

Employment Committee

Excerpt of the minutes of the meeting held on Tuesday 14 March 2023 at the Town Hall, Royal Leamington Spa at 6.00pm.

Present: Councillors Day, K Dickson, Hales, Kennedy, Kohler, Mangat, Tangri and Tracey.

15. **Appointment of Chair**

In the absence of the Chair and Vice-Chair, it was proposed by Councillor Tracey, seconded by Councillor Day and

Resolved that Councillor Mangat be appointed as Chair for the meeting.

16. **Apologies and Substitutes**

- (a) apologies for absence were received from Councillors B Gifford, Margrave, Noone and Redford; and
- (b) there were no substitutes.

17. **Declarations of Interest**

There were no declarations of interest made.

18. **Minutes**

The minutes of the meeting held on 29 November 2022 were taken as read and signed by the Chairman as a correct record.

19. **Gender and Ethnicity Pay Gap Reporting 31 March 2022**

The Committee considered a report from the Head of People and Communications which presented the mandatory gender pay gap information that had to be reported to Central Government and published on the Warwick District Council's website. It also presented the Ethnicity Pay Gap reporting and recommended its publication by the Council.

In accordance with the Equality Act 2010, with effect from 30 March 2018, it was a requirement to report and publish specific gender pay gap information, and this was the fifth annual statement.

A Task & Finish group was agreed at the meeting of the Overview and Scrutiny Committee in July 2020, with the remit to consider 'The Council's approach to equality and diversity, especially with regard to race'. Although this was not a legal requirement, Council decided on 24 June 2020 that "in order to support its consideration of the report and the monitoring of the action plan, the Council requires the publication of relevant annual data, including an Ethnicity Pay Gap report alongside the current Gender Pay Gap report".

The Warwick District Council gender pay reporting figures had been calculated using the standard methodologies used in the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017. The data included the

following types of staff: employees with a contract of employment (part time, full time, permanent and fixed term) and Casuals/Workers, as attached at Appendix 3 to the report.

The Mean Gender pay gap was 12.87%, which was a total decrease of 2.43% 2018 and decrease from 13.93% in 2021.

The Median Gender pay gap was 11.9%, a total increase of 1.0% since 2018 but decrease from 15.54% in 2021.

The Mean Bonus pay gap (classed within WDC as honoraria and long service award) was 29.06%, with males receiving a higher mean bonus (males – 3 honoraria/1 long service; females - 2 honoraria/4 long service).

The Median bonus payment (classed within WDC as honoraria and long service) was 51.64%, with males receiving a higher median bonus based on the breakdown of male/female as above.

On 31 March 2022, the reported establishment had decreased by sixty-eight (574), with 22 of these being casuals who had left the establishment.

The percentage of females in the lower quartile had increased by 4.5% and by 1.6% in the lower middle quartile.

The proportion of females in the top two pay quartiles was 46.4%, slightly under the 48.5% that it was on 31 March 2021.

The data provided was of 31 March 2022 - the requirement to produce this data was always one year previous. Based on the new I-Trent reporting, officers were now in a position to prepare more timely information as of 31 March 2023.

The new Equalities, Diversity and Inclusion (EDI) Business Partner, who was appointed in December 2022, would support further analysis and actions as part of the review of the EDI strategy. It should be noted that addressing the underlying causes of a gender pay and ethnicity pay gap, as well as developing an effective action plan, was an ongoing and iterative process, and the data should not be reviewed in isolation. This was significantly related to the points made in Appendix 2 to the report where, as of 31 March 2022, 48% of employees had not declared, resulting in a proviso on how effective the data was to use in any review. Time was required to both consider in detail the approach to adopt and to refine the content, as well as to consider comparative data to be able to benchmark best practice both internally and externally.

The Council continued to promote and review the benefits of working for Warwick District Council through its 'family friendly' policies, schemes and training, for example: maternity 'pay back' scheme withdrawn; health and well-being scheme; agile working; continued development of flexible working options that would support effective work-life balance; development opportunities including an increased promotion of 'work apprenticeship' training.

There were no alternative options considered. The Gender Pay Gap reporting and publishing was required by law, and the Ethnicity Pay Gap publishing had been requested by Council.

An addendum circulated prior to the meeting advised Members of a formula error on the reports produced to provide the data for the gender pay gap reporting and Appendix 1 to the report. This had been reviewed for all other areas of the report to ensure accuracy. The addendum highlighted where corrections were made in the appendix as well as in the report.

The Members/Trades Unions Joint Consultation & Safety Panel agreed with the recommendations in the report.

In answer to questions from Members, the Head of People and Communications and the Learning and Development Officer advised that:

- The 2023 Gender and Ethnicity Pay Gap report would be brought forward to the Committee at the earliest opportunity, and the target date was the September 2023 Employment Committee meeting.
- The data was just one part of the evidence, and she was also looking at surveys, interaction with staff, training etc.
- She was happy to circulate to Members a revised report and appendix with the correct figures.
- In terms of gathering some of the data, currently, employees had to physically go into the system to declare personal information, where they could also choose the "prefer not to say" option.
- Employees were now using the HR Payroll system for much more and on a more regular basis to book training, check payslips etc. They were encouraged to regularly check their personal details, and certainly the aim was to point new starters to complete these at the beginning of their employment.
- The "prefer not to say" option was individual for each characteristic.

In answer to a question from Councillor Kohler, the Civic & Committee Services Manager advised Members that the original report had been published in line with the statutory requirements and it therefore could not be replaced with a new version. However, all the changes to it had been clearly reflected in the addendum, and the correct figures would be captured in the minutes of the meeting and Appendix 1 before they were presented to Council the day after the meeting.

It was proposed by Councillor Tracey, seconded by Councillor Hales and

Recommended to Council that:

- (1) the publication of the Gender Pay Gap reporting as of 31 March 2022, presented in Appendix 1 and updated in the addendum, be agreed prior to its publication 1 April 2023; and
- (2) the publication of the Ethnicity Pay Gap reporting as of 31 March 2022 presented in Appendix 2 to the report, be agreed.

20. **Pay Policy Statement 2023-24**

The Committee considered a report from the Head of People and Communications which presented the Council's Pay Policy Statement for 2023-2024 as required under the Localism Act 2011, Chapter 20, Part 1 Local Government, Chapter 8 Pay Accountability.

Agreeing and publishing the Pay Policy was a legal requirement. The statement had to be published once it had been approved, and it would then be available on the Council's website.

The report gave a definition of Chief Officers and lowest paid employees. It covered different elements of remuneration and outlined the guidelines and policies that governed remuneration.

The Pay Policy Statement had to be prepared on an annual basis beginning with 2012-2013 financial year and each subsequent year as set out in the Localism Act 2011.

The statement had to contain details of the authority's policies in relation to remuneration for its Chief Officers. It had to also include a definition of its lowest paid workers and the policy in relation to their remuneration. It had to include the relationship in remuneration between Chief Officers and lowest paid workers; this had been illustrated by ratios.

The statement also included levels and elements of remuneration for Chief Officers, remuneration for the recruitment of Chief Officers, increases and additions to Chief Officers, performance related or other bonuses for Chief Officers, the approach to Chief Officer remuneration if they ceased to hold office or ceased employment and the publication of and access to information relating to Chief Officer remuneration.

There were no alternative recommendations in respect of the Pay Policy Report as it was a legal requirement.

It was proposed by Councillor Day, seconded by Councillor Kennedy and

Recommended to Council that the Pay Policy Statement attached at Appendix 1 to the report be agreed as presented and its publication for the 2023-24 financial year, be agreed.

22. **Amendment to Agreement Relating to Joint Negotiation, Consultation and Communication**

The Committee considered a report from the Head of People and Communications which summarised an update to the Agreement Relating to Joint Negotiation, Consultation and Communication agreed between Warwick District Council (WDC) and the WDC Branch of Unison.

Further to a review of the agreement relating to Joint Negotiation, Consultation and Communication with Unison, it was identified that changes to the agreement were required which included: the number of representatives from Unison to equal that of Members from each recognised political groups; deletion of reference to GMB; inclusion of Deputy Chief Executive or 'nominated representative'; deleted reference

to 'all employees' as part of the consultation process, but included for statutory purposes on page 9 of the document; deleted timetable, which was out of date, but to include 'timetable to be agreed with UNISON'.

It was believed that the Managerial and Professional Officers Union (MPO) was recognised by Warwick District Council, for collective bargaining purposes, in the late 80s. Since that time, it merged with the GMB, becoming GMB/MPO, and subsequently was rebranded as GMB. WDC's Time off For Trade Union Activities and Joint Consultation Agreement both made reference to Unison and GMB/MPO.

Therefore, a relationship was inherited with the GMB Union. Over recent years, no member of WDC staff had undertaken the role of GMB Secretary and communication had taken place with the regional office. Invitations and papers of the MTU had been sent out, but not responded to. WDC was not aware of any current GMB members and as subscriptions were not made through payroll, but via direct debit, it was not possible to quantify numbers.

Therefore, in order to prioritise and streamline consultation and communication with Unison, Warwick District Council's other recognised union, it was proposed to derecognise GMB.

A letter was sent to the GMB Regional Secretary advising of the proposal to derecognise the union, but a response had not been received within the requested one-month period. During subsequent correspondence, no reason was given by GMB as to why the Council should not proceed with the derecognition.

In terms of alternative options, the Council could choose not to revise the agreement, but this would not assist officers to further develop constructive engagement within the scope of the agreement with Unison and supporting committees/groups.

The Members/Trades Unions Joint Consultation & Safety Panel agreed with the recommendations in the report.

It was proposed by Councillor Kennedy, seconded by Councillor Tangri and

Recommended to Council that the proposal to cease to recognise, negotiate or consult with GMB Union on all matters within s178(2) Trade Union and Labour Relations (Consolidation) Act 1992 TULR(C)A '92, be approved.

Resolved that the updated agreement as set out in Appendix 1 to the report and agreed with Unison, be approved.

23. **Public and Press**

Resolved that under Section 100A of the Local Government Act 1972 that the public and press be excluded from the meeting for the following item by reason of the likely disclosure of exempt information within the paragraph of Schedule 12A of the Local

Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006, as set out below.

Minute Number	Paragraph Numbers	Reason
24	1	Information relating to an individual
	2	Information which is likely to reveal the identity of an individual
	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

24. **Revision to Senior Leadership Team at Warwick District Council**

The full details were contained within the confidential minutes of the meeting. The recommendations in the report were approved.

(The meeting ended at 6.44pm)

CHAIRMAN
27 June 2023