election of a councillor for a principal area must be paid by that council in so far as such expenditure does not, in cases where there is a scale fixed for the purpose by the council for that area, exceed that scale.

Printed and Published by Mark Heath, Chairman of the Hampshire and Isle of Wight Election Fees Working Party

February 2019

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