



# Council

**North Tyneside Council**

**To All Members of the Council**

Wednesday, 18 November 2020

You are hereby summoned to attend the Meeting of the Council of the Borough of North Tyneside to be held in **This meeting will be held via video conferencing technology and streamed live on the Council's YouTube channel. at 6.00 pm on Thursday, 26 November 2020** for the transaction of the following business.

<u>Agenda Item</u>	<u>Page(s)</u>
1. <b>Public Questions</b>	3 - 6
Nine valid questions have been received from members of the public for this meeting.	
2. <b>Apologies</b>	
3. <b>To receive any Declarations of Interest</b>	
You are invited to declare any registerable and/or non-registerable interests in matters appearing on the agenda, and the nature of that interest.	
Please complete the Declarations of Interests card available at the meeting and return it to the Democratic Services Officer before leaving the meeting.	
You are also invited to disclose any dispensation from the requirement to declare any registerable and/or non-registerable interests that have been granted to you in respect of any matters appearing on the agenda.	

Members of the public are entitled to attend this meeting and receive information about it.

North Tyneside Council wants to make it easier for you to get hold of the information you need. We are able to provide our documents in alternative formats including Braille, audiotape, large print and alternative languages.

For further information please call 0191 643 5358.

**Contact Officers**      **David Brown (0191) 643 5358**  
**Paul Wheeler (0191) 643 5318**

<b><u>Agenda Item</u></b>	<b><u>Page(s)</u></b>
4. <b>Minutes of the meeting held on 24 September 2020 (previously circulated)</b>	
5. <b>Motions</b>	<b>7 - 14</b>
Eight valid Motions on Notice, signed by at least three Members of the Council, have been received for consideration at this meeting.	
6. <b>North Tyneside Council Living Wage</b>	<b>15 - 30</b>
To seek Council approval to pay a North Tyneside Living Wage (NTLW) based on the Living Wage Foundation's current rate.	
7. <b>Chair's Announcements</b>	
To receive any announcements by the Chair of Council.	
8. <b>Elected Mayor's Announcements</b>	
To receive any announcements by the Elected Mayor.	
9. <b>Questions by Members of the Council</b>	<b>31 - 32</b>
Two valid questions on notice have been received for a response at this meeting.	

**Yours faithfully**



**Chief Executive**

## North Tyneside Council Report to Council 26 November 2020

### **Title: Questions by Members of the Public**

Notice has been received of the following questions from members of the public to be put to the Council meeting.

#### **1. Question to the Elected Mayor from Mr Maier**

I understand that, following consultation with some local businesses, voluntary sector and residents through Stakeholder Workshops earlier this year, the Carbon Trust has prepared an Action Plan for North Tyneside in response to the Climate Emergency.

From the last Council meeting it has voted to implement only limited policies arising from the Action Plan, with a mandate for Officers to develop business cases for further actions *as deemed appropriate*. There is a real danger that momentum is lost. Given the significant and wide ranging work set out in the report action clearly needs to be immediate and comprehensive.

Will you commit to implementing the Action Plan, as recommended by the Carbon Trust, in full - and if not, why not. Given that failure to implement the plan will mean missing the binding 2050 target.

#### **2. Question to the Elected Mayor from Mr Christie**

Under the Tranche 2 funding of the Emergency Active Travel Fund, councils are expected to adhere to the Cycling Infrastructure Design Guidance.

All funding that North Tyneside Council will be requesting will have to ensure that all schemes meet the LTN 1/20 guidance, otherwise no funding will be granted, and this will have further impacts later down the line.

As North Tyneside Council has made a commitment to the Climate Emergency and Active Transport, in spite of the early removing of the Tranche 1 schemes, please can you advise how North Tyneside council will comply with LTN 1/20 and what that will look like.

#### **3. Question to the Elected Mayor from Ms Hawkins**

What active steps has the Council taken to reduce car use in the borough - to lower greenhouse gas emissions as well as reduce air pollution and encourage walking and cycling - since their Declaration of a Climate Emergency, such that they feel the Sunrise Cycleway is now surplus to requirements?

**4. Question to the Elected Mayor from Ms Remfry**

I understand that the Carbon Trust was commissioned by North Tyneside to develop its Climate Emergency Action Plan to move towards a carbon neutral borough by 2050 and it has now produced its report.

Does the Council fully support this Action Plan and intend to implement all its recommendations?

**5. Question to the Elected Mayor from Ms Erskine**

I understand that, following consultation with some local businesses, voluntary sector and residents through Stakeholder Workshops earlier this year, the Carbon Trust has prepared an Action Plan for North Tyneside in response to the Climate Emergency.

I also understand that the Cabinet has voted to implement limited policies arising from the Action Plan, with a mandate for Officers to develop business cases for further actions as deemed appropriate.

Will you commit to implementing the Action Plan, as recommended by the Carbon Trust, in full - and if not, why not (given the taxpayer money given to the Carbon Trust to prepare the recommendations).

**6. Question to the Elected Mayor from North Tyneside Green Party**

We understand that, following consultation with local businesses, voluntary sector and residents through Stakeholder Workshops earlier this year, the Carbon Trust has prepared an Action Plan for North Tyneside in response to the Climate Emergency.

We also understand that the Cabinet has voted to implement limited policies arising from the Action Plan, with a mandate for Officers to develop business cases for further actions as deemed appropriate.

Will you commit to implementing the Action Plan, as recommended by the Carbon Trust, in full - and if not, why not (given the taxpayer money given to the Carbon Trust to prepare the recommendations).

**7. Question to the Elected Mayor from Mr Percival**

I understand that an Action Plan has been prepared for North Tyneside in response to the Climate Emergency. Will you commit to implementing the Action Plan, as recommended by the Carbon Trust, in full – and can you also clarify the process and next steps for setting detailed pathways, actions, budgets and timescales?

## 8. Question to the Elected Mayor from Mr Appleby

I understand that, following consultation with some local businesses, voluntary sector and residents through Stakeholder Workshops earlier this year, the Carbon Trust has prepared an Action Plan for North Tyneside in response to the Climate Emergency.

I also understand that the Cabinet has voted to implement limited policies arising from the Action Plan, with a mandate for Officers to develop business cases for further actions as deemed appropriate.

Will you commit to implementing the Action Plan, as recommended by the Carbon Trust, in full - and if not, why not (given the taxpayer money given to the Carbon Trust to prepare the recommendations).

## 9. Question to the Elected Mayor from Mr Whalley

I am a resident in North Tyneside, and have worked locally in the NHS full-time for over thirty years.

You are, of course, aware that lucrative contracts are awarded to private businesses and corporations for services that previously would have been provided in-house by the NHS. It is clear to us all that, very sadly, the privatisation of the NHS has been steadily increasing throughout the past decade and it is certainly a trend that I have witnessed as a clinician in the NHS.

The ideologically-driven privatisation process often starts life rather innocuously and softly as a local one-off time-limited pilot or trial project with claims that the initiative is an "additional" service thus negating the need for public consultation. Following the pilot period, an inadequate evaluation and a glossy CCG presentation often serve to embed the private service more and more within our healthcare. The process is then wrapped up and masked by the privatised service being allowed to use and hide behind the trusted NHS logo.

You will also be aware that North Tyneside Clinical Commissioning Group recently commissioned a private company, Livi, to provide virtual Primary Care appointments to North Tyneside residents. Livi is an international digital healthcare company. This privatisation was sweetened by the CCG introducing it as a short term pilot scheme but, as stated, the medium term dangers are both obvious and very significant.

In addition to this fundamental fact that **North Tyneside CCG should not be running down the NHS and putting healthcare into the hands of profit-making companies with shareholders**, there exist a number of operational difficulties. These include important issues such as

- **poor continuity** - it would be exceptional if a patient spoke to the same Livi GP more than once
- **a lack of local knowledge** - collaboration with local organisations and involvement in local systems of care are key features of work in Primary Care but Livi GPs, communicating with North Tyneside patients from across the whole of the UK, don't have a real life working knowledge of North Tyneside resources and systems
- **practical difficulties associated with virtual assessments** – for example, for those needing a physical examination, or for people with mental health problems

- **increased health inequality** – more vulnerable and older people are less likely to be using smartphones and ipads, and are also less likely to have access to broadband, spare minutes and data

- Looking at the bigger picture, the bottleneck in Primary Care is time – there are not enough GPs. **This system takes more and more GPs out of local mainstream General Practice** and locates them in virtual quick fix systems of dubious quality. One of the masked costs of privatisation is workforce shortage for the NHS, as private companies recruit NHS doctors. They are not "Add-ons" – they are "Takeaways" from our National Health Service.

I understand that the CCG failed to discuss this pilot scheme with North Tyneside councillors. This is not acceptable.

I am sure that you will agree that the fundamental issue relates to privatisation, and the fact that North Tyneside CCG chose to invest in an international healthcare company rather than our own local existing Primary Care Networks in North Tyneside.

When considering this issue, many people misguidedly quote an old counterargument by stating that *"our General Practices are themselves privatised, so what is the problem?"* but, believe me, there is a world of difference between hardworking GP partners in a localised Primary Care team and an international company, with a board of directors and with shareholders creaming off profits. The majority of GPs work to NHS contracts, follow NHS guidelines and see NHS patients. They do not compete for patients, or profit in the way competitive providers of healthcare do.

Likewise, some people will use the argument that the infrastructure and workforce is not present – but I say that we need to be proactive in expanding our NHS to carry out such health-related work; North Tyneside CCG should be using these finances to invest in, and enable and support local GPs to manage the service. It is both shocking and a disgrace that North Tyneside CCG chose to go down this insidious privatisation route.

Finally, the pilot will be evaluated in a few months time by the CCG, and the methodology typically used by the CCG is a matter of concern – I anticipate a superficial quantitative report on usage, response times, clinical presentation and outcomes, plus an attempt at a qualitative analysis using, perhaps, a carefully worded questionnaire, client satisfaction survey or direct quotes. There is a distinct lack of focus on the bigger picture – a lack of attention to a person's principles and values about whether the service should be a privatised business initiative or whether it should be provided in-house through a publicly accountable, publicly funded, publicly provided National Health Service. This is a crucial issue to consider as it will, of course, impact on our access to health services in years to come. This fundamental issue needs to be an important component of any evaluation.

My question to North Tyneside Council:

Given that North Tyneside Council is jointly responsible with the CCG for local health and social care provision under the terms of the "Integrated Care System", what will your involvement be regarding an evaluation of this service, and how will you ensure that a full and comprehensive review takes place?

## North Tyneside Council Report to Council 26 November 2020

### **Title: Motions**

Notice has been received of the following motions from Members of the Council to be put to the Council meeting.

#### **1. Motion signed by Councillors A Austin, J Wallace and L Miller**

##### **MOTION TO BAN THE INTENTIONAL RELEASE OF BALLOONS AND SKY LANTERNS ON COUNCIL OWNED LAND**

In recent years the release of large numbers of balloons and sky lanterns has increased, whether as a celebration or as a memorial to a loved one.

Whilst fully appreciating the emotions behind such events there is no doubt that when these lanterns and balloons return to the ground, they become simply litter, damaging our environment and threatening our wildlife.

This motion calls on Elected Mayor and Cabinet to consider a ban on the intentional release of balloons and sky lanterns for commemorative, social or publicity purposes, because of the serious environmental damage the resultant litter causes to marine life, birds, animals and the wider environment.

Balloons and lanterns can become a serious form of pollution for marine wildlife – the two main threats being ingestion (eating a balloon or pieces of balloon due to mistaking them for prey items such as jellyfish) or getting tangled up in balloon string or ribbon.

The list of marine creatures evidenced to have been affected by balloon entanglement and/or ingestion includes dolphins, whales, turtles, and seabirds, and so far includes 170 different species of marine life.

Lanterns and balloons (especially those filled with helium) can travel for many miles before coming back down to land, and farm animals have died after ingesting them.

Sky lanterns also pose a fire risk – in 2009 one sparked a blaze which claimed the life of a ten year old boy. Another caused a devastating fire at a zoo in Germany which killed 30 animals and birds.

There is a risk of fire to standing straw, thatch roofs, bales of hay, and crops in the summer months. Lanterns have been the cause of a number of false alarm call outs on the coast as people mistake them for distress flares. They can pose a risk to aircraft, and cost councils money to clean up.

We believe that the proposed ban should also apply to balloons described as "biodegradable" since evidence has shown that the latex they are made of can still take up to six months or more to degrade, and in that time, still poses a threat to the safety of our wildlife.

We fully appreciate that many of these balloon and lantern releases are linked to remembering lost loved ones, so we further request that the Elected Mayor and Cabinet identifies one or more pieces of land which could be repurposed as "Memorial Meadows" where grieving families can scatter wildflower seeds, and return to visit from time to time. This would serve to promote biodiversity, encouraging butterflies and bees, but would also allow loved ones to be remembered.

Bans are strongly supported by numerous organisations such as the RSPCA, the Marine Conservation Society and the National Farmers' Union, and a great many councils throughout the UK have now banned intentional balloon and lantern releases, including locally Newcastle, South Tyneside and Northumberland.

This is a non-political issue of huge importance environmentally, and we hope all members present will support this important motion.

#### Legal Implications:

There are no direct legal implications for the Authority from this motion. However, in considering the implementation of the motion the Elected Mayor will need to consider the powers available to the Authority to ban this kind of activity. Furthermore in relation to the identification of "memorial meadows" the Elected Mayor will need to consider any land management/legal issues associated with any land identified for this purpose.

#### Financial implications:

We anticipate there are financial implications if the motion is approved arising from the need for potential enforcement action.

## **2. Motion signed by Councillors Sean Brockbank, Pam McIntyre and Lewis Bartoli**

Since the passing of the Local Plan by North Tyneside Council there have been various national and local changes, which will impact on delivery of the potential number of houses indicated as part of the Council's Plan.

The Government's planning reforms will have a significant impact on the delivery of home building across the region, and country. These reforms were not known at the time of the development of North Tyneside's Local Plan.

I believe the population growth projections which were used by the Council to predict the number of incoming residents to live in these properties relies on older data than is currently available. As such, it is my view that the Local Plan is predicated on out-of-date information that may well impact on the number of homes required.

We call upon the Mayor to clarify to the residents of North Tyneside how she plans to address these areas of change.

#### Legal Implications

There are no direct legal implications for the Authority arising from this motion.

#### Financial Implications:

There are potential financial implications arising from the motion in terms of capacity and resource to update the assumptions and predicted growth projections.



### **3. Motion signed by Councillors Carl Johnson, Martin Rankin and Carole Burdis**

#### **Council notes:**

- that the COVID-19 crisis has had a profound impact on children's education, particularly those in year 11 and year 13;
- that students in the borough and across the country have missed at least 5 months of face to face teaching;
- that there has been no guidance on a "Plan B" in the event that GCSE and A' Level examinations cannot take place;
- that in a number of subjects, including Maths and Science, teachers have been told there will be no changes to the content students will be examined on despite missing 5 months of face-to-face teaching;
- that the debacle of last summer results where the Conservative government initially denied many students their rightful results were entirely avoidable;
- that despite pupils now being back in school, many continue to miss face to face teaching due to self-isolation, and some pupils are now in their second 14 day period of isolation.

#### **Council believes:**

- that it will once again be the most disadvantaged pupils who suffer if the government do not act and layout their strategy for next summer's exams;
- that the announcement of a 3-week delay to next summer's exams is simply not good enough and does little in replacing 5 months of teaching;
- that it would be a national outrage if we end up in a situation like last summer when teachers who know their pupils best were ignored in favour of an algorithm which was not fit for purpose.

#### **Council calls upon the Mayor to:**

- write to the Secretary of State to ask him to immediately:
- review and reduce the content of next summer's examinations on account of students having missed 5 months face to face teaching.
- Immediately publish his "Plan B" should circumstances require that examinations be cancelled.
- work with teachers and school leaders to come up with a robust system of assessment, should examinations not be possible in the summer.
- ask exam boards to publish what support and consideration they will offer to students who miss additional teaching time due to Covid-19.

#### Legal Implications:

There are no direct legal implications for the Authority arising from this motion.

#### Financial Implications:

There are no direct implication of the motion in terms of making a request to the Secretary of State

#### **4. Motion signed by Councillors Peter Earley, Cllr Brian Burdis and Bruce Pickard**

Council Notes that

Between 2014 and 2019 the greatest increase in child poverty across the UK was in the North East, where it rose nine percentage points.

That the North East has the second highest rate of child poverty in the UK at 35% and that this equates to almost 11 children and young people in a class of 30 who are now in poverty.

That in North Tyneside we currently have a child poverty rate of 31%

That whilst these figures are serious, they are even more alarming when noting that they do not take into account the devastating effects of the Covid 19 pandemic on household incomes.

Council believes

That it is unconscionable that so many of our children and young people are living in poverty but recognises that it is not an issue which North Tyneside Council can tackle alone and that it requires urgent action by national government to resolve the problem.

Council therefore supports the call by the North East Child Poverty Commission and the End Child Poverty Coalition for government, as a matter of urgency, to produce a comprehensive plan to end child poverty and agrees that this plan should include

Retaining the £20 a week uplift in Universal Credit (introduced at the start of the pandemic and due to be removed in April 2021);

- Ending the benefit cap and two-child limit;
- Investing in all children with an increase to child benefit of at least £10 per child per week;
- Uprating of housing assistance in line with inflation; and
- Extending free school meals to all families in receipt of Universal Credit, and to those with No Recourse to Public Funds.

and calls upon the Mayor to write to the secretary of state to urge her to bring forward a comprehensive plan to end child poverty.

#### Legal Implications:

There are no direct legal implications for the Authority arising from this motion.

### Financial Implications:

There are no direct financial implications as a result of the motion to write to the Secretary of State.

### **5. Motion signed by Councillors Martin Rankin, Willie Samuel and Carole Burdis**

North Tyneside Council recognises the hard work and commitment of social care staff who have provided essential care to our most vulnerable residents during the coronavirus outbreak.

We welcome the Welsh Government's decision to pay social care staff a one-off flat rate payment of £500 and believe the UK Government should replicate this scheme for social care staff in England.

North Tyneside Council requests that the Elected Mayor writes to the Secretary of State for Health and Social Care asking him to establish a similar scheme for social care staff in England

### Legal Implications:

There are no direct legal implications for the Authority arising from this motion.

### Financial Implications:

There are no direct financial implications of the motion to write to the Secretary of State.

### **6. Motion signed by Councillors Andy Newman, Gary Bell and Frank**

#### **Motion: Commonwealth and veterans' support.**

We call upon the Elected Mayor to make the Authority's armed forces champions and lead officers aware of the difficulties experienced by commonwealth veterans currently applying for leave to remain in the UK and ensure that those who are currently experiencing problems, whether financial or immigration difficulties, are not disadvantaged whilst their applications for leave to remain in the UK are ongoing.

We also call upon the Elected Mayor to write to the prime minister, Kevin Forster the minister of state for immigration, and Johnny Mercer the minister of state for veterans affairs outlining this councils support for all commonwealth veterans who have served a minimum of 4 years being granted automatic and free of charge right to remain in the UK and that any veteran who completes 12 years of service to be automatically given British Citizenship.

Further, we call upon the Elected Mayor to write to Mary Glendon, MP for North Tyneside and Sir Alan Campbell MP for Tynemouth, on behalf of this council, to ask that they continue to press the government for a change in the legislation that affects those that have served diligently and honourably for this Country.

### Legal Implications:

There are no direct legal implications for the Authority arising from this motion.

#### Financial Implications:

There are no direct financial implications arising from this motion.

### **7. Motion signed by Councillors Erin Parker Leonard, Janice Mole and Carole Burdis**

White Ribbon Motion- Accreditation, ambassadors and pledges.

For Full Council

The White Ribbon Campaign works to end male violence against women by engaging with men and boys, raising awareness, influencing change and providing resources to make change happen. North Tyneside council agrees to call upon the Elected Mayor to support the White Ribbon Campaign.

According to the Office of National Statistics in 2019:-

- Almost one in three women aged 16-59 will experience domestic abuse in their lifetime.
- Two women a week are killed by a current, or former, partner in England and Wales alone.
- In the year ending March 2019, 1.6 million women experienced domestic abuse.
- Since the outbreak of the Covid 19 pandemic, Refuge, the largest charity dealing with domestic abuse in the UK, reported a 700% increase to its helpline in just one day.
- We believe the mental, emotional, physical, social and financial consequences of domestic violence need to be formally acknowledged and addressed.

North Tyneside Council requests the Elected Mayor to identify, engage and encourage staff members to be White ribbon ambassadors. White Ribbon Ambassadors are volunteers who are men who engage with other men and boys to call out abusive and sexist behaviour among their friends, colleagues and communities to promote a culture of equality and respect.

North Tyne side Council requests the Elected Mayor to work towards Accreditation. White Ribbon Accreditation programme ensures organisations take a strategic approach to ending male violence against women by engaging with men and boys, changing cultures and raising awareness.

North Tyneside Council requests the Elected Mayor to encourage men to make the Promise to never commit, excuse or remain silent about violence against women.  
<https://www.whiteribbon.org.uk/promise>

This would strengthen a message to our community that violence against women is unacceptable and that North Tyneside Council supports this message. These developments would improve organisational culture, safety and morale and increase the knowledge and skills of staff members.

#### Legal Implications:

There are no direct legal implications for the Authority arising from this motion.

### Financial Implications:

There are potential direct financial implications arising from this motion in terms of the resource required to deploy and embed the message across the authority in terms of staff awareness and training.

## **8. Motion signed by Councillors Jim Allan, John Harrison and Eddie Darke**

### **Fireworks**

That this Council calls upon our Elected Mayor and her Cabinet to seek a process to

- to require all public firework displays within the local authority boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people
- to actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks
- to write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays
- to encourage local suppliers of fireworks to stock 'quieter' fireworks for public display

### Legal Implications:

There are no direct legal implications for the Authority from this motion. However, in considering the implementation of the motion the Elected Mayor will need to consider the powers available to the Authority to require event organisers to advertise their events.

### Financial Implications:

There are financial implications arising from this motion in respect of the promotion of a public awareness campaign.

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## North Tyneside Council Report to Council Date: 26 November 2020

### Title: North Tyneside Council Living Wage

<b>Portfolio(s):</b> Resources	<b>Cabinet Member(s):</b> Cllr Bruce Pickard
<b>Report from Service Area:</b>	Human Resources & Organisation Development
<b>Responsible Officer:</b>	Janice Gillespie - Head of Resources
<b>Wards affected:</b>	All

#### PART 1

##### 1.1 Executive Summary:

Tackling low pay is a policy priority of the Mayor and Cabinet. The Authority has taken a number of measures to improve the position including last year's budget plans to improve pay to our apprentices and our Apprenticeship Strategy.

Since 1<sup>st</sup> April 2016 we have been paying the Real Living Wage either via our pay structure or by adding a supplement where pay awards and the Foundation's increase have been out of step. This year is one of those occasions.

The Living Wage Foundation is an organisation made up of businesses, organisations and people that campaign for fair pay and promotes the rate of pay a person living in the UK needs to earn to be able to live at a "sustainable level" (known as the Real Living wage).

The Real Living Wage is set by the Living Wage Foundation in November every year. Employers have six months to implement any changes to the rate from when it is implemented in the November. We have tried to align this with our annual pay agreement cycle in April, as this impacts on the amount of uplift required (if any) and aligns it with our financial planning cycle. This allows for a full year pay from April to April.

The purpose of this report is to seek Council approval to pay a North Tyneside Living Wage (NTLW) based on the Living Wage Foundation's rate for 2019/20 of £9.30 per hour. This would be paid as a supplement to all those earning less than £9.30 per hour on the Authority's current pay and grading structure and back dated to April 2020. This risk was understood and was included in the 20/21 Budget.

The Living Wage Foundation announced on the 9<sup>th</sup> November 2020 an increase to the Real Living Wage rate to £9.50 per hour, this is to be implemented within 6 months of the change. It is our ambition to implement this in line with our pay agreements from April 2021.

## **1.2 Recommendation(s):**

It is recommended that Council:

- (1) agree to a North Tyneside Living Wage as outlined in the report, which will be backdated to April 2020;
- (2) authorise the Head of Resources in consultation with the Head of Law and Governance, Head of Paid Services and Cabinet Members for Resources and Cabinet Member for Human Resources to put in place a pay supplement for the year 2021/2022 taking into consideration the financial impact on the Authority of the Real Living Wage;
- (3) authorise the use of the finance allocated via the budget setting process for 2020/21 to enable the implementation of this payment; and
- (4) authorise the Head of Resources, in consultation with the Head of Law and Governance to take all necessary steps to implement the recommendations above.

## **1.3 Forward Plan:**

Twenty-eight days' notice of this report has been given and it first appeared on the Forward Plan that was published on 23<sup>rd</sup> October 2020.

## **1.4 Council Plan and Policy Framework**

This report does not relate to the priorities set out in the 2020 Our North Tyneside Plan.

## **1.5 Information:**

### **1.5.1 Background**

The Living Wage Foundation calls for every worker in the country to earn enough to meet their everyday needs.

The level of the Real Living Wage is not enforced under the provisions relating to the National Minimum Wage nor is it part of the National Joint Council for Local Government Services Pay and Terms and Conditions Agreements. This means it is the choice of an employer whether they pay the Real Living Wage.

The Real Living Wage rates are set independently and updated annually in November by the Living Wage Foundation for implementation within a six-month period from the announcement of the new rate.

The rate for 2019/2020 was £9.30 per hour and has just been increased to £9.50 per hour on 9<sup>th</sup> November 2021, it will be reviewed again on the first Monday in November next year.

Timing and rates mean that the Living Wage Foundation rate changes ahead of Local Authority national pay agreements which run from April to April and this puts our grading structure out of step, however when the Real Living Wage rates are increased in November there is a 6 month window in which to implement the new rates.



### 1.5.2 A North Tyneside Living Wage

The Authority have put in place a number of measures to continue to tackle low pay; this includes increased rates of pay for our apprentices and our Apprenticeship Strategy, which outlines how we will expand entry routes in to the organisation for young people and our hardest to reach groups of residents. Part of these measures has been ensuring the lowest point on our pay scale is at least the rate of the Real Living Wage.

The Authority has implemented the Real Living Wage from 1<sup>st</sup> April 2016. Following this a two-year agreement changed the national pay scales meaning our lowest level of pay was in line with the real living wage rate until the Living Wage Foundation rates were updated in November 2019.

As the Real Living wage is no longer incorporated into our pay structure as part of the national agreements we need to put this in place as an Authority and decisions around pay and grading of this nature are a matter for Council.

From April 2020 the national pay agreements increased our employees pay by 2.75% across the board, which increased Grade 1 (the lowest point on our pay scale) to £9.25 per hour, however this is below the real living wage rate of £9.30 per hour which was in place at that time. These pay agreements are negotiated nationally with Trade Unions and members of National Employers. Local Authorities are consulted on the proposals put forward by the National Employers to ensure these are affordable. This year there was a large differential between the proposals of the Trades Unions and the National Employers and as such the agreement did not happen until the 24<sup>th</sup> August 2020. This is much later than normal and was paid to our employees in October backdated to April 2020.

It is therefore proposed to pay a small supplement to ensure our teams are at the Living Wage Foundation rate which will be backdated to April 2020.

We would also wish to implement the updated rate of £9.50 in April 2021. This in line with our pay agreements from April 2021 and our financial planning cycle and as such an additional decision is proposed in this report to allow senior officers in consultation with the Cabinet Member for HR and Resources to take this forward, once the Authority is clear on the 2021/22 pay award position and the potential financial impact

### 1.5.3 Schools Position

The Authority is a residual employer for all employees in Community Schools and Moorbridge Pupil Referral Unit, who would therefore be required to implement the Real Living Wage, where there are employees on Grade 1 (out of the 19 schools in this categorisation this would only impact on 9 schools in total).

For other maintained schools within North Tyneside as the Authority is not the employer of the staff employed in these schools (the respective governing bodies employ the staff), there is no equal pay risk present beyond the boundaries of each school.

The decision does not affect the other schools in North Tyneside.

48 Schools in total employ individuals on Grade 1.

We have written to all Headteachers in affected schools to understand their position on this.

#### 1.5.4 Workforce Data and Costs

Employer	Number of Employees	Costs
Local Authority	115	£3,962
Schools	168 (25 in Community Schools)	£5,991 (£1,000 in Community Schools)

#### 1.6 **Decision options:**

The following decision options are available for consideration by Cabinet:

##### Option 1

Cabinet may approve the recommendations at paragraph 1.2 of this report.

##### Option 2

Cabinet may decide not to approve the recommendations at paragraph 1.2 of this report.

Option 1 is the recommended option.

#### 1.7 **Reasons for recommended option:**

Option 1 is recommended for the following reasons:

It aligns to the hourly rate which is recommended by the Living Wage Foundation as the hourly rate of pay a person living in the UK needs to live at a sustainable level.

#### 1.8 **Appendices:**

Appendix 1: Equality Impact Assessment (NTLW).

#### 1.9 **Contact officers:**

Janice Gillespie – Head of Resources ; Tel. (0191) 643 5701  
Suzanne Duncan-Senior HR Manager; Tel (0191) 643 5064

#### 1.10 **Background information:**

The following background papers/information have been used in the compilation of this report and are available at the office of the author:

(1) The Living Wage Foundation website - <https://www.livingwage.org.uk>

## **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

### **2.1 Finance and other resources**

As part of the budget setting for 2020/21, funding was set aside to cover increases to staffing costs resulting from pay awards and national living wage increases. The costs associated with the implementation of the Living Wage for North Tyneside employees at the level of £9.30/hour is in line with the Living Wage Foundation hourly rate of pay.

As above there is an ambition to continue to pay the North Tyneside living wage at the rate of the updated living wage into

This totals in the region of £4,000 and is covered by the funding built into the 2020/21 budget.

There has been no provision set aside for Community Schools or any other School. This supplementary payment will have to be funded from within School Budgets from April 2020.

### **2.2 Legal**

The North Tyneside Living Wage is being paid as a supplementary payment on the basic hourly rate to those employees on SCP's of the Authority's pay and grading structure. As there will be no change to the pay and grading structure or employees' terms and conditions of employment a collective agreement with the trades unions is not required.

As the implementation of the North Tyneside Living Wage will be via a supplement to all employees, irrespective of gender (or any other protected characteristic) any equal pay or other form of discrimination risk is minimal. The payment of a supplement to increase the pay of the lowest paid in the Authority to the level of the North Tyneside Living Wage could be also justified as a proportionate means to achieve a legitimate aim.

The job evaluation scheme retains its integrity due to the fact that the grade boundaries are not being changed and jobs continue to be scored and valued in accordance with existing processes.

### **2.3 Consultation/community engagement**

#### **2.3.1 Internal Consultation**

Consultation has been carried out with the Senior Leadership Team, Cabinet Member for HR and Trade Unions have also been advised of the proposals and have had the opportunity to provide comments and views.

#### **2.3.2 External Consultation/Engagement**

Engagement has taken place with other local authorities in the area to benchmark how this has been implemented elsewhere within the region.

The Authority has also written to all Head Teachers and Chairs of Governors to seek views and inform them of the policy context.

## 2.4 Human rights

There are no human rights implications.

## 2.5 Equalities and diversity

The Equality Impact Assessment is attached at Appendix 1. The equality impact of this proposal is overwhelmingly positive and relates to a 84% female group of colleagues,

## 2.6 Risk management

Any risks identified will be managed in accordance with the Council's risk management policy and procedures.

## 2.7 Crime and disorder

There are no crime and disorder implications arising specifically from this report.

## 2.8 Environment and sustainability

There are no environment and sustainability implications arising specifically from this report.

## PART 3 - SIGN OFF

- Chief Executive
- Head(s) of Service
- Mayor/Cabinet Member(s)
- Chief Finance Officer
- Monitoring Officer
- Head of Corporate Strategy

# Equality Impact Assessment (EIA)

Before completing this form, please refer to the supporting guidance documents which can be found on the equality page of the intranet. The page also provides the name of your Corporate Equality Group member should you need any additional advice.

Equality Impact Assessments (EIAs) are a planning tool that enable us to build equality into mainstream processes by helping us to:

- consider the equality implications of our policies (this includes criteria, practices, functions or services - essentially everything we do) on different groups of employees, service users, residents, contractors and visitors
- identify the actions we need to take to improve outcomes for people who experience discrimination and disadvantage
- fulfil our commitment to public service.

The level of detail included in each EIA should be proportionate to the scale and significance of its potential impact on the people with protected characteristics.

**This assessment may be published on the Authority’s website as part of a Council or Cabinet Report. It can also be requested under the Freedom of Information Act 2000 and can be used as evidence in complaint or legal proceedings.**

## Proposal details

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<b>1. Name of the policy or process being assessed</b>	North Tyneside Living Wage	
<b>2. Version of this EIA</b> (e.g. a new EIA = 1)	1	
<b>3. Date EIA created</b>	04/11/20	
	Name	Service or organisation
<b>4. Principal author of this EIA</b>	Suzanne Duncan	HR
<b>5. Others involved in writing this EIA</b> <i>EIAs should not be completed by a sole author. Think about key stakeholders and others who can support the process and bring different ideas and perspectives to the discussion.</i>	Carol Murphy	HR

**6. What is the purpose of your proposal, who should it benefit and what outcomes should be achieved?**

The purpose of the proposal is to put in place the real living wage for our employees who are in roles at the bottom of the pay scale this will mean they will receive a supplement which up lifts their salary to £9.30/hour from £9.25/hour this will be backdated to April 2020.

There is an ambition to continue to supplement pay to ensure it meets the Living wage into 21/22 at the amount of £9.50/hour

This impacts on 115 Grade 1 employees which are predominantly cleaners in our facilities. This staff group are 84% female.

**7. Does this proposal contribute to the achievement of the Authority's public sector equality duty? Will your proposal:**

*Write your answers in the table*

<b>Aim</b>	<b>Answer: Yes, No, or N/A</b>	<b>If yes, how?</b>
Eliminate unlawful discrimination, victimisation and harassment	No	
Advance equality of opportunity between people who share a protected characteristic and those who do not	No	
Foster good relations between people who share a protected characteristic and those who do not	No	

## Evidence Gathering and Engagement

### 8. What evidence has been used for this assessment?

Workforce data
----------------

### 9.a Have you carried out any engagement in relation to this proposal?

	√
Yes - please complete 9b	x
No	

9.b Engagement activity undertaken	With	When
<i>This has been discussed with Trade Unions and Senior Leaders</i>	TU'S, Senior Leaders, Cabinet member for HR	August, and November 2019

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### 9. Is there any information you don't have?

	√	<b>Please explain why this information is not currently available</b>
Yes - please list in section A of the action plan at Q13		
No	x	

## Analysis by protected characteristic

	A	B	C
<b>11. Protected characteristic</b>	<b>Does this proposal and how it will be implemented have the <u>potential</u> to impact on people with this characteristic?</b> (Answer – Yes or No)	<b>If ‘Yes’ would the <u>potential</u> impact be positive or negative?</b> (Answer – positive or negative)	<b>Please describe the <u>potential</u> impact and the evidence (including that given in Q8 and 9) you have used</b>
<b>All Characteristics</b>	Yes	Positive	This is providing an increase in pay to the real living wage for our employees.
<b>Sex – male or female</b>	Yes	Positive	This workforce is predominately (84%) female therefore this has a positive impact for our female employees,
<b>Pregnancy and maternity</b> – largely relates to employment, but also to some aspects of service delivery e.g. for breastfeeding women	Yes	Positive	There is insufficient data to ascertain the impact for this group.  However the impact is positive across all affected employees



<b>Age</b> – people of different ages, including young and old	Yes	Positive	This group of employees are predominantly aged between 35-64  With 42 of employees aged between 55-64 therefore this will benefit staff in these age groups. This age profile is generally reflective of the workforce.
<b>Disability</b> – including those with visual, audio (BSL speakers and hard of hearing), mobility, physical, mental health issues, learning, multiple and unseen disabilities	Yes	Positive	The numbers of employees who have declared that they have a disability in this group of employees is very low. There is not enough data to ascertain the impact for this group.  However the impact is positive across all affected employees.
<b>Gender reassignment</b> - includes trans, non-binary and those people who do not identify with or reject gender labels	Yes	Positive	There is no data to assess the impact on this group.  However the impact across all affected employees.
<b>Race</b> – includes a person's nationality, colour, language, culture and geographic origin	Yes	Positive	Data suggests the majority of employees in this group fall into the Category identify as white British.
<b>Religion or belief</b> – includes those with no religion or belief	Yes	Positive	Data suggests that the majority of employees in this group identify as Christian.
<b>Sexual orientation</b> – includes gay, lesbian, bisexual and straight people	Yes	Positive	There is insufficient data held to ascertain the impact on this group.  However the impact is positive across all affected employees..

<b>Marriage and civil partnership status</b> - not single, co-habiting, widowed or divorced– only relates to eliminating unlawful discrimination in employment	Yes	Positive	There is insufficient data to ascertain the impact for this group.  However the impact is positive across all affected employees
<b>Intersectionality</b> - will have an impact due to a combination of two or more of these characteristics	Yes	Positive	There is insufficient data to ascertain the impact for this group.  However the impact is positive across all affected employees..

If you have answered **'Yes'** anywhere in column A please complete the rest of the form, ensuring that all identified negative impacts are addressed in either Q12 'negative impacts that cannot be removed' or Q13 'Action Plan' below

If you have answered **'No'** in all rows in column A please provide the rationale and evidence in the all characteristics box in column C and go to Q14 'Outcome of EIA'.

**12.a Can any of the negative impacts identified in Q11 not be removed or reduced?**

Yes - please list them in the table below and explain why	
No	

<b>12.b Potential negative impact</b>	<b>What alternative options, if any, were considered?</b>	<b>Explanation of why the impact cannot be removed or reduced or the alternative option pursued.</b>

**Action Planning** (you do not need to complete the grey cells within the plan)

13. Action Plan	Impact: (Answer remove or reduce)	Responsible officer (Name and service)	Target completion date
<b>Section A: Actions to gather evidence or information to improve NTC's understanding of the potential impacts on people with protected characteristics and how best to respond to them</b> (please explain below)			
<b>Section B: Actions already in place to remove or reduce potential negative impacts</b> (please explain below)			
	No Negative impacts		
<b>Section C: Actions that will be taken to remove or reduce potential negative impacts</b> (please explain below)			
	No Negative impacts		
<b>Section D: Actions that will be taken to make the most of any potential positive impact</b> (please explain below)			
<b>Section E: Actions that will be taken to monitor the equality impact of this proposal once it is implemented</b> (please explain below)			
<b>Section F: Review of EIA to be completed</b>			

## 14. Outcome of EIA

Based on the conclusions from this assessment:

Outcome of EIA	Tick relevant box	Please explain and evidence why you have reached this conclusion:
The proposal is robust, no major change is required.	✓	This is a positive impact which will ensure those on Grade 1 will be paid £9.30 per hour which is the hourly rate recommended by the Living Wage Foundation.
Continue but with amendments		
Not to be pursued		

Page 28 Now send this document to the [Corporate Equality Group member for your service](#) for clearance.

## Quality assurance and approval

*Questions 15-18 are only for completion by the Corporate Equality Group Member for your service*

<b>15. Do you agree or disagree with this assessment?</b>	Agree		Disagree	
<b>16. If disagree, please explain:</b>				
<b>17. Name of Corporate Equality Group Member:</b>	Carol Murphy			
<b>18. Date:</b>				

Conclusion:

- If the assessment is agreed, please send the document to the Head of Service for sign off.

- If you disagree return to author for reconsideration.

*Questions 19-22 are only for completion by the Head of Service*

<b>19. Do you agree or disagree with this assessment?</b>	Agree	<input checked="" type="checkbox"/>	Disagree	<input type="checkbox"/>
<b>20. If disagree, please explain:</b>				
<b>21. Head of Service:</b>	Janice Gillespie			
<b>22. Date:</b>				

Please return the document to the Author and Corporate Equality Group Member.

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## North Tyneside Council Report to Council 26 November 2020

### Title: Questions by Members of the Council

Notice has been received of the following questions from Members of the Council to be put to the Council meeting.

#### 1. Question to the Elected Mayor by Councillor Jim Allan

Could the Elected Mayor or her Cabinet member provide an update on the progress being made on the Climate Emergency Action Plan. It is now over twelve months since full council agreed to the proposal below and could be advised when local ward councillors will be invited to participate and make contributions to the work. Could the response also provide the names of the Climate Emergency Board members.

*That Council:*

- 1. notes the significant progress made to date by the Authority in reducing carbon dioxide emissions.*
- 2. agrees that the Authority:*
  - a. declares a climate emergency.*
  - b. seeks to halve the Authority's and the Borough's carbon footprint by 2023, four years ahead of the current target.*
  - c. commits that itself and Borough will be carbon neutral by 2050 in line with the national target; and*
- 3. notes that Cabinet will receive an update report within six months.*
- 4. requests the Elected Mayor to instruct the Head of Environment, Housing and Leisure, in consultation with the Cabinet Member for Environment and Transport to:*
  - a. publish an annual report on the Authority's website that details performance against carbon reduction targets; ITEM 6 Climate Emergency Declaration*
  - b. includes young people in the development, delivery, and review of actions, ensuring that they have a voice in shaping the future.*
  - c. work with partners across the Borough and region to deliver this new goal through all relevant strategies and plans.*
  - d. call on Central Government to provide powers and resources to reduce carbon emissions;*
  - e. ensure that all strategic decisions, budgets, and approaches to planning decisions are in line with this climate emergency declaration; and*
  - f. ensure that the Authority Senior Leadership Team embed carbon reduction work across the Authority and take responsibility for reducing, as rapidly as possible, the carbon emissions resulting from the Authority's activities.*

## **2. Question to the Elected Mayor by Councillor Andy Newman**

I want to take this opportunity to Praise the Elected Mayor and the Cabinet's decision to provide free school meals to children during the half term holiday using funds from the Council's Poverty Intervention fund.

Can the Mayor confirm that the Poverty Intervention fund was set up before the pandemic with no additional support from the Conservative Government?

And can you tell me who on this Council supported its creation?