

Minutes of: EMPLOYMENT PANEL

Date of Meeting: 29 February 2024

Present: Councillor T Rafiq (in the Chair)
Councillors R Bernstein, J Grimshaw, E Moss, M Walsh,
L Dean and L Smith

Also in attendance: Sam McVaigh – Director of People and Inclusion, Adam Peluch – HR & OD Business Partner, Catherine King – HR Business Manager, Simon Bagley – Head of Human Resources, Jacqui Dennis – Director of Legal and Democratic Services

Public Attendance: No members of the public were present at the meeting.

Apologies for Absence: Councillor C Cummins

1 APOLOGIES FOR ABSENCE

Apologies for absence are noted above.

2 DECLARATIONS OF INTEREST

Councillor Dean declared that his mother is now employed by Bury Council and confirmed that this information is on his register of interest form.

3 MINUTES OF THE PREVIOUS MEETING

It was agreed that the notes of the meeting held on 16 November 2023 be approved as a correct record and signed by the Chair.

4 PAY POLICY STATEMENT

Sam McVaigh, Director of People and Inclusion presented the pay policy statement.

In response to a member's question around why in 2024 there is a gender pay gap, Sam McVaigh explained the difference between gender pay and equal pay and reported that there are broader facts around the gender pay gap, which included gender norms and occupational segregation. Sam McVaigh gave examples that statistically women tend to work in part time roles and some of our lowest paid job roles, tend to be filled by women.

A member raised concerns with the Pay Policy Statement and explained that they felt the way we are wording the statement was contradictory in how it described compliance with job evaluation and agreed pay scales at 2.2 and the application of non-consolidated supplements to reach the Real Living Wage rates of pay. Sam McVaigh advised that the way the statement is worded is lawful and accurate and that Bury Council uses the NJC job evaluation scheme, but it is not the only scheme used in local government. The job evaluation scheme creates a ranking order of posts which are then mapped against the separate pay spine. The

additional supplements do not affect the JE ranking and are a permissible amendment to the take-home pay of staff with the detail described in the document. Sam McVaigh advised that he could add additional wording to the Pay Policy Statement to provide clarity around the issues highlighted with the real living wage.

Jacqui Dennis, Director of Legal & Democratic Services confirmed that it is a technical argument and is satisfied that the wording of the document is lawful.

Members discussed paragraph 2.2 and 3.4 of the Pay Policy Statement and a member highlighted that it is important to be open and transparent and that the Pay Policy Statement needs to be made clearer to ensure that it is easily understood. It is likely to be later in the year when the NJC pay award is agreed and the real living wage will stand out further. Members decided by a majority vote to add a paragraph into the Pay Policy Statement, which will provide clarity and transparency. Legal Services will review the paragraph prior to sending the revised document to Employment Panel Members.

It was agreed:

1. Add an additional paragraph into the Pay Policy Statement, which provides clarity and transparency. Legal Services to review this prior to sending the revised document to the Employment Panel.
2. Subject to the above amendment, commend the proposed Pay Policy Statement for 2024/2025 for approval by full Council.
3. Subject to the additional paragraph, the Employment Panel to agree the Council's proposed pay structure for 2024/25 as set out within the statement and inclusive of revised non-consolidated pay supplements to retain compliance with the Real Living Wage rate of pay.

5 EMPLOYMENT POLICY REVIEWS

Sam McVaigh, Director of People and Inclusion presented the Workforce Policy Review report and highlighted the proposed amendments:

1. Equality Policy for Employment – a new streamlined policy informed by the revised ACAS equality policy template and with reference to the Council's Equality Objectives.
2. Officer Employment Procedure Rules – updates informed by a recent Employment Tribunal case and clarity in relation to the process for engaging interim Chief Officers.
3. Learning and Development Policy – a revised and streamlined policy to reflect current best practice and replace three current documents with one.
4. Local Conditions: Section 4, Hours and Leave – a proposal to add the floating day to the contractual leave entitlement for all employees to be taken at any point during the year in response to feedback and in order to ensure effective service delivery.
5. Flexible Working Policy – a consolidation of the existing work life balance documents and update to reflect the Employment Relations (Flexible Working) Act 2023 and new Draft ACAS Code of Practice.

6. Redundancy Procedure – minor updates to reflect the increased protections in the Maternity Leave, Adoption Leave and Shared Parental Leave (Amendment) Regulations 2024.

In response to a question around the Officer Employment Procedure Rules and what would happen if a Statutory Chief Officer was already off on sick leave and then was suspended, Sam McVaigh explained that there would be a requirement to offer full pay, as the suspension would override the sick leave. In this unlikely event, legal advice would also be sought.

Members thanked Sam McVaigh and his team for their hard work with the workforce policy reviews.

The Employment Panel agreed:

1. The revised Equality Policy for Employment.
2. To commend the revised Officer Employment Procedure Rules to Council for approval.
3. The new Learning and Development Policy which will replace Local Conditions: Section 2 – Learning, Training and Development, Appendix W: Employee Development Policy and the Equal Access to Learning Policy, all of which will be withdrawn
4. The revised Local Conditions: Section 4 – Hours and Leave
5. The new Flexible Working Policy
6. The amendments to the Council's Redundancy Procedure

6 URGENT BUSINESS

There was no urgent business.

COUNCILLOR T RAFIQ
Chair

(Note: The meeting started at 5.30 pm and ended at 6.20 pm)