

Notice of Meeting

People, Performance and Development Committee



SURREY
COUNTY COUNCIL

Date & time
Thursday, 25
February 2016
at 10.00 am

Place
Committee Room C,
County Hall, Kingston
upon Thames, Surrey
KT1 2DN

Contact
Andrew Baird
Room 122, County Hall
Tel 020 8541 7609

Chief Executive
David McNulty

andrew.baird@surreycc.gov.uk



We're on Twitter:
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This meeting will be held in public. If you would like to attend and you have any special requirements, please contact Andrew Baird on 020 8541 7609.

Members

Mr David Hodge (Chairman), Mr Peter Martin (Vice-Chairman), Mr Ken Gulati, Mr Nick Harrison, Ms Denise Le Gal and Mrs Hazel Watson

Ex Officio:

Mrs Sally Ann B Marks (Chairman of the County Council) and Mr Nick Skellett CBE (Vice-Chairman of the County Council)

AGENDA

1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

To receive apologies for absence and substitutions.

2 MINUTES OF THE PREVIOUS MEETING [29 JANUARY 2016]

(Pages 1
- 16)

To agree the minutes as a true record of the meeting.

3 DECLARATIONS OF INTEREST

To receive any declarations of disclosable pecuniary interests from Members in respect of any item to be considered at the meeting.

Notes:

- In line with the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, declarations may relate to the interest of the member, or the member's spouse or civil partner, or a person with whom the member is living as husband or wife, or a person with whom the member is living as if they were civil partners and the member is aware they have the interest.
- Members need only disclose interests not currently listed on the Register of Disclosable Pecuniary Interests.
- Members must notify the Monitoring Officer of any interests disclosed at the meeting so they may be added to the Register.
- Members are reminded that they must not participate in any item where they have a disclosable pecuniary interest.

4 QUESTIONS AND PETITIONS

To receive any questions or petitions.

Notes:

1. The deadline for Member's questions is 12.00pm four working days before the meeting (*19 February 2016*).
2. The deadline for public questions is seven days before the meeting (*18 February 2016*).
3. The deadline for petitions was 14 days before the meeting, and no petitions have been received.

5 ACTION REVIEW

(Pages
17 - 22)

For Members to consider and comment on the Committee's actions.

6 FAMILY FRIENDLY POLICY UPDATE

(Pages
23 - 28)

The maternity and paternity policies need to be updated in light of legislative changes made since the last review. The report proposes amendments prior to the draft suite being put out to consultation.

This report is being brought to the People, Performance and Development Committee because, in accordance with the Scheme of Delegation, the Committee determines the policy on the terms and conditions of all staff.

7 EXCLUSION OF THE PUBLIC

Recommendation: That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information under the relevant paragraphs of Part 1 of Schedule 12A of the Act.

8 PAY POLICY EXCEPTIONS REPORT FEBRUARY 2016

(Pages
29 - 32)

The People, Performance and Development Committee acts as the Council's Remuneration Committee under delegated powers, in accordance with the Constitution of the County Council. The purpose of this paper is to highlight decisions taken / recommendations on pay that fall outside the published Pay Policy.

Confidential: Not for publication under Paragraph 1

Information relating to any individual.

9 DATE OF NEXT MEETING

The next meeting of People, Performance and Development Committee will be on 11 May 2016.

David McNulty
Chief Executive

Published: Wednesday, 17 February 2016

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MINUTES of the meeting of the **PEOPLE, PERFORMANCE AND DEVELOPMENT COMMITTEE** held at 9.00 am on 29 January 2016 at Committee Room C, County Hall, Kingston upon Thames, Surrey KT1 2DN.

These minutes are subject to confirmation by the Committee at its meeting.

Elected Members:

Mr David Hodge (Chairman)
Mr Peter Martin (Vice-Chairman)
Mr Ken Gulati
Mr Nick Harrison
Mrs Hazel Watson

Apologies:

Ms Denise Le Gal

In Attendance

Mr Mel Few
Ken Akers

1/16 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

Apologies were received from Ms Denise Le Gal.

Mel Few acted as a substitute for Ms Denise Le Gal.

2/16 MINUTES OF THE PREVIOUS MEETING: 27 NOVEMBER 2015 [Item 2]

The minutes were agreed as a true record of the meeting.

3/16 DECLARATIONS OF INTEREST [Item 3]

There were none.

4/16 QUESTIONS AND PETITIONS [Item 4]

There were none

5/16 EXCLUSION OF THE PUBLIC [Item 6]

RESOLVED: That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information under the relevant paragraphs of Schedule 12A of the Act.

6/16 PAY AND REWARDS STRATEGY REVIEW BUSINESS CASE [Item 7]

Declarations of interest:

None

Witnesses:

Ken Akers, Strategic HR Relationship Manager

Key points raised during the discussion:

1. The Strategic HR Relationship Manager introduced the report. The Committee asked a number of questions which were responded to by the officers present, before moving to recommendations.

Actions/ further information to be provided:

The actions arising from this report are laid out in the Part 2 minutes.

RESOLVED:

The Committee approved the recommendations set out in the confidential report, these recommendations are highlighted in the Part 2 minutes.

7/16 SENIOR PAY POLICY EXCEPTIONS REPORT JANUARY 2016 [Item 8]

Declarations of interest:

None

Witnesses:

Ken Akers, Strategic HR Relationship Manager

Key points raised during the discussion:

1. The Strategic HR Relationship Manager introduced the report. The Committee asked a number of questions which were responded to by the officers present, before moving to recommendations.

Actions/ further information to be provided:

The actions arising from this report are laid out in the Part 2 minutes.

RESOLVED:

The Committee approved the recommendations set out in the confidential report, these recommendations are highlighted in the Part 2 minutes.

[Note: This item was moved up the agenda and taken next]

8/16 OUTCOME OF THE CHIEF EXECUTIVE'S APPRAISAL PANEL - 23 NOVEMBER 2015 [Item 11]

Declarations of interest:

None

Witnesses:

Ken Akers, Strategic HR Relationship Manager

Key points raised during the discussion:

- 1. The Strategic HR Relationship Manager introduced the annexes. The Committee asked a number of questions which were responded to by the officers present.

Actions/ further information to be provided:

None

RESOLVED:

As in Item 8.

9/16 OUTCOME OF CHIEF EXECUTIVE'S APPRAISAL PANEL - 23 NOVEMBER 2015 [Item 9]

Declarations of Interest:

None

Witnesses:

Ken Akers, Strategic HR Relationship Manager

Key points raised during the discussion:

- 1. This was considered by the Committee after item 10 and discussions on the Outcome of the Chief Executives 2015 Appraisal subsequently took place in Part 2.

Actions/ further recommendations to be provided:

None

RESOLVED:

That the People, Performance and Development Committee noted that the outcome of the Chief Executive's 2015 appraisal was a rating of 'Outstanding'

10/16 APPOINTMENT OF AN INDIVIDUAL MEMBER OF THE LOCAL PENSION BOARD [Item 12]

Declarations of interest:

None

Witnesses:

Ken Akers, Strategic HR Relationship Manager

Key points raised during the discussion:

1. The Committee were informed that PPDC was being asked to appoint a new Member of the Local Pension Board to fill a vacancy which had arisen due to a resignation from an existing Member of the Local Pension Board.

Actions/ further information to be provided:

None

RESOLVED:

The Committee approved the proposed appointment of an individual member of the Local Pension Board.

11/16 CORPORATE 'REFER A FRIEND INCENTIVE' SCHEME [Item 13]**Declarations of interest:**

None

Witnesses:

Ken Akers, Strategic HR Relationship Manager

Key points raised during the discussion:

1. The Strategic HR Relationship Manager introduced the report and informed Members that they were being asked to support proposed changes to some key elements of the Corporate a 'Refer a Friend' Scheme which the Committee had approved at its meeting on 29 September 2015. PPDC was advised that these changes to the scheme had been proposed following consultation with staff.
2. Members were concerned that amending the policy to give £1000 to the SCC employee who made a successful referral on the day that the person they referred started at SCC meant could potentially leave the scheme open to misuse. The Committee that the policy be amended so that £500 is given on the first day of work and the remaining £500 allocated after the person that they referred had completed three months at SCC.

Actions/ further information to be provided:

Recommendation 1 to be amended so that £500 is given on the first day of work and the remaining £500 given after the person that they referred completes three months at SCC.

RESOLVED:

- i. A one off payment of £1000 as the financial incentive of the scheme;
- ii. the scheme excludes any member of staff directly involved in the recruitment process; and
- iii. the 'refer a friend' scheme is incorporated into key worker concept agreed by PPDC in July 2015.

12/16 REVIEWED AND ENHANCED HEALTH AND SAFETY POLICY [Item 14]**Declarations of interest:**

None

Witnesses:

Ken Akers, Strategic HR Relationship Manager

Key points raised during the discussion:

1. The Strategic HR Relationship Manager introduced the report and informed the Committee that the changes made to SCC's Health and Safety Policy were relatively minor.
2. It was requested that the Chairman and Vice-Chairman of PPDC receive a copy of both the previous and revised versions of SCC's Health and Safety Policy for comparison.

Actions/ further information to be provided:

- i. The Chairman and Vice-Chairman of PPDC to be sent a copy of both the previous and revised versions of SCC's Health and Safety Policy for comparison.

RESOLVED:

That the People, Performance and Development Committee agree to the changes to the Health, Welfare and Safety Policy Statement which set out responsibilities for staff at all levels of the organisation.

13/16 PAY POLICY STATEMENT 2015 - 2016 [Item 15]**Declarations of interest:**

None

Witnesses:

Ken Akers, Strategic HR Relationship Manager

Key point raised during the discussion:

1. The Strategic HR Relationship Manager clarified that the revisions to the Pay Policy Statement 2015 – 2016 had been approved by Council and that PPDC was just being asked to note the changes to the Policy following approval by Council.

2. The Committee requested further information on how the ratio of 14:1 in regarding the difference in pay between the Chief Executive as the highest paid employee in the organisation and those on the lowest pay grade and how this compares with neighbouring local authorities.

Actions/ further information to be provided:

The Strategic HR Relationship Manager to circulate information to the Committee on the ratio between the lowest and highest paid members of staff in the Council and how this compares to neighbouring local authorities.

RESOLVED:

That the Committee noted and agreed the additions to the Pay Policy Statement 2015-16 including:

- i. the entitlement for the Chief Executive to receive payment as the County's Returning Officer during elections, and
- ii. a statement that makes clear that the Surrey Pay arrangements apply to support staff working in schools.

[Note: This item was moved up the agenda and taken next]

14/16 ACTION REVIEW [Item 5]

Declarations of interest:

None

Witnesses:

Ken Akers, Strategic HR Relationship Manager

Key points raised during the discussion:

None

Actions/ further information to be provided:

None

RESOLVED:

To note the tracker.

15/16 DATE OF NEXT MEETING [Item 16]

The Committee noted that the date of its next meeting was 25 February 2016.

Meeting ended at: 10.10 am

Chairman

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People, Performance and Development Committee
25 February 2016

Action Review

Purpose of the report:

For Members to consider and comment on the Committee's actions tracker.

Introduction:

An actions tracker recording actions and recommendations from previous meetings is attached as **Annex A**, and the Committee is asked to review progress on the items listed.

Recommendations:

The Committee is asked to monitor progress on the implementation of actions from previous meetings (Annex A).

Report contact: Andrew Baird, Regulatory Committee Manager

Contact details: 020 8541 7609, andrew.baird@surreycc.gov.uk

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ACTIONS

Number	Meeting Date	Item	Recommendation / Action	Action by whom	Action update
A16/15	29 September 2015	Ensuring our Services are accessible and responsive: Telephone and voicemail policy	The Head of Customer Services and Head of Customer and Communities Directorate Support to provide the Committee with further information on why so many school applications were submitted after the deadline.	Head of Customer Services	The Schools Commissioning Team are collating this information and will circulate to the Committee once this has been completed. (Updated 17 February)
A29/15	27 November 2015	Reshaping Leadership Roles	Confirmation to be provided on the back fill cost related to the leadership structure changes	Strategic HR Relationship Manager	This information is in the process of being collated and will be sent round to Members once this has been completed (Updated on 17 February)
A3/16	29 January 2016	Pay and Reward Strategy Review Business Case	All appraisals for the year 2015 - 2016 should be completed by the end of June 2016	Strategic HR Relationship Manager	Guidance is currently being prepared for managers to be sent out in February to ensure that appraisals are completed in time for Pay and Reward Strategy implementation. (Updated 17 February)

People, Performance & Development Committee – ACTION TRACKING

25 February 2016

A4/16	29 January 2016	Pay and Reward Strategy Review Business Case	Response to Trade Unions regarding the pay settlement for 2016-17 should highlight the ongoing pay and rewards strategy review and that the outcome of the review following staff consultations will determine the full package of remuneration and benefits that SCC will take forward	Strategic HR Relationship Manager	A letter has been drafted and was presented to the Trade Unions on 18 February 2016. (Updated 17 February)
A5/16	29 January 2016	Pay and Reward Strategy Review Business Case	Final Pay and Reward Strategy video to include a short conclusion from the Chairman of PPDC	Strategic HR Relationship Manager	A Statement from the Leader has been added to the end of the video. The final video will be available on the Snet from Monday 22 February. (Updated 17 February)
A6/16	29 January 2016	Pay and Reward Strategy Review Business Case	Closely manage what aspects of the Pay and Reward Strategy will be scrutinised by the Council Overview Board at its meeting in May	Strategic HR Relationship Manager	A meeting is being set up between the Council Overview Board (COB) Committee Manager and the Strategic HR Relationship Manager to explore how COB will scrutinise this item in advance of PPDC's decision (Updated: 16 February)

COMPLETED

Number	Meeting Date	Item	Recommendation / Action	Action by whom	Action update
A1/16	29 January 2016	Pay and Reward Strategy Review Business Case	Chief Executive to attend the PPDC meeting on 11 May when the final Pay and Reward Strategy is signed off	Regulatory Committee Manager	The Chief Executive has agreed to attend the PPDC meeting on 11 May 2016 to provide input on the revised Pay and Rewards Strategy. (Updated: 8 February 2016)
A2/16	29 January 2016	Pay and Reward Strategy Review Business Case	An Annex to be added to the Pay and Reward Strategy Business Case clearly demonstrating what exceptional performance looks like	Strategic HR Relationship Manager	This was sent round to the Committee on 18 February and will be added to the Business Case for the final strategy. (Updated 18 February)
A7/16	29 January 2016	Senior Pay Policy Exceptions Report January 2016	The Director of Finance to attend the meeting of PPDC on 25 February to inform the Committee of the future organisation for the Adult Social Care Finance Team	Regulatory Committee Manager	The Director of Finance has indicated that she is unable to attend the PPDC meeting on 25 February and so the Chairman and Vice-Chairman requested that a meeting with the Director of Finance be set up for the Chairman, Vice-Chairman and Cabinet Member for Adult Social Care, Wellbeing and Independence. This meeting has been scheduled for 15 February 2016. (Updated: 8 February 2016)

People, Performance & Development Committee – ACTION TRACKING

25 February 2016

A8/16	29 January 2016	Corporate 'Refer a Friend' Incentive Scheme	The Committee suggested an alternative arrangement for the allocation of the £1000 to those who have made a successful referral. It was recommended that £500 should be given on the first day of work and the remaining £500 should be given after the person that they referred completes three months at SCC	Strategic HR Relationship Manager	Payments for staff who have made a successful recommendation have been amended in accordance with the suggestions made by the Committee. (Updated 18 February)
A9/16	29 January 2016	Reviewed and Enhanced Health & Safety Policy	It was requested that the finalised version of the Health, Safety and Welfare Policy Statement with track changes removed be sent to the Chairman and Vice-Chairman of the Committee along with the previous version of the statement.	Strategic HR Relationship Manager	The revised and previous versions of the Health, Welfare and Safety Policy were sent to the Chairman and Vice-Chairman of PPDC on 8 February 2016. (Updated 8 February)
A10/16	29 January 2016	Pay Policy Statement 2015 - 2016	The Strategic HR Relationship Manager to circulate information on how the ratio between the lowest and highest paid members of staff in the Council compares to other local authorities	Strategic HR Relationship Manager	This information was circulated to the Committee on 16 February 2016. (Updated 16 February)



People, Performance and Development Committee
25 February 2016

FAMILY FRIENDLY POLICY UPDATE

Purpose of the report:

The maternity and paternity policies need to be updated in light of legislative changes made since the last review. The report proposes amendments prior to the draft suite being put out to consultation.

This report is being brought to the People, Performance and Development Committee because, in accordance with the Scheme of Delegation, the Committee determines the policy on the terms and conditions of all staff.

Recommendations:

It is recommended that the People, Performance and Development Committee agree to:

- i Revise the maternity leave policy to improve the benefit to eligible mothers by changing the timing of the payment of Occupational Maternity Pay (OMP) so that they receive all their OMP during the course of their maternity leave.
- ii Revise the maternity leave and pay policy in accordance with case law so that:
 - public holidays are included as part of the annual leave accrued during maternity leave; and
 - birth mothers in a surrogacy arrangement are acknowledged as being entitled to maternity leave and pay.
- iii Change the maternity leave policy to ensure that term time only staff are paid for and take the equivalent of contractual annual leave in the same way as mothers on other types of contract.
- iv Amend the maternity, and paternity, leave and pay policies to reflect legislative change that allows fathers up to two day's unpaid leave to attend antenatal appointments.

Key changes proposed to family friendly policies

Improve access to Occupational Maternity Pay (OMP)

1. The proposal is to improve the benefit to mothers by providing them with all their Occupational Maternity Pay (OMP) during their maternity leave.
2. Currently OMP is divided into 12 weeks OMP paid during maternity leave and a returner's payment equivalent to eight weeks OMP. The returner's payment is a lump sum paid after a mother has returned to work for six months. The benefit is more generous than most neighbouring councils with the exception of East Sussex. East Sussex also pays 20 weeks Occupational Maternity Pay, all of it during the maternity leave period.
3. A comparison of maternity pay and leave provisions is attached at **Annex A**.
4. The proposal is to change the timing of payment of OMP so that it is paid during maternity leave rather than paying a portion after the recipient has been back at work for six months. The proposal is that:
 - OMP is paid whilst a mother is on maternity leave i.e. weeks 7 to 26;
 - OMP is paid if a mother returns to work on the same type of contract although they may apply to change their hours; and
 - OMP is repayable in full if the woman leaves the organisation before they have returned for six months.
5. The proposal will:
 - Provide an improved benefit for mothers by providing them with pay during their maternity leave; and
 - Provide a benefit to the Council by reducing the cost of childcare vouchers by eight weeks.

Implement new legal entitlements to leave during maternity

6. Annual leave is accrued during maternity leave. The current Surrey County Council maternity policy states that public holidays accrue during ordinary maternity leave but do not accrue for leave or pay during periods of additional maternity leave. This is no longer correct, case law since the policy was last reviewed has confirmed that the right to paid public holidays is a right to time off. The policy needs to be updated to note that the annual leave includes contractual leave, so a mother will be entitled to accrue either 32 or 36 days, depending on their length of service.

Term time contracts and annual leave during maternity leave

- 7. The Council’s arrangements for term time only employees need to be revised in order to ensure that such staff are treated in the same manner as staff on other contracts and can accrue leave accordingly.

New entitlements to paternity leave

- 8. A number of the amendments brought in by the Children and Families Act 2014 were already reflected in the Council’s policies. However, the maternity and paternity policies need to be amended to reflect the new entitlement that allows fathers up to two day’s unpaid leave to attend antenatal appointments.

Financial and value for money implications

- 9. Financial implications:
 - The accrual of contractual leave will result in an increase in cost to reflect eight public holidays.
 - The change of timing to the payment of OMP should not increase costs.
 - The change to calculation of term time only payment for annual leave accrued will result in an increase in cost.

Equalities and diversity implications

- 10. An Equalities Impact Assessment has been carried out. The amendments made will not impact on residents. The amendments proposed will impact positively on employees who are new parents. The Equalities Impact Assessment will be updated in light of feedback from the consultation.

Risk management implications

- 11. A failure to amend the Policy in line with legislation could lead to legal action against Surrey County Council.

Next steps:

- 12. The Trades Unions will be consulted on the policy changes and any suggested changes made which are supported by officers will be brought to Committee for decision.

Report contact: Ken Akers, HR Strategic Manager, HR&OD

Contact details: email: ken.akers@surreycc.gov.uk Tel: 0208 541 8614

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MATERNITY PROVISIONS BENCHMARKING DATA

Statutory Provision	Green book	East Sussex	Surrey
<p>For those with more than a year's continuous service:</p> <p>6 weeks at 90% of pay</p> <p>33 weeks at lower rate Statutory Maternity Pay (SMP)</p> <p>13 weeks unpaid</p>	<p>For those with more than a year's continuous service:</p> <p>6 weeks at 90% of pay</p> <p>12 weeks at half pay plus lower rate SMP</p> <p>21 weeks of lower rate SMP</p> <p>13 weeks unpaid</p>	<p>For those with more than a year's continuous service:</p> <p>6 weeks at 90% pay</p> <p>20 weeks at half pay plus lower rate SMP</p> <p>13 weeks of lower rate SMP</p> <p>13 weeks unpaid</p>	<p>For those with more than a year's continuous service:</p> <p>6 weeks at 90% pay</p> <p>12 weeks at half pay plus lower rate SMP</p> <p>21 weeks of lower rate SMP</p> <p>13 weeks unpaid</p> <p>Lump sum 8 weeks at half pay paid as a lump sum after return of 6 months</p> <p>For those with less than a year's service:</p> <p>2 weeks OMP i.e. full pay minus lower rate SMP. Paid as a lump sum after return of 12 weeks</p>
SMP is paid without a requirement to return to work.	To keep OMP a mother has to return to work for 3 months	To keep OMP a mother has to return to work for 5 months worth of her pre-maternity contracted	To keep 12 weeks OMP a mother has to return to work for 3 months.

		hours	The returner's payment OMP is paid after 6 months return to work.
Annual leave accrued over a year is 28 days which includes 8 public holidays	Occupational Maternity Leave is contractual leave		Needs amendment to include contractual leave either 32 or 36 days

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