

Notice of Meeting

People, Performance and Development Committee



SURREY
COUNTY COUNCIL

Date & time
Thursday, 26 April
2018
at 2.00 pm

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
Joanna Killian

andrew.baird@surreycc.gov.uk



We're on Twitter:
@SCCdemocracy

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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 CBE (Chairman), Mr John Furey (Vice-Chairman), Mr Ken Gulati, Mr Mel Few, Mr Nick Harrison and Mrs Hazel Watson

AGENDA

1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

2 MINUTES OF THE PREVIOUS MEETING

There are none.

The minutes of the previous meeting held on 9 April 2018 will be reviewed at the People, Performance and Development Committee meeting held on 14 June 2018.

3 DECLARATIONS OF INTEREST

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter

- (i) Any disclosable pecuniary interests and / or
- (ii) Other interests arising under the Code of Conduct in respect of any item(s) of business being considered at this meeting

NOTES:

- Members are reminded that they must not participate in any item where they have a disclosable pecuniary interest
- As well as an interest of the Member, this includes any interest, of which the Member is aware, that relates to the Member's spouse or civil partner (or any person with whom the Member is living as a spouse or civil partner)
- Members with a significant personal interest may participate in the discussion and vote on that matter unless that interest could be reasonably regarded as prejudicial.

4 QUESTIONS AND PETITIONS

a. Members' Questions

The deadline for Member's questions is 12.00pm four working days before the meeting (*Friday 20 April*).

b. Public Questions

The deadline for public questions is seven days before the meeting (*Thursday 19 April*).

c. Petitions

The deadline for petitions was 14 days before the meeting, and no petitions have been received.

d. Representations received on reports to be considered in

private To consider any representations received in relation to why part of the meeting relating to a report circulated in Part 2 of the agenda should be open to the public.

5 ACTION REVIEW

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

(Pages 1
- 8)

6 FORWARD WORK PROGRAMME (Pages 9 - 14)

For Members to review and comment on upcoming items due for consideration by the People, Performance and Development Committee.

7 SURREY COUNTY COUNCIL'S APPROACH TO FLEXIBLE WORKING (Pages 15 - 32)

Purpose of the report:

To outline Surrey County Council's flexibility to engage workers, the risks and costs of these approaches and how the council promotes its employment rewards and benefits.

8 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.

PART TWO – IN PRIVATE

9 CORONER'S PAY ARRANGEMENTS (Pages 33 - 50)

Purpose of the report:

The People, Performance and Development Committee reviewed the proposal to adopt the new Joint Negotiating Committee (JNC) pay framework for Coroners at its meeting on 8 March 2018. The Committee requested a further report setting out details of the coroners' current conditions of employment and the views of the Senior Coroner about the application of the framework in Surrey.

This reports sets out details of Coroners' terms and conditions, feedback from the Senior Coroner on the pay framework and a proposed salary for each coroner. It recommends that the Committee agrees to adopt the framework set by the JNC, the salary levels recommended for the current Senior Coroner, Area Coroner and Assistant Coroners and proposed changes to current practice for payment of travel expenses.

Confidential: Not for publication under Paragraph 1
Information relating to any individual.

10 SURREY PAY REVIEW 2018 TO 2019 (Pages 51 - 86)

Purpose of the report:

To provide the People, Performance and Development Committee with an update on the financial and economic context ahead of the annual Surrey Pay review for 2018/2019 and to make recommendations for achieving a pay settlement for implementation from 1 July 2018 for non-schools Surrey Pay staff on performance related terms and conditions.

In addition, the report will explain the context for achieving a different pay settlement for those groups of non-schools based Surrey Pay staff on separate terms and conditions.

Confidential: Not for publication under Paragraph 4

Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under the authority.

11 SENIOR PAY EXCEPTIONS - APRIL 2018

(Pages
87 - 96)

Purpose of the report:

To seek approval from the People, Performance and Development Committee regarding recommendations on senior pay arrangements that fall outside Surrey County Council's published Pay Policy Statement.

Confidential: Not for publication under Paragraph 1

Information relating to any individual.

12 PUBLICITY OF PART 2 ITEMS

To consider whether the item considered under Part 2 of the agenda should be made available to the press and public.

Confidential: Not for publication under Paragraph 1

Information relating to any individual.

13 DATE OF NEXT MEETING

The next meeting of People, Performance and Development Committee will be on 14 June 2018.

**Joanna Killian
Chief Executive**

Published: Wednesday, 18 April 2018

MOBILE TECHNOLOGY AND FILMING – ACCEPTABLE USE

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People, Performance and Development Committee
26 April 2018

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 1 and Annex 2 (Part 2)**, 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 1).

Report contact: Andrew Baird, Regulatory Committee Manager

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

Annexes:

Annex 1 – People, Performance and Development Committee Actions Tracker
Annex 2 - People, Performance and Development Committee Actions Tracker (Part 2)

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ONGOING ACTIONS

Number	Meeting Date	Item	Action	Action by whom	Action update
A51/17	30 November 2017	Embedding the Council's Values and Behaviours	The Committee to receive a report on work being undertaken to support closer working between officers and Members within the organisation and to help them better understand each other's roles and responsibilities.	Senior Manager, Cabinet & Member Support	An item has been added to the Committee's Forward Work Programme for consideration its meeting on 14 June 2017. (Updated: 05 December 2017)
A1/18	29 January 2018	Apprenticeship Levy & Public Sector Target Update	The next update to PPDC on the Apprenticeship Levy should include further detail on valuable apprenticeships as well as outlining steps being taken by SCC to attract young people to take on an apprenticeship	Learning & Development Service Manager	This request has been forwarded to officers for inclusion within the next update on the Apprenticeship Levy received by the Committee. (Updated: 28 February 2018)
A2/18	29 January 2018	Grievance Policy Review and Addition to Safer Employment and DBS Policy	Surrey County Council's Grievance Policy to be amended to incorporate a formal role for PPDC in reviewing formal grievances raised by SCC chief officers and brought back to a future meeting of the Committee.	Senior HR Adviser (Policy)	A date for this report to be brought back to the Committee is still being identified. An item will be added to the Committee's Forward Work Programme once a new date has been confirmed. (Updated: 17 April 2018)

People, Performance & Development Committee – ACTION TRACKING

April 2018

A6/18	8 March 2018	Forward Work Programme	Further information be sought on which committee has responsibility for reviewing the Member/Officer Protocol	Democratic Services Lead Manager	<p>The Audit and Governance Committee is responsible for reviewing the Member/Officer Protocol due to its ethical standards responsibilities. However, a report on training for officers on working with Members will be considered by the People, Performance and Development Committee at its meeting on 14 June 2018.</p> <p>(Updated: 17 April 2018)</p>
A7/18	8 March 2018	Update of Housing Options and Revisions to the Relocation Assistance Policy	An item to be added to the Forward Plan for the Committee to reconsider a revised Relocation Assistance policy at its September meeting.	Head of HR & OD	<p>This has been added to the Forward Work Programme for the Committee to consider at its meeting on 24 September 2018.</p> <p>(Updated: 12 April 2018)</p>

COMPLETED ACTIONS

Number	Meeting Date	Item	Recommendation / Action	Action by whom	Action update
A50/17	30 November 2017	Forward Work Programme	The Committee to consider a report on the Council’s approach to flexibility on pay and working arrangements for staff where this could help to support the existing workforce	Head of HR & OD	This item has been added to the Committee’s Forward Work Programme for consideration at its meeting on 26 April 2018. (Updated: 05 December 2017)
A5/18	29 January 2018	Human Resources and Organisational Development Strategy	HR & OD Strategy Indicators to be made available on the Members’ Portal	Senior Manager Cabinet & Member Support	The Committee has received the following response from officers regarding the possibility of including HR&OD Key Performance Indicators on the Members’ Portal; ‘We have looked into this recommendation. These reports are published on the staff portal which Members do not have access to. The reports are numerous and very detailed and it would be time intensive to publish them to the Member Portal each month. However, we will publish other HR information - such as the feedback from the Staff Survey - on the Member Portal. This information is easier to read and understand and less detailed, so will be more likely to be read by Members’ (Updated: 21 March 2018)

People, Performance & Development Committee – ACTION TRACKING

April 2018

A8/18	8 March 2018	Coroner's Pay	An updated report on Coroner's Pay to be presented to the People, Performance and Development Committee at their meeting on 26 April 2018. The report should include further information on the Coroner's terms and conditions.	Strategic Business Partner	This item has been included on the People, Performance Development Committee Forward Plan for it to consider at its meeting on 26 April 2018 (Updated: 14 April 2018)
A9/18	8 March 2018	Surrey Pay Policy Statement 2018/19	Pay ratios and salary grades to be added to the updated Pay Policy Statement.	HR Reward Manager	The pay ratios and salary grades have been updated on the Pay Policy Statement and were approved at Full Council on 20 March 2018. Updated statement is on the public website . (Updated: 17 April 2018)

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People, Performance and Development Committee
26 April 2018

Forward Work Programme

Purpose of the report:

For Members to review and comment on upcoming items due for consideration by the People, Performance and Development Committee.

Introduction:

A Forward Plan recording agenda items for consideration at future People, Performance and Development Committee meetings is attached as **Annex 1**, and Members are asked to review the items listed on the Forward Plan.

Recommendations:

That the People, Performance and Development Committee review items that it is due to consider at future meetings (Annex 1).

Report contact: Andrew Baird, Regulatory Committee Manager

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

Annexes:

Annex 1 – People, Performance and Development Committee Forward Work Programme

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People Performance and Development Committee Forward Work Programme – April 2018



14 June 2018

Item title	Senior Pay Policy Exceptions June 2018 (Part 2)
Report author	Ken Akers, Head of HR & OD
Item Summary	For PPDC to decide on senior pay (grades S13 or above) that fall outside of the published pay policy.

Item title	Appraisal Completion Update
Report author	Lavern Dinah, Lead Consultant
Item Summary	To update the Committee on the number of appraisals that have been completed to date so far for the year 2017/18.

Item title	Surrey Pay Annual Review update (Part 2)
Report author	Ken Akers, Head of HR & OD
Item Summary	To update the Committee on the negotiations taking place

Item title	Fostering collaboration between officers and Members
Report author	Katie Booth – Democratic Services Lead Manager
Item Summary	This report will provide an update on initiatives in place to support officers to work effectively with Members. The item will provide further information on the variety of different training opportunities open to officers to support them in working in a political environment. It will also seek feedback from Members regarding any other interventions that may be helpful in building effective Member/officer relationships.

Item title	Recruitment Policy
Report author	Julie Smyth – HR Reward & Policy Manager
Item Summary	To recommend potential amendments to the Recruitment policy to ensure alignment with safer employment DBS policy and data protection requirements that apply to recruitment and selection process.

Item title	Professional Membership Fees Policy
Report author	Julie Smyth – HR Reward & Policy Manager
Item Summary	To recommend potential amendments to governance arrangements relating to the eligibility of council officers to have professional fees reimbursed.

Item title	Supporting Armed Forces In Employment Policy
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Report author	Abid Dar - Equality Inclusion & Wellbeing Manager
Item Summary	To provide committee with a new policy of the Army Reservists, as the council participates in the Army Forces Covenant. This new policy will relate to special leave for army reservists and veterans returning to civilian life to ensure that those who serve or have served in the forces, and their families, are treated fairly.

Item title	Annual Leave Policy
Report author	Julie Smyth – HR Reward & Policy Manager
Item Summary	To provide committee with revisions to the Council's Annual Leave policy on the arrangements for accrual & carry forward of annual leave.

Item title	Surrey Arts & Adult Community Learning Pay Review (Part 2)
Report author	Jo Donoghue – Strategic Business Partner
Item Summary	To provide committee with an overview of the pay review for tutors in Cultural Services.

Item title	Trade Union Facilities & Partnership Arrangements
Report author	Julie Smyth – HR Reward & Policy Manager
Item Summary	To provide committee with an update on the Recognition Agreement between the council and the Trade Unions (GMB and Unison)

25 July 2018

Item title	Senior Pay Policy Exceptions July 2018 (Part 2)
Report author	Ken Akers, Head of HR & OD
Item Summary	For PPDC to decide on senior pay (grades S13 or above) that fall outside of the published pay policy.

Item title	Pay Policy Exceptions Analysis end of year for 2016/2017
Report author	Stuart Brown, Data Operations Manager
Item Summary	To report to committee the analysis of Pay Policy Exceptions agreed for end of year for 2016/2017.

Item title	Orbis Partnership Staffing
Report author	Ken Akers, Head of HR & OD
Item Summary	To report to committee on Orbis staffing and integration as well as details of the savings being delivered as a result of staffing changes arising from Orbis.

Item title	Key Worker and Relocation Assistance policy
Report author	Julie Smyth – HR Reward & Policy Manager
Item Summary	To provide committee with a report of the outcomes on investigations into the full range of options to provide housing for staff taking up a role in a hard to recruit to position. This includes talking to other public sector organisations as well as institutions such universities.

Item title	Review of Human Resources & Organisational Strategy Indicators
Report author	Hannah Dwight, HR Business Services & Programmes Mgr
Item Summary	At its meeting on 30 November 2017, the Committee agreed to receive a report outlining performance against the HR & OD Strategy every six months. This update follows that received by the Committee at its meeting on 29 January 2017

24 September 2018

Item title	Update on Housing Options for Hard to Recruit and Retain Roles and Potential Revisions to the Relocation Assistance Policy
Report author	Ken Akers, Head of HR & OD
Item Summary	To provide committee with a report outlining what actions have been taken to improve support available for SCC staff in negotiating Surrey's housing market, particularly those in roles considered challenging to recruit to or were new staff relocating from outside the County. Revisions to the relocation policy are being reviewed as part of this process.

Item title	Senior Pay Policy Exceptions September 2018 (Part 2)
Report author	Ken Akers, Head of HR & OD
Item Summary	For PPDC to decide on senior pay (grades S13 or above) that fall outside of the published pay policy.

7 November 2018

Item title	Senior Pay Policy Exceptions November 2018 (Part 2)
Report author	Ken Akers, Head of HR & OD
Item Summary	For PPDC to decide on senior pay (grades S13 or above) that fall outside of the published pay policy.

13 December 2018

Item title	Senior Pay Policy Exceptions December 2018 (Part 2)
Report author	Ken Akers, Head of HR & OD

Item Summary	For PPDC to decide on senior pay (grades S13 or above) that fall outside of the published pay policy.
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SURREY

People, Performance and Development Committee
26 April 2018

Surrey County Council's Approach to Flexible Pay and Working Arrangements

Purpose of the report:

To outline Surrey County Council's flexibility to engage workers, the risks and costs of these approaches and how the council promotes its employment rewards and benefits.

Recommendations:

It is recommended that the People, Performance and Development Committee notes and comments on:

- i. the different types of working arrangements, models, costs and risks;
- ii. the promotion of Surrey rewards and benefits to staff and potential candidates; and
- iii. Surrey County Council's plans to develop a total rewards statement for all staff.

Introduction:

1. Within Surrey County Council (SCC) there is an ongoing challenge in the recruitment and retention of staff. Members asked what flexibility the Council has to engage workers to respond to these challenges with associated risks and costs.
2. The Council has a range of recruitment options which come with risks and costs, central to this are the legal tests on whether a worker qualifies as an employee.
3. Given the financial challenges, the Council has worked to develop a rewards statement for hard to recruit posts which outlines the benefits to staff and the total value of rewards to potential candidates. SCC has current and ongoing plans to further improve our benefits offer to staff.

The legal position

4. UK employers must meet legislative requirements when hiring staff or workers on different contracts. An individual can be determined to have employee status if they meet certain criteria which includes:
 - i. An obligation on an employer to provide work and a reciprocal obligation on individuals to accept work on a regular basis (mutuality of obligation).
 - ii. Providing a personal service i.e. the work offered is to be carried out by a named individual with no right to provide a substitute or to subcontract the work offered to another. For example, social workers provide a personal service to families.
 - iii. Consideration of control i.e. how much direction, management supervision in how, when and where the work is performed and the right to discipline for non-performance. It is a requirement for social workers to receive supervision and direction within their roles.
 - iv. Integration: the degree to which the work performed forms part of the employer's business including line management responsibilities, application of staffing policies and procedures. For example, Surrey County Council (SCC) policies and procedures apply to locum staff.
 - v. Exclusivity: the extent of any restriction to work elsewhere.
 - vi. Consideration of payment arrangements (i.e. are the staff on payroll-and paid a salary.)
5. The longer a work assignment the greater the level of control, personal service and integration can be inferred over time.
6. Other legislation also affects workers provided in other ways:
 - workers whose services are provided through contracts for services, 'contractors' are governed by procurement legislation which requires there should be fair access to providers for these contracts and tax legislation (applying same tax arrangements as employed staff if for the purposes of work the person is treated in the same way as a directly employed person);
 - workers provided through agencies are also governed by tax legislation and agency worker regulations which means after 12 weeks of engagement these workers acquire the same rights to leave, training and pay as directly employed staff. The agency selection is also governed by procurement legislation which

requires there should be fair access for providers to these contracts.

Employment arrangements

7. There are different employment arrangements available for managers to resource staff, workers or contractors. The table in Annex 1 outlines the nature of each contract type, what an individual's payment and benefits are including the deductions made and the current use within the Council.
8. These are:
 - i. Direct Employees
 - ii. Bank Employees
 - iii. Agency / Locum Workers
 - iv. Directly Engaged Locum Workers and in scope of IR35
 - v. Gig Workers
 - vi. Volunteers
 - vii. Contracts for Services
9. There are different options available for hiring more employees or workers on the different contract types. There are benefits as well as risks when considering each contract type which are outlined in **Annex 2** and summarised below:
 - i. **Increase the number of Gig Workers** - A key benefits of hiring gig workers is that work can be allocated based on peaks and troughs. There is also a potential to attract a larger pool of candidates due to a more flexible working arrangement and potentially offering higher pay. However, a significant risk is the employment status on workers' rights is changing and the longer a worker is engaged by an organisation and works on a regular basis the greater the risk of them acquiring employment similar to directly employed staff. Furthermore, for certain roles in the Council, building relationships between staff and their customers is important and this would be an important consideration before using gig workers.
 - ii. **Increase the number of directly engaged Locums** - Although the offer of a higher hourly rate could attract a larger pool of candidates, in the long term, locum workers also acquire more employment rights which adds to the overhead of using these staff. There could also be an impact on the morale of permanent staff if they are working alongside Locum Workers who are being paid at a higher rate.
 - iii. **Increase the number of bank staff** - Bank staff are valuable as work can be allocated based on peaks and troughs however, as they are not expected to accept every work request, managers

cannot rely on their availability. Furthermore, bank staff who work regular hours may claim to be part-time employees.

- iv. **Transfer work areas to an agency** - The advantage of transferring work to an agency is that the agency is accountable for its staff. However, there will be an increase in costs as well a potential lack of management oversight of the staff.

Our Current Benefits and Total Reward Package

10. The benefits offer within the Council has been successful, it was actively promoted through bulletins, the Council's intranet page and posters. Annex 3 outlines the savings which staff have had from the current package which includes lifestyle offers such as supermarket, cinema and shopping vouchers:
 - i. the total value of spend between January and December 2017 was £853,407;
 - ii. the total value of the discount within this period was £63,536;
 - iii. there have been 12,113 registered users since the benefits package was launch in May 2013 to December 2017;
 - iv. the total savings for staff using the childcare voucher scheme for this period has been £384,121; and
 - v. the total savings for staff using the cycle to work and cycle plus scheme for this period has been £16,163.
11. The current contract with the Council's benefits provider expires on 21 May 2018. As part of the framework agreement with Orbis, a re-tendering process has taken place with East Sussex and Brighton and Hove. The councils will be working together with the successful provider in May 2018 to launch a new benefits package for staff.
12. The new benefits package will continue to offer lifestyle discounts for staff. It will also include the provision of a bespoke online or paper based system which can be accessed by multiple users and have the ability to reward and recognise individual staff and teams for various levels of contribution. The new recognition system will be configured in discussion with senior managers and promoted as a way of encouraging team success and organisational behaviours with roll out during 2018-19; fulfilling a commitment made as part of the pay and reward review.
13. A total rewards statement has been developed to support the recruitment and retention of social workers (Annex 4). These examples show:
 - i. for a Children's Social Worker in 2016/17 earning £32, 839 then the total reward was £41,442; and
 - ii. for a Children's Senior Social Worker in 2016/17 earning £39, 270 and the total reward was £47,910.

14. As part of the staff benefits re-tender, the Council sought a provider to provide such a statement for all staff which could be combined with the current pension statement which is currently available for staff. Unfortunately, no suitable providers came forward and so SCC will seek to review and re-tender during 2018-19.

Conclusions:

15. There are a variety of employment contracts which are deployed according to business needs. There are considerations which need to be taken when hiring staff or workers on different contracts.

16. Improvements have been made on SCC’s benefits offer which supports the recruitment and attraction of candidates. There are plans in place to build on this offer which will be as a joint project with East Sussex and Brighton and Hove. The Council is also planning to develop a total rewards statement for all staff to support retention.

Financial and value for money implications

17. It is proposed that the cost to introduce a total rewards statement for all staff will be funded via the savings obtained through the salary sacrifice scheme.

Equalities and Diversity Implications

18. The plans to build on our benefits offer and to develop a total rewards statement for all staff is not expected to result in significant changes to the way in which the Council manages equality and diversity in the workplace.

Risk Management Implications

19. The plans to build on our benefits offer and to develop a total rewards statement for all staff is not expected to result in significant changes to the Council’s overall approach to risk management and should support with recruitment of candidates and retention of employees.

Next steps:

20. To provide the Committee with an update on the development of a total rewards statement for all staff.



Report contact: Rakhi Saigal, Strategic HR & OD Business Partner

Contact details: Contact details: 0208 5417 319;
rakhi.saigal@surreycc.gov.uk

Annexes:

Annex 1 – Employment Contract Types

Annex 2 – Benefits and challenges of employing staff on different types of contract

Annex 3 – Benefits offer to Staff

Sources/background papers:

None

Annex 1 - Employment Contract Types

Type of Employment	Legal Entitlement	Nature of Employment	Current Use	Cost	Benefits
Direct Employee	<p>Pay</p> <p>Annual Leave (statutory and occupational)</p> <p>Maternity, Paternity, Adoption, Parental Leave (statutory and occupational)</p> <p>Sick Pay (statutory and occupational)</p> <p>Pension - TPS or LGPS</p> <p>Right to receive the national minimum wage</p> <p>Right not to work more than 48 hours a week unless employee opts out of this</p> <p>Protection against unlawful deduction of wages</p> <p>Protection against less favourable treatment due to part-time or fixed term status</p> <p>Protection against discrimination</p>	<p>SCC employer - permanent, long term ongoing work or work which is required for a fixed period of time</p> <p>Employees can be part time or full time and permanent or fixed term</p> <p>The approval process for hiring a directly employed member of staff is through the hiring manager</p>	<p>8831 permanent members of staff out of 11834 (75%)</p> <p>428 fixed term contract staff out of 11834 staff (4%)</p> <p>(excludes fire fighters or teachers and support staff employed in schools)</p>	<p>For the average salary of a SCC employee of £24,000, the add on costs are 23.9% which is made up of:</p> <p>Employers NI: 0% up to £8,400 pa then 13.8% on the balance over this amount. Therefore depending on the salary level the overall percentage for Employers NI will vary slightly. On a salary of around £24k it will work out to be approx. 9.2%</p> <p>Pension: LGPS: 14.8% TPS: 16.48%</p>	<p>Training</p> <p>Performance Related Pay</p> <p>SCC benefits scheme (including childcare vouchers, discount options etc.)</p>

Annex 1 - Employment Contract Types

Type of Employment	Legal Entitlement	Nature of Employment	Current Use	Cost	Benefits
Bank Employee	<p>Pay</p> <p>Maternity, Paternity, Adoption, Parental Leave (statutory and occupational)</p> <p>Sick Pay (statutory and occupational)</p> <p>Pension - TPS or LGPS</p> <p>Right to receive the national minimum wage</p> <p>Right not to work more than 48 hours a week unless employee opts out of this</p> <p>Protection against unlawful deduction of wages</p> <p>Protection against less favourable treatment due to part-time or fixed term status</p> <p>Protection against discrimination</p>	<p>SCC employer - zero hours</p> <p>The employee has a long-term ongoing contract but there is no need for the employer to provide a guaranteed amount of work to them</p> <p>If a bank employee works regular hours they should be on a part time contract</p> <p>The approval process for hiring a bank member of staff is through the hiring manager</p>	2238 bank staff out of 11834 (19%)	<p>The add on costs for bank staff includes annual leave pay which is 14% for less than 5 years' service, 16% for over 5 years' service</p> <p>NI as above</p> <p>Pension as above</p>	<p>Training</p> <p>Performance Related Pay</p> <p>SCC benefits scheme (including childcare vouchers, discount options etc)</p>

Annex 1 - Employment Contract Types

Type of Employment	Legal Entitlement	Nature of Employment	Current Use	Cost	Benefits
<p>Agency / Locum</p>	<p>The agency acts as the employer and provides the employees with their legal rights of employment</p> <p>After a 12 week qualifying period, an agency worker will be entitled to the same basic conditions of employment as if they had been directly employed by the hirer on day one of the assignment, specifically:</p> <ul style="list-style-type: none"> - Pay: for example any holiday pay relating to the assignment. (It does not include redundancy pay, contractual sick pay, and maternity, paternity or adoption pay) - Working time rights: for example, any annual leave above what is required by law. 	<p>Agency workers are primarily used as a short term solution to provide cover for unplanned or emergency staffing shortages, e.g. sickness absences, unexpected increases in workload, or covering a vacancy during a recruitment process</p> <p>Agency workers submit their timesheets to their agency and are paid directly by them</p> <p>If a worker is assessed in scope of IR35, they are required to pay tax and NI contributions in the same way as an employee (PAYE) and via the agency.</p> <p>The approval process for hiring through an agency who is in scope of IR35 is through the team manager</p>	<p>An average over a 12 month period: 292</p>	<p>The add on costs to employ staff via an agency are as follows:</p> <p>28.04% which is made up of:</p> <ul style="list-style-type: none"> - apprentice levy 0.5% - Working time regs rate (annual leave) 13.75% - Employers NI costs 13.8% <p>SCC pays a mark up which varies depending on the role being recruited to, as an example it can consist of:</p> <p>For Social Workers per hour: £3.00 agency fees £0.15 Supplier Mark Up £0.01 ESPO</p> <p>For Admin staff per hour: £0.42 agency fees £0.01 ESPO</p> <p>(ESPO are the procurement services for the public sector which helps achieve efficiencies through frameworks, services and procurement advice)</p>	<p>Depends on the length of the assignment</p> <p>It is the agency's responsibility to ensure their employees' rights are protected.</p> <p>SCC may choose to provide training but it is not a requirement to do so</p>

Annex 1 - Employment Contract Types

Type of Employment	Legal Entitlement	Nature of Employment	Current Use	Cost	Benefits
Locums - directly engaged and in scope of IR35	Workers who are paid directly by SCC (as the agency or supplier are unable to provide them)	<p>Individuals who are not working via an agency and are required for specific projects or pieces of work.</p> <p>Such workers in scope of IR35 are required to pay tax and NI contributions which within SCC are set up via a special payroll system so that the deductions can be made at source.</p> <p>The hiring process depends on the proposed spend.</p> <p>For proposed spend between £15K and £100K, a tender process is required to be followed which includes obtaining 3 quotations and the submission of a business case.</p> <p>For any proposed spend over £50K, leader approval is required.</p> <p>For spend proposed to be over £100K, an EU compliant tender process is required.</p>	We currently have 19 such workers within SCC with 1 worker with a value over £50K	The workers submit their timesheets directly to SCC but they are not employees of SCC	<p>Flexibility</p> <p>Manage own schedule</p> <p>Can negotiate terms</p>

Annex 1 - Employment Contract Types

Type of Employment	Legal Entitlement	Nature of Employment	Current Use	Cost	Benefits
Workers (Gig Economy)	<p>Paid holiday (statutory)</p> <p>Sick pay (statutory)</p> <p>Maternity, paternity, adoption, parental pay (statutory)</p> <p>Right to receive the national minimum wage</p> <p>Right not to work more than 48 hours a week unless employees opt out of this</p> <p>Protection against unlawful deduction of wages</p> <p>Protection against less favourable treatment due to part-time status</p> <p>Protection against discrimination</p>	<p>Short term assignments or “gigs”</p> <p>Workers are made available to the organisation and get paid for each assignment rather than having a regular wage.</p> <p>The worker is engaged by an organisation and has a choice of which assignments they accept.</p>	N/A	Under current HMRC roles, workers who provide services to the public sector are classed as employees for tax purposes. Therefore deductions for income tax and NI are made	<p>Flexibility</p> <p>Manage own schedule</p>
Volunteers	No contract of employment	<p>Variable – can be short or long term work depending on service needs and an individual’s availability</p> <p>The approval process for hiring volunteers is through the team manager</p>	Current information not held centrally	N/A	<p>Training specific to the role</p> <p>Expenses</p>

Annex 1 - Employment Contract Types

Type of Employment	Legal Entitlement	Nature of Employment	Current Use	Cost	Benefits
<p>Contracts for services – where the company provides a specific service</p>	<p>The service provider acts as the employer of staff and provides the employees with their legal rights of employment</p> <p>This is often a specialist service which the organisation doesn't have the knowledge or capacity to run</p> <p>These types of employment can also be individual workers / consultants through a Ltd company and who are out of scope of IR35</p>	<p>The length of the contract depends on the nature of the work</p> <p>The workers are employed by the service provider which submits invoices to SCC.</p> <p>There is a process which is required to be followed when procuring contracts for services which depends on the value of the contract</p> <p>For proposed spend between £15K and £100K, a tender process is required to be followed which includes obtaining 3 quotations and the submission of a business case.</p> <p>For any proposed spend over £50K, leader approval is required.</p> <p>For spend proposed to be over £100K, an EU compliant tender process is required.</p>	<p>SCC has a variety of contracts for services in place an example includes catering</p> <p>SCC currently has 13 consultants in place with a value up to and over £50K</p>	<p>The cost varies depending on the nature and length of the contract. Payment is made via a purchase order</p>	<p>It is the service provider's responsibility to provide the employees benefits to them</p>

Annex 2 – Benefits and challenges of employing staff on different types of contract

Options	Benefits	Risks
<p>Increase the number of gig workers</p>	<p>The offer of flexible working could attract a larger pool of candidates</p> <p>Work can be allocated based on peaks and troughs</p> <p>The offer of a higher hourly rate could attract a larger pool of candidates</p>	<p>The law on employment status and workers’ rights is changing and it has recently been found that those working in particular in the “gig” economy and wrongly classed/treated as “self-employed contractors are workers and therefore have some employment rights and benefits as shown above.</p> <p>The longer workers are engaged by one organisation and work on a regular basis without interruption between work assignments the greater the risk of them acquiring yet more employment rights and employee status.</p> <p>For certain roles within the Council, it is important for staff to build relationships with their customers and this would be lost with gig workers.</p> <p>There is a potential lack of team management and worker oversight of staff</p>

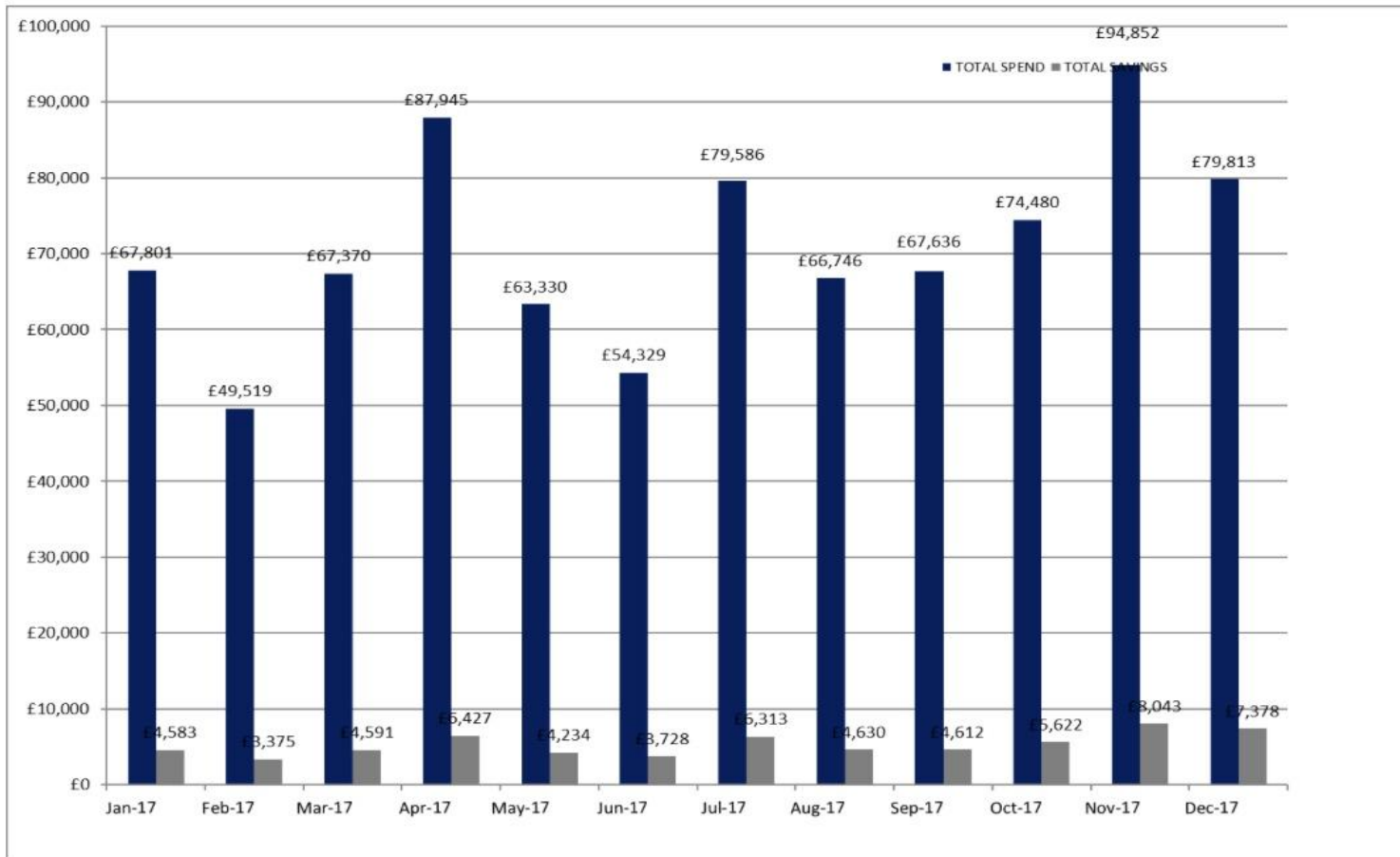
Annex 2 – Benefits and challenges of employing staff on different types of contract

Options	Benefits	Risks
Increase number of directly engaged locums	The offer of a higher hourly rate could attract a larger pool of candidates	<p>In the long term locum workers acquire more employment rights</p> <p>There could be an impact on the morale of permanent staff if they are working alongside locums who are being paid at a higher rate</p> <p>There could be an impact on our relationship with the TU's as they support the hiring of permanent staff</p> <p>Locum workers are not required to give as long notice periods which can affect the handover of work</p> <p>Depending on the proposed spend, the hiring process can be lengthy</p>
Increase number of bank staff	<p>The offer of flexible working could attract a larger pool of candidates</p> <p>Work can be allocated based on peaks and troughs</p>	<p>Bank employees are not expected to accept every request to work and therefore managers cannot rely on their availability</p> <p>Bank employees who work regular hours are in fact part-time employees, not genuine bank employees, and should be on part-time contracts</p>
Transfer work areas to an agency	The hiring agency is accountable for staffing issues/concerns/recruitment/selection/training etc.	<p>There will be an increase in costs as due to the agency fees</p> <p>There is a potential lack of management oversight of staff</p>

Annex 3 - A summary of savings from the employee benefits for 2017 (excluding childcare vouchers, cycle plus, the lease car scheme, local offers e.g. gym membership discounts, travel insurance and health insurance)

Spend and Save Chart

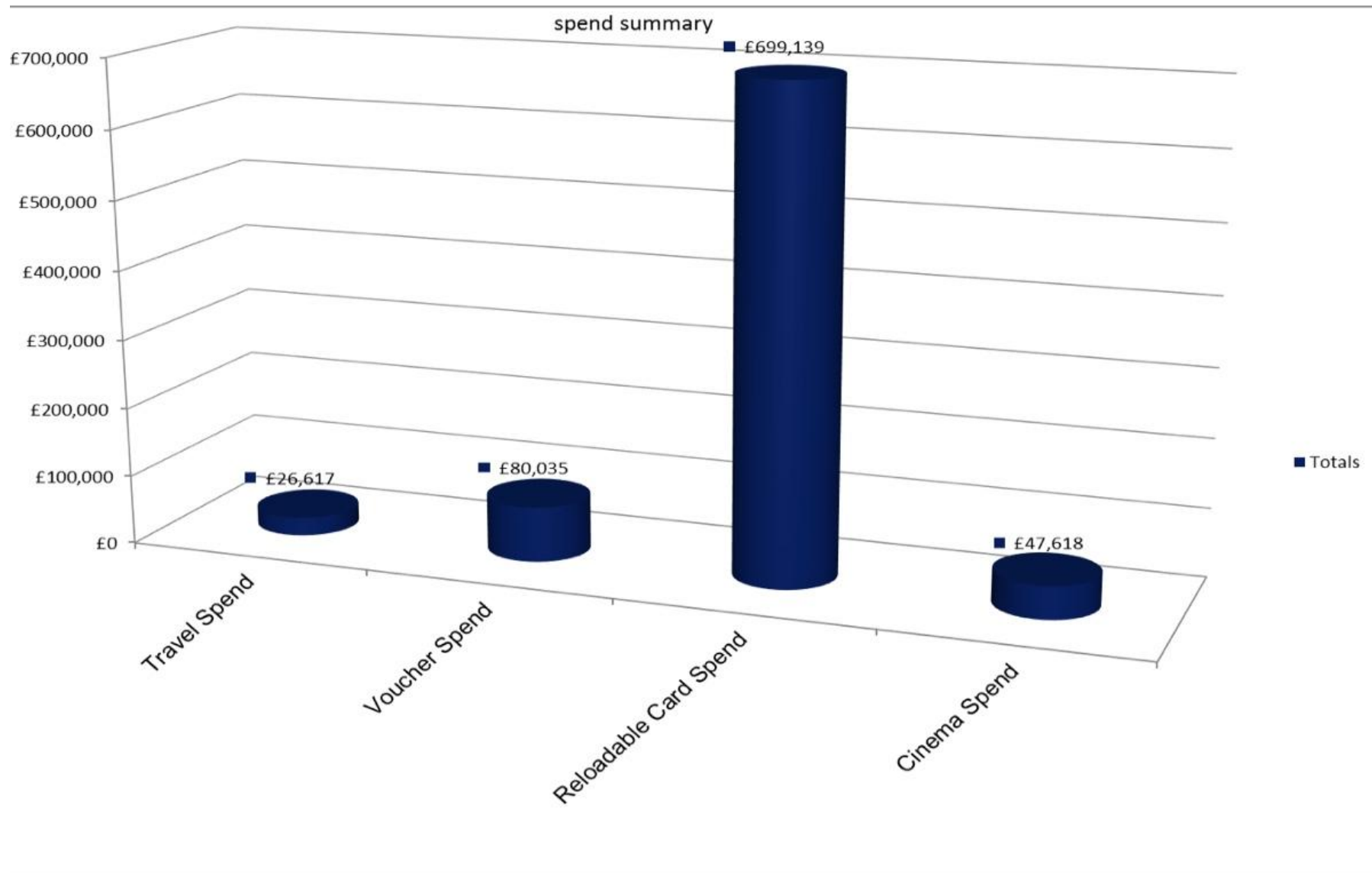
January – December 2017



Annex 3 - A summary of savings from the employee benefits for 2017 (excluding childcare vouchers, cycle plus, the lease car scheme, local offers e.g. gym membership discounts, travel insurance and health insurance)

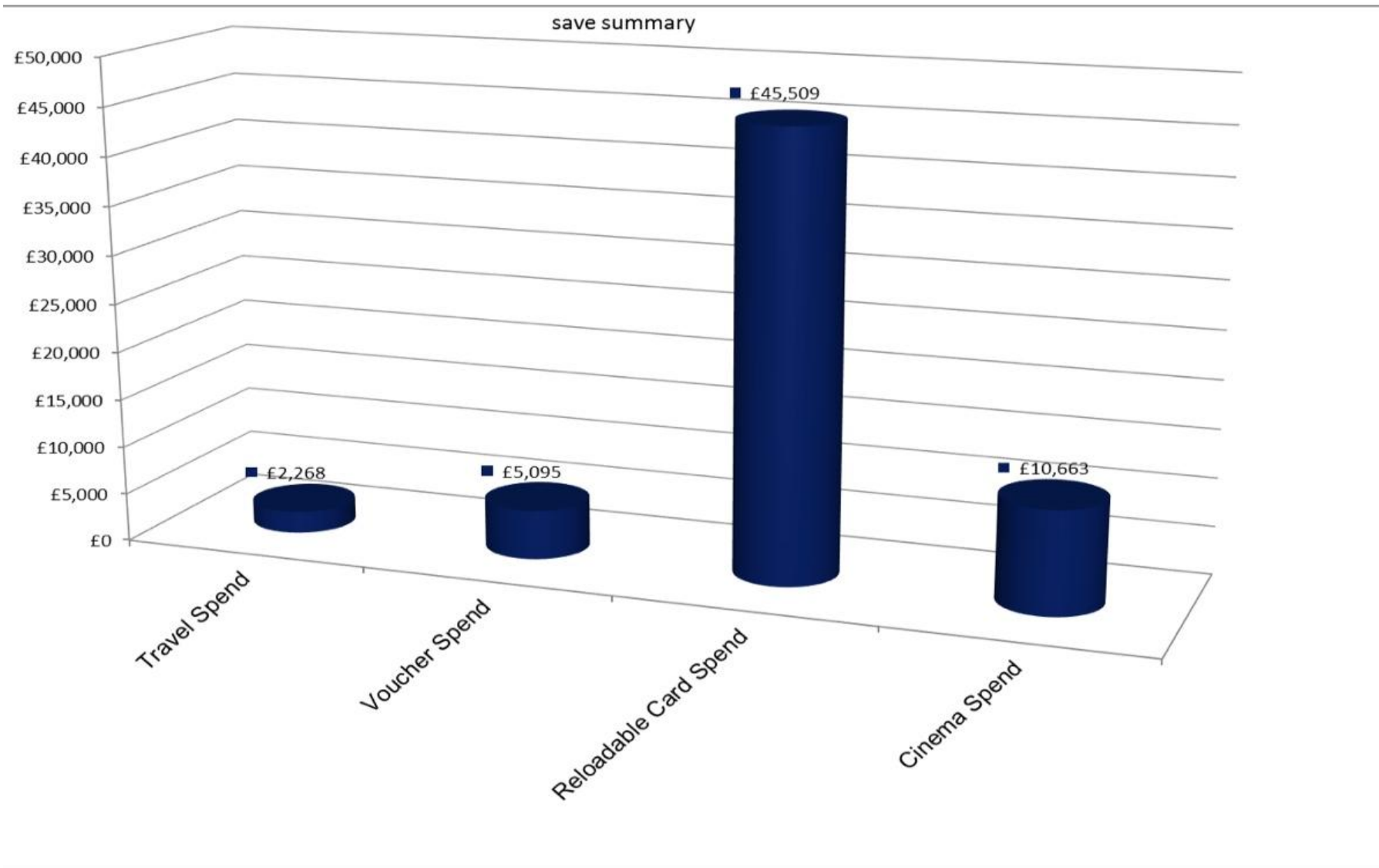
Spend Chart

January – December 2017



Save Chart

January – December 2017



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