



# Council

**North Tyneside Council**

**To All Members of the Council**

Wednesday, 9 March 2022

You are hereby summoned to attend the Meeting of the Council of the Borough of North Tyneside to be held in **Chamber - Quadrant, The Silverlink North, Cobalt Business Park, North Tyneside, NE27 0BY** at **6.00 pm on Thursday, 17 March 2022** for the transaction of the following business.

**Agenda**  
**Item**

**Page(s)**

1. **Apologies**
2. **To receive any Declarations of Interest**

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.

3. **Minutes of the meeting held on 20 January & 17 February 2022 (previously circulated)**
4. **Motions**

**3 - 8**

Five valid Motions on Notice, signed by at least three Members of the Council, have been received for consideration at this meeting.

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 5318.

<b><u>Agenda Item</u></b>	<b><u>Page(s)</u></b>
5. <b>North Tyneside Council Pay Policy 2022/23</b> To approve the Pay Policy statement for 2022/23 and authorises publication of the Pay Policy.	<b>9 - 28</b>
6. <b>Designation to Statutory Roles</b> Council to designate and appoint Officers of the Authority to the statutory roles.	<b>29 - 32</b>
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> Three valid questions on notice have been received for a response at this meeting.	<b>33 - 34</b>

**Yours faithfully**



**Chief Executive**

## **North Tyneside Council Report to Council 17 March 2022**

### **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 The Elected Mayor, Councillor S Brockbank and W Samuel.**

North Tyneside Council is rightly proud of its apprenticeship programme which has, over many years, been extremely successful, and has produced many excellent employees. However, perhaps the Council's most accomplished apprentice began his employment in 1980 as an apprentice joiner.

In the following 42 years, Phil Scott has deservedly risen to the role of Director of Environment, Housing and Leisure, and has provided outstanding service to both the Council and the residents of the Borough. The scope of his portfolio, together with the previous roles he has held, means that there is no part of the Borough that Phil has not influenced or helped to shape. Whether through his careful stewardship of the Council's physical environment, his care for our tenants and the housing stock portfolio, his work on the Council's highways network, or through the leisure service which he leads and in which he served, Phil's impact on the Council's work over the past four decades is immeasurable.

In his service, Phil has worked with scores of Members from all sides of the Chamber. He has done so with the utmost professionalism, dedication, and humour. He is rightly respected by Members and colleagues alike, both locally and regionally.

Next month, Phil retires from the Council, and it is only right that the Council recognises his extraordinary service through this unprecedented cross-party Motion of Commendation.

North Tyneside Council is therefore proud to formally Commend Phil Scott for his dedication to the Borough and for his outstanding service.

**Legal and Financial implications in relation to this Motion will be circulated prior to the meeting.**

## **2. Motion signed by Councillors W Samuel, C Johnson and S Phillips**

North Tyneside Council notes

- Over 4 billion pounds may have been lost due to fraud during the pandemic.
- Chancellor Rishi Sunak appears to have so little appetite to pursue the fraudsters.
- That fake claims to furlough payments were made for staff that continued working and the pressures that organisations who perpetuated this fraud placed upon their employees, customers and others associated with them.

North Tyneside council believes

- That organisations in North Tyneside and beyond who were complicit in this fraud should be exposed.

North Tyneside council calls upon the elected Mayor to:

- Write to Chancellor Sunak both to express our dismay at his inactivity to date and to demand more robust actions against fraudsters.

**Legal and Financial implications in relation to this Motion will be circulated prior to the meeting.**

### **3. Motion signed by Councillors M Rankin, C Johnson and C Burdis**

North Tyneside council notes:

- The core spending power per dwelling in NTC is £1,984
- The national average core spending power for all local authorities is £2,155 per dwelling
- North Tyneside would receive £17.142m of funding if it had even the average core spending power of all local authorities.
- The vast majority of recent increases to core spending power have come as a direct result of the Conservative Government telling the Authority to increase council tax.

North Tyneside council believes:

- The lower-than-average core spending power, Government forced council tax rises and £127 million worth of cuts from the Conservative government is a triple hammer blow to the authorities' finances.

North Tyneside council calls upon the elected Mayor to:

- Write to Chancellor Rishi Sunak asking him to increase North Tyneside's per dwelling spending power to match the average in all local authorities.

**Legal and Financial implications in relation to this Motion will be circulated prior to the meeting.**

#### **4. Motion signed by Councillors M Thirlaway, C Johnson and S Graham**

North Tyneside Council notes:

- In 2020/21, transport spending in London was £877 per person, compared with just £314 per person in the North East.
- The Conservative Government have refused to extend bus recovery funding which will lead to many bus routes around being slashed.
- Labour in North Tyneside recently voted through a budget which increased funding to Nexus allowing them to save local bus routes while the Conservatives voted against.

North Tyneside Council believes:

- That such a huge regional disparity in public spending on transport is unfair and only serves to further entrench regional inequalities.
- The Conservative Government has continued to ignore the North East on Transport, nothing for the North East of significant investment in the Integrated rail plan and now refusing to extend recovery buses funding, slashing bus routes right around the borough.

North Tyneside Council calls on the Elected Mayor to:

- Write to the Prime Minister, demanding a dramatic increase in public transport spending in the North East.

**Legal and Financial implications in relation to this Motion will be circulated prior to the meeting.**

## **5. Motion signed by Councillors by A Newman, C Burdis and S Day**

North Tyneside Council believes:

We are a community where everyone can thrive, whoever they are.

We are proud that North Tyneside is a welcoming community, in which people treat each other with care and solidarity.

We know that unaccompanied child refugees have been welcomed in North Tyneside and that the Authority is committed to providing shelter and safety to those who need it.

We are concerned that the Government's Nationality and Borders Bill will make it harder for people seeking sanctuary to get the protection they need.

We also note that the government voted down the Jarvis / Mercer amendment to remove visa fees (currently just under £2500 per person) for commonwealth veterans and their families. Whilst the government has now removed these fees for veterans who serve 6 years or more the government has refused to remove them for family members.

North Tyneside Council calls upon the Elected Mayor to write to the Prime Minister to:

- a) Remove Clause 11 of the Bill which states that refugees should be treated differently according to how they arrive.
- b) Review the Nationality and Borders bill to ensure everyone has safe and dignified accommodation, enough food and essentials to live, and the right to work and to contribute to their community.
- c) Remove the visa fees for the immediate family members of commonwealth veterans once their spouse / parent reaches 6 years of service

**Legal and Financial implications in relation to this Motion will be circulated prior to the meeting.**

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## North Tyneside Council Report to Council Date: 17 March 2022

### Title: North Tyneside Council Pay Policy 2022/23

<b>Portfolio(s):</b> Cabinet Member for Finance and Resources	<b>Cabinet Member(s):</b> Councillor Martin Rankin
<b>Report from Service Area:</b>	<b>Resources</b>
<b>Responsible Officer:</b>	<b>Janice Gillespie, Director of Resources      Tel: (0191) 6435701</b>
<b>Wards affected:</b>	<b>All</b>

#### PART 1

##### **1.1 Executive Summary:**

The Localism Act 2011 requires all local authorities to prepare and publish a Pay Policy Statement by 31 March each year. The Act requires the statement to be approved by full Council. The purpose of the Pay Policy Statement is to set out the Authority's policies on a range of pay matters relating to the workforce, including senior employees (known as Chief Officers).

The Pay Policy has not changed significantly during the last 12 months. The main change is to update the North Tyneside Council Living Wage as agreed by full Council on 26 November 2020. The pay multiple and the gender pay gap have been calculated as at 31 March 2021.

The Authority has a statutory duty to publish the Pay Policy Statement following the approval by full Council.

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

It is recommended that Council approves the Pay Policy statement for 2022/23 and authorises publication of the Pay Policy.

##### **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 7 January 2022.

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

This report does not directly relate to the priorities in the 2021/25 Our North Tyneside Plan.

## **1.5 Information:**

### **1.5.1 Background**

1.5.2 The Localism Act 2011 requires all local authorities to prepare and publish a Pay Policy Statement. This statement must set out each authority's policies towards a range of issues relating to its workforce, particularly its senior posts (known as Chief Officers) and its lowest paid employees. Pay Policy statements must be prepared for each financial year, approved by full Council and then published.

### **What must be included in the Pay Policy Statement**

1.5.3 The Localism Act sets out what must be included in the Pay Policy Statement. In particular the statement must include:

- The Authority's definition of lowest paid employees and the reasons for adopting that definition,
- The policy on remuneration of its Chief Officers including remuneration at recruitment, how pay is increased, the use of performance related pay and bonuses, termination payments and transparency,
- The policy on remuneration of its lowest paid employees, and
- The relationship between the remuneration of senior posts and that of other employees.

In preparing the Pay Policy Statement the Authority must also have regard to the Guidance published by the Secretary of State under the Localism Act 2011.

1.5.4 The Pay Policy Statement attached at Appendix 1 follows the approach agreed by full Council in previous years. The statement complies with the requirements of the Localism Act 2011. It also takes account of the policies and processes that the Authority already has in place to manage decisions around recruitment, appointment and termination of Chief Officers and the publication of data on senior salaries to comply with the Transparency Code.

### **Member Involvement**

1.5.5 The Localism Act requires Members to take a greater role in determining pay by ensuring that decisions in relation to pay are taken by those directly accountable to local people. Along with the Transparency Code, the Act's provisions are in place to ensure that communities have access to the information they need to determine whether remuneration, particularly senior employee remuneration, is appropriate and commensurate with responsibility. In addition, the Act requires that policies on the pay and reward of the most senior employees are set clearly within the context of the pay of the wider workforce.

### **Accountability**

1.5.6 Pay Policy Statements and any amendments to them must be considered by a meeting of full Council and cannot be delegated to a committee or sub-committee. All decisions on pay and reward must comply with the current Pay Policy Statement.

## Transparency

- 1.5.7 The Pay Policy must include information on the Authority's approach to the remuneration of Chief Officers. Remuneration includes salary (for Chief Officers who are employed) or payment under a contract for services (for Chief Officers who are self-employed), expenses, bonuses, and performance-related pay as well as severance payments.
- 1.5.8 The Act does not require authorities to use their Pay Policy Statements to publish specific numerical data on pay and reward. However, the Authority does publish data under the Transparency Code as well as the Accounts and Audit (England) Regulations 2015. Authorities are asked in the Statutory Guidance to consider the opportunity this presents to put that data within the context of the Authority's agreed policies and to provide the public with clear justification of how their money is being used appropriately in the pay and reward of senior staff.

## Areas of change to the Pay Policy Statement for 2022/23

- 1.5.9 The following areas of the Pay Policy Statement for 2022/23 have been amended:
- The North Tyneside Living Wage agreed at full Council on 26 November 2020 is now updated to reflect the rate at April 2021
  - The median average salary has moved from £23,568 per annum to £25 770. The pay multiple when rounded is 1:6

## **1.6 Decision options:**

The following decision options are available for consideration by Council:

### Option 1

Approve the Pay Policy Statement for 2022/23

### Option 2

Not approve the Pay Policy Statement for 2022/23.

Option 1 is the recommended option.

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

Option 1 is recommended for the following reasons:

The proposed Pay Policy Statement is a representation of how the Authority manages its current pay decisions and complies with the requirements of the Localism Act 2011.

## **1.8 Appendices:**

Appendix: North Tyneside Council Pay Policy Statement 2022/23.

## **1.9 Contact officers:**

Janice Gillespie, Director of Resources, Tel 643 5701  
Lisa Rankin, HR Manager Policy and Practice, Tel 07967 463036

## **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) Localism Act 2011
- (2) Openness and accountability in local pay: Guidance under section 40 of the Localism Act – Department for Communities and Local Government February 2012 and the Supplementary Guidance published in February 2013.
- (3) Transparency Code – Department for Communities and Local Government February 2015.
- (4) Hutton Review of Fair Pay in the public sector March 2011.
- (5) Localism Act: Pay Policy Statements for Local Authority Chief Executives – Local Government Association and Association of Local Authorities Chief Executives (ALACE) November 2011.
- (6) Local Government and Housing Act 1989

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

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

2.1.1 The Authority must ensure that what is agreed in its Pay Policy Statement is applied in practice and where there are financial thresholds these must be adhered to.

### **2.2 Legal**

2.2.1 The Localism Act 2011 requires a Pay Policy Statement to be prepared for each financial year and approved by the 31 March each year by the Authority and published. The full Council meeting has responsibility for approving the Pay Policy Statement.

Section 38 of the Localism Act 2011 sets out the matters that must be included in the Authority's Pay Policy Statement

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

#### **2.3.1 Internal Consultation**

The relevant Cabinet Member and Elected Mayor and Senior Leadership Team have been briefed on the proposed Pay Policy Statement. The trades unions have also been consulted.

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

The Pay Policy Statement is a description of what the Authority applies currently as part of its Constitution, and through HR policy and process. All have been through agreed consultation channels with managers and recognised trades unions.

As part of the requirements of the Localism Act any decisions on the pay and terms and conditions of employment of the workforce must be reflected in the annual pay policy statement. National agreements cover the pay and terms and conditions of employment of the workforce and any proposed changes to these agreements would be shared and consulted on with the trades unions as part of an ongoing dialogue to comply with appropriate legal obligations on consultation.

## **2.4 Human rights**

The proposals in this report support the Authority's adherence to the principles set out in the Human Rights Act.

## **2.5 Equalities and diversity**

2.5.1 The Localism Act 2011 requires a Pay Policy Statement to be prepared for each financial year and defines the areas to be covered in the statement. The pay scale for Green Book employees is set a national level by a collective agreement and implemented locally through agreement at full Council.

2.5.2 The proposals in this report support the Authority's approach to equality and diversity. The Authority's pay and grading structures are underpinned by job evaluation schemes, the outcomes of which have been subject to an equality impact assessment.

2.5.3 The use of a job evaluation scheme provides a systematic way of comparing and assessing individual jobs in an objective way to make sure that there is a fair and equal pay system in place which does not discriminate between male and female employees.

2.5.4 The North Tyneside Council Living Wage was agreed at full Council in November 2020 to. Tackling low pay continues to be a priority for the Authority and measures have been implemented to support this over recent years. An equality impact assessment was undertaken for this at the time.

## **2.6 Risk management**

2.6.1 The Proposals in Pay Policy Statement reflect the application of the Authority's job evaluation schemes and pay and grading structures. Any deviation from this could destabilise the pay and grading structure leading to inconsistencies and a risk of further equal pay claims against the Authority.

2.6.2 Risks around pay and grading are managed through corporate risk management responsibilities.

## **2.7 Crime and disorder**

The proposals in this report do not relate to crime and disorder.

## **2.8 Environment and sustainability**

There are no environmental and sustainability implications arising directly from this report.

## **PART 3 - SIGN OFF**

- Chief Executive

- Director(s) of Service
- Mayor/Cabinet Member(s)
- Chief Finance Officer
- Monitoring Officer
- Assitant Chief Executive

# Pay Policy 2021-22

Date: March 2022 Author: HR Manager Policy and Practice



North Tyneside Council

## **1. Introduction**

This is North Tyneside Council's (the Authority's) annual Pay Policy for the period 1 April 2022 to 31 March 2023.

The purpose of the statement is to set the Authority's policies on a range of pay matters relating to the workforce. The Authority understands the importance of openness and transparency in setting pay which is fair, consistent and equitable across the workforce. It is also vital that the Authority can demonstrate value for money, particularly around the role that senior leaders play in the organisation.

In accordance with the Localism Act 2011, the Authority is required to publish the pay policy for each financial year detailing:

1. The Authority's definition of lowest paid employees
2. The relationship between the remuneration of senior posts and that of other employees.

In determining the pay and remuneration of all its employees the Authority will comply with all relevant employment legislation including the Equality Act 2010, the Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000, the Agency Workers Regulations 2010 and where relevant the Transfer of Undertakings (Protection of Employment) Regulations 2006.

This pay policy statement has been approved at a meeting of full Council and is available on the Authority's website. In line with the local government transparency code 2015 the Authority also publishes information related to the organisation and its salaries on its website.

## **2. Definitions of senior posts and lowest paid employees**

For the purposes of this statement, the Authority considers its senior posts to be those with the definition of "Chief Officer" as set out in Section 43 of the Localism Act 2011.

A "Chief Officer" is defined as:

- the Head of Paid Service designated under section 4(1) of the Local Government and Housing Act 1989;
- the Monitoring Officer designated under section 5(1) of that Act;
- a statutory chief officer mentioned in section 2(6) of that Act; or
- a non-statutory chief officer mentioned in section 2(7) of that Act; or
- a deputy chief officer mentioned in section 2(8) of that Act.



The lowest paid employees are defined by the Authority as those employed on Grades 1 and 2 (excluding apprentices) as these are the first two grades on the Authority's pay and grading structure.

### **3. How pay is determined in North Tyneside Council**

As stated in the Authority's Constitution, the power to determine terms and conditions in North Tyneside Council rests with full Council, unless determined nationally as detailed below.

The Authority uses nationally negotiated pay spines as the basis for its local pay structures. The pay scales currently in use in the Authority are set by the following:

- The National Joint Council for Local Government Services via the "Green Book" which includes senior salaries. Green Book pay scales are negotiated nationally and then implemented locally in the Authority following approval by full Council.
- The Soulbury Committee via the "Blue Book" for posts such as Educational Psychologists and School Improvement professionals.
- The Joint Negotiating Committee for Craft Workers via the "Red Book"
- The Secretary of State via the National School Teachers' Pay and Conditions (Burgundy Book) and adopted through the Centrally Employed Teachers' Pay Policy for the small number of teachers employed by the Authority.
- The Authority's Chief Executive is paid in accordance with the terms of the national conditions of service covered by the Joint Negotiating Committee for Chief Executives. (Please note pay arrangements for senior posts/Chief Officers are detailed in Section 5.)
- All other Chief Officers are covered by the Joint Negotiating Committee for Chief Officers of Local Authorities. (Please note pay arrangements for senior posts/Chief Officers are detailed in Section 5.)
- Apprentices are paid according to the North Tyneside Council Apprentice Pay Model.
- Any employee who has transferred into the Authority under the Transfer of Undertakings (Protection of Employment) Regulations 2006 will be paid according to their specific terms and conditions.

Employees on all terms and conditions will receive a pay award where this is negotiated nationally by the relevant negotiating committee.

The majority of North Tyneside Council employees are covered by the Green Book terms and conditions; the current pay scale is contained in Appendix A. There will be a new pay scale effective from 1 April 2022, but this has not yet been agreed. Negotiations at a national level are continuing but agreement has not yet been reached. Any increase will be back dated to 1 April 2022 when agreed.

Within the Green Book pay spine each grade consists of spinal column points (SCP) to allow for incremental progression, with the exception of Grades 1 and 2 which are single point grades.

For Grades 3 to 11 new appointments are made at the bottom of the grade with incremental progression through the grade on an annual basis until the top SCP of the grade is reached. In exceptional circumstances, and only if supported by clear objective evidence, appointment can be made to the mid or top of the grade. This could be appropriate for example where the person has directly applicable experience in a similar post.

#### **4. The North Tyneside Council Living Wage**

Tackling low pay continues to be a priority for the Authority and measures have been implemented to support this over recent years. The Authority currently has a North Tyneside Council pay scale which ensures the lowest point on the pay scale is at least the rate of the real Living Wage as set by the Living Wage Foundation. Following approval by a meeting of full Council in November 2020 the North Tyneside Council Living Wage was paid at £9.50 per hour from April 2021 (implemented in December 2021 and backdated).

When the outcome of the national pay negotiations for the pay scale from April 2022 is known the Authority aims to continue to ensure the lowest point on the pay scale is at least the real Living Wage (£9.90 per hour from April 2022).

#### **5. Process for grading posts**

In order to determine which grade a new post is established on the Authority uses a job evaluation scheme for employees covered by Green Book terms and conditions which is implemented via a locally agreed Job Evaluation Process.

The Green Book Job Evaluation Scheme (operated via the Gauge System) is used for posts up to and including Grade 11. Posts are evaluated based on the knowledge, skills, demands and responsibilities required.

Where posts have been established at Grades 12 and above these have been evaluated using the Hay Evaluation Methodology. This considers the size and responsibility of the job role. The salaries for the posts are assigned using the North Tyneside Senior Pay Scale which is set out in Appendix A. These grades consist of spot salaries with no incremental progression. The senior pay scale has been adjusted slightly to start at Grade 23 to reflect the current structure as agreed in August 2021.

## **6. Remuneration of senior posts – Chief Officers**

As above the Authority's Chief Executive is paid in accordance with the terms of the national conditions of service covered by the Joint Negotiating Committee for Chief Executives. All other Chief Officers are covered by the Joint Negotiating Committee for Chief Officers of Local Authorities.

As set out above, all salary packages will accord with the requirements of the Authority's pay and grading structures and will depend on the outcome of an evaluation of a post's job role and responsibilities. The senior pay scale is set out in Appendix B.

Chief Officers can also be engaged under a contract for services as a contractor. The engagement of Chief Officers under a contract for services is the responsibility of the Authority's Cabinet.

In the procurement of a Chief Officer under a contract for services Cabinet will:

- comply with the Authority's Standing Orders in relation to contracts and any other requirements of the public procurement regime; and
- ensure that any engagement will not cost more than the annual salary, with the relevant on-costs, of employing a Chief Officer in that role.

Where a Chief Executive or Director is engaged under a contract for services by Cabinet, the Council will be informed of these arrangements.

## **7. Appointment of a Chief Officer**

The appointment of individuals to the posts of Chief Executive and Directors is the responsibility of the Authority's Appointments and Disciplinary Committee. At appointment, Chief Officers are appointed to the evaluated grade which consists of a spot salary. There is no incremental progression for a Chief Officer.

## **8. Increases and additions to a Chief Officers' remuneration**

Increases to a Chief Officers remuneration will only apply in the following circumstances:

- a pay award agreed through national pay bargaining arrangements;
- a change to the role and its responsibilities warrants a change in grade through the agreed job evaluation process;
- there is evidence of a recruitment and/or retention problem, at which point the Market Supplement Policy will be applied in order to determine the appropriate payment;

- temporary additional duties and responsibilities warrant an honorarium or ex-gratia payment in line with agreed policy;
- where a Chief Officer is engaged under a contract for services in accordance with provisions of the contract and the public procurement regime.

## **9. Payments to Chief Officers for election duties**

Fees for local election duties undertaken by Chief Officers on behalf of the Authority are included in their salaries.

Fees for the Returning Officer and Deputies and other electoral duties are identified and paid separately for elections to Parliament and other electoral processes such as referenda.

## **10. Performance related pay and bonuses**

The Authority does not apply any performance related pay scheme or bonuses for its Chief Officers.

## **11. Termination payments**

The Authority has agreed policies and procedures in place that apply to all employees, including Chief Officers, leaving the Authority's employment by way of early retirement, redundancy (voluntary or otherwise) or on the grounds of efficiency of service. These policies are reviewed on a regular basis and consulted upon with trades unions. The North Tyneside Council redundancy scheme is not contractual and is varied from time to time.

Chief Officers who cease to hold office or be employed by the Authority will receive payments calculated using the same principles as any other employee. This is based on their contract of employment, nationally agreed terms and conditions and existing Authority policies.

Chief Officers who cease to be engaged under a contract for services will receive any monies due to them in accordance with the provisions of the contract for services.

## **12. Re-engagement of Chief Officers previously employed by the Authority.**

Chief Officers who leave the Authority under the Restructure and Redundancy procedure will not be re-employed by the Authority in any capacity without the approval of the Appointments and Disciplinary Committee.

## **13. Contracts for Services and IR 35**

In some circumstances, for example where there is a need for interim support to provide cover for a substantive post, the Authority will consider if it is necessary to engage individuals under a 'contract for service'.

These are sourced through an appropriate procurement process, ensuring that the Authority is able to demonstrate the maximum value for money in securing the relevant service.

In accordance with the IR35 rules which determine off-payroll working rules for clients, workers and their intermediaries, where a worker is engaged via an intermediary personal service company, the responsibility for assessing their income tax and national insurance liability lies with the Authority, along with responsibility for deducting and paying the correct income tax.

## **14. The relationship between Chief Officers and lowest paid employees**

The pay for the Authority's lowest paid employees (which are all covered by Green Book terms and conditions) and that of the Authority's Chief Officers is determined by the job evaluation process.

The pay multiple for the Authority is determined by comparing the remuneration for the highest paid employee against that of the median average earnings for the organisation as a whole. The pay multiple for the Authority is 1:6. This is based on median earnings of £25,770. This pay multiple was 1:7 last year.

## **15. Gender pay gap**

The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 came into force on 31 March 2017. Public Sector employers with over 250 employees must report the following gender pay gap information:

- The overall 'mean' and 'median' gender pay gaps and the 'mean' and 'median' bonus pay gaps;
- The number of male and female employees in each pay quartile; and

- The proportion of male and female employees in receipt of a bonus.

The report on the above data is included at Appendix C.

## **16. Legislative changes**

### **The £95,000 cap on public sector exit payments**

Following revocation of the £95, 000 cap on public sector exit payments in February 2021, further detail has not yet been provided on the reintroduction of different legislation to cap or place additional limits on certain public sector exit payments.

### **Reforming exit pay for local government workers**

As part of the wider reform of severance payments across the public sector the Government proposes to reform exit payment terms for local government workers. This is separate to the broader £95 000 cap on exit payments and includes capping severance payments, imposing a maximum salary level upon which calculations for severance payments can be based, preventing an employer making discretionary redundancy payments and limiting any amounts an employer can contribute to pension strain costs where an employee receives a statutory redundancy payment. Consultation for these proposals closed in December 2020 and the response has not yet been published. Following the revocation of the exit pay cap there have been no further updates.

### **Repayment of Public Sector Exit Payments Regulations**

The Government's proposed regulations for repayment of exit payments are not yet in place and there is currently no date for implementation. These require any employee or office holder earning £80,000 or above per annum to repay any exit payment they received (in full or part as set out in the regulations), if they then return to a similar role in another local authority or local government body within 12 months. This applies if the new role is either on or off payroll. This requirement can only be waived in exceptional circumstances and by a decision of full Council.

## **17. Review and Publication**

This policy statement will be reviewed annually and, following approval by full Council, published on the Authority's website together with the Gender Pay Gap report.

**Appendix A**

**North Tyneside Council Salary Scales April 2021**

<b>SCP</b>	<b>Salary</b>	<b>Salary Scale</b>
1	18333.00	Grade 1
2	18516.00	Grade 2
3 4	18887.00 19264.00	Grade 3
5 6	19650.00 20043.00	Grade 4
7 8 9	20444.00 20852.00 21269.00	Grade 5
10 11	21695.00 22129.00	Not Used
12 13 14 15	22571.00 23023.00 23484.00 23953.00	Grade 6
16 17 18	24432.00 24920.00 25419.00	Not Used
19 20 21 22	25927.00 26446.00 26975.00 27514.00	Grade 7
23 24 25 26 27	28226.00 29174.00 30095.00 30984.00 31895.00	Grade 8
28 29	32798.00 33486.00	Grade 9

30	34373.00	
31	35336.00	
32	36371.00	
33	37568.00	Grade 10
34	38553.00	
35	39571.00	
36	40578.00	
37	41591.00	
38	42614.00	Grade 11
39	43570.00	
40	44624.00	
41	45648.00	
42	46662.00	
43	47665.00	
44	48506.00	Grade 12
45	50052.00	
46	51712.00	
47	53372.00	Grade 13
48	55262.00	
49	58241.00	Grade 14
50	61505.00	Grade 15
51	65054.00	Grade 16
52	69178.00	Grade 17
53	73703.00	Grade 18
54	79028.00	Grade 19
55	86411.00	Grade 20
56	89975.00	Grade 21
57	93712.00	Grade 22
58	97489.00	Grade 23
59	101721.00	Grade 24
60	106181.00	Grade 25
61	110923.00	Grade 26
62	132822.00	Not used
63	160494.00	Grade 28



## Appendix B

### North Tyneside Council Senior Salary Pay Scale

<b>Job Role</b>	<b>Grade (Spinal Column Point)</b>	<b>Salary (per annum)</b>
Chief Executive	Grade 28 (63)	£158 122
Directors	Grade 23 (57) to 26 (61)	£92 100 - £109 284
Heads of Service and Senior Managers	Grade 12 (44) to Grade 22(56)	£47 672 - £88 428
	Grade 11 (38 – 43)	£41 881 - £46 845

## Appendix C

### Gender Pay Report

#### Introduction

All public sector employers are now required by law to publish information every year about gender pay gaps within their workforce. The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 came into force on 31 March 2017.

The regulations require employers to publish a report based on a snapshot date of 31 March. Employers have 1 year in which to publish the report.

As at 31 March 2021 the Authority workforce profile comprised of 63% female and 37% male.

The report below sets out North Tyneside Council's calculations in relation to:

- The mean gender pay gap in hourly pay
- The median gender pay gap in hourly pay
- The proportion of males and females in each pay quartile

The mean is the average hourly rate of pay, calculated by adding the hourly pay rate for employees then dividing by the number of employees.

The median is the middle hourly pay rate, when the pay rates are arranged in order from lowest to highest.

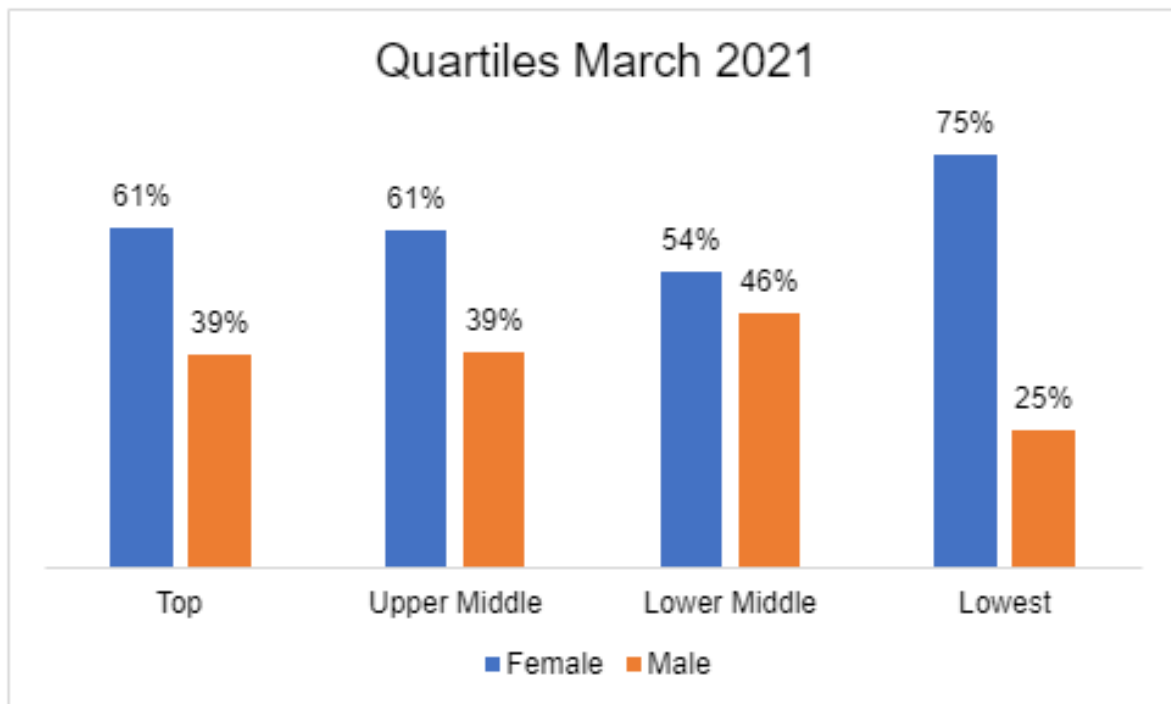
The table below shows overall mean and median gender pay gap based on hourly rates of pay.

The Authority does not pay any bonuses.

#### The gender pay gap as at 31 March 2020

	<b>Mean</b>	<b>Median</b>
Hourly fixed pay	6.61%	0.00%
Bonus paid	N/A	N/A

### The proportion of males and females in each quartile



The Authority's gender pay gap information is published on the Government website ([gender-pay-gap.service.gov.uk](http://gender-pay-gap.service.gov.uk)) and will be supported by a narrative explaining the position in the Authority and an action plan to address the gender pay gap.

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## North Tyneside Council Report to Council Date: 17 March 2022

### Title: Designation to Statutory Roles

<b>Portfolio(s):</b> Elected Mayor	<b>Cabinet Member(s):</b> N Redfearn
<b>Report from Service Area:</b>	<b>Resources</b>
<b>Responsible Officer:</b>	<b>Janice Gillespie, Director of Resources</b>
<b>Wards affected:</b>	<b>All Wards</b>

#### PART 1

##### 1.1 Executive Summary:

Council is requested to designate an officer of the Authority to the statutory role of Monitoring Officer, in the light of the departure from the organisation on 28 February 2022 of Bryn Roberts, Director of Law and Governance who was formerly designated as the Monitoring Officer.

Council is also requested to appoint an officer of the Authority to undertake the roles of Returning Officer and Electoral Registration Officer for the Authority.

The responsibility for the designation and appointment of the roles referred to above is reserved to full Council.

##### 1.2 Recommendation(s):

It is recommended that:

- (i) Council designate Jacqueline Laughton, Assistant Chief Executive as the Monitoring Officer for the Authority with effect from 17 March 2022
- (ii) Council appoint Paul Hanson as Returning Officer and Electoral Registration Officer for the Authority with effect from 17 March 2022.

##### 1.3 Forward plan:

It has not been practicable to give twenty eight days notice of this report. However, it is required to be considered without the twenty eight days notice being given to ensure that the Authority fulfils its duties under the Local Government and Housing Act 1989 and the Representation of the People Act 1983.

#### **1.4 Council plan and policy framework:**

Appointment to these roles ensures the Authority acts in compliance with prevailing legislation and in turn supports all priorities within the Council Plan.

#### **1.5 Information:**

##### **Background**

The Authority has a duty under section 5 of the Local Government and Housing Act 1989 to designate an officer of the Authority to be known as the Monitoring Officer. The designation has been held since 2019 by the Director of Law and Governance, Bryn Roberts, who left the Authority on 28 February 2022. It is therefore necessary for full Council to transfer those functions and designate an officer of the Authority to be the Monitoring Officer.

It is proposed that Jacqueline Laughton, Assistant Chief Executive should undertake the responsibilities of the Monitoring Officer on an interim basis pending completion in due course of a review of the Authority's arrangements in this regard. The Monitoring Officer has responsibility for oversight of the lawfulness and fairness of decision making across the Authority, maintaining the register of Members' interests, administering the system relating to complaints of Member misconduct, supporting the Standards Committee and maintaining the Authority's Constitution.

It is proposed that the existing Deputy Monitoring Officers will remain in place with an additional Deputy Monitoring Officer being delegated to that role. The Deputy Monitoring Officers will provide support and assistance to the Monitoring Officer as appropriate.

In addition to being designated the Monitoring Officer, Bryn Roberts was appointed the Returning Officer and Electoral Registration Officer for the Authority pursuant to the requirements of the Representation of the People Act 1983. The Returning Officer is the official with responsibility for the arrangements for the election of the Authority's Councillors. The Electoral Registration Officer has the responsibility for the preparation and maintenance of the register of electors and list of absent voters in North Tyneside. The Returning Officer also acts as an Acting Returning Officer for parliamentary elections and must fulfil all the duties and responsibilities relating to the delivery of such elections on behalf of the Authority. The reallocation of these roles by full Council is necessary in order to secure continuity. It is proposed that the roles of Electoral Registration Officer and Returning Officer are undertaken by the Authority's Chief Executive, Paul Hanson, from 17 March 2022.

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

Council may choose to:

- Designate Jacqueline Laughton, Assistant Chief Executive, as Monitoring Officer
- Appoint Paul Hanson, Chief Executive, as the Returning Officer, Electoral Registration Officer and Acting Returning Officer
- Decline to make any or all of the designations / appointments and defer the designation(s) / appointment(s) to an extraordinary meeting of Council to enable a suitably experienced officer as an alternative candidate for the relevant role(s) to be proposed.

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

The recommended approach fulfils the Authority's duties in relation to the statutory roles outlined above. The Authority, through full Council, is required to designate officers of the Authority to the roles referred to in the report to comply with legislative requirements.

### **1.8 Appendices:**

None.

### **1.9 Contact officers:**

Janice Gillespie, Director of Resources Tel (0191) 6435701  
Allison Mitchell, Corporate Assurance Tel (0191) 643 2001  
John Barton, Principal Lawyer Tel (0191) 6435354

### **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.

Representation of the People Act 1983  
Local Government and Housing Act 1989  
The Local Authorities (Functions and Responsibilities) Regulations 2000  
North Tyneside Council Constitution including Officer Delegation Scheme

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

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

There are no specific financial implications arising from this report.

### **2.2 Legal**

The Authority is required to designate an officer of the Authority as Monitoring Officer pursuant to Section 5 of the Local Government and Housing Act 1989.

Section 8 of the Representation of the People Act 1983 (the 1983 Act) requires the Authority to appoint an officer to be an Electoral Registration Officer for any constituency or part of a constituency situated in the Borough.

Section 35 of the 1983 Act requires the Authority to appoint an officer to be the Returning Officer. Section 28 of the 1983 Act states that the duties of the Returning Officer for a parliamentary election shall be discharged as the Acting Returning Officer.

A Returning Officer can appoint a deputy or deputies. An Electoral Registration Officer however can only appoint a deputy or deputies with the approval of full Council.

The designation of the Monitoring Officer, the appointment of the Electoral Registration Officer and the appointment of the Returning Officer is a matter for full Council by virtue of Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.

### 2.3 Consultation/community engagement

The Elected Mayor and Cabinet Members have been consulted on the proposals.

### 2.4 Human rights

There are no human rights implications arising from this report.

### 2.5 Equalities and diversity

There are no equalities and diversity implications arising from this report.

### 2.6 Risk management

Any failure to designate or appoint the officers to the roles referred to above could result in the Authority being challenged for failing to meet its statutory duties.

### 2.7 Crime and disorder

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

### 2.8 Environment and sustainability

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

## PART 3 - SIGN OFF

- Chief Executive
- Director of Service  n/a
- Mayor/Cabinet Member(s)
- Chief Finance Officer
- Deputy Monitoring Officer
- Assistant Chief Executive



## **North Tyneside Council Report to Council 17 March 2022**

### **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 L Bones**

“At the Council meeting in January the Mayor stated that she uses her red fiesta to get her around the borough and only uses the civic car for civic business.

Can the Mayor therefore confirm if she or her cabinet use the civic car for authority appointments to outside body meetings.”

#### **2. Question to the Elected Mayor by Councillor E Darke**

The Members enquiries system was set up to be used as a tool to ensure members had an appropriate casework system to ensure residents got responses to queries from members, with that in mind, what percentage of members enquiries from Conservative councillors were genuine enquiries from residents and what percentage were from the councillor?

#### **3. Question to the Elected Mayor by Councillor G Westwater**

At the November 2021 meeting of Full Council Cllr Johnson proposed an amendment to the motion on Covid Memorials to read “on the conclusion of the consultation report back to a cross party working group to decide how to proceed with the memorial” - this was unanimously agreed.

Can the Mayor confirm when this meeting will take place, as we are looking forward to working collaboratively on this project, and would she agree with me that the current proposals of five concrete circles costing £250,000 do not represent good value for money for taxpayers when compared with our proposal of 20 Covid Memorial Trees, in line with the Council’s tree planting policy, which would be more accessible to residents and more appropriate during a cost of living crisis.

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