



GOVERNANCE COMMITTEE

TUESDAY, 23 JANUARY 2024

10.45 AM (OR AT THE CONCLUSION OF CABINET, WHICHEVER IS THE LATER) COUNCIL CHAMBER, COUNTY HALL, LEWES

MEMBERSHIP - Councillor Keith Glazier (Chair)
Councillors Nick Bennett, Bob Bowdler, Chris Collier, Johnny Denis and David Tutt

A G E N D A

1. Minutes of the meeting held on 10 January 2024 (*Pages 3 - 4*)
2. Apologies for absence
3. Disclosures of interests
Disclosures by all members present of personal interests in matters on the agenda, the nature of any interest and whether the member regards the interest as prejudicial under the terms of the Code of Conduct.
4. Urgent items
Notification of items which the Chair considers to be urgent and proposes to take at the appropriate part of the agenda. Any members who wish to raise urgent items are asked, wherever possible, to notify the Chair before the start of the meeting. In so doing, they must state the special circumstances which they consider justify the matter being considered urgent.
5. Pay Policy Statement 2024-25 (*Pages 5 - 14*)
Report by the Chief Operating Officer.
6. Employee Referral Scheme (*Pages 15 - 22*)
Report by the Chief Operating Officer.
7. Annual Leave Entitlement (*Pages 23 - 26*)
Report by the Chief Operating Officer.
8. Pension Board Appointment (*Pages 27 - 28*)
Report by the Chief Finance Officer.
9. Any other items previously notified under agenda item 4

PHILIP BAKER
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15 January 2024

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GOVERNANCE COMMITTEE

MINUTES of a meeting of the Governance Committee held at Council Chamber, County Hall, Lewes on 10 January 2024.

PRESENT Councillors Keith Glazier (Chair), Nick Bennett, Bob Bowdler, Chris Collier, Johnny Denis and David Tutt

41. MINUTES OF THE MEETING HELD ON 28 NOVEMBER 2023

41.1 RESOLVED – that the minutes of the previous meeting of the Committee held on 28 November 2023 be confirmed and signed as a correct record.

42. REPORTS

42.1 Copies of the reports referred to below are included in the minute book.

43. LMG MANAGERS PAY OFFER 2023/24

43.1 The Committee considered a report by the Chief Operating Officer regarding the pay award for Local Managerial Grade (LMG) Managers for 2023/24.

43.2 The Committee RESOLVED to agree the pay award for LMG Managers for the financial year 2023/24 to mirror the national (NJC) award, as set out in paragraph 1.1 of the report.

44. SOCIAL MEDIA GUIDANCE FOR COUNCILLORS

44.1 The Committee considered a report by the Assistant Chief Executive on Social Media guidance for Councillors.

44.2 The Committee RESOLVED to agree the Social Media Guidance for Councillors attached at Appendix 1 of the report.

45. CHIEF EXECUTIVE, CHIEF OFFICERS' AND DEPUTY CHIEF OFFICERS' PAY 2023/24

[The Chief Executive, Chief Officers and Deputy Chief officers present at the meeting left the meeting prior to consideration of this item]

45.1 The Governance Committee considered a report by the Assistant Director, Human Resources and Organisation Development on the pay award for the Chief Executive, Chief Officers and Deputies for 2023/24.

45.2 The following amendment was moved by Councillor Tutt and seconded:

The pay award for the Chief Executive, Chief Officers and Deputy Chief Officers should mirror the award for LMG1 and LMG2 (pay points 10 and 11) managers for the financial year 2023/24 (£1,925 pay award).

45.3 The amendment was lost (by 3 votes to 3).

45.4 The Committee RESOLVED (by 4 votes to 3, the Chair exercising their casting vote) to agree the pay award for the Chief Executive, Chief Officers and Deputy Chief Officers for the financial year 2023/24 to mirror the national JNC pay awards as set out in paragraph 2.5 of the report.

[Councillors Chris Collier, Johnny Denis and David Tutt voted against the above resolution]

Report to: Governance Committee

Date of meeting: 23 January 2024

By: Chief Operating Officer

Title: Pay Policy Statement

Purpose: To consider the pay policy statement for 2024/25

RECOMMENDATIONS:

The Governance Committee is recommended to recommend to the County Council the updated pay policy statement for 2024/25 as set out in Appendix 1 of the report.

1. Background

- 1.1 The Localism Act 2011 requires local authorities to formulate and publish a pay policy statement on the pay of its Chief Officers and the relationship between these pay levels and the rest of the workforce, excluding schools. This policy statement has to be approved annually by full Council by 31 March.
- 1.2 At its meeting on 27 March 2012, County Council agreed that the Governance Committee should have formal responsibility for the approval of posts at Chief Officer, Deputy Chief Officer and Assistant Director level with a remuneration package of £100,000 or more, provided the existing grade bands and terms and conditions are applied and any proposed exceptions to these are reported to full County Council. The actual appointment decision will continue to be made using existing delegations. Any proposed exceptions to this would require the approval of the full County Council.

2. Pay Policy Statement

- 2.1 The Localism Act 2011 requires local authorities to prepare an annual pay policy statement relating to the remuneration (total pay package) of its Chief Officers, as defined by statute, Deputy Chief Officers (and, by definition, Assistant Directors), the Monitoring Officer and its lowest-paid employees, excluding schools. The pay policy also has to state the relationship between the remuneration of Chief Officers and the remuneration of its employees who are not Chief Officers.
- 2.2 The Hutton report on Fair Pay in the Public Sector recommended the publication of an organisation's pay multiple as a means of illustrating the relationship between the remuneration arrangements for Chief Officers in comparison with the rest of the non-schools workforce. This is a calculation in the form of a ratio between the median average earnings across the organisation and the highest paid employee. In addition, in 2021, revised guidance on the publication of fair pay disclosures was issued, requiring the publication of additional data; the top to median, lower quartile and upper quartile staff pay multiples (ratios) as set out below.
- 2.3 Fair Pay disclosures (pay multiples) March 2023 compared with March 2022:

Date of Calculation	Pay Multiple (median)	Pay Multiple (25 th Percentile)	Pay Multiple (75 th Percentile)	% change in highest paid director's salary & allowances	% change in all employees' salary & allowances
March 2022	6.87 : 1	9.12 : 1	5.27 : 1	1.5%	5.7%

March 2023	6.52 : 1	8.26 : 1	4.95 : 1	0.9%	10.0%
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The fair pay disclosures data is published on our website with the Pay Policy Statement and will be updated in March 2024.

- 2.4 It is necessary to include definitions and the authorities' policies relating to levels and elements of remuneration including all additional payments and benefits in kind. The statement must also indicate the approach to the payment of Chief Officers on ceasing employment, including eligibility for the award of additional pensionable service and on the engagement or re-engagement of Chief Officers previously made redundant or accessing a local government pension.
- 2.5 The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 placed a new requirement on all employers with 250 or more employees to publish gender pay data on the gov.uk website by 30 March each year. The median gender pay gap for 2022/23 is 9.3%, compared to 13.9% for 2021/22; the gender pay report for East Sussex County Council is published annually on our website, along with the Pay Policy Statement. The report and figures for 2023/24 will be uploaded before 30 March 2024.

3. Recommendations

- 3.1 The Governance Committee is recommended to recommend to the County Council the updated pay policy statement for 2024/25 as set out in Appendix 1 of the report.

Ros Parker
Chief Operating Officer

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Pay Policy Statement

Date: March 2024

Approved by East Sussex County Council at its meeting on 6 February 2024.

Document summary

Policy on the pay of Chief Officers, Deputy Chief Officers and Assistant Directors in relation to the rest of the local government workforce, excluding schools.

Enquiries

Pay and Reward Team, 01273 481867

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Key points

- The annual pay policy statement will be approved by full Council each year and published on the Council's website by 31 March.
- Elected members will take decisions on all matters concerning the pay of Chief Officers and Deputy Chief Officers through the Governance Committee including approval of any annual pay award. This Committee also approves any annual pay award offered to managerial staff employed on local pay and conditions.
- The Chief Officer salary bands are published on the County Council's website, along with the salary scales for all other staff groups.
- The County Council uses job evaluation to determine the grade of its posts and has adopted two schemes: the HAY scheme for managerial posts and the NJC (local government) Single Status scheme for staff below management level.

1. Background to the pay policy statement

- 1.1. The Localism Act 2011 requires local authorities to prepare a pay policy statement for each financial year. This statement has to be approved by the full County Council, annually.
- 1.2. The statement must set out the authority's policies for the financial year relating to the remuneration of its Chief Officers, the remuneration of its lowest paid employees and the relationship between the remuneration of its Chief Officers and the remuneration of its employees who are not Chief Officers.

2. Definitions

- 2.1. **Chief Officers:** Statutory and non-statutory Chief Officers of the County Council, all of whom report to the Chief Executive as the Head of the Authority's paid service. This definition is based on the interpretation provided in the Localism Act with reference to the Local Government and Housing Act 1989.
- 2.2. The Localism Act specifies that the **Monitoring Officer** is also included. This Officer is paid at Assistant Director level. (See paragraph 2.3, below).
- 2.3. **Deputy Chief Officers:** All posts reporting directly to a Chief Officer, whether paid on Deputy Chief Officer pay bands or Assistant Directors paid on Local Managerial Grades. This definition is based on the interpretation provided in the Localism Act with reference to the Local Government and Housing Act 1989.
- 2.4. **Lowest paid employees:** all staff paid on the lowest salary point of the local single status pay spine; currently £22,366 per annum (April 2023) for full time staff. All non-managerial employees are paid on a pay spine which commences at this level, hence the selection of this point as the lowest salary point.
- 2.5. The Localism Act defines **remuneration** as including; salary under a contract of employment or payments made under a contract for services, bonuses, charges, fees or allowances, any benefits in kind, any enhancement to pension entitlement and any amounts payable on the Chief Officer ceasing to hold office.

- 2.6. The publication of the ‘**pay multiple**’ as a determinant of the relationship between the pay of Chief Officers and that of the rest of the workforce was recommended by the Hutton report on Fair pay. This is a calculation in the form of a ratio between the median average earnings across the organisation and the highest paid employee. In addition, in 2021, revised guidance on the publication of fair pay disclosures was issued, requiring the publication of additional data; the top to median, lower quartile and upper quartile staff pay multiples (ratios).
- 2.7. The fair pay disclosures (pay multiples) will be published on the County Council website and monitored annually.

3. Remuneration of Chief Officers

- 3.1. The Chief Executive, Directors and Deputy Directors of the County Council are paid on local pay bands for Chief Officers and Deputy Chief Officers. These posts are evaluated using the Hay job evaluation scheme and are paid on the relevant band according to the size of their job as determined on the job evaluation scheme.
- 3.2. Assistant Directors are defined as ‘Deputy Chief Officers’ for the purposes of the Localism Act as they report directly to Chief Officers. These posts are also evaluated using the HAY job evaluation scheme and paid on the County Council’s Local Managerial Grades (LMG). All the County Council’s managers are paid on these scales and have a common scheme of terms and conditions of service.
- 3.3. The County Council’s salary scales are published on the County Council website <https://www.eastsussex.gov.uk/jobs/benefits/pay/>
- 3.4. In accordance with standard council policy, new employees are normally appointed to the minimum point of the pay scale unless there is a good reason for appointment at a higher point on the scale. This would be approved at a senior level and, in the case of Chief Officer appointments, by the Chief Executive in consultation with the Lead Member.
- 3.5. Incremental progression within a salary band would normally take place on 1 April each year until the maximum point of the scale is reached and is subject to the achievement of agreed operational targets. This is standard policy for all managers across the County Council.
- 3.6. Annual pay awards for Chief Officers and Deputy Chief Officers are subject to local pay determination by the Governance Committee. Annual pay awards for managers paid on Local Managerial Grades, including Assistant Directors, are negotiated with UNISON annually and approved by the Governance Committee. These pay awards are determined with reference to economic indicators including the rate of inflation (CPI), turnover rates, level of other public sector pay awards and market position. The local pay awards for these staff groups in 2023/24 mirrored the national NJC pay award.

4. Remuneration of employees who are not Chief Officers

- 4.1. The remuneration of employees below management level is subject to the ‘National Agreement on Pay and Conditions of Service of the National Joint Council for Local Government Services’ commonly known as the ‘Green Book’.

- 4.2. The 'Green Book' contains a national basic framework for conditions of service but also allows for local variation on certain specified conditions of service, including the pay structure. The County Council and the local trade unions have been working closely together over a number of years to implement these local variations via Local Collective Agreements. In broad terms, these have provided for a range of changes to terms and conditions of employment, including the following:
- the adoption of the National Joint Council Job Evaluation Scheme for determining the grade of posts on the local single status pay spine;
 - the implementation of local East Sussex Single Status pay scales containing 13 non-overlapping grades with consistent incremental steps. A copy of the current set of pay scales is published on the County Council's website.
 - a harmonised arrangement of paying up to two additional increments for work undertaken at weekends within the normal working week.
- 4.3. The locally negotiated pay awards, which mirror the nationally negotiated pay awards, have been applied to the local single status pay scales since their introduction in 2003.
- 4.4. Staff, who are not Chief Officers, working in Education Advisory roles or as Educational Psychologists are paid according to the national salary framework for Soulbury staff with associated terms and conditions.
- 4.5. Staff, who are not Chief Officers, working in youth and community roles are paid according to the national salary framework for JNC Youth and Community Workers with associated terms and conditions.

5. Other elements of remuneration

- 5.1. The County Council does not operate a formal performance-related pay system and therefore there are no bonus payments, earn back systems or other regular payments paid to Chief Officers beyond the annual increments referred to in paragraph 3.5 above.
- 5.2. The County Council's honorarium scheme applies to all staff, including Chief Officers, and rewards the performance of additional duties and responsibilities over and above an employee's normal workload for a temporary period. It includes reward for an exceptional contribution to a project or piece of work and for high standards of personal achievement and quality of work. There are three levels of payment against specified criteria and a payment of 2.5%, 5.0% and 7.5% of salary may be awarded for the period during which the additional duties/responsibilities were undertaken. The decision to award an honorarium payment to a Chief Officer would be taken by the Chief Executive and in the case of the Chief Executive, the Leader of the Council.
- 5.3. The County Council does not award additional fees to Chief Officers for undertaking local election duties.
- 5.4. The County Council's special merit payment scheme, which allows a flat rate payment of up to £1000 in recognition of a particular "one-off" contribution or a substantially increased workload, applies to all staff, including Chief Officers. The decision to award a merit payment to a Chief Officer would be taken by the Chief Executive and in the case of the Chief Executive, the Leader of the Council.

- 5.5. Out of pocket expenses incurred during the course of employment will be met by the County Council provided that the expenses are directly related to employment and are approved as reasonable. This is in line with standard County Council policy.
- 5.6. The standard County Council mileage payments are also paid to Chief Officers for mileage travelled on Council business. These are 45p per mile for contracted car users, 25p per mile for optional car users, 20p for travel in connection with training and 12p per mile for leased car users.
- 5.7. The County Council operates a car leasing scheme which is open to all employees but only attracts an employer contribution for staff who are expected to travel at least 4000 business miles per annum and leased car users are then reimbursed the 'fuel' element of their business travel. The employer contribution is £1600 per annum and the higher contribution for travel in excess of 7500 miles per annum is £2675.
- 5.8. The County Council has a Recruitment and Retention Incentives policy that provides options for additional payment/s by way of recruitment incentives, retention incentives and/or market supplements to aid the recruitment and retention of staff that work in areas where there is evidence of a skills shortage. These are rarely applied and have to be approved by the Corporate Management Team.

6. Relationship between the remuneration of Chief Officers and that of the wider workforce

- 6.1. Apart from the differences in pay scales as described in paragraph 3 above, there are minimal differences in entitlement to remuneration between Chief Officers, Deputy Chief Officers and the rest of the workforce as the County Council is working towards harmonisation of terms and conditions of service between staff groups. The main differences between the remuneration of employees below managerial level and the local managerial grades are:
 - i) Managers employed on local terms and conditions are not entitled to payment of any additional allowances beyond the basic rate of pay whereas employees below management level are able to claim for regular working outside standard working hours, for example, overtime or weekend working increments.
 - ii) Managers employed on local terms and conditions have their annual pay award approved locally by the Governance Committee, as described in paragraph 3.6, whereas employees below management level usually receive an award in line with the national pay award.
- 6.2. The fair pay disclosures ('pay multiples') will be calculated each year and published on the County Council's website with other pay information suggested in the code of recommended practice on data transparency. Historical information will be retained in order to monitor this over time.

7. Tax Avoidance

7.1. The Council is committed to tackling all forms of tax avoidance and therefore encourages the direct employment of staff paid via the payroll system. In a few circumstances where it is more appropriate to engage people on a self-employed basis, the Council offers a contract for services and follows guidelines to ensure that the correct employment status is identified. When a need arises for an 'interim' appointment, recruitment is normally secured using the Council's agency contract arrangement.

8. Appointment or Re-engagement of Chief Officers

8.1. Posts with proposed salary packages greater than £100,000 will be approved by the Governance Committee prior to appointment, provided the salary package being considered is in line with existing pay scales that also apply to other Chief Officers and Deputy Chief Officers undertaking similar duties and responsibilities. Chief Officers and Deputy Chief Officers will be appointed on one of the established grade bands appropriate to the post. Any proposed exceptions to this would require the approval of the full County Council.

8.2. The policy for appointing or re-engaging any member of staff who has previously been made redundant by this authority, and is, as a result of this, in receipt of a local government pension, is that there should be a presumption against re-employment of employees for a period of 12 months following the end of their employment. However, in exceptional circumstances employees may be re-employed by the Council.

8.3. In approving a re-employment of a Chief Officer, Members will need to be satisfied that:

- the employee is not being re-employed in a role or capacity which is broadly similar to the role from which they were made redundant;
- the rate of pay applied to the work undertaken by the re-engaged employee should be appropriate to the work to be done and not the grading which applied to the employee prior to the end of their current contract;
- the employment should be for a fixed term, not exceeding one year, unless there are exceptional circumstances, and the arrangement must provide financial / operational advantage to the Council.

9. Termination of Employment of Chief Officers

9.1. Any compensation payments made to Chief Officers and Deputy Chief Officers on ceasing to hold office or to be employed by the authority will be made on the same basis as any other employee in line with the County Council's 'managing change' policies.

- 9.2. The Local Government Early Termination of Employment (Discretionary Compensation) England and Wales Regulations 2006 require local authorities to formulate and publish their policy on making discretionary payments on early termination of employment within the parameter of up to 104 weeks' pay. In the event of an employee being made redundant or applying for voluntary severance, the County Council's managing change policy contains details of the circumstances in which a redundancy payment is payable. The payment is calculated on the basis of the statutory redundancy payment multiplied by 1.75. This equates to a maximum of 52.5 weeks' pay. For the purposes of calculating the enhanced (non-statutory) proportion of this payment, the employee's gross weekly salary will not be considered to include pension contributions made by the employer, or any other payments that are not normally made direct to the employee.
- 9.3. The Local Government Pension Scheme regulations provide for access to pension benefits without reduction from the age of 55 in the event of an employee being made redundant.
- 9.4. Where a severance package for an individual employee exceeds £30,000 it must be approved by the Chief Executive. A severance package that exceeds £100,000 must be approved by the Governance Committee with the components of the package listed separately.
- 9.5. Special Severance Payments are payments made to employees, workers, or others outside of statutory, contractual or other requirements when leaving employment in public service.
- 9.6. Where a 'special severance payment' is included as part of a severance package and where the total payment exceeds £20,000, it must be approved by the Chief Executive and Leader of Council. Payments of £100K and above must be approved by a vote of full council.

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Report to: Governance Committee

Date of meeting: 23 January 2024

By: Chief Operating Officer

Title: Employee referral scheme

Purpose: To recommend the expansion of the current ASCH support worker referral scheme to roles across the Council.

RECOMMENDATIONS:

The Governance Committee is recommended to:

- 1) Agree that the existing refer a friend scheme for support workers in Adult Social Care and Health is made permanent; and
 - 2) expand the scheme to other roles across the Council as set out in this report.
-

1 Background

- 1.1 A 'refer a friend' scheme is currently being operated for Support Worker roles in Adult Social Care and Health (ASCH) Directly Provided Services on a pilot basis. Under the scheme, employees who refer a friend to apply to a Support Worker vacancy receive a payment of £250 if that friend is successfully appointed. The new employee also receives £250 after completing their first year in post. For reference, a copy of the scheme policy document is attached as Appendix 1.
- 1.2 The scheme was approved in late 2021 and launched in April 2022. It was agreed that it would be reviewed after 12 months, before considering whether to continue it on an ongoing basis, and whether the same approach could be applied to other hard-to-fill roles across the Council.
- 1.3 Since the scheme was launched, 11 Support Workers have been appointed following a referral. Although the overall number of vacancies in the service has increased, the service considers the pilot scheme to be a success overall. Candidates have indicated that they would not have applied without a referral, and so the scheme has helped mitigate some of the wider recruitment challenges facing the service and the Council as a whole. On that basis, subject to agreement from the Governance Committee, the existing scheme would be made permanent and expanded to other roles at ESCC.
- 1.4 In considering expanding the scheme, whilst it is not possible to determine precisely how much impact the pilot referral scheme had in encouraging candidates to apply, it is reasonable to assume that at least some vacancies that might otherwise have gone unfilled were filled as a direct result of a referral. Given the ongoing challenges facing recruiting managers, expanding the referral scheme may provide another tool that the organisation can use to help attract applicants. Benchmarking with other local authorities has shown that both Surrey and West Sussex County Councils currently operate a scheme.
- 1.5 The following roles have initially been identified as being in scope for the expanded referral scheme:
 - Adult Social Care and Health – all front-line roles
 - Business Services - all Procurement roles on Single Status grades, Principal Auditor, Audit Manager, qualified Estates and Buildings Surveyors and property energy efficiency roles.
 - Children's Services - Assessment and Planning Officers (Education), Social Workers, Residential Support Workers & Business Administrators (Early Help and Social Care)

- There are no particular Communities, Economy and Transport or Governance Services roles considered to be in scope at present.

- 1.6 Subject to approval to expand the scheme, it is proposed that Assistant Directors will have authority to decide whether it applies to each given vacancy from the list above, it would not automatically be applied by default.
- 1.7 Assistant Directors would also have authority to expand the list of roles above to include other hard-to-fill roles if necessary. Only Single Status roles would be included in the scheme. Guidance would be provided to help define what qualifies as a hard-to-fill role and to ensure other options had been explored, for example:
- The vacancy has been advertised multiple times or for an extended period without being filled.
 - Alternatives such as secondments, job redesign, regrading, targeted advertising and alternative selection methods have been explored.
 - The role requires particular skills, specialisms or qualifications that are not widely available in the candidate pool.
 - There is significant competition for suitable candidates, for example from a neighbouring authority, another large employer or sector.
 - There are no immediate and specific equality impacts – as below a general equality impact assessment has been carried out.
- 1.8 The Council has in place a variety of approaches and policies in place to support successful recruitment in a challenging environment. The proposed referral scheme is an additional resource to supplement those already in place.
- 1.9 An equality impact assessment (EIA) has been carried out for the pilot scheme, based on the information available, there does not appear to be a strong relationship between the protected characteristics of referees and appointees. Any equality impact is therefore likely to be limited and mitigated by the Council's wider work to attract and retain a more diverse workforce. Subject to approval to continue and expand the scheme however, a new EIA will be carried out each year to monitor any impacts and consider any mitigations that might be necessary.

2 Conclusion and Recommendations

- 2.1 The Governance Committee is recommended to:
- 1) agree that the existing refer a friend scheme for support workers in Adult Social Care and Health is made permanent; and
 - 2) expand the scheme to other roles across the Council as set out in this report.

Ros Parker
Chief Operating Officer

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Refer a friend scheme

Date: December 2022

Document summary

Through this scheme employees who introduce a friend to a Support Worker or Lead Support Worker vacancy in Directly Provided Services can in return receive a £250 payment. Successful applicants referred via this scheme are also entitled to a £250 payment after successful completion of their first year in service.

Enquiries

Recruitment Support Team, 01273 335733

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Key points

- The refer a friend scheme is being run on a pilot basis, to support recruitment of Support Workers and Lead Support Workers in Adult Social Care Directly Provided Services.
- If an existing ESCC employee introduces a friend to one of the above roles, they will be entitled to receive a £250 payment, subject to the terms explained in this scheme.
- Successful applicants referred via this scheme are also entitled to a £250 payment after successful completion of their first year in service.

1. Eligibility criteria

- 1.1. Individuals will be eligible to receive the refer a friend incentive payment subject to the following criteria:
 - They must be directly employed by East Sussex County Council (ESCC) and on ESCC conditions of service, or work for the Council via a casual worker agreement
 - They refer someone to apply for a Support Worker or Lead Support Worker vacancy in Adult Social Care Directly Provided Services, and that person is successfully appointed to a contracted role, and confirms who referred them.
- 1.2. The following groups are not eligible for the scheme:
 - Agency workers, external contractors, Elected Members, or anyone else who is not an employee of the County Council.
 - Members of staff who are directly involved in the recruitment process, such as the shortlisting/interview panel.
- 1.3. Any employees involved or impacted by the operation of the scheme will be expected to follow and observe the Council's Code of Conduct and arrangements for declaring any conflicts of interest.
- 1.4. The referring employee receives their £250 payment after the applicant they referred completes three months service in an eligible role. Payments are made as part of the referring employee's monthly salary payment, so the referring employee must still be employed by ESCC in order to receive the payment.
- 1.5. Successful applicants referred via this scheme will receive a £250 payment after completing one years' service in an eligible role.
- 1.6. Payments are subject to Income Tax, National Insurance Contributions and pension deductions as normal.

2. Application process

- 2.1. As part of the job application form, applicants are asked to confirm if they were referred to the job by a friend. Please note that it will not normally be possible to make a referral payment if the candidate has not confirmed that they were referred by a friend on their application form.

- 2.2. If the applicant is successfully appointed, the employee who referred them should then email [the recruitment team](#) to apply for their incentive payment, giving the full name and job title of the applicant. This needs to be done within the applicant's first 3 months of service.
- 2.3. Once received, the Recruitment Team will then check that the applicant confirmed on their application form that they were being referred by a friend and the name of that individual and confirm this to the newly recruited employee's line manager.
- 2.4. The line manager will then request that the Employee Services Team make the £250 referral payment via the refer a friend form found on the Refer a Friend and Employee Services notification form pages of Intranet.
- 2.5. Once an applicant referred via the scheme has completed their first year in post, their line manager will request payment for their £250 payment, again via the refer a friend form.
- 2.6. The cost of both payments is paid from the budget of the team/service the successful job applicant is employed by. The applicable cost centre will need to be provided to Employee Services Team, with the payment request. Provided the referral is genuine, there is no need for the referring employee to be part of the same team or service as the applicant.

3. Additional terms

- 3.1. Previous members of council staff can be referred providing there has been a minimum of three months' break in their employment with the council. Employee services will check the employee's previous service at the point the first referral payment is made.
- 3.2. The Council reserves the right to recover payments if it is later determined that they were made in error or in circumstances contravening the key conditions.
- 3.3. In the event of any disputes relating to the scheme, the Council's decision is final and there is no right of appeal.

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Report to: Governance Committee

Date of meeting: 23 January 2024

By: Chief Operating Officer

Title: Annual leave entitlement

Purpose: To address the current difference in service-related leave for staff on Single Status grades.

RECOMMENDATIONS:

The Governance Committee is recommended to:

Agree to increasing entitlement by one day at 10 years' service for staff at Single Status grades 1-10, effective 1 April 2024.

1 Background

- 1.1 A question has recently been raised around service-related annual leave entitlement for staff on single status grades on Yammer, via the Chief Executive's Webchat. At present employees on grades Single Status (SS) 1-10 currently do not benefit from any increase in entitlement at 10 years' service, compared to those on grades SS11-13 who receive an extra day. Please refer to the entitlement table below:

Terms and conditions	Grades	Basic entitlement (excludes 2 extra-statutory days)		
		First 5 years' service	After 5 years' service	After 10 years' service
Single Status	1-10	23	26	26
Single Status	11-13	24	26	27

- 1.2 Employees on grades 1-10 receive 23 days' basic entitlement, followed by an additional three days after completing five years' service, equating to 26 days in total. By comparison, employees on grades 11-13 receive 24 days' basic entitlement, followed by two additional days at five years' service, and one additional day at ten years' service, equating to 27 days in total. Therefore, while staff on all SS grades receive the same amount of leave after five years' service, staff on grade 11-13 receive an additional days' leave at ten years' service. There is therefore an inconsistency in how ESCC recognises long service for staff on the Single Status pay scale.
- 1.3 In order to address this inconsistency, it is proposed that the leave entitlement for staff on SS1-10 is increased by one day after ten years' service.

2 Supporting Information

- 2.1 The minimum leave entitlement of 23 days is derived from the NJC Green Book, which is the national terms and conditions for local government employees. However this does not prescribe different amounts of service-related leave for staff on different grades. There is also no extant local collective agreement that specifically addresses service-related leave, and therefore no basis for the current differentiation between the Single Status grades.
- 2.2 HR has carried out a benchmarking exercise to compare ESCC's leave entitlements with other authorities. While it is difficult to make like-for-like comparisons due to the various pay and grading systems in operation, the leave entitlements for ESCC employees on Single Status grades 1-10 are generally among the lower comparators. A summary of benchmarking data is attached at Appendix 1.

3 Financial implications

- 3.1 There would generally only be a productivity cost to providing additional leave, as in most instances it would not be necessary to provide cover. However, term-time only employees attract a true cost. Increasing service-related leave provision would mean an overall increase in the 'cost' of providing annual leave.
- 3.2 Estimated costs associated for increase entitlement by one day at 10 years' service for SS 1-10 staff:

	>10 years' service at 01/04/2024		
	Non-Schools	Schools	Total
SS1-10 productivity cost	£86,300	£7,300	£93,600
SS1-10 term time only true cost	£4,700	£54,200	£58,900
Total	£91,000	£61,500	£152,500

4 Conclusion and recommendations

- 4.1 There is no clear reason or justification for the current different leave entitlement at 10 years' service between staff on Single Status grades 1-10 and Single Status grades 11-13. Accordingly, the Governance Committee is recommended to agree to increasing entitlement by one day at 10 years' service for staff at Single Status grades 1-10 effective 1 April 2024.

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Benchmarking comparison table

Comparison table

Lower grade range for grades SS1-10 (or equivalent)		
Local Authority	<5 years	>5 years
East Sussex County Council	25	28
Brighton & Hove City Council	25	28
Kent County Council	27	29
Lewes and Eastbourne District Council	26	30
Rother District Council	24	29
Surrey County Council	26	30
Wealden District Council	23	28
West Sussex County Council	25	28

Figures include the 2 extra statutory days (excluded from the table presented in the Annual Leave Policy).

(Surrey County Council and Lewes and Eastbourne District Council do not differentiate by grade therefore the same entitlement applies to higher pay grades).

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Report to:	Governance Committee
Date of meeting:	23 January 2024
By:	Chief Finance Officer
Title:	East Sussex Pension Fund – Pension Board appointment
Purpose:	To appoint a representative to the Pension Board, in line with the constitutional requirement

RECOMMENDATIONS

The Governance Committee is recommended to:

Agree the appointment of Nigel Manvell as an Employer Representative on the East Sussex Pension Board (for the period 23 January 2024 to 22 January 2028).

1. Background

- 1.1 The Local Pension Board of the East Sussex Pension Fund was set up to meet the requirements of the Public Service Pension Act 2013, requiring Funds in the Local Government Pension Scheme to have a Pension Board whose duties are to provide advice to the Administering Authority. The Pension Board is not a decision-making body. Under the East Sussex County Council Constitution appointments to the Pension Board are reserved to the Governance Committee.
- 1.2 The Pension Board consists of 3 employer representatives, 3 member representatives and an independent chair. There is currently a single vacancy for an employer representative.

2. Appointment of the Employer Representative

- 2.1 Brighton and Hove City Council informed the Pension Fund that the Employer Representative previously nominated for the position is unable to continue in the role and has put forward Nigel Manvell as their nominated replacement.
- 2.2 Nigel is Brighton and Hove City Council's Chief Finance Officer and as such has the knowledge, insight and senior officer experience to support the work of the Pension Board. As an officer appointment, this adds a level of stability to the Pension Board, which has experienced a significant level of turnover due to the Councillors changing as a result of the electoral cycle.

3 Length of appointment

- 3.1 Pension Board members can be appointed for a term of up to 4 years, with the possibility of providing an extension of up to 2 years. In the event of a full term being offered, Nigel would be the only Pension Board member due for re-appointment in

2028. As such, Officers believe it would be beneficial for a full term of 4 years to be agreed by the Governance Committee.

4. Conclusion

- 4.1 The Governance Committee is recommended to agree the appointment of Nigel Manvell as an Employer Representative on the Pension Board for a term of 4 years (being 23 January 2024 to 22 January 2028).

IAN GUTSELL
Chief Finance Officer

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