

# STAFFING AND APPEALS COMMITTEE



**Tuesday, 18 February 2020**

**Democratic and Members' Services**

Fiona McMillan  
Monitoring Officer

**10:00**

Shire Hall  
Castle Hill  
Cambridge  
CB3 0AP

**Kreis Viersen Room  
Shire Hall, Castle Hill, Cambridge, CB3 0AP**

## **AGENDA**

**Open to Public and Press**

1. **Apologies for absence and declarations of interest**  
*Guidance on declaring interests is available at*  
<http://tinyurl.com/ccc-conduct-code>
2. **Minutes - 28th November 2019** **3 - 8**
3. **Draft Pay Policy Statement 2020-21 and Gender Pay Gap Reporting** **9 - 24**
4. **Cost of Living Increases 2020-2021** **25 - 26**
5. **Disciplinary Procedure for Statutory Officers** **27 - 36**

The Staffing and Appeals Committee comprises the following members:

Councillor Josh Schumann (Chairman)

Councillor David Ambrose Smith Councillor Barbara Ashwood Councillor Nichola Harrison

Councillor Peter Hudson Councillor Bill Hunt Councillor Linda Jones Councillor Mac McGuire

*For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact*

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**STAFFING AND APPEALS COMMITTEE - MINUTES**

**Date:** Thursday, 28th November 2019

**Time:** 10.00a.m. – 11.30a.m.

**Place:** Room 128, Shire Hall, Cambridge

**Present:** Councillors Ambrose-Smith, Ashwood, Harrison, Hudson, King (substituting for Councillor Hunt), and Schumann

**70. APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies received from Councillors Hunt and Whitehead. There were no declarations of interest.

**71. MINUTES – 16TH AUGUST 2019**

The minutes of the meeting held on 16th August 2019 were confirmed as a correct record and signed by the Chairman.

**72. CAMBRIDGESHIRE COUNTY COUNCIL PEOPLE STRATEGY**

The Committee received a report detailing a six monthly update on progress with the People Strategy action plan. It was noted that an officer led governance board had been established to lead and monitor the strategy related actions. Attention was drawn to progress to date against the five strategy themes of: Skills Development and Behaviour; Wellbeing; Resourcing: Employee Engagement; and Reward and Recognition. In relation to the two recent recruitment campaigns set out under the Resourcing theme, it was noted that these campaigns had focused on the motivation of people wishing to work for the Council such as the reputation and whether caseloads were manageable rather than salary.

The Committee welcomed this positive and detailed report, and individual Members raised the following in relation to the themes:

**Skills Development and Behaviours**

- welcomed the proposal to introduce a new appraisal process which would focus on more robust and regular conversations, rather than a reliance on a burdensome annual process.

**Wellbeing**

- welcomed the introduction of comprehensive mental health awareness training.

## **Resourcing**

- queried whether it had been difficult to attract retailers to take part in the employee discount scheme. It was noted that the scheme was managed by Vectis on behalf of the Council and other partner councils, and was therefore large enough to be viable for retailers.
- queried whether the Council paid interns the minimum wage and how it distinguished between interns and work experience. It was noted that interns were paid the national minimum wage. The Council exercised tight controls over work experience opportunities limiting them to two weeks.
- highlighted problems recruiting Highways Officers. The HR Director offered to update the Committee on plans in progress. It was suggested that the Council needed to be smarter about incentives. Members were informed that one of the incentives for a Highways Officer was a very clear career progression starting from apprenticeships. The Chairman reported that an independent analysis was always carried out of the reasons why the Council struggled to recruit. One Member commented that Highways Officers often left to join local highways companies as well as Highways England.
- highlighted the problem of retaining Public Health Officers who had the attraction of working for Public Health England. Although it was noted that many officers liked working for the Council and making a difference locally, there was still the issue of private versus public in relation to recruitment. The HR Director acknowledged the need to identify the competitive edge as to what attracted people to work for the public sector, which could include as well as making a difference, flexible working, and work life balance.
- suggested that the Shire Hall 2020 hub and spoke model could be used in the future as an attraction in relation to recruitment. Another Member raised the need to facilitate transport as far as possible for those employees who would have to make longer journeys. The Chairman reported that he was a member of the Shire Hall 2020 group and this was an absolute priority for the group.
- queried whether there was any research available regarding the pros and cons of flexible and agile working. One Member asked how managers would monitor employees with this lack of control. The Chairman reported that there was research available, he acknowledged that there were also cons with some people abusing the system but people could abuse the current system. The Council therefore needed to be clear as to how it would manage this. The HR Director reported that he could also provide data. He informed the Committee that many authorities were moving away from presenteeism in the workplace. However, this needed to be supported by regular dialogue between employees and their managers.

## **Employee Engagement**

- queried the measurables contained in the report. It was noted that there were a number of measurable contained in a report scheduled later on the agenda. The Committee was informed that the Council also conducted an employee survey every two to three years. It was queried why the Council did not carry out an employee survey every year. It was noted that annual surveys were more appropriate for smaller councils. For larger organisations with over 4,000 disparately placed employees, it was more appropriate to conduct a survey every two years. It was noted that this was because it took longer to survey more employees and for the resulting actions to have an effect. It was queried why it took so long to implement actions and whether the scale of intervention needed to be increased. It was noted that actions to improve would take longer for organisations with a larger number of employees as they were usually managed as part of the appraisal process. Mori, the market research company, recommended conducting a survey for an organisation as large as the Council a year and half to two years.

## **Other Issues**

- highlighted the need to attach the action plan, which contain clear outcomes and timescales, to reports in future.
- queried whether the Strategy had an end date. The Committee was informed that the Council had not had a strategy for a number of years. It was noted that it should have a plan covering no more than three years in order to reflect current challenges.

It was resolved unanimously to note the information contained in the report.

## **73. CAMBRIDGESHIRE COUNTY COUNCIL GENDER PAY GAP UPDATE**

The Committee received a report detailing an update on progress towards the actions outlined in the Gender Pay Gap action plan. The Council's Gender Pay Gap report had been published a year ago. Members were reminded that changes were likely to take time as the Council needed to change the way it operated and attitudes. The Government had predicted that the gender pay gap would not be closed until 2052. The HR Director reported that he had wanted to update the Committee rather than wait until March when more evidence would be available. Attention was drawn to the current picture which included pay quartiles, and the pay gap by grade. The Committee then focused on the following actions: Development Opportunities; Employee Engagement; Recruitment and Selection; and Working Practices. It was noted that all initiatives needed to be joined up.

Individual Members raised the following in relation to the report:

- queried whether it was possible to have a gender pay gap and have gender equality. The Committee was informed that there was not one single issue causing a problem. Instead there were smaller gaps across the organisation and the Council was looking as a whole to encourage movement. The Chairman suggested that whilst it might be difficult to achieve equal pay in the short term, the Council could achieve equality. The HR Director reported that the rules relating to the grading of new jobs were fair to everyone, as the pay

structure or the Council's policies did not discriminate. The reasons for a gender pay gap were complex and linked to employment culture and social patterns, most employers had gender pay gaps and some common reasons were things like women taking career breaks, caring or different approaches to negotiating.

- acknowledged that there had been a significant change in society and it was important to encourage changes. However, it was also important to be aware of the cultural assumptions behind them.
- noted the exceptional performance of Oxfordshire and Hertfordshire County Councils. The HR Director explained that some of the differences would be around what type of services these councils delivered. One Member highlighted the importance of benchmarking to identify how some authorities appeared to be performing better than Cambridgeshire. It was important not to dismiss this data just because some authorities operated differently.
- queried the possibility of annotating the benchmarking data to provide a clear explanation behind why some authorities performed differently to others. The HR Director reported that all authorities were required to complete for Government a rigid data template which provided no opportunity for context. It was noted that the context would need to be provided separately to the Committee.
- highlighted the fact that women did not self-promote as much as men. It was suggested that there should be some training on self-promotion and negotiation skills to ensure women were better equipped to progress in their career. It was important that the effectiveness of any such training was monitored. Another Member raised the need for this training to be open to everyone. In response, it was noted that this training was important to tackle a specific issue facing women. The Council therefore needed to consider ways of tackling this issue which did not exclude men who felt the need for similar support.
- highlighted the need to address the pay gap for other disadvantaged groups such as Black, Asian and Minority Ethnic (BAME). The Chairman reported that this issue had already been raised by Councillor Manning. The HR Director confirmed that it issue was being considered with the need to identify some non-discriminatory interventions. He informed the Committee that it was possible to ask employees to state their ethnic minority and other protected characteristics but some were reluctant to do so. It was easier to provide a breakdown of male or female employees. However, this was something being worked on. The Council needed to articulate to its employees the reason why it required this data. He confirmed that he would investigate how the Council could run a proactive campaign.

It was resolved unanimously to note the information contained in the report.

#### **74. CAMBRIDGESHIRE COUNTY COUNCIL WORKFORCE**

The Committee was provided with an overview of the workforce profile and employee relations activity. Attention was drawn to a breakdown of the workforce, turnover and employee relations and absence.

Individual Members raised the following in relation to the report:

- welcomed the fact that absences were decreasing and the workforce was getting younger. The HR Director reported that the latter had been helped by the apprenticeship agenda.
- queried why people were leaving e.g. retirement or managed out. It was noted that a project connected to the People Strategy would involve an in depth analysis of leavers. The HR Director reported that more information could be included on the online exit form. One Member queried whether the move to Alconbury had been cited as a reason for staff leaving. The Chairman reported that this had been flagged up with some positive and some negative responses.
- queried why the Council was looking at diversity information. The HR Director reported that as a large employer the Council needed to have evidence so it could review and ensure that it was being fair and equal to all its employees. The Chairman added that this information helped the Council to measure outliers and question why. Another Member queried that as a Council with an overwhelmingly white workforce whether it did enough to facilitate ethnic minorities. The Chairman asked whether it was possible to compare the workforce against the local populace. It was noted that census data was only available for 2011. However, it would be possible to update with new data. Another Member explained that people were packed full of biases and that it was important the Council watched for an institutional bias.

It was resolved unanimously to note the information contained in the report.

Chairman





**DRAFT PAY POLICY STATEMENT 2020-21**  
**AND GENDER PAY GAP REPORTING**

*To:* **Staffing and Appeals Committee**

*Date:* **18th February 2020**

*From:* **Martin Cox, HR Director**

*Purpose:* **The purpose of this report is to review the data due to be published on senior employee remuneration and the gender pay gap to ensure compliance with:**

- **The Local Government Transparency Code 2015**
- **Chapter 8 of the Localism Act 2011**
- **Equality Act 2010 (Gender Pay Gap Information) Regulations 2017**

*Recommendations:* **Staffing and Appeals Committee is asked to approve the Chief Officer Pay Policy Statement 2020/21 (Appendix 1) and the Gender Pay Gap Report 2020 (Appendix 3).**

<b><i>Officer contact:</i></b>		<b><i>Member contact</i></b>	
Name:	Martin Cox	Name:	Councillor Joshua Schumann
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## 1.0 BACKGROUND

- 1.1 In February 2015, the Secretary of State for Communities and Local Government issued The Local Government Transparency Code 2015. The code sets out the key principles in making local authorities more transparent and accountable to local people. The Council has been proactive in its compliance with this code.
- 1.2 In addition, under the Localism Act 2011, Local Authorities are required to prepare a Chief Officer Pay Policy Statement for each financial year. This policy statement must be approved by a resolution of the authority, i.e. full Council, and is required to be published by 31 March.
- 1.3 The Equality Act 2010 was recently updated to include new regulations on the reporting of the gender pay gap. The new legislation means we are required by law to publish a number of calculations that show the difference between the average earnings of men and women in our Council; it does not involve publishing individual employees' data. The data used for the calculations is the Council's pay data as of 31st March 2019.

## 2.0 CURRENT POSITION

- 2.1 In accordance with the Local Government Transparency Code 2015, we publish on the Council's website:
  - The names of employees paid £150,000 and above.
  - The post title, team, grade, salary range, (in £5000 brackets) and salary ceiling point for the top 3 tiers of the organisation, along with details of whether the appointments are permanent or temporary.
  - The post title, grade and salary range of employees earning £50,000 and above.
  - The 'pay multiple' – the ratio between the highest paid salary and the median salary of the authority's workforce.
  - Details of vacancies via the jobs portal.
- 2.2 This year is the third year that we are required to publish Gender Pay Gap data on the Government portal. In addition to this, we publish a summary of the data on the Council's website.

## 3.0 SENIOR OFFICER PAY DATA

- 3.1 The senior manager pay data is provided in **Appendix Two**. The data illustrates employees' total remuneration taking into account their earnings including additional payments i.e. market factor supplements and acting up allowances.
- 3.2 There are currently two posts in the organisation that are paid more than £150,000. These are:
  - Chief Executive Gillian Beasley with a salary of £173,596. This post is shared with Peterborough City Council on a 50/50 basis therefore Cambridgeshire pay 50% of this salary although Gillian is not directly employed by Cambridgeshire County Council.

- Rachel Stopard the Chief Executive Greater Cambridge Partnership with a salary of £167,244 (this is made up of basic salary and a market factor payment). The Greater Cambridge Partnership is an independently operated entity. The Partner Authorities jointly support GCP with the majority of GCP funding coming from a central government grant.
- 3.3 There are 29 posts in Tier 1 to 3 of the organisation (excluding posts paid below £50,000). This compares to 30 in the previous year. In addition to the Chief Executive, 19 posts in Tiers 1 to 3 are shared with Peterborough City Council. This is an increase of 5 shared posts at this level.
- 3.4 There are currently 128 officers earning £50,000 or above, 40 of which are in shared roles with other Councils. This is an increase from 118 posts the previous year. 25 posts at this level are now shared with Peterborough City Council, this compares to 11 shared roles in the previous year. 15 posts paid over £50,000 are part of LGSS Shared Services with costs being shared between the partner Councils.
- 3.5 The current mean salary for the organisation is £30,049 this compares to a mean salary of £29,288 in the previous year. The increase in the mean salary is accounted for by national changes in the NJC pay structure. These changes took effect from 1st April 2019 and resulted in larger pay increases for the bottom grades of the NJC pay scale, increasing the pay for our lowest paid employees.
- 3.6 The ratio of the Chief Executive's salary to the median salary in the organisation is 1:6 based on a median salary of £27,905. The ratio in the previous year was 1:7. The change in this ratio is influenced by an increase in the organisations median salary from £26,470 to £27,905. This change is due to the increased value of the bottom grades on the NJC pay scale. The Chief Executive's salary has remain unchanged from the previous year.

#### **4.0 CHIEF OFFICER PAY POLICY STATEMENT**

- 4.1 A copy of the Chief Officer Pay Policy Statement is provided in **Appendix One**. This has been updated to reflect changes in job titles and responsibilities.

#### **5.0 GENDER PAY GAP REPORT**

- 5.1 Gender pay reporting is used to assess the levels of gender equality in the workplace and the balance of male and female employees at different levels of the Council. A copy of the Gender Pay Gap Report is provided in **Appendix Three**.
- 5.2 The data shows the Council's mean gender pay gap is 8% against a national public sector picture of 15.7%. Last year our mean gender pay gap was 13%.
- 5.3 The Council's median gender pay gap is 9% against a national public sector median pay gap of 16.8%. Last year our median gender pay gap was 19%.
- 5.4 For the past two years, a full review into the gender pay gap has been carried out. Consideration has been paid to the gender pay gap within different

grades and professions of the workforce, the performance appraisal process, recruitment and selection practices and also within apprenticeships.

- 5.5 It is acknowledged that the reduction in the mean and median pay gap reported this year is in part due to the closure of the Council's Catering and Cleaning Service. However, as outlined in the most recent gender pay gap review there is also a considerable amount of work that has been completed, and will continue to take place to reduce the pay gap.
- 5.6 The Gender Pay Gap will continue to be monitored throughout the year, with Committee being advised on progress during the year.

Source Documents	Location
The Local Government Transparency Code 2015	Martin Cox HR Director, LGSS Cambridgeshire County Council Box No: OCT 1106 Shire Hall Cambridge CB3 0AP  MCox@Northamptonshire.gov.uk
Chief Officer Pay Policy Statement	
Gender Pay Gap Report	

# Chief Officer Pay Policy Statement – 2020/2021

**Effective from 1st April 2020**

## **1. Introduction**

Cambridgeshire County Council is committed to operating consistent, transparent and equitable pay arrangements for employees and are committed to ensuring equal pay in employment.

This Chief Officer Pay Policy Statement fulfils the Council's statutory requirements under Chapter 8 of the Localism Act 2011 ("the Act") and was agreed by full Council in March 2020. The Chief Officer Pay Policy applies to all Statutory and Non-Statutory Chief Officers, (including Deputies), of Cambridgeshire County Council.

In accordance with the Government's Code of Recommended Practice for Local Authorities on Data Transparency, the Council publishes information on all employees earning £50,000 or above.

## **2. Scope**

This Statement details the pay policy and practice in relation to all Statutory and Non-Statutory Chief Officers, (including Deputies) as defined under our constitution.

## **3. Basic Pay Determination**

The pay grade and the terms and conditions that are applied to each post are determined through the process of HAY job evaluation. This is an analytical scheme, which measures the relative size of jobs across the organisation. The key principles underlying our application of job evaluation are:

- Consistently applied across the authority to ensure fairness.
- Applied by appropriately trained and experienced employees.
- Quality assured to ensure that standards are maintained.
- Open and transparent and accessible for employees and their representatives.
- Considers the relative size of jobs and not the postholders or pay grades.
- Wholly dependent on job role, function and accountability.

## **4. Chief Officer Pay (Corporate Leadership Team)**

### Pay Scale

The pay scale for the Corporate Leadership Team is available on our website.

### Staffing and Appeals Committee

The Staffing and Appeals Committee determines, on behalf of full Council, application of the pay policy regarding the remuneration of Statutory and Non Statutory Chief Officers (including Deputies), of the organisation. The Staffing and Appeals Committee comprises 8 members of the Council.

When determining application of the pay policy, the Committee is advised by the Head of Paid Service and LGSS HR Director (or his/her nominees). The Committee may, having sought the advice of the above, choose to be advised by an external independent advisor as appropriate.

### Pay Award

There is no automatic cost of living increase. The Staffing and Appeals Committee, in consultation with the Chief Executive, determines the level of increase if any, to be applied to the published pay rates for Chief Officers, by reference to our performance against Key Measurable Targets and overall affordability given the prevailing budget decision. In addition, the national award is used as a benchmark for the cost of living award. Any such recommendation is reported to the Staffing and Appeals Committee.

### Flexibility for Non-Consolidated Payments

The Staffing and Appeals Committee has the flexibility to award one off non-consolidated performance awards. These are applied in exceptional circumstances only, where individuals have performed above and beyond their job role. Again this will be dependent on clear performance criteria and evidenced outcomes as well as affordability.

Any non-consolidated performance award will be a one-off temporary award for a maximum of one year and based on the development points within each Director Pay grade boundaries and will not exceed the "Absolute Ceiling" of these pay and grade boundaries.

### Individual Salary Progression

There is no automatic progression through the development points. Personal development in role may be recognised by the award of discretionary consolidated pay movements each year, in accordance with the locally agreed step values, through the pay/development points.

Application of individual development points will be determined each year by the Chief Executive, taking into consideration the individual's performance, as evidenced by the Performance Appraisal and Development Programme (PADP) rating and overall affordability given our prevailing budget position.

Awards may be considered only on completion of Personal Development Plans and where contribution and competence have been suitably evidenced and assessed via the appraisal scheme. Progression will not go beyond the "Absolute Ceiling" set for each grade.

### Acting Up / Partial Acting Up and Honorarium Payments

Where an officer is required to Act-Up into a higher level Chief Officer/Deputy Chief Officer post he/she will normally be remunerated at the bottom of the higher graded post's development point range.

The decision to Act an officer up into a Chief Officer/Deputy Chief Officer post will be within the remit of the Staffing and Appeals Committee. Where a Chief Officer/Deputy Chief Officer is required to take on temporary additional responsibilities the Staffing and Appeals Committee may consider awarding an honorarium payment based on the difference of his/her current salary and the additional partial role he/she is required to carry out. There will be no flexibility to award above the "Absolute Ceiling" for the role.

Any honorarium payments made to the Chief Executive will be subject to Full Council approval as would any payment made to the Returning Officer. In election years, full Council will be asked to agree any payment to be made to the Returning Officer at the same time as agreeing the Pay Policy.

### Market Supplement Payments

Where a business case is put forward to pay a market supplement, this will be presented to the Staffing and Appeals Committee advised by the HR Director (or his/her nominees) and Chief Executive for consideration. Any market supplement would be based on a detailed business case that demonstrates some or all of the following:

- Evidence of unsuccessful recruitment campaigns
- Evidence of comparable roles paid at higher levels in benchmark authorities
- Significant evidence of higher than normal turn over/attrition rates
- Significant business continuity/service delivery risks

Any market supplement rate would be temporary for a maximum period of 12 months. Market premiums would be made only in exceptional circumstances and subject to affordability.

Any proposed market supplement payments made to the Chief Executive would be subject to the above and Full Council approval.

#### **5. Pay Equity – The Pay Multiple**

The Council monitors the relationship between the remuneration of its Chief Officers and Deputies and the rest of the workforce.

The current ratio of the Chief Executive's FTE salary to the median salary in the organisation is 1:6 based on a median salary of £27,905.

#### **6. Termination of Employment**

On ceasing to be employed by the Council, employees will be paid contractual payments due under their contract of employment. Our Redundancy Policy details the conditions under which redundancy payments can be made. We calculate redundancy payments based on an individual's actual pay, length of continuous service and age.

#### **7. Review**

This pay policy statement will be reviewed annually and recommended to Full Council for approval. We may by resolution of the Full Council, amend this Pay Policy Statement during the course of the year to which it relates.





		Total Remuneration in £5K bands (except for roles with total remuneration of 150,000 and above)	Bottom of pay grade	Top of the pay grade	Employment Term	Notes
<b>Directorate</b>	<b>Position (post holder details are given for posts with remuneration above £150,000)</b>					
Public Health	Director of Public Health	100,000-104,999	£ 78,304	£ 105,570	Permanent	Shared post with PCC
Public Health	Deputy Director Public Health	80000-84999	£ 68,598	£ 84,932	Permanent	Shared post with PCC
Public Health	Senior Public Health Consultant	70000-74999	£ 78,304	£ 105,570	Permanent	Shared post with PCC
Public Health	Assistant Director Public Health Intelligence	55000-59999	£ 48,039	£ 59,387	Permanent	Shared post with PCC
Resources	Deputy Chief Executive and Chief Finance Officer	140000-144999	£ 118,317	£ 135,469	Permanent	
Resources	Head of Finance	70000-74999	£ 68,653	£ 74,161	Permanent	
Resources	Strategic Finance Manager	55000-59999	£ 57,738	£ 62,328	Permanent	
Resources	Strategic Finance Manager	55000-59999	£ 57,738	£ 62,328	Permanent	
Resources	Strategic Finance Manager	60000-64999	£ 57,738	£ 62,328	Permanent	
Resources	Area Manager Rural	50000-54999	£ 48,302	£ 52,127	Permanent	
Resources	Facilities Manager	50000-54999	£ 48,302	£ 52,127	Permanent	
Resources	Strategic Finance Manager	55000-59999	£ 57,738	£ 62,328	Permanent	
Customer & Digital Services	Director of Customer & Digital Services	105000-109999	£ 104,706	£ 121,859	Permanent	Shared post with PCC
Customer & Digital Services	Service Director, Legal and Governance	95000-99999	£ 94,333	£ 105,783	Permanent	Shared post with PCC
Customer & Digital Services	Emergency Planning Manager	50000-54999	£ 48,302	£ 52,127	Permanent	Shared post with PCC
Customer & Digital Services	Head of Customer Services	55000-59999	£ 57,738	£ 62,328	Permanent	
Customer & Digital Services	Democratic Services Manager	50000-54999	£ 48,302	£ 52,127	Permanent	
Customer & Digital Services	Head of Communications and Information	70000-74999	£ 68,653	£ 74,161	Permanent	Shared post with PCC
Customer & Digital Services	Group Asset Manager	60000-64999	£ 57,738	£ 62,328	Permanent	
Customer & Digital Services	Head of IT & Digital Service	65000-69999	£ 68,653	£ 74,161	Permanent	Shared post with PCC
						The Partner Authorities jointly support GCP. The majority of the GCP funding comes from a central government grant. This post has remuneration that is higher than the top of the pay scale for the position due to additional elements of pay received on top of basic salary
Customer & Digital Services	Chief Executive Greater Cambridge Partnership, Rachel Stopard	167244	£ 125,749	£ 148,626	Permanent	
Customer & Digital Services	Data Protection Officer	55000-59999	£ 57,738	£ 62,328	Permanent	
Customer & Digital Services	Strategic Lead IT Shared Service	90000-94999	£ 85,741	£ 97,192	Permanent	
Customer & Digital Services	Greater Cambridge Partnership Transport Director	115000-119999	£ 104,706	£ 121,859	Permanent	
Customer & Digital Services	Head of Strategy and Programme	65000-69999	£ 68,653	£ 74,161	Permanent	
Customer & Digital Services	Head of Communications	55000-59999	£ 57,738	£ 62,328	Permanent	
Business Improvement	Service Director Business Improvement and Development	120000-124999	£ 118,317	£ 135,469	Permanent	Shared post with PCC
Business Improvement	Head of Transformation	60000-64999	£ 68,653	£ 74,161	Permanent	
Business Improvement	Head of Business Intelligence	65000-69999	£ 68,653	£ 74,161	Permanent	Shared post with PCC
Business Improvement	Transformation Manager	50000-54999	£ 48,302	£ 52,127	Permanent	
Business Improvement	Business Intelligence Manager Research	50000-54999	£ 48,302	£ 52,127	Permanent	
LGSS	Insurance and Risk Manager	50000-54999	£ 48,302	£ 52,127	Permanent	Part of LGSS Shared Service, costs shared with LGSS partners
LGSS	Head of LGSS Business Planning and Finance	60000-64999	£ 68,653	£ 74,161	Permanent	Part of LGSS Shared Service, costs shared with LGSS partners
LGSS	Chief Finance Section 151 Officer (Norwich)	60000-64999	£ 68,653	£ 74,161	Permanent	Part of LGSS Shared Service, costs shared with LGSS partners
LGSS	Infrastructure Support Manager	50000-54999	£ 48,302	£ 52,127	Permanent	Part of LGSS Shared Service, costs shared with LGSS partners
LGSS	Head of HR Advisory Services East	70000-74999	£ 68,653	£ 74,161	Permanent	Part of LGSS Shared Service, costs shared with LGSS partners
LGSS	Strategic Audit Manager	55000-59999	£ 57,738	£ 62,328	Permanent	Part of LGSS Shared Service, costs shared with LGSS partners
LGSS	Commercial Finance Business Partner	60000-64999	£ 57,738	£ 62,328	Permanent	Part of LGSS Shared Service, costs shared with LGSS partners
LGSS	Strategic Audit Manager	65000-69999	£ 57,738	£ 62,328	Permanent	Part of LGSS Shared Service, costs shared with LGSS partners
LGSS	HR Business Partner	50000-54999	£ 48,302	£ 52,127	Permanent	Part of LGSS Shared Service, costs shared with LGSS partners
LGSS	HR Business Partner	50000-54999	£ 48,302	£ 52,127	Permanent	Part of LGSS Shared Service, costs shared with LGSS partners
LGSS	Audit and Risk Manager	50000-54999	£ 48,302	£ 52,127	Permanent	Part of LGSS Shared Service, costs shared with LGSS partners

LGSS	Transformation Programme Manager	50000-54999	£ 48,302	£ 52,127	Permanent	Part of LGSS Shared Service, costs shared with LGSS partners
LGSS	HR Policy and Projects Team Manager (CCC)	50000-54999	£ 57,738	£ 62,328	Permanent	Part of LGSS Shared Service, costs shared with LGSS partners
LGSS	Digital Programme Delivery Manager	50000-54999	£ 48,302	£ 52,127	Permanent	Part of LGSS Shared Service, costs shared with LGSS partners
LGSS	Business Systems Service & Support Manager	50000-54999	£ 48,302	£ 52,127	Permanent	Part of LGSS Shared Service, costs shared with LGSS partners
Place and Economy	Joint Executive Director, Place & Economy	80000-84999	£ 125,749	£ 148,626	Permanent	Shared post with PCC
Place and Economy	Executive Director	130000-134999	£ 125,749	£ 148,626	Permanent	Shared post with PCC
Place and Economy	Business Manager County Planning Minerals and Waste	65000-69999	£ 48,302	£ 52,127	Permanent	Individual currently receiving allowance for additional duties
Place and Economy	Historic Environment Manager	60000-64999	£ 42,742	£ 45,956	Permanent	Individual currently receiving allowance for additional duties
Place and Economy	Assistant Director, Highways	85000-89999	£ 85,741	£ 97,192	Permanent	
Place and Economy	Assistant Director, Infrastructure and Growth	85000-89999	£ 85,741	£ 97,192	Permanent	
Place and Economy	Programme Director Connecting Cambridgeshire	75000-79999	£ 77,171	£ 88,621	Permanent	
Place and Economy	Group Manager Transport Strategy and Funding	55000-59999	£ 57,738	£ 62,328	Permanent	
Place and Economy	Traffic Manager	50000-54999	£ 48,302	£ 52,127	Permanent	
Place and Economy	Business Manager Growth and Development	50000-54999	£ 48,302	£ 52,127	Permanent	
Place and Economy	Commission Manager Community Infrastructure	50000-54999	£ 48,302	£ 52,127	Permanent	
Place and Economy	Commission Manager Waste	55000-59999	£ 48,302	£ 52,127	Permanent	
Place and Economy	Highways Maintenance Manager	50000-54999	£ 48,302	£ 52,127	Permanent	
Place and Economy	Highways Asset Manager	50000-54999	£ 48,302	£ 52,127	Permanent	
Place and Economy	Transport and Infrastructure Strategy Manager	50000-54999	£ 48,302	£ 52,127	Permanent	
Place and Economy	Team Leader Cycling Projects	50000-54999	£ 48,302	£ 52,127	Permanent	
Place and Economy	Team Leader Highway Projects	50000-54999	£ 48,302	£ 52,127	Permanent	
Place and Economy	Transport Assessment Manager	50000-54999	£ 42,742	£ 45,956	Permanent	
Place and Economy	Waste Partnership Manager	50000-54999	£ 48,302	£ 52,127	Permanent	
People and Communities	Service Director Adults	120000-124999	£ 118,317	£ 135,469	Permanent	Shared post with PCC
People and Communities	Service Director	120000-124999	£ 118,317	£ 135,469	Permanent	Shared post with PCC
People and Communities	Director of Education	120000-124999	£ 118,317	£ 135,469	Permanent	Shared post with PCC
People and Communities	Head of Service Early Years	65000-69999	£ 68,653	£ 74,161	Permanent	
People and Communities	Head of Service Schools Intervention	70000-74999	£ 68,653	£ 74,161	Permanent	
People and Communities	Head of Service SEND	60000-64999	£ 68,653	£ 74,161	Permanent	
People and Communities	Assistant Director	90000-94999	£ 85,741	£ 97,192	Permanent	
People and Communities	Assistant Director Housing Communities and Youth	95000-99999	£ 94,333	£ 105,783	Permanent	Shared post with PCC
People and Communities	Head of Service Adults Integration	55000-59999	£ 57,738	£ 62,328	Permanent	Shared post with PCC
People and Communities	Assistant Director Cambridgeshire	90000-94999	£ 94,333	£ 105,783	Permanent	
People and Communities	Head of Adult Safeguarding/Principal Social Worker	65000-69999	£ 68,653	£ 74,161	Permanent	Shared post with PCC
People and Communities	Assistant Director – Education Capital & Place Planning	90000-94999	£ 94,333	£ 105,783	Permanent	Shared post with PCC
People and Communities	Head of Virtual School	55000-59999	£ 57,738	£ 62,328	Permanent	
People and Communities	Senior Adviser Quality Assurance Team	55000-59999	£ 57,738	£ 62,328	Permanent	
People and Communities	Safeguarding Manager	50000-54999	£ 48,302	£ 52,127	Permanent	
People and Communities	Education ICT Manager	55000-59999	£ 57,738	£ 62,328	Permanent	
People and Communities	Head of Cambridgeshire Music	50000-54999	£ 48,302	£ 52,127	Permanent	
People and Communities	Manager Grafham Water Centre	50000-54999	£ 48,302	£ 52,127	Permanent	
People and Communities	Service Manager	50000-54999	£ 48,302	£ 52,127	Permanent	
People and Communities	Early Years Sector Development Manager	50000-54999	£ 48,302	£ 52,127	Permanent	
People and Communities	Lead Mathematics Adviser	50000-54999	£ 48,302	£ 52,127	Permanent	
People and Communities	Primary Adviser	55000-59999	£ 57,738	£ 62,328	Permanent	
People and Communities	Education Adviser	60000-64999	£ 57,738	£ 62,328	Permanent	
People and Communities	Primary Adviser	55000-59999	£ 57,738	£ 62,328	Permanent	
People and Communities	Head of Service Operations	50000-54999	£ 68,653	£ 74,161	Permanent	
People and Communities	Operational Lead, Provider Services	50000-54999	£ 48,302	£ 52,127	Permanent	
People and Communities	Continuing Healthcare Manager	50000-54999	£ 48,302	£ 52,127	Permanent	Shared post with PCC
People and Communities	Strengthening Communities Service Manager	50000-54999	£ 48,302	£ 52,127	Permanent	
People and Communities	Principal Child and Family Social Worker	50000-54999	£ 48,302	£ 52,127	Permanent	
People and Communities	Partnerships and Service Development Manager	50000-54999	£ 48,302	£ 52,127	Permanent	
People and Communities	County Alternative Education Manager	50000-54999	£ 48,302	£ 52,127	Permanent	

People and Communities	Head of Adults Commissioning	65000-69999	£ 68,653	£ 74,161	Permanent	
People and Communities	Lead Service Manager Integration and Practice	55000-59999	£ 57,738	£ 62,328	Permanent	
People and Communities	Manager Sensory Support Team 0-25 years	55000-59999	£ 41,065	£ 114,060	Permanent	
People and Communities	Service Manager Safeguarding	50000-54999	£ 48,302	£ 52,127	Permanent	
People and Communities	Head of Youth Support	65000-69999	£ 68,653	£ 74,161	Permanent	Shared post with PCC
People and Communities	Head of Mental Health	70000-74999	£ 68,653	£ 74,161	Permanent	
People and Communities	Head of Service Transfers of Care	65000-69999	£ 68,653	£ 74,161	Permanent	Shared post with PCC
People and Communities	Lead Service Manager Operations	55000-59999	£ 57,738	£ 62,328	Permanent	
People and Communities	Strategic Education Place Planning Manager	55000-59999	£ 57,738	£ 62,328	Permanent	Shared post with PCC
People and Communities	Senior Adviser- Intervention and Safeguarding	50000-54999	£ 57,738	£ 62,328	Permanent	
People and Communities	Assistant Director Corporate Parenting and Specialist Services	95000-99999	£ 94,333	£ 105,783	Permanent	Shared post with PCC
People and Communities	Commercial Manager	50000-54999	£ 48,302	£ 52,127	Permanent	
People and Communities	Education Health Safety and Wellbeing Adviser	50000-54999	£ 48,302	£ 52,127	Permanent	
People and Communities	Education Adviser	50000-54999	£ 48,302	£ 52,127	Permanent	
People and Communities	Head of Service Countywide and LAC	70000-74999	£ 68,653	£ 74,161	Permanent	
People and Communities	Head of Service Early Help North	70000-74999	£ 68,653	£ 74,161	Permanent	
People and Communities	Head of Service Early Help South	70000-74999	£ 68,653	£ 74,161	Permanent	
People and Communities	Head of Service Safeguarding South	65000-69999	£ 68,653	£ 74,161	Permanent	
People and Communities	Permanency Practice Development Manager	50000-54999	£ 48,302	£ 52,127	Permanent	
People and Communities	Service Manager Reablement City and South	50000-54999	£ 48,302	£ 52,127	Permanent	
People and Communities	Head of Disability	65000-69999	£ 68,653	£ 74,161	Permanent	
People and Communities	Senior Educational Psychologist ASC, SLCN	55000-59999	£ 46,607	£ 62,849	Permanent	
People and Communities	Educational Psychologist	55000-59999	£ 37,175	£ 55,040	Permanent	
People and Communities	Operations Manager Education ICT	50000-54999	£ 48,302	£ 52,127	Permanent	
People and Communities	Youth Offending Service Manager	50000-54999	£ 48,302	£ 52,127	Permanent	
People and Communities	Head of Pilgrim PRU	50000-54999	£ 41,065	£ 114,060	Permanent	
People and Communities	District Manager Safeguarding	50000-54999	£ 48,302	£ 52,127	Permanent	
People and Communities	Service Manager, Children in Care	50000-54999	£ 48,302	£ 52,127	Permanent	
People and Communities	Educational Psychologist	50000-54999	£ 37,175	£ 55,040	Permanent	
People and Communities	Lead Corporate Parenting Manager	55000-59999	£ 57,738	£ 62,328	Permanent	
People and Communities	Partnerships and Developing Practice Officer	50000-54999	£ 48,302	£ 52,127	Fixed Term	
People and Communities	Team Manager, Emergency Duty Team	50000-54999	£ 42,742	£ 45,956	Permanent	

Note: There is no overlap between the salary points on the pay spine.

The employees' current range above illustrates the £5,000 range that their salary falls within and does not take account of the grade starting point or ceiling.



## Gender Pay Gap Report

Published March 2020

Cambridgeshire County Council is an employer required by law to carry out Gender Pay Reporting under the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017. This involves carrying out calculations that show the difference between the average earnings of men and women in our Council; it will not involve publishing individual employees' data. The data used for the calculations is the Council's pay data as of 31<sup>st</sup> March 2019.

We are required to publish the results on a government gender pay gap website, and in addition we publish the high level results on the Cambridgeshire County Council website alongside our pay and transparency data.

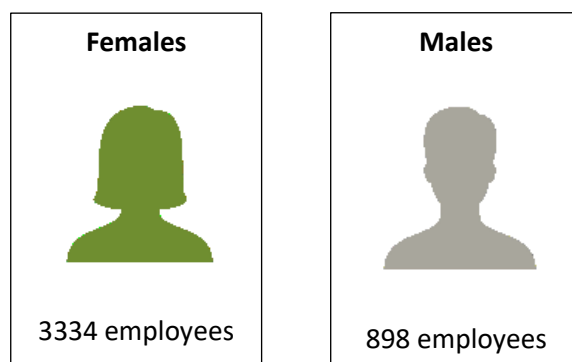
Gender pay reporting is used to assess:

- the levels of gender equality in our workplace
- the balance of male and female employees at different levels

Few employers in Cambridgeshire can boast the breadth and variety of roles we enjoy at Cambridgeshire County Council. With over 4000 employees, we are one of the biggest employers in the County, with a diverse workforce to be proud of.

We are committed to equality within our workforce, and our flexibility, working practices and wide range of roles ensure that we encourage and support women to come to work for us, and develop their long-term career to stay with us.

### Our Workforce Profile



### Action We Are Taking

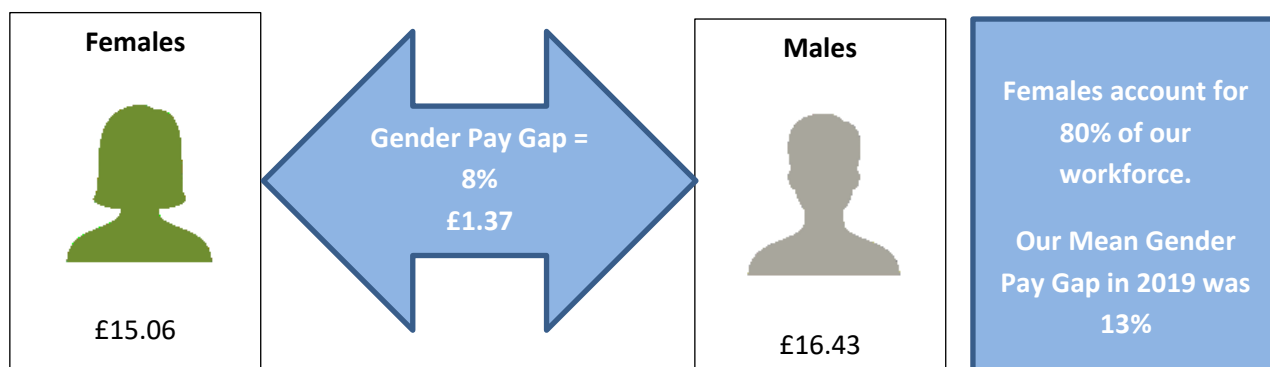
Our current workforce data tells us that the council is attracting and retaining women and we have a fairly representative number of female employees across all four pay quartiles. The council has a fair and equitable pay policy in place and promotes flexible working practices. All jobs in the council are evaluated using the Hay methodology to ensure we have equal pay for male and female employees carrying out the same work.

We undertake a full review and audit into our gender pay gap every year. This includes analysis of quantitative data including starters and leavers, workforce and recent staff survey results as well as qualitative data gained through talking to our employees.

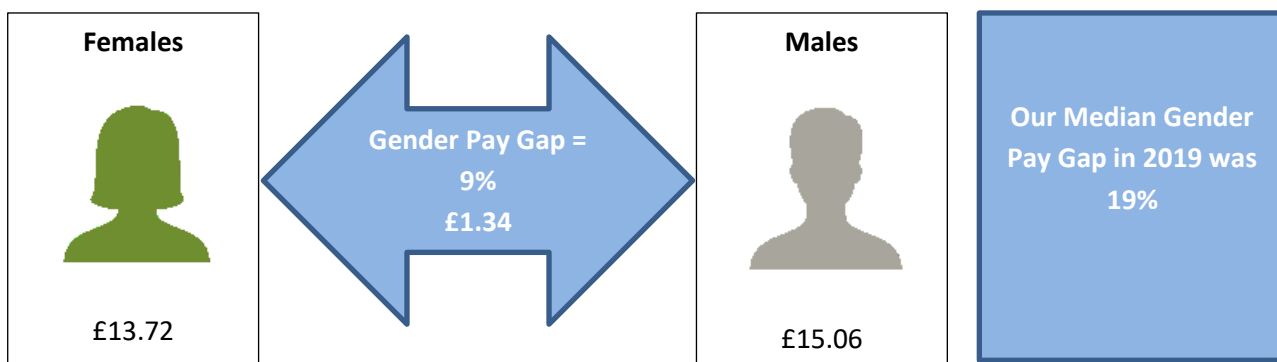
The analysis and research undertaken as a result of these reviews emphasise that there is no quick win or simple solution to reduce a gender pay gap in the workforce. The only way to reduce our gender pay gap is to take a long term view of resourcing, developing and engaging our workforce, and the following table summarises the current actions that we are taking to reduce our pay gap.

Theme:	Action:
<b>Improve development opportunities for female employees</b> We do not have a problem attracting and retaining our female workforce. However, our next steps are to invest in developing and empowering our female employees to encourage them to move into more senior roles.	<ul style="list-style-type: none"> <li>• Develop clear career pathways for female employees.</li> <li>• Managers and leaders need to be trained in how to spot talent and encourage employees to develop.</li> <li>• Employees will be encouraged to take sideways moves as well as promotional roles to broaden their knowledge.</li> <li>• Our recruitment and selection training will be updated with an emphasis on this. We will promote and encourage managers to attend this training.</li> <li>• Analysis is required to identify hard to fill and traditionally male dominated roles to encourage greater diversity in these posts.</li> <li>• Implement a suite of development initiatives to empower female employees. For example coaching, mentoring and skills development. Females will be more confident in recognising their value and skilled in negotiating their development opportunities and package.</li> </ul>
<b>Engagement</b> Female employees are more likely to need to be encouraged to apply for new posts or development opportunities rather than apply for opportunities themselves.	<ul style="list-style-type: none"> <li>• Increased communication from female senior leaders (for example blogs Q&amp;A sessions) to provide increased visibility of female leaders and role model career growth.</li> <li>• Create professional networking groups for all employees working full and part time.</li> </ul>
<b>Recruitment and selection</b> We need to improve how we attract and retain females into roles where they are less represented.	<ul style="list-style-type: none"> <li>• Review of recruitment processes to ensure there is no gender bias post shortlisting.</li> <li>• Review of sample job descriptions/adverts to ensure there is no subtle gender bias.</li> </ul>
<b>Working Practices</b> Flexible working practices will improve retention of our staff and allow employees with non-work responsibilities (i.e. family commitments, studying) to continue to progress through the council without compromising their work/life balance.	<ul style="list-style-type: none"> <li>• Have an agreed definition of flexible and agile working, endorsed by the Chief Executive, that is workable through all management tiers, subject to service needs.</li> <li>• As part of the Cambs2020 programme a programme of training will be rolled out across all teams to support improved flexible and agile working. Managers will need to understand how to flex individual working practices to manage the impact on the team.</li> <li>• Managers to consider working practices and how they could be made more flexible. For example review purpose, duration and frequency of meetings and consider how the use of IT for example could facilitate flexible working for employees.</li> </ul>

### Mean Gender Pay Gap in Hourly Pay



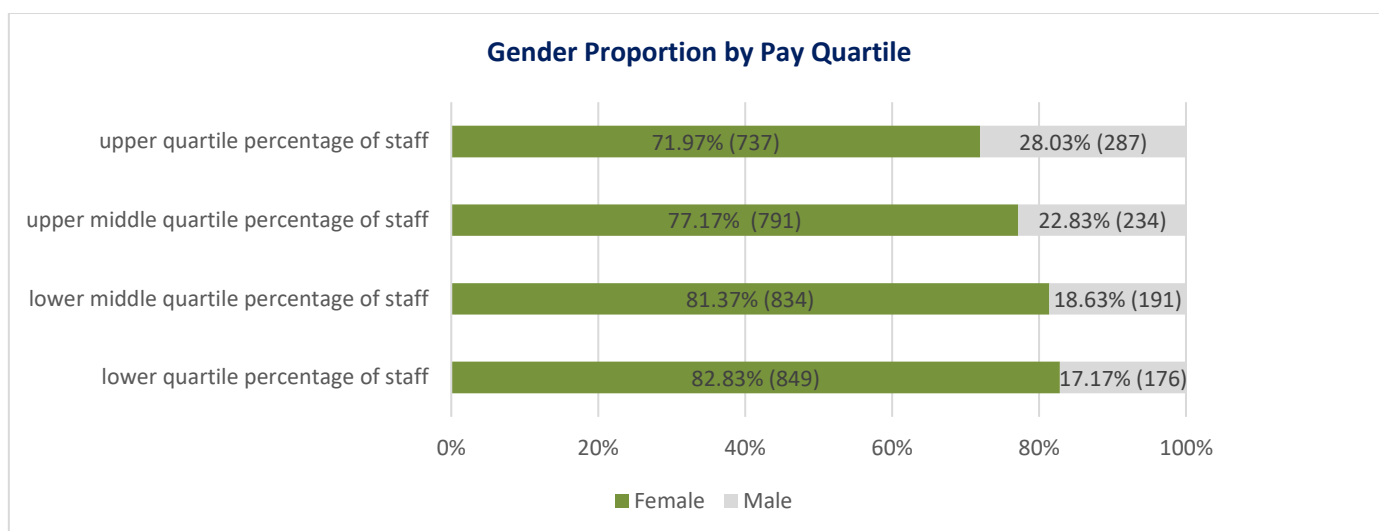
## Median Gender Pay Gap in Hourly Pay



## Mean, Median and Proportion of Males and Females Receiving a Bonus Payment

Cambridgeshire County Council does not operate a bonus payment scheme, and therefore has no bonus payment gender pay gap.

## Proportion of Males and Females in Each Pay Quartile



The graph above outlines the gender split by pay quartile and illustrates the quartile split by percentage and employee numbers. The lower quartile range relates to hourly rates of up to £10.80. The lower middle quartile is hourly rates of £10.80 - £13.72. The upper middle quartile is hourly rates of £13.72 – £18.35. The upper quartile relates to hourly rates of £18.35 and above. Please note that these figures exclude employees on reduced pay such as absence/maternity and adoption leave/career breaks, and therefore does not correspond to the total headcount figure.

Further analysis of the data demonstrates that females are fairly evenly spread across the pay quartiles, whereas males are more highly represented in the upper two quartiles. This distribution explains the higher median hourly rate for males. It's pleasing to report that in 3 of the 4 quartiles, a more positive gender proportion is reported this year.

## Next Steps

The challenge in our Council, as it is nationally, is to eliminate any gender pay gap. We will continue to work on initiatives to reduce our gender pay gap including further mid-year analysis and reporting.





**COST OF LIVING INCREASES 2020-2021**

*To:* **Staffing and Appeals Committee**

*Date:* **18th February 2020**

*From:* **Martin Cox, HR Director**

*Purpose:* **To provide Committee with an update on the national cost of living negotiations, and to ask for approval and endorsement of an increase for locally agreed pay scales.**

*Recommendations:* **The Committee is asked to:**

- a) endorse the 2% uplift to the Professional and Management pay grades.**
- b) consider the options for the cost of living increase to the Corporate and Leadership pay scale, and to agree on a percentage uplift to apply.**

<b><i>Officer contact:</i></b>		<b><i>Member contact</i></b>	
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Tel:	07921 092743	Tel:	01223 706398

## 1.0 PURPOSE

- 1.1 This paper sets out options and considerations relating to a cost of living uplift for the locally agreed Professional and Management (P&M) and Corporate Leadership Team (CLT) grades.
- 1.2 National negotiations apply to the National Joint Council (NJC) pay scale that covers the Councils 1-S02 grades. A 2% increase offered by the National Employers was rejected by the Trade Unions earlier this month and further negotiations are ongoing. It is expected that a one year pay deal will be agreed, and it is likely that this will be in excess of the 2% already offered.
- 1.3 The Council's mid-term financial planning has assumed and budgeted for a 2% increase across the P&M and CLT pay scales.
- 1.4 The P&M and CLT pay grades have had a 1% uplift in each of the past two years, in comparison to increases across the NJC pay scales of between 2% – 7.3% (depending on scale points – the lower grades saw higher increases).

## 2.0 OPTIONS – P&M AND CLT PAY SCALES

- 2.1 The table below outlines the cost of uplifting the two pay scales by 1% and 2%.

Option	Description	Cost Implications*
Option 1: 1% uplift	1% uplift applied to the P&M and CLT grades	£538k for P&M £28k for CLT
Option 2: 2% uplift	2% uplift applied to the P&M and CLT grades	£1.077m for P&M £57k for CLT

\*An additional cost of up to £25k has been identified to allow the increase to be applied to TUPE protected equivalent grades.

- 2.2 In addition to those outlined above, further options include no uplift, or deferring decision until the national negotiations have taken place. However, although consideration is paid to the national picture, the P&M and CLT pay scales are locally agreed.
- 2.3 In line with their delegated responsibility, the Council's Joint Management Team have considered an uplift to the P&M pay scales and have recommended a 2% uplift to apply from April 2020.

Source Documents	Location
No source documents	Not applicable

**DISCIPLINARY PROCEDURE FOR STATUTORY OFFICERS**

*To:* **Staffing and Appeals Committee**

*Date:* **18th February 2020**

*From:* **Martin Cox, HR Director**

*Purpose:* **To provide Committee with an overview of the disciplinary procedure that will apply to statutory officers.**

*Recommendations:* **The Committee is asked to agree the adoption of this procedure and the amendments to the Staffing and Appeals Committee terms of reference within the Constitution.**

<b><i>Officer contact:</i></b>		<b><i>Member contact</i></b>	
Name:	Martin Cox	Name:	Councillor Joshua Schumann
Post:	HR Director	Portfolio:	Chairman of the Staffing and Appeals Committee
e-mail:	mcox@northamptonshire.gov.uk	e-mail:	Joshua.Schumann@cambridgeshire.gov.uk
Tel:	07921 092743	Tel:	01223 706398

## **1.0 PURPOSE**

- 1.1 The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 requires local authorities to have a disciplinary procedure for statutory officers. This paper outlines the procedure that is being recommended for Cambridgeshire County Council and seeks approval for this document.

## **2.0 THE PROPOSED PROCEDURE**

- 2.1 This document (shown in **appendix one**) outlines the disciplinary procedure that will apply to the following roles, referred to in the procedure as Statutory Officers:
- Chief Executive
  - Section 151 officer
  - Monitoring Officer
- 2.2 This procedure is based on the model procedure provided by the JNC (Joint Negotiating Committee) and complies with the relevant legislative requirements

## **3.0 ROLES IN THE PROCEDURE**

- 3.1 The procedure has the following roles:
- Investigating and Disciplinary Committee (IDC)
  - Independent Investigator
  - Independent Panel
  - Full Council.

This procedure outlines the actions that each of these roles is responsible for undertaking.

- 3.2 In summary the IDC is responsible for:
- deciding whether a statutory officer is suspended
  - appointing an independent investigator
  - considering the outcome of the independent investigation and the input of the statutory officer (in a meeting following the format of a disciplinary hearing)
  - deciding if disciplinary action should be taken
  - where considered appropriate, making a proposal to dismiss to the Independent Panel and Full Council.
- 3.3 It is proposed that the Staffing and Appeals Committee will act as the IDC. However the policy allows for flexibility as to who makes up the IDC to prevent any potential conflicts of interest.
- 3.4 In order to fulfil the function of the IDC we are proposing an addition to the terms of reference of the Staffing and Appeals Committee as follows:

“Authority to act as Investigating and Disciplinary Committee (IDC) to consider any disciplinary issues in relation to the Chief Executive, Monitoring Officer or

Section 151 Officer as detailed in the Disciplinary Procedure for Statutory Officers”.

Source Documents	Location
The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015	<a href="http://www.legislation.gov.uk/uksi/2015/881/contents/made">http://www.legislation.gov.uk/uksi/2015/881/contents/made</a>



## Disciplinary Procedure for Statutory Officers

This document outlines the disciplinary procedure that will apply to the following roles, referred to in this document as statutory officer:

- Chief Executive
- Section 151 officer
- Monitoring Officer

This procedure is based on the model procedure provided by The JNC (Joint Negotiating Committee) and complies with the requirements of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.

The procedure will apply where an allegation of misconduct or gross misconduct relating to a statutory officer – as defined by the Code of Conduct and Disciplinary Procedure found in the Joint Negotiating Committee (JNC) for Chief Executives of Local Authorities National salary framework & conditions of service handbook [Link](#) and our Code of Conduct.

### 1. Who Receives the Complaint?

Complaint relates to:	Who is the receiving officer
Chief Executive	Monitoring Officer
Section 151 Officer	Chief Executive
Monitoring Officer	Chief Executive

In all of the above cases, the receiving officer will notify the HR Director of a complaint prior to instigating this procedure. Advice from the Council's approved employment law advisers may be taken. The HR Director will act as the default receiving officer should all statutory officers be conflicted. The Receiving officer and the HR Director will decide whether the allegations are clearly unfounded, trivial or can best be dealt with under some other procedure.

### 2. Shared Roles

Where a statutory officer is shared between two organisations, e.g. the Council's shared Chief Executive with Peterborough City Council the appropriate dismissal procedure that applies in the employing Council will be followed. The non-employing organisation will provide input into this procedure as appropriate. Where a decision is taken by the employing organisation is to dismiss a statutory officer the non-employing organisation will consider the implications for the sharing arrangement in place. Advice from the Council's approved employment law advisers should be taken in this situation.

### 3. Roles In This Procedure

This procedure refers to the following roles:

#### Investigating and Disciplinary Committee (IDC)

The role of the IDC is to:

- Consider an allegation
- Consider whether disciplinary action is appropriate
- Take a decision on whether to suspend
- Decide if an investigation is required and appoint an Independent Investigator.

Following the investigation the IDC will:

- Consider the findings of the independent investigation and representations from the statutory officer
- Decide if action short of dismissal is appropriate or
- Propose dismissal of the statutory officer to Council, outlining their reasons for this in a report to Council.

The IDC is made up as follows:

- At least 5 members
- Politically balanced
- Has authority to suspend if appropriate
- Chair has delegated authority to suspend in exceptional circumstances
- The receiving officer will convene panels with the support of Democratic Services

It is anticipated that the Staffing and Appeals Committee will act as the IDC. However there is flexibility as to who makes up the IDC to prevent any potential conflicts of interest.

#### Independent investigator

The independent investigator will investigate the issue/allegation and prepare a report for the IDC to consider. A list of suitably qualified individuals should be held by the National Joint Secretaries of the JNC.

#### Independent Panel

The independent panel is required where the IDC is proposing dismissal of the statutory officer. They will consider the Independent Investigator's report alongside representations from the IDC and the statutory officer. The Independent Panel will prepare a report to Council outlining whether they support the IDC's proposal to dismiss.

The Independent Panel is made up as follows:

- Comprise of a min of 2 independent persons appointed in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.
- Appointed by the Council
- Set up 20 days prior to the Full Council meeting
- IDC should nominate a person to attend on its behalf (the chair or other nominated person)
- Prepares report to the Full Council following meeting
- A list of suitably qualified individuals will be held by Democratic Services
- Appropriate training should be provided
- The receiving officer will convene panels with the support of Democratic Services.

It is anticipated that the Independent Panel is made up of the two Independent Persons appointed by council under the Localism Act 2011 to work alongside the Monitoring Officer and Constitution and Ethics Committee on councillor code of conduct complaints. However there is flexibility as to who makes up the Independent Panel to prevent any potential conflicts of interest.

#### Appeals Committee

The appeals committee is required where the statutory officer is appealing action short of dismissal.

It is made up as follows:

- At least 5 members
- Not members of the IDC



- Politically balanced
- The receiving officer will convene panels with the support of Democratic Services.

#### Council

The Council will make a decision whether to dismiss the statutory officer following consideration of the IDCs proposal to dismiss, the input of the independent panel and the representations of the statutory officer. References to the Council in this document refer to Full Council.

#### **4. Issues Requiring Investigation**

Where an allegation is made relating to the conduct or capability of a statutory officer or there is some other substantial issue that requires investigation, the matter will be considered by the IDC.

#### **5. Timescales**

It is in the interests of all parties that proceedings are conducted as expeditiously as is possible.

#### **6. Suspension**

Suspension will not always be appropriate as there may be alternative ways of managing the investigation.

The IDC will need to consider whether it is appropriate to suspend the statutory officer. This may be necessary if an allegation is such that if proven it would amount to gross misconduct. It may also be necessary in other cases if the continuing presence at work of the statutory officer might compromise the investigation or impair the efficient exercise of the Council's functions.

In any case the statutory officer shall be informed of the reason for the proposed suspension and have the right to be present information before such a decision is taken.

The chair of the IDC, should hold the delegated power to suspend the statutory officer immediately in an emergency if an exceptional situation arises where by allegations of misconduct by the statutory officer are such that his/her remaining presence at work pose a serious risk to the health and safety of others or the resources, information or reputation of the authority.

The continuance of a suspension should be reviewed regularly.

#### **7. Right to be Accompanied**

Other than in circumstances where there is an urgent requirement to suspend a statutory officer, he/she will be entitled to be accompanied at all stages of this procedure by a trade union representative or a work colleague. If the statutory officer requests to be accompanied by another party this must be agreed by the employer in advance of any meetings. The statutory officer is responsible for any associated costs.

#### **8. Considering the Allegations**

The IDC will, as soon as is practicable, inform the statutory officer of the allegations or other issues under investigation and provide him/her with any evidence that the committee will consider, and of his/her right to present oral evidence.

The statutory officer will be invited to put forward written representations and any evidence including written evidence from witnesses he/she wishes the committee to consider. The

committee will also provide the statutory officer with the opportunity to make oral representations. At this initial consideration of the need to investigate further, it is not anticipated that witnesses will be called. The discretion to call witnesses lies solely with the IDC.

The IDC will give careful consideration to the allegations and other issues, supporting evidence and the case put forward by the statutory officer before taking further action.

The IDC will decide whether:

- The issue requires no further formal action under this procedures or
- The issue should be referred to an Independent Investigator

The IDC shall inform the statutory officer of its decision without delay.

#### **9. Appointment of an Independent Investigator**

Where a decision is taken to refer an issue for investigation the IDC will be responsible for appointing an Independent Investigator, providing the necessary facilities, paying the remuneration and providing all available information about the allegations.

The Independent investigator should be selected from the list maintained by the National Joint Secretaries of the JNC.

#### **10. The Independent Investigation**

The ACAS Code of Practice on Discipline and Grievance requires there to be an investigation to establish the facts of the case before proceeding to the disciplinary hearing. The JNC recommends that this should be carried out by an Independent Investigator.

The Independent Investigator should determine the procedure for the investigation.

It will be the responsibility of the Independent Investigator to investigate the issue/allegation and to then prepare a report stating:

- in his/her opinion whether (and, if so, the extent to which) the evidence obtained supports any allegation of misconduct or incapability or supports a need for action under this procedure for some other substantial reason
- recommend any disciplinary action (if any is appropriate) or range of actions which appear to be appropriate for the authority to take against the statutory officer.

#### **11. Receipt and Consideration of the Independent Investigator's Report by the IDC**

The IDC will meet to consider the report of the Independent Investigator. This meeting will follow the format of a disciplinary hearing. The statutory officer will be present and have the opportunity to state his/her case and to question witnesses, where relevant, before making a decision.

Having considered any other associated factors the IDC will decide to:

- Take no further action;
- Recommend informal resolution or other appropriate procedures;
- Refer back to the Independent Investigator for further investigation and report;
- Take disciplinary action against the statutory officer short of dismissal;  
or
- Propose dismissal of the statutory officer to the Council.

## **12. Action Short of Dismissal**

The IDC may agree to impose no sanction, or to take action short of dismissal, in which case the Committee will impose an appropriate penalty/take other appropriate action. The IDC will inform the statutory officer of the decision. Action short of dismissal will not be referred to the Independent Panel or Council.

## **13. Proposal to Dismiss**

### The role of the Independent Panel

Where the IDC is proposing dismissal, this proposal needs to go before the Independent Panel. The Independent Panel will consider the Independent Investigator's report and any other necessary material. This is not a full re-hearing and will not involve the calling of witnesses.

There is a specific requirement in the Local Authority (Standing Orders) (England) (Amendment) Regulations 2015 for the appointment of the Independent Panel at least 20 working days before the meeting of the Council at which the consideration of whether to approve a proposal to dismiss is to be given.

The IDC and the statutory officer should be present or represented - the IDC may be represented by its Chair or other nominated person. The Independent Panel should receive any oral representations from the statutory officer, in which case it should invite any responses on behalf of the IDC to the points made, and may ask questions of either party.

The Independent Panel should review the IDC's proposal to dismiss and prepare a report for Council. This report should contain clear rationale if the Independent Panel disagrees with the IDC's recommendation to dismiss.

## **14. Consideration by the Council**

### The role of the Council

The Council will consider, in confidential session, the IDC's proposal that the statutory officer should be dismissed, and take into account:

- Any advice, view or recommendations of the Independent Panel
- The conclusions of the investigation into the proposed dismissal
- Any representations from the statutory officer

The statutory officer will have the opportunity to appear before the Council and put his/her case to the Council before a decision is taken. The dismissal is not effective until approved by Council.

## **15. Appeals against dismissal**

The statutory officer will be informed of the recommendation to dismiss prior to the Council meeting and will be provided with the rationale for this decision. At this point the case has gone through the following stages:

- A preliminary investigation
- An independent investigation
- A hearing by the IDC
- The recommendation to dismiss has been considered by the independent panel whose comments will be considered by Council prior to them confirming their decision.

If the statutory officer considers that they have grounds for appeal against the recommendation to Council to dismiss they must prepare the information that they will present prior to the Council meeting and present this to Council. Consideration of the statutory officer's representation at the Council meeting will fulfil the appeal function.

The decision of the Council will be final.

#### **16. Appeals against action short of dismissal**

If the IDC takes action short of dismissal, the statutory officer may appeal to the Appeals Committee.

The Appeals Committee will consider the report of the Independent Investigator and any other relevant information considered by the IDC, e.g. new information, executive objections (if relevant), outcome of any further investigation, etc. The statutory officer will have the opportunity to appear at the meeting and state his/her case.

The Appeals Committee will give careful consideration to these matters and conduct any further investigation it considers necessary to reach a decision.

The decision of the Appeals Committee will be final.

#### **17. Redundancy, Permanent Ill-Health and the Expiry of Fixed Term Contracts**

Proposed dismissals on the grounds of redundancy, permanent ill-health and expiry of fixed term contract where there has been no commitment to renew it, do not require the involvement of an Independent Investigator or Independent Panel.

However the authority should follow appropriate and fair procedures in these cases and have mechanisms in place, including appropriate delegated authorities, to manage such eventualities. In addition, dismissals, for all reasons set out in this paragraph must be approved by the Council itself.