

AT A MEETING of the EMPLOYMENT IN HAMPSHIRE COUNTY COUNCIL COMMITTEE held at The Castle, Winchester on 31 October 2012.

PRESENT:

Chairman:

p Councillor T. K. Thornber, CBE

Councillors:

p C. Carter

a A. P. Collett

p B. D. Dash

a Dr. R. J. Ellis

p K. Evans

p Felicity Hindson

p K. House

p J.J. Wall

134. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Adrian Collett who was unable to attend for medical reasons and from Councillor Ray Ellis who was engaged in County Council business elsewhere.

135. DECLARATIONS OF INTEREST

All Members who believe they have a Disclosable Pecuniary Interest in any matter to be considered at the meeting must declare that interest and, having regard to the circumstances described in Part 3, Paragraph 1.5 of the County Council's Code of Conduct, leave the meeting while the matter is discussed, save for exercising any right to speak in accordance with paragraph 1.6 of the Code. Furthermore, all Members with a Non-Pecuniary Interest in a matter being considered at the meeting should consider whether such interest should be declared, and having regard to Part 5 Paragraph 2 of the Code, consider whether it is appropriate to leave the meeting while the matter is discussed, save for exercising any right to speak in accordance with the Code.

136. MINUTES

The Minutes of the meeting held on 16 July 2012 were confirmed as a correct record subject to minor typographical amendments to Minute 128. The Minutes were signed by the Chairman.

There were no matters arising on this occasion.

137. CHAIRMAN'S ANNOUNCEMENTS

- a) The Chairman welcomed Roger Farrall, Chairman of the Independent Remuneration Panel (IRP) and Julia Abbott, IRP Member who were observing the meeting.
- b) The Chairman confirmed that a dispensation had been approved by the Conduct Advisory Panel at its meeting on 30 October 2012 allowing all Members of the Employment in Hampshire County Council (EHCC) Committee to participate and vote in the business set out in Item 5 of the Agenda: Members' Allowances Scheme for 2013-14.
- c) The Chairman invited the Head of Human Resources (HR) to update the Committee on the Birmingham Equal Pay case and the recent ruling by the Supreme Court. The Head of HR reported that the Supreme Court ruling gave permission to individuals who wish to make an Equal Pay Claim to do so through the Civil Courts rather than through the usual route of an Employment Tribunal. This now allows an individual six years to make that claim, which is a significant difference to the previous claim period of 6 months. A successful claim could result in an award of up to six years back pay. In conclusion, the Head of HR highlighted that the Supreme Court's ruling did not in any way agree the equal pay cases and hence there is no guarantee that any cases brought through the Civil Courts would be successful.

138. MEMBERS' ALLOWANCES SCHEME 2013-14

It was noted that notwithstanding the dispensation allowing all Members to participate in discussions of, and vote on the Members' Allowances Scheme, Councillor Keith Evans took no part in the discussions due to his role as Chairman of the Audit Committee.

The Committee considered the report of the Chief Executive (Item 5 in the Minute Book) setting out the proposed Members' Allowances Scheme for 2013-14 for recommendation to the County Council. The Head of Governance presented the report and expanded on the recommendations resulting from the IRP's meeting on 19 September 2012, a copy of which was appended to the Chief Executive's report. The Head of Governance also reported that in regard to the review of governance models that was being carried out, should the Council decide on new governance arrangements it would be possible to change the Members' Allowances Scheme mid-year. The IRP would meet to review the Scheme and make recommendations to the Council at that time.

The Chairman thanked the IRP for their deliberations and recommendations.

In considering the IRP's recommendations, the Committee expressed the following views:

Recommendation 2.1: That the Basic Allowance and Special Responsibility Allowances be increased in line with any nationally agreed pay awards for staff (if any) from 1 April 2013 – the Committee were of the view that given the current challenging economic environment in which the County Council is operating, it would not be appropriate for Members to receive an increase in the Basic or Special Responsibility Allowances regardless of the outcome of national negotiations in regard to staff pay. The Committee therefore agreed that Basic and Special Responsibility Allowances should remain unchanged and continue to be paid at the April 2011 rate.

Recommendation 2.2: That no change be made to the existing SRA's paid to the Chairman of the Pension Fund Panel and the Chairman of the Audit Committee – in regard to the SRA for the Chairman of the Pension Fund Panel, the Committee expressed a strong view that the responsibility attached to this position, i.e. managing a Panel with decision making powers that affected not only pension fund members, past and present but also affiliated organisations in what is a financial environment that continues to be very challenging, was not adequately recognised at its current level. However, the Committee agreed to accept the IRP's recommendation but expressed genuine concern that the current SRA does not adequately reflect the level of responsibility undertaken by the Chairman of the Pension Fund Panel. Furthermore, the Committee requested that the IRP look at comparator County Councils and the SRA paid for this or a similar position.

Recommendation 2.3: That no change be made to the SRA's paid to Vice-Chairman of Committees – the Committee accepted the recommendation of the IRP but highlighted the importance of the role of Vice-Chairman of Committees in regard to succession planning as well as a variety of other duties to acquire knowledge and experience.

Recommendation 2.4: That no change be made to arrangements for Members' Pensions – the Committee accepted the recommendation of the IRP.

Councillors Carter, K. Evans, Hindson, House and Wall wished it to be noted in the Minutes that they are members of the Local Government Pension Scheme.

Recommendation 2.5: That a Special Responsibility Allowance at a nominal sum of £200, plus expenses, be paid to Police and Crime Panel Independent Co-opted Members, and that it be reviewed within the year – in considering this recommendation, the Committee were

mindful that the proposed remuneration was not in line with other co-opted and independent positions such as Co-opted Members of the Children and Young People Select Committee and the new Independent Person position, set at £675 per annum. The Committee agreed that the remuneration for all Co-opted and independent positions should be regularised at £675 per annum, including the remuneration of the members of the Independent Remuneration Panel.

On a general point, the Committee noted the IRP's view that development of terms of reference and a summary of responsibilities for positions for which an SRA is paid would be helpful.

RESOLVED:

That the Employment in Hampshire County Council Committee recommend to the County Council that approval be given to a Members' Allowances Scheme 2013/14, which takes into account the recommendations of the Independent Remuneration Panel and the amendments to those recommendations agreed by the EHCC Committee together with the views expressed, as detailed above.

139. AUTO ENROLMENT – WORKPLACE PENSIONS REFORM

The Committee considered the report of the Director of Corporate Resources, and the Head of Human Resources (Item 6 in the Minute book) updating the Committee on the new employer duties outlined in the Pensions Act 2011 regarding auto enrolment. The Head of HR presented the report, expanded on the key points and confirmed that administration processes would be reviewed in regard to casual workers who may return to the County Council a number of times, to ensure processes are as efficient as possible.

During the course of discussion, the Committee requested that the Head of HR look into whether or not auto-enrolment applies to County Councillors.

RESOLVED:

That the Employment in Hampshire County Council Committee note the progress on implementation of the new employer duties outlined in the Pensions Act 2011 regarding Auto Enrolment.

140. HAMPSHIRE COUNTY COUNCIL PAY POLICY STATEMENT FINANCIAL YEAR 2013-14

The Committee considered the report of the Chief Executive (Item 7 in the Minute Book) outlining the requirements on the County Council in respect of pay accountability and setting out the proposed Pay Policy Statement for the financial year 2013-14 for recommendation to the County Council. In presenting his report, the Chief Executive

confirmed the Pay Policy Statement was an annual report and presented for the second time for consideration by the Committee since the introduction of the Localism Act in 2011. The Pay Policy Statement remained virtually unchanged to that of 2012-13, however attention was drawn to paragraph 4.2 of the report which set out the latest position regarding Public Health staff.

In considering the report, the Committee noted that salary ranges for staff had not increased since 2009, as set out at paragraph 12 of the Pay Statement, and requested that attention be drawn to this at the time the Committee's recommendations are submitted to the County Council. Furthermore, the Committee noted the requirement in the Pay Statement that no Chief Officer, as defined at paragraphs 23-26 of the Pay Statement, will be employed by the County Council on terms and conditions which allow such as officer to be an employee of the County Council whilst operating in practice as a limited company for taxation reasons.

RESOLVED:

That the Employment in Hampshire County Council Committee:

- a) recommend to the County Council approval of the Pay Policy Statement for 2013-14 as set out at Appendix C of the supporting report.
- b) recommend to the County Council that it remains the appropriate Committee to agree Chief Officer remuneration, including individual salary offers for those above Grade K in respect of any new Chief Officer appointments, in accordance with the Pay Policy Statement.