

MINUTES of a meeting of the **APPOINTMENTS AND CONDITIONS OF SERVICE COMMITTEE** held on 8 November 2019 at County Hall, Matlock

PRESENT

Councillor B Lewis (in the Chair)

Councillors R Ashton, K Buttery, A Foster, T Kemp, S Marshall-Clarke, R Mihaly (substitute Member) and P Smith

Officers in attendance – E Alexander, E Crapper, P Handford, S Hobbs, D Wallace and L Wild

Apologies for absence were received on behalf of Councillor A Western

Declarations of Interest

There were no declarations of interest.

5/19 **MINUTES RESOLVED** that the minutes of the meeting held on 24 June 2019 be confirmed as a correct record and signed by the Chairman.

6/19 **PROPOSED TRADE UNION TIME OFF ARRANGEMENT** The current Trade Union Time Off agreement was implemented in 2009. Since then, the organisation had been through a period of significant change, and it was therefore timely to review the provisions of that agreement, to ensure that it continued to meet the needs of the organisation. In addition, as identified within the Revenue and Budget Report 2019-28 presented to Cabinet on 24 January 2019 the Council was looking to reduce its expenditure on TU Facilities Time by 50% which would reduce annual costs from £274,604 (0.08% of pay bill) to £137,302 (0.04% of pay bill). For comparative purposes this would bring the Council in line with similar county councils who had the lowest percentage of TU Facility Time as a proportion of their pay bill. Not all of these cost reductions could be realised as a saving but it was expected that it would generate a proposed saving of £50,000 per annum from 2020-21 onwards.

When considering the above aligned to the proposed future HR Delivery model and the current strategic priorities within the Council, negotiations had been underway to review the current Trade Union Time Off Agreement. Discussions had centred on the Council's desire for greater parity across Trade Unions and the need to simplify where possible to avoid inaccurate interpretation of the provisions contained within the agreement.

Extensions were agreed within the negotiation process in an attempt to ensure agreement could be reached to enable further discussions, as opposed to the reversion to the ACAS code of practice. Unison had notified the Council of its intended agreement to the proposal, with notification pending from Unite and GMB. The revised agreement was detailed within Appendix 1 to the report and the key changes within the proposal were highlighted.

Any outstanding issues or matters arising from further consultations would be brought back to the Committee prior to its implementation on 1 April 2020.

RESOLVED to approve the implementation of the revised Trade Union Time Off Agreement with effect from 1 April 2020.

7/19 APPLICATIONS FOR MARKET SUPPLEMENT PAYMENT EXTENSIONS Market supplement payments for posts in Investments and Public Health were due to end in December 2019 and for Childcare Solicitors in March 2020.

A full review of market conditions had been carried out to support the continuation of market supplement payments for these posts and business cases were provided in the appendices to the report. It was proposed to continue paying market supplements as follows:-

Head of Pensions and Investments: increase from £15,000 to £22,500 per annum for a period of 2 years to 5 December 2021.

Investments Manager: increase from £5,000 to £10,000 per annum for a period of 2 years to 5 December 2021.

3 Assistant Directors Public Health (including 1 temporary post): increase from £10,000 to £12,000 per annum for a period of 2 years to 5 December 2021.

Childcare Solicitors (including 5 vacant posts): continue to pay £5,000 per annum for 18 months to 30 September 2021.

The additional costs for market supplements would be funded from departmental budgets, with the payments to Public Health staff met from the ring-fenced Public Health Grant those to the Head of Pension Fund and the Investment Manager being charged to the Pension Fund.

RESOLVED to agree the extension of market supplement payments within Pension and Investments, Public Health and Legal Services as detailed in the report and appendices.

8/19 SCHOOL TEACHERS' PAY AWARD AND UPDATED PAY POLICY FOR CENTRALLY EMPLOYED TEACHERS – 1 SEPTEMBER 2019

The regulations governing teachers' pay and conditions of service were contained in the School Teachers' Pay and Conditions Document (STPCD) which was revised by the Secretary of State annually. Any changes needed to be reflected in the authority's policies for the management of teachers employed in the education support services. The Pay Policy was attached as Appendix A to the report and the main changes proposed for 2019 were as follows:-

- Terminology
- Statutory pay rates and allowance payments
- Procedures for making pay progression decisions based on performance appraisal had been amended to reflect the revised delegations outlined in the new Constitution
- Pay appeal procedures had been updated to reflect the delegations outlined in the new Constitution

The Secretary of State for Education had announced the Teachers' Pay Award, effective from 1 September 2019, to be a 2.75% uplift to the statutory minimum and maximum of all pay ranges and allowances.

In line with previous determinations, a 2.75% uplift to all pay points on all pay ranges and all allowances was recommended for teachers employed by DCC and not attached to schools. In recommending this action and in consideration of the potential impact on recruitment and retention, the following factors had been taken into account:

- This nationally determined pay award had been agreed within the context of cost of living increases. It was reasonable that all teachers should benefit.
- It would be inequitable for teachers on the minimum or maximum of a pay range to receive an automatic pay increase, which was not awarded to other teachers. There was no rationale to support awarding a pay uplift to only some teachers, when no performance criteria were to be applied.
- For some teachers employed by DCC not to receive a nationally agreed cost of living public sector pay award would treat them differently from other categories of DCC employees.
- If the relevant pay uplifts were only added to the maxima and minima of pay ranges, this would introduce an imbalance into each pay range.
- Not to apply the uplift equally within the pay ranges and allowances would be likely to have a negative impact on employee relations, recruitment and retention.

The recommendation to school Governing Boards was that they adopted the same approach and agreed increases as detailed above, giving consideration to the relevant factors outlined and the benefits of a consistent approach across the Authority.

RESOLVED to (1) approve the adoption of the Proposed Pay Policy for Teachers Employed by the LA and Not Attached to Schools;

(2) agree the award of a 2.75% increase to all points on all pay ranges and all allowances backdated to 1 September 2019, to all teachers employed by Derbyshire County Council, and not attached to schools; and

(3) agree the recommendation to Governing Boards of a 2.75% uplift on all pay ranges and allowances backdated to 1 September 2019.

9/19 **EXCLUSION OF THE PUBLIC RESOLVED** that the public be excluded from the meeting during the Committee's consideration of the remaining items on the agenda to avoid the disclosure of the kind of information detailed in the following summary of proceedings:-

SUMMARY OF PROCEEDINGS CONDUCTED AFTER THE PUBLIC HAD BEEN EXCLUDED FROM THE MEETING

1. To consider the exempt report of the Executive Director Adult Care on a request to support the dismissal of a Service Director by means of Voluntary Redundancy following the Senior Management Team Restructure (contains information which is likely to reveal the identity of an individual)