

NOTTINGHAM CITY COUNCIL
APPOINTMENTS AND CONDITIONS OF SERVICE COMMITTEE

Date: Tuesday 29 October 2013

Time: 2.00pm

Place: LB 31 at Loxley House, Station Street

Councillors are requested to attend the above meeting on the date and at the time and place stated to transact the following business.



Corporate Director of Resources and Deputy Chief Executive

Constitutional Services Officer: Carol Jackson Direct dial - 8764297

AGENDA

- 1 APOLOGIES FOR ABSENCE**
- 2 DECLARATIONS OF INTERESTS**
- 3 MINUTES** Attached
Last meeting held on 3 September 2013 (for confirmation)
- 4 LIVING WAGE - FULL IMPLEMENTATION 2014** Attached
Report of Director of Human Resources and Transformation

IF YOU NEED ANY ADVICE ON DECLARING AN INTEREST IN ANY ITEM ON THE AGENDA, PLEASE CONTACT THE CONSTITUTIONAL SERVICES OFFICER SHOWN ABOVE, IF POSSIBLE BEFORE THE DAY OF THE MEETING

CITIZENS ATTENDING MEETINGS ARE ASKED TO ARRIVE AT LEAST 15 MINUTES BEFORE THE START OF THE MEETING TO BE ISSUED WITH VISITOR BADGES.

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NOTTINGHAM CITY COUNCIL

APPOINTMENTS AND CONDITIONS OF SERVICE COMMITTEE

MINUTES of the meeting held at Loxley House on 3 September 2013 from 2.03 pm to 2.15 pm.

- ✓ Councillor Toby Neal (Chair)
- ✓ Councillor Eunice Campbell
- ✓ Councillor Graham Chapman
- ✓ Councillor Alan Clark (Vice-Chair)
- Councillor Jon Collins
- ✓ Councillor Georgina Culley (minute item 31 only)
- ✓ Councillor Nicola Heaton
- Councillor Nick McDonald
- Councillor David Mellen
- ✓ Councillor Eileen Morley
- ✓ Councillor Alex Norris

✓ present at meeting

Colleagues, partners and others in attendance:

- Helen Jones - Director for Adult Assessment) Children and Families
- Linda Sellars - Adult Social Care Specialist)
- Richard Henderson - Head of Change and Improvement) Resources
- Lynn Robinson - Business Partner HR Resources & Transformation)
- Carol Jackson - Constitutional Services Officer)

27 APOLOGIES FOR ABSENCE

- Councillor Jon Collins)
- Councillor Nick McDonald) other Council business.
- Councillor David Mellen)
- Councillor Georgina Culley for her late arrival

28 DECLARATIONS OF INTERESTS

None

29 MINUTES

The Committee confirmed the minutes of the meeting held on 2 July 2013 as a correct record and they were signed by the Chair.

30 EXCLUSION OF THE PUBLIC

The Committee decided to exclude the public from the meeting during consideration of the remaining agenda items in accordance with Section 100A(4) of the Local Government Act 1972 on the basis that, having regard to all the circumstances, the public interest in maintaining the exemption outweighed the public interest in disclosing the information, as defined in Paragraphs 1,2,3,4 and 5 of Part 1 of Schedule 12A to the Act.

31 REVIEW OF ADULT ASSESSMENT STRUCTURE AND OPERATING MODEL

Helen Jones, Director for Adult Assessment, introduced a report seeking approval to implement the revised structure for Adult Assessment Services on a phased implementation plan from September 2013.

RESOLVED

- (1) to approve the implementation of the revised structure for Adult Assessment Services, on a phased implementation plan from September 2013;**
- (2) to approve the establishment of 'Chief Social Worker' post at grade SLMG- 6;**
- (3) to note the amendments to the original proposals presented to the Committee on 19 March 2013.**

4.

APPOINTMENTS AND CONDITIONS OF SERVICE COMMITTEE

29 October 2013

Title of paper:	Living Wage – Full Implementation 2014	
Director(s)/ Corporate Director(s):	Angela Probert Director of Human Resources and Transformation	Wards affected: All
Report author(s) and contact details:	Della Sewell Employee Relations Manager 01158763575 Della.sewell@nottinghamcity.gov.uk	
Portfolio Holder(s):	Cllr Chapman, Portfolio Holder for Resources and Neighbourhood Regeneration	Date of consultation with Portfolio Holders(s): 02/10/2013
Other colleagues who have provided input:	Beverley Bull Finance Analyst 0115 8763693 Bev.bull@nottinghamcity.gov.uk John Bernard-Carlin Team Leader Housing, Employment & Education Team Legal Services 0115 8764391 John.bernard-carlin@nottinghamcity.gov.uk	
Relevant Council Plan Strategic Priority: (you must mark X in the relevant boxes below)		
World Class Nottingham		
Work in Nottingham		X
Safer Nottingham		
Neighbourhood Nottingham		
Family Nottingham		
Healthy Nottingham		
Leading Nottingham		X
Summary of issues (including benefits to citizens/service users):		
This report recommends that the Council progresses to full implementation of the Living Wage from 1 st April 2014 to address in work poverty.		
1.3 Recommendation(s):		
It is recommended that ACOS agree to:		
1	To accelerate those employees paid on GLPC (Greater London Provincial Council) grade A and GLPC grade B, spinal column points (SCP) 8-10 to an hourly rate of currently £7.45 by way of a separate element of pay with effect from 1 April 2014.	

2	Consider the implications of the further increase in the Living Wage rate that is expected to be announced in November 2013. This will be the subject of a future report to ACOS.
3	To note that consultation with schools will be required on how the Living Wage is funded in schools.

2. **BACKGROUND**

- 2.1 To address the issue of low pay that has arisen over the past few years ACOS agreed on 3 December 2012 to work towards the implementation of the Living Wage by paying a partial Living Wage supplement to those employees currently on GLPC grade A, including schools based employees and casual workers. At the same time ACOS committed to the future full implementation of the full Living Wage in 2014/15.
- 2.2 Payment of the partial Living Wage supplement (which equates to a salary equivalent to £6.83 per hour paid as a separate element of pay) will commence from November 2013, with affected colleagues receiving back dated pay to 1 April 2013.
- 2.3 This report recommends that full implementation of the Living Wage commences from 1st April 2014. The full Living Wage for places outside of London is currently £7.45 per hour, but this will be reviewed by the Living Wage Foundation in November 2013 to a rate not currently known but likely to be in the region of £7.70 per hour.
- 2.4 The Living Wage amount currently falls between SCP10 and SCP11 (GLPC grade B) on our current pay scales (See Appendix A for current NCC pay scales). Therefore the introduction of the full Living Wage supplement would see colleagues on GLPC Grade A (already in receipt of the partial Living Wage supplement) and GLPC Grade B, SCP 8-10, being paid a salary equivalent to £7.45 per hour. This would impact upon approximately 958 centrally based employees, 644 schools-based employees and 1156 casuals (schools and non-schools). See Appendices B & C for more detailed information.
- 2.5 As with the partial implementation the difference between current pay and £7.45 will be paid as a separate element of pay. This is to ensure that the Council's pay and grading model remains protected, and minimises the risk of an equal pay challenge. Equally schools based employees and casual workers who are paid on GLPC Grade A and Grade B, up to SCP 10 will need to be included to minimise any equal pay challenges.

3. **REASONS FOR RECOMMENDATIONS (INCLUDING OUTCOMES OF CONSULTATION)**

- 3.1 Over recent years many people have seen their real income fall in comparison to the costs of living. The City Council wishes to contribute to building a more prosperous local community and this includes taking active steps as an employer to raise the living standards of our lowest paid workers.
- 3.2 Furthermore, annual increases in the minimum wage (currently £6.31/hour for adults) mean that it is rapidly catching up with our entry level salaries, and if the Council is to remain an attractive source of potential employment to local people it needs to ensure appropriately remunerated employment opportunities for our local citizens.
- 3.3 The proposals presented to ACOS at this meeting, aim to address the concern for lower paid employees, and to maintain the attractiveness of the City Council as an employer of choice.

4. OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 4.1 The option of not paying the Living Wage and effectively doing nothing has been considered but the need to reduce in-work poverty and to recognise the difficulties lower paid employees are experiencing needs to be recognised and prioritised. However this has to be balanced against the cost of full implementation hence why a phased approach has been taken.
- 4.2 The current Living Wage for places outside of London is £7.45 per hour, but this will be reviewed by the Living Wage Foundation in November 2013 to a rate not currently known, but it is likely to be more. Therefore, this has also been considered as part of the financial implications section of this report.

5. FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY/VAT)

- 5.1 The current Medium Term Financial Plan (MTFP) includes a provision for the partial implementation of the living wage from 1 April 2013 of 0.384m per annum. However the provision was only for permanent centrally based employees. No provision was made for casual workers. It is estimated an additional £0.060m is required to fund the cost of partial implementation of living wage for casuals.
- 5.2 It is estimated the full implementation of living wage from 1 April 2014 for permanent and centrally employed employees and casual workers is an additional £0.642m per annum. There is currently no provision in the MTFP for the additional cost of full implementation of the living wage.
- 5.3 The provision for the additional cost of the living wage is being considered as part of the wider budget strategy which will be reported to Executive Board in December for consultation. In examining proposals for the 2014/15 budget, the Council considers both the immediate situation and the longer term outlook and assesses the impact of decisions accordingly. Although there are uncertainties, it is clear that the public sector will have significantly lower levels of funding in the future than have been there in the past and significant further savings will be needed.
- 5.4 The partial implementation of the living wage from 1 April 2013 for school employees has been met from individual school budget allocations. The estimated additional cost of full implementation of the living wage from 1 April 2014 for permanent employees and casual workers is **£0.200m per annum**; this additional cost will have to be met from within Schools budget allocations.

Schools budgets are allocated in accordance with Department of Education guidance and financial regulations however; Schools Forum has to approve certain elements of the budget process and agree the overall budget. To ensure this occurs consultation with Schools will be required on this issue.

- 5.5 If the Living Wage Foundation increases the living wage rate to, for example £7.70 an hour, the estimated additional cost for of paying £7.70 instead of £7.45 an hour from 1 April 2014 is £0.276m for permanent centrally employed employees and casual workers. If the Living Wage Foundation increases the living wage rate a decision will be required as to whether the increase is implemented and additional provision will need to be identified.

6. RISK MANAGEMENT ISSUES (INCLUDING LEGAL IMPLICATIONS AND CRIME AND DISORDER ACT IMPLICATIONS)

Legal Comments

- 6.1 On the basis that an equality impact assessment has been carried out prior to implementation and subject to consistent application to all identified employees/posts, the equal pay risks arising from the recommendation are viewed as low.

7. EQUALITY IMPACT ASSESSMENT

- 7.1 Attached in Appendix D.

8. TRADE UNION COMMENTS

- 8.1 We welcome the council's decision to implement the Living Wage, although we note that at this stage it has only committed to partial implementation. We are disappointed however at the number of times the council has postponed the payment of the Living Wage supplement since April 2013, which has caused a great deal of upset and anger amongst those affected.
- 8.2 Whilst the council aims to implement the Living Wage fully in April 2014 the Trade Unions strongly believe this should not be done by attempting to remove the pay, terms and conditions of other employees many of whom are also suffering extreme financial hardship.

9. LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

None

10. PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

None

Appendix A: Nottingham City Council pay scales 2013-14

Tier	Grade	Spinal Point	Salary	Hourly Rate
6	GLPC-A	04	£12,266	6.3578
		05	£12,435	6.4454
		06	£12,614	6.5382
		07	£12,915	6.6942
	GLPC-B	08	£13,321	6.9046
		09	£13,725	7.1140
		10	£14,013	7.2633
		11	£14,880	7.7127
	GLPC-C	12	£15,189	7.8729
		13	£15,598	8.0849
		14	£15,882	8.2321
		15	£16,215	8.4047
	GLPC-D	16	£16,604	8.6063
		17	£16,998	8.8105
		18	£17,333	8.9841
		19	£17,980	9.3195
		20	£18,638	9.6606
	GLPC-E	21	£19,317	10.0125
		22	£19,817	10.2717
		23	£20,400	10.5739
24		£21,067	10.9196	
25		£21,734	11.2653	
GLPC-F	26	£22,443	11.6328	
	27	£23,188	12.0189	
	28	£23,945	12.4113	
	29	£24,892	12.9022	
	30	£25,727	13.3350	
5	GLPC-G	31	£26,539	13.7559
		32	£27,323	14.1622
		33	£28,127	14.5790
		34	£28,922	14.9910
		35	£29,528	15.3051
	GLPC-H	36	£30,311	15.7110
		37	£31,160	16.1510
		38	£32,072	16.6238
		39	£33,128	17.1711
		40	£33,998	17.6221
	GLPC-I	41	£34,894	18.0865
		42	£35,784	18.5478
		43	£36,676	19.0101
		44	£37,578	19.4777
		45	£38,422	19.9151
4	GLPC-J	46	£39,351	20.3967
		47	£40,254	20.8647
		48	£41,148	21.3281
		49	£42,032	21.7863
		50	£42,930	22.2517
	GLPC-K	51	£43,830	22.7182
		52	£44,717	23.1780
		53	£45,620	23.6460
		54	£46,553	24.1296
		55	£47,487	24.6138

**Appendix B: Non Schools Roles affected by the Living Wage
Data as at 1st October 2013**

Non- Schools: GLPC A, GLPC-CAS-A, Non GLPC Equivalent to GLPCA			
	Perm/Temp	Casual	Total
Post	Contract Count	Contract Count	Contract Count
Care Assistant	0	1	1
Casual Translator Interpreter	0	117	117
Childcare Worker (Play)	0	2	2
Children's Centre Worker L1	3	0	3
Cleaner	450	28	478
Customer Services 1	0	73	73
Dining Room Assistant	10	0	10
General/Kitchen Domestic	41	1	42
Kitchen Assistant	235	0	235
Museum Sales Assistant	0	1	1
Operations 1	0	231	231
Social Care 1	0	11	11
Technical 1	0	69	69
Apprentice / canvasser	57	4	61
TOTAL	796	538	1334

Non- Schools: GLPC B SCP 08, 09.10			
	Perm/Temp	Casual	Total
Post	Contract Count	Contract Count	Contract Count
Admin Assistant	1	0	1
Admin Officer	1	0	1
Assistant Cook	34	0	34
Business Support Assistant	11	0	11
Business Support Assistant L2	2	0	2
Cashier	1	0	1
Catering/Bar Assistant	4	0	4
Clerical Assistant	1	0	1
Concierge	1	0	1
Council House Assistant	1	0	1
Driver Maintenance	2	0	2
Electoral Services Assistant	1	0	1
Gardener	12	0	12
General Operative	25	0	25
Mail Room Assistant	2	0	2
Museum Sales Assistant	7	2	9
Service Admin	0	1	1
Park and Ride Attendant	2	0	2
Play and Youth Worker	1	0	1
Playground Maintenance Operative	2	0	2
Public Realm Operative L1	4	0	4
Receptionist	34	3	37
Receptionist/Admin Assistant	1	0	1
School Crossing Patrol	2	0	2
Student Placement	3	0	3
Toilet Attendant	5	0	5
Window Cleaner	1	0	1
Driver/Mechanic (TUPE)	1	0	1
Customer Services 2	0	58	58
Social Care	0	47	47
Teaching and Learning 2	0	22	22
Service Admin 2 Rebus SUPPCA3	0	13	13

Service Admin 2 Rebus SUPPCA2	0	1	1
TOTAL	162	147	309

GRAND TOTAL Non Schools	958	685	1643
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**Appendix C: Schools Roles affected by the Living Wage
Data as at 1st October 2013**

Schools: GLPC A, GLPC-CAS-A, Non GLPC Equivalent to GLPCA			
	Perm/Temp	Casual	Total
Post	Contract Count	Contract Count	Contract Count
Breakfast Club Assistant	37	3	40
Cleaner	73	0	73
Display Coordinator	1	0	1
Kitchen Assistant	3	0	3
Laundry Assistant	2	0	2
Midday Supervisor	494	2	496
Operations 1	0	5	5
Reprographics Assistant	2	0	2
Social Care 1	0	86	86
Welfare Assistant	1	0	1
Cas-Breakfast Club Assistant	1	0	1
Cas-Casual Breakfast Club Assistant	0	1	1
Cas Breakfast Club Sup	0	1	1
Cas-Relief Breakfast Club Assistant	0	3	3
Cas-Sessional Worker	0	132	132
Cas-Supply Breakfast Worker	0	6	6
Miscellaneous*	6	195	201
TOTAL	620	434	1054

Schools: GLPC B, SCP 08, 09, 10			
	Perm/Temp	Casual	Total
Post	Contract Count	Contract Count	Contract Count
Breakfast Club Cook	1	0	1
Caretaker	1	0	1
Exclusion Room Manager	1	0	1
Midday supervisor – Beckhampton	1	0	1
Pool Support Attendant	2	0	2
School Admin / Clerical Assistant	7	0	7
School Club Worker	4	1	5
Technician	3	0	3
Trainee Library Assistant	1	0	1
Service Admin 2	0	6	6
Teaching and learning 2	0	18	18
Miscellaneous*	3	12	15
TOTAL	24	37	61

* Roles with no associated Job Evaluation ID

GRAND TOTAL Schools	644	471	1115
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Appendix D – Equality Impact Assessment

Name and brief description of proposal / policy / service being assessed

This is an initial equality impact assessment screening of the proposal to introduce the payment of the full Living Wage (currently £7.45 per hour for places outside of London) from the 1st April 2014. This would impact on central employees, schools-based employees and casuals on GLPC Grade A (currently in receipt of the partial Living Wage supplement) and GLPC Grade B SCP 8-10.

Information used to analyse the effects on equality

The data used for the purposes of this EIA was run as of 14 October 2013, and uses the same data set that is referred to throughout the ACOS report. It, therefore, includes central employees, schools-based employees and casual workers (a total of 2758 assignments) within the eligible grades/spinal column points. Due to the fact that the Council is currently between HR reporting systems (Delphi and Oracle) the data has been taken from a weekly 'data dump' and, therefore, it has not been possible to examine the impact on sexual orientation and religion, as this data is not available.

	Could particularly benefit (X)	May adversely impact (X)	How different groups could be affected: Summary of impacts	Details of actions to reduce negative or increase positive impact (or why action not possible)
People from different ethnic groups	<input type="checkbox"/>	<input type="checkbox"/>	Of those colleagues in scope of the Living Wage, 17% (488) are BME. This is comparable to the overall BME representation in the workforce (16%).	For BME and Disabled colleagues the impact of the proposal appears neutral (that is to say there is no particular benefit or adverse impact)
Men, women (including maternity/pregnancy impact), transgender people	<input checked="" type="checkbox"/> (Women)	<input type="checkbox"/>	Of those colleagues in scope of the Living Wage 78% (2151) are women compared to 69% in the workforce overall. Conversely only 22% of those colleagues in scope are male (as compared to 31% in the workforce overall). Therefore, there is a potential benefit for female colleagues and a potential adverse impact for male colleagues from the introduction of the Living Wage.	There is a potential negative impact on male colleagues in that proportionally fewer males will receive the Living Wage; however the fact that there is a higher representation of male colleagues in the groups who are not eligible for the Living Wage, indicates that they are already in the higher salary bands and, therefore, not in posts that would be classed as earning
Disabled people or carers	<input type="checkbox"/>	<input type="checkbox"/>		
People from different faith groups	Data not available	Data not available		
Lesbian, gay or bisexual people	Data not available	Data not available		
Older or younger people	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Of those colleagues in scope of the Living Wage 3% (80) are disabled. This is comparable to the overall	

			<p>disabled representation in the workforce (3%).</p> <p>Of those colleagues in scope of the Living Wage 14% (396) are in the younger age brackets (16-24 years) compared to 9% in the overall workforce and 24% (666) are in the older age brackets (55-65+ years) compared to 19% in the overall workforce. Given the proportionally higher representation of older and younger workers who would be in receipt of the Living Wage under this proposal there is, a potential benefit to these groups.</p>	<p>below the hourly minimum rate considered necessary for a reasonable standard of living by the Living Wage Foundation.</p>
<p>Outcome(s) of equality impact assessment:</p>				
<p>No major change needed <input checked="" type="checkbox"/> Adjust the policy/proposal <input type="checkbox"/> Adverse impact but continue <input type="checkbox"/> Stop and remove the policy/proposal <input type="checkbox"/></p>				
<p>Arrangements for future monitoring of equality impact of this proposal / policy / service:</p> <p>It is recommended that this Equality Impact Assessment is reviewed after implementation, and again after any annual increases to the Living Wage amount as this has the potential to impact on a wider range of spinal column points and/or grades bringing more colleagues into scope.</p>				
<p>Approved by (manager signature): Della Sewell, Employee Relations Specialist Tel: 0158763575 della.sewell@nottinghamcity.gov.uk</p>			<p>Date: 17 October 2013</p>	

Data Analysis used for the Equality Impact Assessment

For the purposes of this assessment, index scores have been used, as this provides a clear and straightforward way of showing where there is higher or lower representation at a particular level. Using 16-17 year olds as an example, each index is calculated using the following calculation:

$$(35 \text{ LW Assignments} / 2758 \text{ Total LW Assignments}) / (58 \text{ All Assignments} / 13,019 \text{ Total All Assignments}) \times 100 = 285$$

70-	much lower representation
70-90	lower representation
90-110	about the same representation
110-130	higher representation
130+	much higher representation

1) Age band equality monitoring:

Age Band	No. LW Assignments	All Assignments	Index Score
16-17	35	58	285
18-24	361	1093	156
25-34	388	2486	74
35-44	605	3097	92
45-54	703	3797	87
55-64	522	2158	114
65+	144	330	206

2) Gender equality monitoring:

Sex	No. LW Assignments	All Assignments	Index Score
Female	2151	9015	113

Male	607	4004	72
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3) Ethnicity monitoring - by BME:

BME	No. LW Assignments	All Assignments	Index Score
Yes	488	2140	108
No	1790	9091	93
Not Known	480	1788	127

4) Disability monitoring:

Disability	No. LW Assignments	All Assignments	Index Score
Disabled	80	409	92
Not Disabled	2136	10210	99
Not Known	542	2400	107