

Meeting: **Employment Committee**

Date/Time: **Thursday, 13 September 2018 at 10.00 am**

Location: **Goscote Committee Room - County Hall**

Contact: **Anna Poole (0116 305 2583)**

Email: **anna.poole@leics.gov.uk**

Membership

Mr. J. B. Rhodes CC (Chairman)

Ms. L. Broadley CC Ms. Betty Newton CC
Mr. T. Gillard CC Mr. R. J. Shepherd CC

AGENDA

<u>Item</u>	<u>Report by</u>
1. Minutes of the meeting held on 29 June 2018.	(Pages 3 - 8)
2. Question Time.	
3. Questions asked by members under Standing Order 7(3) and 7(5).	
4. To advise of any other items which the Chairman has decided to take as urgent elsewhere on the agenda.	
5. Declarations of interest in respect of items on the agenda.	
6. Re-engagement of Former Employees.	Director of Corporate Resources (Pages 9 - 14)



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|-----|---|---------------------------------------|-----------------|
| 7. | Pay Policy Statement 2019-2020. | Director of
Corporate
Resources | (Pages 15 - 28) |
| 8. | Local Government Pension Scheme. | Director of
Corporate
Resources | (Pages 29 - 44) |
| 9. | JNC Chief Officers' Pay Award 2018/20. | Director of
Corporate
Resources | (Pages 45 - 50) |
| 10. | Attendance Management. | Director of
Corporate
Resources | (Pages 51 - 56) |
| 11. | Organisational Change Policy and Procedure:
Summary of Action Plans. | Chief Executive | (Pages 57 - 62) |
| 12. | Any other items which the Chairman has
decided to take as urgent. | | |
| 13. | Date of Future Meetings. | | |

Future meetings of the Employment Committee will take place at 10am on the following dates:

6 December 2018
31 January 2019
27 June 2019
26 September 2019
5 December 2019



Minutes of a meeting of the Employment Committee held at County Hall, Glenfield on Friday, 29 June 2018.

PRESENT

Mr. T. Gillard CC
Mr. J. Kaufman CC
Ms. Betty Newton CC

Mr. J. B. Rhodes CC
Mr. R. J. Shepherd CC

1. Election of Chairman.

RESOLVED:

That Mr. J. B. Rhodes CC be elected Chairman of the Employment Committee for the period ending with the date of the Annual Meeting of the County Council in 2019.

(Mr. J. B. Rhodes CC - in the Chair)

2. Election of Deputy Chairman.

RESOLVED:

That Mr. R. J. Shepherd CC be elected Deputy Chairman of the Employment Committee for the period ending with the date of the Annual Meeting of the County Council in 2019.

3. Minutes.

The minutes of the meeting held on 1 February 2018 were taken as read, confirmed and signed.

4. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 35.

5. Questions asked by members under Standing Order 7(3) and 7(5).

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

6. Urgent Items.

There were no urgent items for consideration.

7. Declarations of interest.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

No declarations were made.

8. Trade Union Recognition and Procedural Agreement.

The Committee considered a report of the Director of Corporate Resources which provided an update on the progress being made in agreeing a revised corporate Trade Union Recognition and Procedural Agreement. A copy of the report marked 'Agenda Item 8' is filed with these minutes.

Members supported the proposal that the recognised Trade Unions engage with the Management Side in the format of a Joint Trade Union Side for the purposes of collective bargaining, consultation and negotiation. It was recognised that the alternative, a system of proportionate representation with voting to reach agreement, would be significantly more challenging.

RESOLVED:

That the progress made in agreeing a revised corporate Trade Union Recognition and Procedural Agreement be noted.

9. Attendance Management.

The Committee considered a report of the Director of Corporate Resources which provided an update on the County Council's overall position on sickness absence as at the end of April 2018. A copy of the report marked 'Agenda Item 9' is filed with these minutes.

Arising from discussion the following points were raised:-

- (i) It was acknowledged that the actions taken to improve sickness absence had thus far resulted in marginal improvements to performance, rather than a step change. If the current pattern continued, consideration would be given to taking a more hard-edged approach to absence management. This would need to be discussed with the Trade Unions. The Committee asked to see options for further actions that could be taken in the next report on this matter.
- (ii) A comparison of the County Council's performance against sickness rates in the private sector had not been undertaken due to the fact that there were no comparable private sector organisations. However, the County Council did not compare particularly favourably to other County Councils. Some examples of good practice from other local authorities had already been implemented but officers undertook to see if there were any further lessons to be learnt.

- (iii) All managers were required to complete a return to work interview within five working days. Completion rates were monitored by Departmental Management Teams but the detail of the interviews remained confidential. Guidance for managers, including a wellbeing resource pack, was available to support them in making return to work interviews effective and ensure that staff felt supported to stay in work.
- (iv) There was a legal requirement for 'not disclosed' to be a category of absence. It was expected that this would be updated to the correct category by managers once the return to work interview had taken place. Use of the category was reducing through good practice; however it was acknowledged that further engagement and training for managers was needed. It was important to ensure that use of the category did not mean that employees were choosing not to engage with their manager.

RESOLVED:

- (a) That the position on sickness absence as at the end of April 2018 be noted;
- (b) That an update be submitted to the next meeting of the Committee, including options for further actions that could be taken to reduce sickness absence.

10. Wellbeing Strategy 2018 - 2023.

The Committee considered a joint report of the Director of Corporate Resources and the Director of Public Health which set out the Wellbeing Strategy and sought support for its implementation. A copy of the report marked 'Agenda Item 10' is filed with these minutes.

It was confirmed that Vision Express had been chosen to provide free eye tests for employees who regularly used a computer or visual display unit following a tender process.

Wellbeing help and advice was available for staff on the intranet and was regularly updated.

RESOLVED:

That the Wellbeing Strategy 2018 – 2023 be noted.

11. Pay Awards 2018-2020.

The Committee considered a report of the Director of Corporate Resources which informed it of the action taken by the Chief Executive to implement a pay award for employees on grades 2 – 17 inclusive and sought agreement to apply the nationally agreed Joint Negotiating Committee (JNC) pay award for Chief Executives. A copy of the report marked 'Agenda Item 11' is filed with these minutes.

The implementation of the national living wage had resulted in pay points at the bottom of the Council's grade structure being very close to each other; pay points three and four were now identical. Given that there would be further increases in the national living wage over the next couple of years, it was proposed that the grade structure be remodelled to allow for incremental progression and a clear

difference between pay grades. Work would be undertaken in preparation for the implementing the new structure at the beginning of the next financial year. The review would be informed by the Hay Job Evaluation Scheme and it was intended to keep disruption to staff to a minimum.

RESOLVED:

- (a) That the action taken in respect of the implementation of the pay award for employees on grades 2 – 17 for the period 1 April 2018 to 31 March 2019 be noted;
- (b) That the implementation of the two year pay award for Chief Executives for the period 1 April 2018 to 31 March 2020 be approved;
- (c) That a report be submitted to a future meeting of the Committee setting out details of how the pay award covering the period from 1 April 2019 to 31 March 2020 will be implemented.

12. Random Alcohol and Drug Testing.

The Committee considered a report of the Director of Corporate Resources which set out work currently underway to introduce random alcohol and drug testing arrangements within a number of areas in the Council. A copy of the report marked 'Agenda Item 12' is filed with these minutes.

It was confirmed that the policy would apply to County Council staff and agency staff used by the Council. Discussions with commissioned services to determine how the policy should apply to them were ongoing and the Committee would be updated on their outcome.

An external testing provider would be used as this would ensure independence and a robust process, and would remove any risk of bias which could be a criticism if in-house testing was undertaken. Managers with reasonable grounds to suspect that a member of staff was under the influence of drugs or alcohol could already address their concerns through the existing Substance Misuse Policy, which allowed them to act immediately. The sanctions which could be put in place under either policy would take individual circumstances into account.

RESOLVED:

That the work that is currently underway to introduce random alcohol and drug testing arrangements within a number of areas in the Council be supported.

13. Trans Equality Policy.

The Committee considered a report of the Director of Corporate Resources which sought approval of the draft Trans Equality Policy. A copy of the report marked 'Agenda Item 13' is filed with these minutes.

Members welcomed the policy, which reflected the Council's organisational values and demonstrated that it was a progressive and inclusive organisation. It would be publicised through workers groups and communication to managers. Staff from Strategic Human Resources would be able to provide further advice and guidance on individual cases.

It was noted that elements of the policy were currently aspirational, for example County Hall did not have any gender-neutral facilities. However, it was important for managers to be able to have a sensible conversation with a trans employee about the use of facilities, to ensure that the employee felt comfortable with whatever arrangements were made. The policy facilitated this.

RESOLVED:

That the Trans Equality Strategy be approved.

14. Organisational Change Policy and Procedure: Action Plans.

The Committee considered a report of the Chief Executive which provided an update on the current Action Plans which contained provision for compulsory redundancy and details of progress in their implementation. A copy of the report marked 'Agenda Item 14' is filed with these minutes.

RESOLVED:

That the current Action Plans which contain provision for compulsory redundancy and details of progress with their implementation be noted.

15. Date of Next Meeting.

It was noted that the next meeting of the Committee was scheduled to be held on Thursday 13 September 2018 at 10.00am.

10.00 - 11.20 am
29 June 2018

CHAIRMAN

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EMPLOYMENT COMMITTEE - THURSDAY, 13 SEPTEMBER 2018

RE-ENGAGEMENT OF FORMER EMPLOYEES

REPORT OF THE DIRECTOR OF CORPORATE RESOURCES

Purpose of the Report

1. The purpose of this report is to seek Employment Committee's approval for the introduction of a new policy on the re-engagement of former employees.

Policy Framework and Previous Decisions

2. In February 2018 when approving the Pay Policy Statement, the Committee agreed that consideration should be given to extending the timeframe after which an employee who is made redundant by the Council may return to its employment.

Background

3. Currently the Council does not have a policy that restricts employees from returning following redundancy or a settlement agreement. In the case of redundancy, an employee may return, without the need to repay their redundancy payment, once the statutory four week break in employment has passed.
4. In order to ensure the appropriate use of public funds whilst still satisfying operational requirements, it is proposed to restrict employees who leave due to voluntary redundancy or under a settlement agreement from being re-engaged by the Council for a period of 12 months unless approval is granted.
5. This restriction will apply to the re-engagement of former employees in any capacity including:
 - On a contract of employment (either fixed-term or permanent);
 - On an apprenticeship contract;
 - As a casual worker;
 - As an agency worker through the Council's approved provider or another agency;
 - On a self-employed basis or as a consultant.
6. Where re-engagement of the former employee is agreed, the individual will be required to repay either all or a proportion of any severance payment received from the Council. The amount to be recovered will depend on the time that has elapsed

since they received the payment but usually will equate to 1/12 per month of time remaining of the 12-month non re-engagement period.

7. The trade unions have been consulted on the proposed policy and they are in agreement with its contents.

Recommendations

8. It is recommended that the Committee approve the introduction of the new Policy on the Re-engagement of Former Employees which is attached as Appendix A to this report.

Background Papers

9. None.

Circulation under the Local Issues Alert Procedure

10. None.

Officer to Contact

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List of Appendices

Appendix A - Policy on the Re-Engagement of Former Employees

Equality and Human Rights Implications

11. An Equality and Human Rights Impact Assessment has been completed and no issues were identified.

Policy on the Re-Engagement of Former Employees

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Purpose

This policy sets out the circumstances in which an employee who has left the Council's employment for one of the following reasons may, or may not, be re-engaged by the Council:

- Voluntary redundancy (with or without release of pension benefits);
- Compulsory redundancy where an additional payment is made through a settlement agreement or additional pension benefits are given;
- Settlement agreement.

The re-engagement of such individuals can, in certain circumstances, provide practical solutions to specific workload or staffing needs. However, where the employee has only recently left the organisation and was in receipt of a severance payment and/or pension benefits, the Council needs to ensure that there is transparency regarding the decision to re-engage in order to ensure the appropriate use of public funds.

Scope

This policy applies to the re-engagement of former employees in any capacity including, but not limited to, the following:

- On a contract of employment (either fixed-term or permanent);
- On an apprenticeship contract;
- As a casual worker;
- As an agency worker through the Council's approved provider or another agency;
- On a self-employed basis or as a consultant.

It does not apply to appointments or terminations made by schools and colleges with delegated budgets.

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Circumstances in which re-engagement may be considered

Where an individual left the Council's employment for one of the reasons specified above within the last 12 months, re-engagement should only be considered in exceptional circumstances where there is a business critical reason. For example:

- It has not been possible to fill the post internally;
- There is a need for a discrete, short-term piece of work to be completed and the skills and experience required are not available within the Council;
- It is more cost effective to employ the former employee.

Where exceptional circumstances exist, managers must follow the procedure set out below to obtain approval for the individual to be re-engaged.

The above restriction does not apply where an employee was dismissed on the grounds of voluntary redundancy but without an entitlement to both a redundancy payment and pension benefits unless a settlement agreement with a severance payment was entered into.

Where it is agreed that the former employee should be offered re-employment with the Council during the 12 month non re-engagement period, the individual will be required to repay either all or a proportion of any sums received from the Council. The amount to be recovered will depend on the time that has elapsed since they received the payment, the breakdown of the payments made and the individual circumstances, but usually will equate to 1/12 per month of time remaining of the 12-month non re-engagement period. Individuals who have received additional pension benefits above what they would ordinarily have been entitled to under the circumstances of their departure may be asked to make an appropriate payment to the Council. The individual must be advised of the amount they would be expected to repay and the reasoning for the calculation when they are provisionally offered the post and it must be repaid before any new contract commences.

Any compulsory redundancy payment that has been made will not be included in the calculation for recovery of severance monies paid.

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Managers' responsibilities

Managers are responsible for checking whether the individual they are wishing to engage has previously worked for the Council, the date they left its employment, and their reason for leaving.

Where a manager is required to undertake a procurement process, they should ensure that applicants are clear, at the outset, of the re-engagement restrictions set out in this policy.

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Approval procedure

Where a manager believes that there is a business critical reason for re-engaging an individual within the 12 month non re-engagement period, they must produce a [business case](#) and submit this to their Director for initial agreement. If this is granted, the form must be emailed to Strategic HR (HRPolicy@leics.gov.uk) for final approval.

Strategic HR will retain a copy of all re-engagement requests for audit purposes. For directly employed individuals, the manager must ensure that a copy of the approved request is uploaded onto the recruitment portal along with the other appointment paperwork. If final approval is not given, the manager will be advised accordingly.

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Document Control:

Version Number	Agreed At	Date Agreed	Review Date
2018-2			

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EMPLOYMENT COMMITTEE - 13 SEPTEMBER 2018

PAY POLICY STATEMENT 2019/20

REPORT OF THE DIRECTOR OF CORPORATE RESOURCES

Purpose of Report

1. The purpose of this report is to seek the approval of the Employment Committee to the Council's Pay Policy Statement for 2019/20, attached as Appendix A.

Policy Framework and Previous Decisions

2. On 15 November 2011 the Localism Act received Royal Assent. Under Section 38 of the Act, local authorities in England and Wales are required to produce a Pay Policy Statement for each financial year which must be approved by the full County Council.
3. This statement must set out the Council's policies in relation to:
 - (a) The remuneration of its chief officers;
 - (b) The remuneration of its lowest-paid employees; and
 - (c) The relationship between the remuneration of its chief officers and the remuneration of its employees who are not chief officers.
4. For the purposes of this statement, remuneration includes basic salary, bonuses and other allowances or entitlements related to employment.
5. The Council is required to publish the Pay Policy Statement for 2019/20 on or before 1 April 2019.

Background

6. The proposed Pay Policy Statement attached sets out:
 - The Council's approach to job evaluation and grading of posts;
 - Additional payments that employees are eligible to receive, such as night enhancement, overtime;
 - The Council's pay multiple (the ratio between the highest paid employee and the median average salary of the Council's workforce, excluding schools but including ESPO) which is 1:8.62;
 - That there is no distinction between chief officers and other employees in relation to pension entitlements and severance payments;
 - The Council's approach to the re-engagement of former employees.
7. The National Joint Council for Local Government Employees' pay award has also been agreed for 2019/20. Detailed options are currently being worked through but final proposals should be in place in time for the Full Council meeting on 5 December 2018.

Recommendations

8. The Employment Committee is asked to approve the Pay Policy Statement 2019/20 for submission to the meeting of the full County Council on 5 December 2018.

Background Papers

None.

Circulation under Local Issue Alert Procedure

None.

Officer to Contact

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List of Appendices

Appendix A – Pay Policy Statement 2019/20

Equality and Human Rights Implications

9. The grading of all posts in the Council, except Centrally Employed Teachers, is determined using the nationally recognised Hay Job Evaluation Scheme. This is in order to ensure that all posts are graded and therefore rewarded financially through a fair and non-discriminatory process, that there is consistency in treatment between posts and that the Council complies with equal pay legislation.

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Pay Policy Statement 2019/20

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Purpose

As a responsible employer Leicestershire County Council is committed to delivering a fair, equitable and transparent policy covering pay and other employee benefits which improves flexibility in delivering services and provides value for money.

Within the framework of its terms and conditions of employment, the Council aims to develop and maintain appropriate pay systems and benefit packages to attract and retain motivated, flexible people who take responsibility, work as a team, improve performance and acquire new skills.

This Pay Policy Statement sets out the Council's policies relating to the pay of its workforce for the period from 1st April 2019 to 31st March 2020, in particular the:

- Remuneration of chief officers;
- Remuneration of the lowest-paid employees;
- Relationship between the remuneration of chief officers and employees who are not chief officers.

The statement meets the Council's obligations under the Localism Act 2011 and will enable the elected members of the Council to make decisions on pay.

The Council's Pay Policy Statement will be agreed by Full Council before the beginning of each financial year and will then be published on the County Council's website ([Click here](#)). The statement may also be amended by Full Council during the course of the year if necessary.

Scope

This statement applies to all employees of Leicestershire County Council employed under the conditions of service of the following bodies:

- National Joint Council for Local Government Services;
- Joint Negotiating Committee for Chief Officers of Local Authorities;
- Joint Negotiating Committee for Local Authority Chief Executives;
- School Teachers' Pay and Conditions (for Centrally Employed Teachers);
- Soulbury Committee.

It is not applicable to employees based in schools and colleges with delegated budgets.

Definitions

For the purposes of this Pay Policy Statement the following definitions will apply:

Remuneration

This includes three elements:

- Basic salary;
- Pension;
- Any other allowances arising from employment.

Chief Officers

Under the Localism Act 2011 a Chief Officer is defined as:

- The head of the Council's paid service designated under section 4(1) of the Local Government and Housing Act 1989;
- Its monitoring officer designated under section 5(1) of that Act;
- A statutory chief officer mentioned in section 2(6) of that Act;
- A non-statutory chief officer mentioned in section 2(7) of that Act;
- A deputy chief officer mentioned in section 2(8) of that Act.

In Leicestershire County Council this definition would apply to the posts set out in [Appendix A](#).

Definition of a Day's Pay

The definition of a day's pay is the hours worked on the day multiplied by the employee's hourly rate of pay.

Lowest Paid Employees

This refers to employees on Grade 2, Pay Point 3. This definition has been adopted as it is the lowest level of remuneration attached to a post within the Council. The lowest pay point value with effect from 1 April 2019 will be £9, as per the second year of the National Joint Council for Local Government Employees' (NJC) pay deal. This is greater than the projected National Living Wage rate at that date.

Pay and Grading Structure

The grading of all posts in the Council, except Centrally Employed Teachers, is determined using the nationally recognised Hay Job Evaluation Scheme. This is in order to ensure that all posts are graded and therefore rewarded financially through a fair and non-discriminatory process, that there is consistency in treatment between posts and that the Council complies with equal pay legislation. The scheme is an analytical one that takes into consideration three key elements of a post:

- Know How - the levels of knowledge, skill and experience (gained through work experience, education and training) which are required to perform the job successfully;
- Problem Solving - the complexity of thinking required to perform the job when applying Know How;
- Accountability - the impact the job has on the organisation and the constraints that the job holder has on acting independently.

Part of the guidance from Hay when introducing the scheme was that there should be a 33.3% differential between the Chief Executive and the highest paid Chief Officer.

Basic pay is paid in accordance with the evaluated grade of the post. Each grade comprises a range of pay points. A copy of the Council's pay and grading structure is attached at [Appendix B](#). The introduction of the National Living Wage with effect from 1 April 2016 will impact on the value of the Council's lowest pay grades and work is ongoing to address this.

Annual pay awards for all employees except Centrally Employed Teachers and those employed on Soulbury Committee conditions will be agreed by Employment Committee having regard to any agreement reached by the relevant national negotiating bodies. The current pay award for all employees up to and including Grade 17 follows the national award made by the NJC and covers the period up to 31 March 2020.

The Joint Negotiating Committee for Chief Officers of Local Authorities and the Joint Negotiating Committee for Chief Executives of Local Authorities have agreed a pay award of 2% each year for 2018/19 and 2019/20.

Annual pay awards for centrally employed teachers and those on Soulbury Committee conditions will be in accordance with those agreed by the respective national bodies.

Details of the national pay scales for Centrally Employed Teachers are available on the [Department for Education's website](#).

Employees in post when a pay award is due but who subsequently leave the Council before it is implemented are entitled to receive the difference in pay. To claim backdating from their date of leaving they must contact the Employee Service Centre, 0300 3030222, or email escservicedesk@emss.org.uk.

Details of senior management remuneration are published annually on the Council's website as part of this Pay Policy Statement ([Click here](#)) and in the [Council's Statement of Accounts](#). A copy of the information for 2017/2018 contained in the Pay Policy Statement is attached at [Appendix A](#).

The 'pay multiple' - the ratio between the highest paid full-time equivalent (FTE) salary (Grade 22) and the median average salary of the Council's workforce - is 1:8.62 (excluding schools).

Remuneration on Appointment

All employees are usually appointed to the minimum pay point applicable to the grade of the post. If the employee is already being paid above the minimum pay point, managers have discretion in some circumstances to appoint to a higher pay point, subject to the maximum of the grade.

Where it is necessary for a newly appointed employee to relocate in order to take up a post, the Council may make a contribution towards the reimbursement of relocation expenses in line with the Relocation Policy.

Employment Committee are given the opportunity to consider salary packages over £100,000 before new posts are established and advertised.

Market Premia

There is provision for the award of market premia where a job has been evaluated under the Hay Job Evaluation Scheme and the resulting salary is proven to be out of step with the market rate for the job. The award of market premia is subject to the agreement of the Chief Executive in consultation with the Chairman or Vice Chairman of the Employment Committee. If approved, market premia are awarded for a two year period. Details of the scheme can be found in the Council's Market Premia Policy and Procedure.

Incremental Progression

Centrally Employed Teachers

A locally agreed Pay Policy for Centrally Employed Teachers is in place from April 2014.

Soulbury Employees

Employees covered by the Soulbury Agreement are eligible to receive annual increments on 1st September each year until they reach the maximum for the grade of their job.

Other Employees

Subject to one year's satisfactory service in the grade, employees are eligible to receive annual increments on 1st April each year until they reach the maximum pay point for the grade of their job. Where circumstances warrant, accelerated increments may be granted by a Chief Officer.

Career Graded Posts

Employees subject to career grade schemes will progress in line with the arrangements for that post.

Additional Payments

Employees are eligible to receive a flat-rate enhancement for working at night.

Employees are eligible to receive enhancements for working on public holidays.

Employees in posts graded 1-9 who work additional hours are eligible to receive payment at plain time rate for hours worked; employees in Grades 10-14 who work additional hours are not eligible to be paid, but may receive time off in lieu (other than in exceptional circumstances, as set out in the Council's Smarter Working Policy); and for employees in Grades 15 and above, there is no entitlement to pay or time off in lieu for working additional hours. Details of these provisions are set out in the Council's Pay Arrangements Policy.

Employees required to "sleep in" on the premises receive an allowance as agreed by the National Joint Council for Local Government Services.

Employees required to participate in a standby rota due to the nature of their job will receive an allowance based on that agreed by the National Joint Council for Local Government Services as part of the annual pay award.

Other Allowances

All senior officers on grade 18 and above receive allowances as detailed in the Conditions of Service of the Joint Negotiating Committee for Chief Officers of Local Authorities and the Joint Negotiating Committee for Local Authority Chief Executives. However, where these conditions are silent, or do not cover an allowance or process, the Chief Executive and senior officers receive the same as those employees covered by the National Joint Council for Local Government Services.

Pay Policy Statement 2019/20
Version: 2018 - 5
Agreed at:
Date agreed:
Review date:

A copy of the School Teachers' Pay and Conditions document can be found on the [Department for Education's website](#). Copies of the conditions of service for all other employees covered by this statement can be requested from the [Local Government Employers](#).

Professional Fees

The Council reimburses annual registration or comparable fees to employees who are unable to practise their professions unless such fees are paid. Professional fees are also paid to employees who are being sponsored to undertake training leading to a professional qualification. However, once the qualification has been gained, the individual will become responsible for paying their own professional fees.

Car Allowances

All posts, including Chief Officers, within Leicestershire County Council may claim mileage paid at HRMC rates for business travel. The Council operates a lease car scheme which is open to employees who undertake business travel.

First Aid Allowances

Employees who are classified as a 'designated first-aiders' are eligible to receive an allowance.

All designated first-aiders (but not appointed persons) will receive an allowance of 1% of the salary for pay point 7, pro rata to hours worked. The allowance will not be used in calculating any enhancements.

Bonus Payments

The Council does not pay any group of employees a bonus.

Pension Benefits

Centrally Employed Teachers

All Centrally Employed Teachers are eligible to join the Teachers' Pension Scheme. Employees within Leicestershire Youth Service and Leicestershire Adult Learning Service may also join if their role gives eligibility to join the scheme. The scheme is a statutory scheme with contributions from employees and employers. Details of the scheme can be found on the [Teachers' Pension Scheme website](#).

Other Employees

All employees under the age of 75 are eligible to join the Local Government Pension Scheme. The scheme is a statutory scheme with contributions from employees and employers. Details of the scheme can be found on www.leics.gov.uk/pensions.

The scheme allows for the exercise of discretion on the enhancement of retirement benefits. The Council will consider each case on its merits, but has determined that its usual policy is not to enhance benefits for any of its employees.

The scheme provides for flexible retirement. To be eligible to request flexible retirement, the Council requires that an employee must either reduce their working hours by a minimum of 40% and/or be appointed to a post on a lower grade. In applying this provision no distinction is made between employees.

Under the Local Government Pension Scheme, employees who return to work after drawing their pension will not have their pension abated (i.e. reduced or suspended) except where they have been previously awarded “added years”.

The Council does not award “added years” to employees and has not done so since 2006.

Honoraria

Subject to certain conditions, employees (excluding Centrally Employed Teachers) who are temporarily required to undertake some or all of the duties of a higher graded post are eligible to be paid an honorarium. Details of the scheme can be found in the Council’s Honorarium and Acting-Up Policy and Procedure.

Salary Protection

Details of the Council’s salary protection provisions that apply to employees who are redeployed into a new post as a result of organisational change can be found in the Council’s Organisational Change Policy and Procedure.

Details of the Council’s salary protection provisions that apply to employees whose post is downgraded as a result of a grading review can be found in the Council’s Job Evaluation Guidance.

The provisions relating to safeguarding (pay protection) set out in the School Teachers Pay and Conditions Document apply to centrally employed teachers. Other Council employees are eligible to receive salary protection for a period of up to one year if they are redeployed into a lower-graded post, with the amount of protection depending on the difference between the grades of their former job and new job.

Severance Payments

Early Retirement (Efficiency of Service)

The Local Government Pension Scheme allows employers certain discretionary powers but the Council’s usual policy is not to enhance pension benefits for any employee. Therefore, there are no provisions for employees to seek early retirement on the grounds of efficiency of the service.

Redundancy

The Council has a single redundancy scheme which applies to all employees. Redundancy payments are calculated in accordance with the Employment Rights

Act 1996 and the 2006 Discretionary Compensation Regulations and are based on the employee's age, length of continuous local government service and salary. Details of the redundancy scheme can be found in the Council's Organisational Change Policy and Procedure.

The Council does not provide any further payment to employees leaving the Council's employment other than in respect of accrued annual leave.

Employees who have TUPE transferred into the Council on redundancy terms which are more favourable than those detailed above will retain these provisions as per TUPE legislation.

Full Council will be given the opportunity to vote on severance packages over £100,000 before they are approved. .

Re-Engagement of Employees

Where employees have left the Council's employment due to voluntary redundancy (with or without release of pension benefits) or settlement agreement within the last 12 months, re-engagement will only be considered in exceptional circumstances where there is a business critical reason. Details can be found in the Council's Policy on the Re-Engagement of Former Employees.

The above restriction does not apply where an employee was dismissed on the grounds of voluntary redundancy but without an entitlement to a redundancy payment and/or pension benefits, or where an employee was made compulsorily redundant.

Where it is agreed that a former employee should be offered re-employment with the Council during the 12 month non re-engagement period, the individual will be required to repay either all or a proportion of the severance payment received from the Council. The amount to be recovered will depend on the time that has elapsed since they received the payment. The individual must be advised of this requirement when they are provisionally offered the post.

Any necessary adjustments to pension would be made in accordance with the scheme regulations.

Employees who are offered another post with any organisation covered by the Modification Order Act prior to their redundancy leaving date and commence this post within 4 weeks of that date are not eligible to receive their redundancy payment.

Publication and Access to Information

This Pay Policy Statement will be published on the Council's website, together with the Council's pay and grading structure and information relating to senior management remuneration.

Appendix A - Senior Management Remuneration 2017/2018

The information below shows the total pay received by Senior Officers (as defined in the Localism Act) within the County Council for the financial year 2017/18. It does not include Head Teachers. The figures include taxable benefits i.e. lease car payments made for these positions during the year 2017/18.

All the jobs listed below have been ranked in terms of level of responsibility within a job evaluation framework applied to all County Council employees (excluding teaching staff). Rates of pay have then been determined with reference to market rates within similar local government authorities.

Post title	Total Pay
	£'000
Chief Executive's Department	
Chief Executive	200
Director of Law and Governance	104
Assistant Chief Executive	92
Chief Digital & Information Officer ¹	14
Head of Commissioning and Planning	41
Head of Regulatory Services	58
Public Health	
Director of Public Health	130
Corporate Resources	
Director of Corporate Resources – S151 Officer ²	114
Director of Corporate Resources ³	93
Assistant Director – Corporate Services	114
Assistant Director - Strategic Finance & Property ⁴	69
Assistant Director - Customer Services and Operations	92

¹ This is a new position which commenced in February 2018. The annualised salary for this post is £92k

² The Director of Finance was appointed as Director of Corporate Resources from 30th March 2018 and retained S151 Officer responsibilities. The annualised salary for this post is £118k.

³ The Director (0.6 full time equivalent) left LCC in April 2018.

⁴ The 'Director of Finance' position was replaced by the 'Assistant Director – Strategic Finance & Property' position. This post was appointed to in March 2018. The annualised salary for this post is £81k.

Pay Policy Statement 2019/20

Version: 2018 - 5

Agreed at:

Date agreed:

Review date:

Children and Young People's Service	
Director of Children & Family Services ⁵	0
Assistant Director Children's Social Care	85
Assistant Director Education and Early Help	81
Adults and Communities	
Director	126
Assistant Director East	92
Assistant Director Strategy ⁶	84
Assistant Director West	92
Environment and Transportation	
Director ⁷	66
Director ⁸	111
Assistant Director Highways & Transportation ⁹	88
Assistant Director Environment and Waste Management	85
Eastern Shires Purchasing Organisation (ESPO)	
Director ¹⁰	65
Director ¹¹	105
Assistant Director (Finance)	80
Assistant Director Commercial ¹²	0
Assistant Director (Operations)	80

⁵ The Director left LCC in July 2016. An interim director has been employed via an agency.

⁶ This is a shared post between 2 employees. One of the employees was employed in August 2017. The combined annualised salary for this post is £96k.

⁷ The Director left LCC in October 2017. The annualised salary for this post is £130k.

⁸ The Assistant Director of Highways and Transportation was appointed as Director of Environment and Transport in October 2017. The annualised salary for this post is £118k.

⁹ This position was appointed to in December 2017. The previous employee in this position is accounted for one row above. The annualised salary for this post is £102k

¹⁰ The Director left ESPO in October 2017. The annualised salary for this post is £130k.

¹¹ The Assistant Director of Commercial was appointed as Director of ESPO in December 2017. The annualised salary for this post is £118k.

¹² The salary for this employee is accounted for two rows above, as this employee changed role to become Director of ESPO. Since this employee left this post in December 2017 there was no replacement within this financial year. The annualised salary for this post is £88k.

Appendix B - Pay and Grading Structure

Leicestershire County Council Grade Structure

April 2017 - March 2019

Grade	Pay Point	Salary from 1 April 2017	Hourly Rate 1 April 2017	Salary from 1 April 2018	Hourly Rate 1 April 2018
2	3	£15,014	£7.78	£16,401	£8.50
	4	£15,014	£7.78	£16,401	£8.50
3	5	£15,119	£7.83	£16,500	£8.55
	6	£15,244	£7.90	£16,626	£8.61
4	7	£15,394	£7.97	£16,776	£8.69
	8	£15,789	£8.18	£16,989	£8.80
5	9	£15,807	£8.19	£17,007	£8.81
	10	£16,026	£8.30	£17,076	£8.84
	11	£16,492	£8.54	£17,394	£9.01
6	12	£16,888	£8.75	£17,790	£9.21
	13	£17,264	£8.94	£18,165	£9.41
	14	£17,643	£9.14	£18,543	£9.60
	15	£18,049	£9.35	£18,849	£9.76
7	16	£18,499	£9.58	£19,299	£10.00
	17	£19,026	£9.85	£19,728	£10.22
	18	£19,568	£10.14	£19,959	£10.34
	19	£20,139	£10.43	£20,544	£10.64
8	20	£20,727	£10.74	£21,144	£10.95
	21	£21,333	£11.05	£21,762	£11.27
	22	£21,964	£11.38	£22,404	£11.60
	23	£22,658	£11.74	£23,112	£11.97
9	24	£23,399	£12.12	£23,868	£12.36
	25	£24,176	£12.52	£24,660	£12.77
	26	£25,000	£12.95	£25,500	£13.21
	27	£25,878	£13.40	£26,397	£13.67
10	28	£26,848	£13.91	£27,387	£14.19
	29	£27,885	£14.44	£28,443	£14.73
	30	£28,975	£15.01	£29,556	£15.31
	31	£30,157	£15.62	£30,762	£15.93

11	32	£30,847	£15.98	£31,464	£16.30
	33	£31,604	£16.37	£32,238	£16.70
	34	£32,421	£16.79	£33,069	£17.13
	35	£33,305	£17.25	£33,972	£17.60
12	36	£34,337	£17.79	£35,025	£18.14
	37	£35,435	£18.35	£36,144	£18.72
	38	£36,604	£18.96	£37,338	£19.34
	39	£37,874	£19.62	£38,631	£20.01
13	40	£39,119	£20.26	£39,903	£20.67
	41	£40,408	£20.93	£41,217	£21.35
	42	£41,764	£21.63	£42,600	£22.07
	43	£43,218	£22.39	£44,082	£22.83
14	44	£44,607	£23.10	£45,501	£23.57
	45	£46,088	£23.87	£47,010	£24.35
	46	£47,658	£24.69	£48,612	£25.18
	47	£49,354	£25.56	£50,343	£26.08
15	48	£50,955	£26.39	£51,975	£26.92
	49	£52,640	£27.27	£53,694	£27.81
	50	£54,403	£28.18	£55,491	£28.74
	51	£56,236	£29.13	£57,363	£29.71
16	52	£58,482		£59,652	
	53	£60,867		£62,085	
	54	£63,416		£64,686	
	55	£66,240		£67,566	
17	56	£69,178		£70,563	
	57	£72,259		£73,704	
	58	£75,491		£77,001	
	59	£78,879		£80,457	

EMPLOYMENT COMMITTEE – 13 SEPTEMBER 2018**LOCAL GOVERNMENT PENSION SCHEME****REPORT OF THE DIRECTOR OF CORPORATE RESOURCES****Purpose**

1. This report seeks the Committee's agreement to the policy decisions afforded to the County Council as a scheme employer under the provisions of the Local Government Pension Scheme (LGPS).

Background

2. The pension regulations require the County Council to formulate, publish and keep under review its policies in respect of certain areas of the Scheme where it may exercise its discretion. There are five such discretions, as follows:-
 - (i) Power of employer to award additional pension;
 - (ii) Funding of additional pension contributions (shared cost);
 - (iii) Flexible retirement;
 - (iv) Switching on rule of 85; and
 - (v) Waiving of actuarial reduction.
3. Details of the discretions and the Council's current policy in relation to how they are exercised are set out in Appendix 1. These were agreed by the Committee at its meeting on 30 June 2016, and it is good practice to keep them under review. One minor amendment is proposed, to the "switching on" of the rule of 85 (where age plus scheme membership in years add up to 85). This is an employer discretion relating to the application of the rule of 85 to members who have attained the age of 55 but who have not yet reached normal retirement age and have chosen to retire and receive immediate payment of their retirement pension. The current policy is that the Council will not apply the discretion unless there is a business case to support this as an alternative to a redundancy situation. It is proposed that this policy be amended to read "the Council will not apply this discretion".
4. Following the introduction of the LGPS (Amendment) Regulations 2018, two new discretions are set out for consideration below (further information is detailed in Appendix 2):
 - (i) Former employees seeking to access unreduced pension on the grounds of compassion - this is where the former member elects for voluntary early retirement before their normal pension age, and the deferred benefits which would normally be reduced for early payment, are not reduced. It is proposed that the Council will not apply this discretion, unless there are exceptional circumstances.

- (ii) Switching on the Rule of 85 – provisions covering former members who left after 1 April 1998 but before 31 March 2014 – this is where a former member who has not attained normal pension age but who has attained the age of 55 or over, may elect to receive immediate payment of a retirement pension in relation to an employment if that member is not an employee in local government service. It is proposed that the Council will not apply this discretion.
5. Whilst there is no requirement to have a written policy on all discretions, the report sets out a further five written policies (also in Appendix 1) which the Council has agreed, in order to provide clarity for LGPS members. These were also highlighted in the report to committee in 2016, and no changes are proposed to these as follows:
- (i) Shared Cost Additional Voluntary Contribution Facility;
 - (ii) Election to transfer within 12 months;
 - (iii) Election to aggregate within 12 months of commencement;
 - (iv) Allocation of contribution band;
 - (v) Assumed pensionable pay.
6. Employer policy - In addition to the proposed employer discretions in Appendices 1 and 2, the Committee is asked to note the following: LGPS Regulations 2013 – Regulation 30 (7), relating to dismissals on the grounds of business efficiency, detailed below, which will be published in line with good practice to ensure transparency. It should be noted that in the context of the LGPS Regulations, this is not classed as a discretion requiring the Committee's approval, but the Committee is asked to note that it is occasionally used.

Explanation	Employer's Policy
<p>Where an active member who has attained the age of 55 or over is dismissed from an employment by reason of redundancy or business efficiency, or whose employment is terminated by mutual consent on grounds of business efficiency, that member is entitled to, and must take immediate payment of -</p> <ul style="list-style-type: none"> (a) retirement pension relating to that employment payable under regulation 16 (additional pension contributions), adjusted by the amount shown as appropriate in actuarial guidance issued by the Secretary of State; and (b) any other retirement pension relating to that active member's 	<p>The Council will in exceptional circumstances and where there is an agreed business case use this regulation - in cases where termination is on the grounds of business efficiency or mutual consent on the grounds of business efficiency.</p> <p>In these exceptional circumstances any cost for the release of early payment must be paid in full by the Council.</p>

pension account payable under these Regulations, without reduction.	
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Recommendations

7. The Committee is asked to:
- a) Approve the policy decisions in Appendix 1 related to the following discretions:
 - (i) Power of employer to award additional pension;
 - (ii) Funding of additional pension contributions (shared cost);
 - (iii) Flexible retirement;
 - (iv) Switching on rule of 85; and
 - (v) Waiving of actuarial reduction.
 - b) Approve the new policy decisions in Appendix 2 related to:
 - (i) Former employees seeking to access unreduced pension on the grounds of compassion;
 - (ii) Switching on the Rule of 85 – provisions covering former members who left after 1 April 1998 but before 31 March 2014.
 - c) Note the employer policy related to Regulation (7), relating to dismissals on the grounds of business efficiency.

Background Papers

8. None.

Circulation under Local Issues Alert Procedures

9. None.

Officer to Contact

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Equality and Human Rights Implications

10. There are no equality or human rights implications as a result of agreeing these pensions discretions.

Appendices

- Appendix 1 – Local Government Pension Scheme Regulations Policy statement on all eligible employees
- Appendix 2 - Local Government Pension Scheme Regulations Policy statement on all eligible former members effective 14th May 2018

Discretionary Policies

Employer: **Leicestershire County Council**

Appendix I

Local Government Pension Scheme, (LGPS), Regulations Policy statement on all eligible employees

Under Regulation 60 of the LGPS Regulations 2013, (as amended), each scheme employer must publish and keep under review a Statement of Policy to explain how it will apply certain discretions allowed under the Pensions Regulations.

This statement is applicable to all employees of **Leicestershire County Council** who are eligible to be members of the LGPS

There is a requirement to publish the following five policies.

I. LGPS Regulations - Regulation 31: Power of employer to award additional pension

Explanation	Employer's Policy
An employer may resolve to award a member additional pension of not more than £6,822 (£6500 as at 1 April 2014) a year within 6 months of leaving to a member whose employment was terminated on the grounds of redundancy or business efficiency.	The Council will not normally agree to award an additional pension under this regulation.

Discretionary Policies

2. LGPS Regulations 2013 - Regulation 16(2)(e) and 16(4)(d) : Funding of additional pension contributions (shared cost):

Explanation	Employer's Policy
<p>An active member in the main section of the scheme who is paying contributions may enter into arrangements to pay additional pension contributions (APCs) by regular contributions or a lump sum.</p> <p>Such costs may be funded in whole or in part by the member's Scheme employer.</p> <p>The employer will need to determine a policy on whether it will make a contribution towards the purchase of extra pension.</p> <p>This does not relate to cases where a member has a period of authorised unpaid leave of absence and elects within 30 days of return to work to pay a shared cost APC to cover the amount of pension "lost" during that period of absence. In these cases the employer <u>MUST</u> contribute 2/3rds of the cost (Regulation 15(5) of the LGPS Regulations 2013.</p>	<p>The Council has not adopted this discretion.</p>

Discretionary Policies

3. LGPS Regulations 2013 - Regulation 30 (6): Flexible Retirement

Explanation	Employer's Policy
<p>An active member who has attained the age of 55 or over who reduces working hours or grade of an employment may, with the Scheme employer's consent, elect to receive immediate payment of all or part of the retirement pension to which that member would be entitled in respect of that employment if that member were not an employee in local government service on the date of the reduction in hours or grade, adjusted by the amount shown as appropriate in actuarial guidance issued by the Secretary of State.</p> <p>As an employer you need to determine the conditions under which you would approve a flexible retirement taking place.</p>	<p>The Council has agreed to release pension where there is no cost and not to waive any reduction.</p> <p>Members must reduce their hours by a minimum of 40% and/or reduce their grade</p> <p>The Council may however allow the release of pension where there is a cost or waive reduction in a potential redundancy situation, where a reduction may occur through redeployment, or in other exceptional circumstances supported by a business case.</p>

Discretionary Policies

- 4. LGPS Regulations 2013 - Regulation (paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014): . A former member who has not attained normal pension age (NPA) but who has attained the age of 55 or over, may elect to receive immediate payment of a retirement pension - switching on rule of 85**

Explanation	Employer's Policy
<p>A member who has not attained normal pension age but who has attained the age of 55 or over, may elect to receive immediate payment of a retirement pension in relation to an employment if that member is not an employee in local government service in that employment, reduced by the amount shown as appropriate in actuarial guidance issued by the Secretary of State.</p> <p>In these circumstances (other than flexible retirement) the 85 year rule does not automatically apply to members who would otherwise be subject to it who choose to voluntarily draw their benefits on or after age 55 and before 60.</p> <p>The employer has the discretion to “switch on” the 85 year rule for such member (paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014.</p> <p>If the employer does agree to switch back on the rule of 85, the cost of any strain on the fund resulting from the payment of benefits before</p>	<p><u>Current policy</u> <i>The Council will not apply the discretion, unless there is a business case to support this as an alternative to a redundancy situation</i></p> <p><u>Proposed policy</u> The Council will not apply this discretion</p>

Discretionary Policies

age 60 would have to be met by the employer.	
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5. LGPS Regulations 2013 - Regulation (paragraph 2(1) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014): Waiving of actuarial reduction

Explanation	Employer's Policy
<p>An employer has the discretion, under a number of retirement scenarios, to waive actuarial reductions on compassionate grounds.</p> <p>The cost of which would fall upon the employer.</p> <p>n.b. "Compassionate grounds" is not defined in the regulations</p>	<p>The Council will not apply this discretion, unless there are exceptional circumstances</p> <p>The Employment Committee and the Director involved will consider any cases and will decide whether the actuarial reductions should be waived. In all cases the financial position of the County Council must be considered.</p>

Discretionary Policies

There are a number of other discretions which Scheme employers may exercise under the LGPS Regulations 2013, whilst there is no requirement to have a written policy in respect of these there are another five in respect of which it would perhaps be appropriate for Scheme employers to have a written policy in order that members can be clear on these matters

1. LGPS Regulations 2013 – Regulation 17 - Shared Cost Additional Voluntary Contribution Facility

Explanation	Employer's Policy
This discretion allows the Employer to maintain and contribute to an employee's Additional Voluntary Contribution Scheme.	<p>The Council has not adopted this discretion.</p> <p>This will not have any effect on the existing AVC facility available where the employee only is able to make such contributions.</p>

2. LGPS Regulations 2013 - Regulation 100 (6) – election to transfer within 12 months

Explanation	Employer's Policy
This discretion allows the Employer extend the 12 month limit a member has in which to elect to transfer other pension rights into the LGPS. This has to be with the agreement of the Administering Authority	<p>The Council as the Administering Authority will not normally allow an extension of the 12 month limit</p> <p>Extenuating circumstances may apply and this would include</p>

Discretionary Policies

	<ul style="list-style-type: none"> • Where evidence exists that an election was made within 12 months but his was not received by the administering authority • Where evidence exists that the member was not aware of the 12 month limit due to maladministration
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3. LGPS Regulations 2013 - Regulation 22 (7) and (8) – election to aggregate within 12 months of commencement

Explanation	Employer's Policy
<p>This discretion allows the Employer to extend the 12 month time limit a member has within which they must elect not to have deferred benefits aggregated with their new LGPS employment</p>	<p>The Council will not normally extend this 12 month time limit</p> <p>Extenuating circumstances may apply and this would include</p> <ul style="list-style-type: none"> • Where evidence exists that an election was made within 12 months but his was not received by the administering authority • Where evidence exists that the member was not aware of the 12 month limit due to maladministration

Discretionary Policies

4. LGPS Regulations 2013 - Regulation 9 – allocation of contribution band

Explanation	Employer's Policy
<p>This discretion allows the Employer to determine which contribution band is allocated on joining the scheme and at each April. It also determines the circumstances when an employee's band may be reviewed.</p>	<ul style="list-style-type: none"> • Base pay on actual pay in April plus previous years overtime • Run an exercise half yearly as a check and re-band up or down where necessary • Re-band on all <u>contractual</u> changes, but not ad hoc hours changes and re-band upon a pay award.

5. LGPS Regulations 2013 - Regulation 21 – assumed pensionable pay

Explanation	Employer's Policy
<p>This discretion allows the Employer to determine whether to include in the calculation of assumed pensionable pay the amount of any “regular lump sum payment”.</p> <p>This is in cases where an employee's pay needs to be calculated where their pay has been reduced due to certain absences in order that they are not unduly advantaged or disadvantaged.</p>	<ul style="list-style-type: none"> • To determine in individual cases where necessary to establish in a fair, equitable and justifiable way what the members likely pay would have been but for the absence, and in cases where this pay is to be used for future enhancements whether that level of pay would have been received every year to normal retirement age.

Employer: Leicestershire County Council

Appendix 2

Local Government Pension Scheme, (LGPS), Regulations Policy statement on all eligible former members effective 14th May 2018

Under the pertinent LGPS Regulations, each scheme employer must publish and keep under review a Statement of Policy to explain how it will apply certain discretions allowed under the Pensions Regulations.

This statement is applicable to all former employees of the above named employer who are eligible to be members of the LGPS and are required following the introduction of the LGPS (Amendment) Regulations 2018 in the following areas:

LGPS Benefits Regulations – Early payment of retirement benefits at a former member’s request.

Election for early payment of deferred benefits at age 55 for leavers before 1 April 1998

Original Regulation 24(a) and 30(d)

Regulations amended/inserted or deleted **LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014:**

New reg 3(5A)(a)

Election for early payment of deferred benefits from age 55 for leavers between 1 April 1998 and 31 March 2008

Original Regulation 24(a), 30(e) and 30(f)

Regulations amended/inserted or deleted **LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014:**

New reg 3(5A)(b)

New para 1(1)(e) of Sch 2

New para 1(1)(f) of Sch 2

Amends para 1(2) of Sch 2 and para 2(3) of Sch 2

Election for early payment of deferred benefits from age 55 for leavers between 1 April 2008 and 31 March 2014

Original Regulation 24(a), 30(a), 30(c), 30(e) and 30(f)

Regulations amended/inserted or deleted **LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014:**

New reg 3(5A)(c)

Amends para 1(1)(a) of Sch 2

New para 1(1)(aa) of Sch 2

Amends para 1(1)(c) of Sch 2, para 1(2) of Sch 2 and para 2(3) of Sch 2

Discretionary Policies

I. Additional new decision required to cover situations where former employees seek unreduced pension on the grounds of compassion

Explanation	Employer's Policy
<p>Where the former member elects for voluntary early retirement before their normal pension age (NPA), the deferred benefits will be reduced for early payment.</p> <p>The scheme employer may, in respect of deferred members who can under the relevant regulations (details above) voluntarily draw their benefits on or (if regulations allow) after age 55 and prior to NPA, choose to waive on the grounds of compassion any reduction for early payment.</p> <p>The cost of which would fall upon the employer.</p> <p>n.b. "Compassionate grounds" is not defined in the regulations</p>	<p>In relation to waiving any reduction which may apply on compassionate grounds, the policy is that:</p> <p>The Council will not apply this discretion, unless there are exceptional circumstances</p> <p>The Employment Committee and the Director involved will consider any cases and will decide whether the actuarial reductions should be waived. In all cases the financial position of the County Council must be considered.</p>

Discretionary Policies

2. **Additional new decision required to cover former members who left after 1 April 1998 but before 31 March 2014 and who have not attained normal pension age (NPA) but who have attained the age of 55 or over, may elect to receive immediate payment of a retirement pension - switching on 'Rule of 85'**

Explanation	Employer's Policy
<p>A former member who has not attained normal pension age (NPA) but who has attained the age of 55 or over, may elect to receive immediate payment of a retirement pension in relation to an employment if that member is not an employee in local government service in that employment, reduced by the amount shown as appropriate in actuarial guidance issued by the Secretary of State.</p> <p>In these circumstances (other than flexible retirement) the 85 year rule does not automatically apply to members who would otherwise be subject to it who choose to voluntarily draw their benefits on or after age 55 and before NPA.</p> <p>The employer has the discretion to “switch on” the 85 year rule for such a member.</p> <p>If the employer does agree to switch back on the rule of 85, the cost of any strain on the fund resulting from the payment of benefits before NPA would have to be met by the employer.</p>	<p>In relation to early retirements with employer's consent, policy on 'Switching on Rule of 85' is that:</p> <p>The Council will not apply this discretion</p>

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EMPLOYMENT COMMITTEE – 13 SEPTEMBER 2018

JNC CHIEF OFFICER'S PAY AWARD 2018/20

REPORT OF THE DIRECTOR OF CORPORATE RESOURCES

Purpose of the Report

1. The purpose of this report is to detail the action taken by the Chief Executive to implement a pay award for employees on grades 18 – 21 inclusive, in order to meet the requirements of the nationally-agreed JNC Chief Officer's pay award which covers the period from April 2018 to March 2020.

Policy Framework and Previous Decisions

2. The Chief Executive agreed, following consultation with the Chairman and Spokesmen of the Employment Committee, to exercise his delegated powers in the event of matters of urgency to enable the pay award for 2018/19 to be implemented for employees on grades 18 – 21. This allowed employees to receive the appropriate pay increase within their August 2018 salary, backdated to 1 April 2018. When action is taken under these powers, details must be reported at the next meeting of the Employment Committee.
3. Pay awards were previously agreed by the Committee in relation to the first year of a two-year pay award for JNC employees on grades 2 – 17 inclusive, and the Chief Executive's two-year pay award (JNC), effective from 1 April 2018.

Background

4. The Council is committed to deciding a level of pay award locally which is based on the national pay award for employees with JNC Chief Officer's conditions of service.
5. The previous pay award for Council employees on grades 18 – 21 covered the two-year period from 1 April 2016 to 31 March 2018, and comprised a 1% increase to basic salaries on 1 April 2016 and a further 1% increase on 1 April 2017.
6. The pay award for employees in grades 18 – 21, covering the period from 1 April 2018 to 31 March 2020, comprises a 2% increase to basic salaries on 1 April 2018 and a further 2% increase on 1 April 2019.

7. It is noted that the pay award for Chief Officers is in line with the pay award for Chief Executives (JNC) agreed in July 2018, which also comprised increases of 2% to basic salaries in for 2018/19 and 2019/20.
8. For reference, the pay award for employees with NJC terms and conditions of service from grade 7 pay point 18 and above also comprised a 2% increase to basic salaries from 1 April 2018, with higher percentage increases on pay points between grade 2 and grade 7 pay point 17 inclusive.
9. The Chief Officer's pay award also includes a commitment from the JNC to cooperate on a joint survey on the levels of stress, workload pressures and unpaid overtime experienced by Chief Officers.

Recommendations

10. It is recommended that the Committee note the action taken in respect of the implementation of the pay award for employees on grades 18 – 21 for the period 1 April 2018 to 31 March 2020.

Background Papers

11. The revised pay scales are attached as Appendix A.

Circulation under the Local Issues Alert Procedure

12. None.

Equality and Human Rights Implications

13. None.

List of Appendices

Appendix A: Leicestershire County Council Grade Structure April 2017March 2019.

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Leicestershire County Council Grade Structure

April 2017 - March 2019

Grade	Pay Point	Salary from 1 April 2017	Hourly Rate 1 April 2017	Salary from 1 April 2018	Hourly Rate 1 April 2018
2	3	£15,014	£7.78	£16,401	£8.50
3	4	£15,014	£7.78	£16,401	£8.50
	5	£15,119	£7.83	£16,500	£8.55
4	6	£15,244	£7.90	£16,626	£8.61
	7	£15,394	£7.97	£16,776	£8.69
	8	£15,789	£8.18	£16,989	£8.80
5	9	£15,807	£8.19	£17,007	£8.81
	10	£16,026	£8.30	£17,076	£8.84
	11	£16,492	£8.54	£17,394	£9.01
6	12	£16,888	£8.75	£17,790	£9.21
	13	£17,264	£8.94	£18,165	£9.41
	14	£17,643	£9.14	£18,543	£9.60
	15	£18,049	£9.35	£18,849	£9.76
7	16	£18,499	£9.58	£19,299	£10.00
	17	£19,026	£9.85	£19,728	£10.22
	18	£19,568	£10.14	£19,959	£10.34
	19	£20,139	£10.43	£20,544	£10.64
8	20	£20,727	£10.74	£21,144	£10.95
	21	£21,333	£11.05	£21,762	£11.27
	22	£21,964	£11.38	£22,404	£11.60
	23	£22,658	£11.74	£23,112	£11.97
9	24	£23,399	£12.12	£23,868	£12.36
	25	£24,176	£12.52	£24,660	£12.77
	26	£25,000	£12.95	£25,500	£13.21
	27	£25,878	£13.40	£26,397	£13.67
10	28	£26,848	£13.91	£27,387	£14.19
	29	£27,885	£14.44	£28,443	£14.73
	30	£28,975	£15.01	£29,556	£15.31
	31	£30,157	£15.62	£30,762	£15.93

11	32	£30,847	£15.98	£31,464	£16.30
	33	£31,604	£16.37	£32,238	£16.70
	34	£32,421	£16.79	£33,069	£17.13
	35	£33,305	£17.25	£33,972	£17.60
12	36	£34,337	£17.79	£35,025	£18.14
	37	£35,435	£18.35	£36,144	£18.72
	38	£36,604	£18.96	£37,338	£19.34
	39	£37,874	£19.62	£38,631	£20.01
13	40	£39,119	£20.26	£39,903	£20.67
	41	£40,408	£20.93	£41,217	£21.35
	42	£41,764	£21.63	£42,600	£22.07
	43	£43,218	£22.39	£44,082	£22.83
14	44	£44,607	£23.10	£45,501	£23.57
	45	£46,088	£23.87	£47,010	£24.35
	46	£47,658	£24.69	£48,612	£25.18
	47	£49,354	£25.56	£50,343	£26.08
15	48	£50,955	£26.39	£51,975	£26.92
	49	£52,640	£27.27	£53,694	£27.81
	50	£54,403	£28.18	£55,491	£28.74
	51	£56,236	£29.13	£57,363	£29.71
16	52	£58,482		£59,652	
	53	£60,867		£62,085	
	54	£63,416		£64,686	
	55	£66,240		£67,566	
17	56	£69,178		£70,563	
	57	£72,259		£73,704	
	58	£75,491		£77,001	
	59	£78,879		£80,457	
18	60	£81,279		£82,905	
	61	£84,762		£86,457	
	62	£88,380		£90,150	
	63	£92,168		£94,011	
19	64	£101,661		£103,695	
	65	£104,260		£106,347	
	66	£109,171		£111,354	
	67	£114,460		£116,751	
20	68	£118,092		£120,456	

	69	£121,901		£124,341	
	70	£125,929		£128,448	
	71	£130,256		£132,861	
21	72	£128,047		£130,608	
	73	£133,938		£136,617	
	74	£140,099		£142,902	
	75	£146,543		£149,475	
22	76	£171,362		£174,792	
	77	£177,446		£180,996	
	78	£183,837		£187,515	
	79	£195,342		£199,250	

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EMPLOYMENT COMMITTEE – 13 SEPTEMBER 2018

ATTENDANCE MANAGEMENT

REPORT OF THE DIRECTOR OF CORPORATE RESOURCES

Purpose of the Report

1. The purpose of this report is to update the Employment Committee on the County Council's overall position on sickness absence as at the end of June 2018.

Background

2. On 29 June 2018, the Committee considered the County Council's absence position to the end of April 2018 and received an update on the impact of seasonal viral illness, the attendance management intensive support project, proposed changes to the Attendance Management policy and an employee focused campaign to raise awareness of sickness absence.

Absence Data – June 2018

3. By the end of June 2018, absence reductions have been consistently achieved in Adults and Communities, and Corporate Resources departments.
4. Only Public Health and the Chief Executive's Department remain within the corporate target of 7.5 days per full time equivalent (FTE). All other departments need to take further action to address their current levels of sickness absence.

Department	2015/16	2016/17	2017/18	2017/18	2017/18	2017/18	2018/19
Days per FTE	Year end	Year end	End of Q1	End of Q2	End of Q3	End of Q4	End of Q1
12 months cumulative			(June 17)	(Sept 17)	(Dec 17)	(Mar 18)	(June 18)
Chief Executive's	6.99	6.03	5.98	5.03	4.73	6.38	7.24
Environment and Transport	8.80	9.68	9.17	9.45	9.53	10.09	9.95
Children and Family Services	10.06	10.05	9.50	9.58	9.75	10.25	11.15
Corporate Resources	6.95	7.94	7.98	8.25	8.26	8.12	7.69
Adults and Communities	11.31	12.57	12.23	11.57	11.38	11.26	10.57
Public Health	7.84	7.43	8.64	8.80	7.89	6.49	6.83
Total	9.32	10.01	9.72	9.60	9.55	9.73	9.64
ESPO	10.88	9.75	11.40	11.47	12.12	11.70	10.96
EMSS	6.69	9.27	8.42	7.54	7.41	7.42	7.60

Reasons for Absence

5. Displayed in order of percentage of time lost (greatest first), the table below details the top 10 reasons for absence.

Percentage of FTE days lost	2017/18	2017/18	2017/18	2017/18	2018/19	July 17– June 18	July 17 – June 18
12 months cumulative	June 2017 Q1	Sept 2017 Q2	Dec 2017 Q3	March 2018 Q4	June 2018 Q1	FTE Days lost	Number of employees
Stress/depression, mental health	24.1%	25.2%	25.8%	26.3%	26.8%	11272	450
Other musculo-skeletal	17.1%	17.4%	17.3%	16.6%	17.0%	7136	430
Cough/cold/flu	0.3%	0.9%	2.2%	7.5%	7.9%	3314	1001
Gastro- stomach, digestion	8.7%	8.7%	8.4%	8.1%	7.8%	3288	1051
Viral infection not cough/cold/flu	12.8%	11.8%	9.1%	6.1%	5.8%	2432	620
Back and neck problems	5.4%	4.7%	4.7%	4.9%	4.9%	2063	227

Percentage of FTE days lost 12 months cumulative	2017/18	2017/18	2017/18	2017/18	2018/19	July 17– June 18	July 17 – June 18
	June 2017 Q1	Sept 2017 Q2	Dec 2017 Q3	March 2018 Q4	June 2018 Q1	FTE Days lost	Number of employees
Chest, respiratory	4.7%	4.7%	4.3%	4.6%	4.8%	2004	282
Not disclosed	7.2%	6.5%	6.5%	5.7%	4.8%	2000	250
Neurological	5.8%	5.4%	4.6%	4.3%	4.2%	1756	352
Eye, ear, nose, mouth/dental	3.8%	3.8%	3.8%	3.9%	4.1%	1735	366

Short and Long Term Absence Split

6. The table below details the number of FTE days lost due to absence and the percentage split of FTE days lost at the end of quarter 4 2017/18 and quarter 1 2018/19. All departments with the exception of Chief Executive's show a greater percentage of longer term absence compared to short term. Children & Families Services, Chief Executive's and Public Health departments show a significant increase in long term absence between quarter 4 17/18 and quarter 1 18/19.

Percentage of FTE days lost 12 months cumulative	2017/18 Q4				2018/19 Q1			
	Long term		Short term		Long term		Short term	
Department	FTE days lost	%	FTE days lost	%	FTE days lost	%	FTE days lost	%
Chief Executive's	569.0	37.6%	631.0	62.4%	668.4	42.4%	906.7	57.6%
Environment and Transport	4452.6	61.7%	2535.5	38.3%	4431.0	61.0%	2830.6	39.0%
Children and Family Services	6290.7	60.9%	3706.4	39.1%	7142.9	66.5%	3595.8	33.5%
Corporate Resources	5084.6	59.4%	3634.9	40.6%	4985.1	53.0%	4420.6	47.0%
Adults and	8902.7	63.3%	5456.5	36.7%	7981.1	59.2%	5508.5	40.8%

Percentage of FTE days lost 12 months cumulative	2017/18				2018/19			
	Q4				Q1			
Communities								
Public Health	259.0	50.4%	293.0	49.6%	334.6	58.9%	233.9	41.1%

Note: Long term is categorised as over 4 weeks of continuous absence.

Service Level Data

7. The table below provides details of the days lost per FTE at the end of 2016/17, quarter 1, 2, 3 and 4, 2017/18 and at the end of quarter 1 2018/19, for service areas by department.

Department	2016/17	2017/18	2017/18	2017/18	2017/18	2018/19
Days per FTE	Year end	End of Q1	End of Q2	End of Q3	End of Q4	End of Q1
12 months cumulative	(Mar 17)	(Jun 17)	(Sept 17)	(Dec 17)	(Mar 18)	(June 18)
Chief Executive's	6.03	5.98	5.03	4.73	6.38	7.24
Planning and Historic and Natural Environment	3.81	3.73	3.20	2.51	4.04	8.02
Regulatory Services	6.95	6.61	5.04	4.56	4.87	6.01
Strategy and Business Intelligence	6.28	6.07	5.17	6.56	8.04	8.82
Democratic Services	10.69	11.50	9.98	5.89	8.91	9.06
Legal Services	3.01	3.30	3.21	2.93	4.02	4.70
Environment and Transport	9.68	9.17	9.45	9.53	10.09	9.95
Highways and Transportation	10.38	9.79	10.10	10.20	10.62	10.27

Department	2016/17	2017/18	2017/18	2017/18	2017/18	2018/19
Days per FTE	Year end	End of Q1	End of Q2	End of Q3	End of Q4	End of Q1
12 months cumulative	(Mar 17)	(Jun 17)	(Sept 17)	(Dec 17)	(Mar 18)	(June 18)
Environment and Waste Management	4.85	4.71	5.77	6.34	7.98	8.63
Children and Family Services	10.05	9.50	9.58	9.75	10.25	11.15
Education and Early Help	9.13	8.55	8.45	8.42	9.28	9.20
Children's Social Care	11.90	10.91	11.21	11.65	11.62	13.97
Corporate Resources	7.94	7.98	8.25	8.26	8.12	7.69
Strategic Finance and Assurance	4.89	4.42	4.66	4.21	4.25	4.11
Corporate Services	4.68	4.66	4.99	5.59	5.88	6.08
Commercial and Customer Services	10.55	10.65	10.98	10.50	10.04	9.22
Adults and Communities	12.57	12.23	11.57	11.38	11.26	10.57
East	n/a	n/a	7.49	10.77	11.06	9.69
West	n/a	n/a	11.13	12.14	13.16	12.38
Commissioning and Quality	n/a	n/a	6.92	7.52	8.01	8.08
Departmental Support Services	n/a	n/a	9.46	10.17	9.46	7.90
Promoting Independence	12.26	13.07	13.53	14.24	15.11	14.81
Personal Care and Support	15.62	14.90	13.60	12.85	11.99	11.47
Communities and Wellbeing	7.67	7.26	6.96	7.42	7.98	7.77

Department	2016/17	2017/18	2017/18	2017/18	2017/18	2018/19
Days per FTE	Year end	End of Q1	End of Q2	End of Q3	End of Q4	End of Q1
12 months cumulative	(Mar 17)	(Jun 17)	(Sept 17)	(Dec 17)	(Mar 18)	(June 18)
Public Health	7.43	8.64	8.80	7.89	6.49	6.83

Recommendation

8. The Committee is asked to note the contents of this report and provide any comments or feedback.

Background Papers

Report to the Employment Committee on 29 June 2018 – Attendance Management

[http://politics.leics.gov.uk/documents/s138714/Attendance%20Management.pdf?\\$OBO\\$=1](http://politics.leics.gov.uk/documents/s138714/Attendance%20Management.pdf?OBO=1)

Circulation under the Local Issues Alert Procedure

9. None.

Officer to Contact

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Equality and Human Rights Implications

10. There are no equalities and human rights issues arising directly from this report.



EMPLOYMENT COMMITTEE – 13 SEPTEMBER 2018

ORGANISATIONAL CHANGE POLICY AND PROCEDURE: SUMMARY OF ACTION PLANS

REPORT OF THE CHIEF EXECUTIVE

Purpose of the Report

1. The purpose of this report is to present the Employment Committee with an update of the current Action Plans which contain provision for compulsory redundancy and details of progress in their implementation.

Policy Framework and Previous Decisions

2. At its meeting on 11 February 2010 the Committee approved a new Organisational Change Policy and Procedure (replacing the 'Policy in the Event of Redeployment and Redundancy') together with revised arrangements through which the Committee would exercise its oversight of the implementation of that procedure. In accordance with that decision, summaries of current Action Plans are attached to this report.

Background

3. Following the decisions made on 11 February 2010, the new arrangements also involve presenting a summary of any outstanding comments/concerns raised by members of the Committee.
4. There are no outstanding comments/concerns on this occasion.
5. Members are asked to indicate where they wish a representative of the Department concerned to be present to answer any questions in any particular case, if they have not already done so.

Recommendations

6. That the report be noted.

Background Papers

7. None.

Circulation under the Local Issues Alert Procedure

8. None.

List of Appendices

9. Appendix 1 – Summary of Current Action Plans – Implementation Completed
10. Appendix 2 – Summary of Current Action Plans – Implementation Underway

Equality and Human Rights Implications/Other Impact Assessments

11. The Organisational Change Policy and Procedure is designed to ensure that changes which impact on employees are implemented in a fair and non-discriminatory manner.

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EMPLOYMENT COMMITTEE – 13 SEPTEMBER 2018

SUMMARY OF CURRENT ACTION PLANS - IMPLEMENTATION COMPLETED

Action Plan	Date Approved	Outcome
Adults & Communities - Get Set Action Plan 2018	10/05/2018	1 compulsory redundancy
Adults & Communities - Regional Museum Development	23/05/2018	1 compulsory redundancy
Children & Families - Business Support Review	11/12/2017	4 compulsory redundancies
Children & Families – Specialist Teaching Service Review	01/03/2018	1 compulsory redundancy
Corporate Resources - Centre of Excellence	08/01/2018	14 compulsory redundancies

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EMPLOYMENT COMMITTEE – 13 SEPTEMBER 2018
SUMMARY OF CURRENT ACTION PLANS - IMPLEMENTATION UNDERWAY

Action Plan	Date Approved	Current Position	Next Steps	Max Compulsory Redundancies
Adults & Communities - Wigston Carlton Drive and Waterlees Court.	30/01/2018	Consultation finished. Waiting for implementation date.	Confirm implementation date and give notice where necessary. Expected from early September	5 redundancies

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