



# WOKINGHAM BOROUGH COUNCIL

A Meeting of the **PERSONNEL BOARD** will be held in  
David Hicks 1 - Civic Offices, Shute End, Wokingham RG40  
1BN on **WEDNESDAY 10 NOVEMBER 2021 AT 6.00 PM**

A handwritten signature in black ink, appearing to read 'Susan Parsonage', written in a cursive style.

Susan Parsonage  
Chief Executive  
Published on 2 November 2021

**Note:** Although non-Committee Members and members of the public are entitled to attend the meeting in person, space is very limited due to the ongoing Coronavirus pandemic. You can however participate in this meeting virtually, in line with the Council's Constitution. If you wish to participate either in person or virtually via Microsoft Teams, please contact Democratic Services. The meeting can also be watched live using the following link:  
<https://youtu.be/Ca4qScQH7u4>



# WOKINGHAM BOROUGH COUNCIL

## Our Vision

***A great place to live, learn, work and grow and a great place to do business***

### Enriching Lives

- Champion outstanding education and enable our children and young people to achieve their full potential, regardless of their background.
- Support our residents to lead happy, healthy lives and provide access to good leisure facilities to complement an active lifestyle.
- Engage and involve our communities through arts and culture and create a sense of identity which people feel part of.
- Support growth in our local economy and help to build business.

### Safe, Strong, Communities

- Protect and safeguard our children, young and vulnerable people.
- Offer quality care and support, at the right time, to prevent the need for long term care.
- Nurture communities and help them to thrive.
- Ensure our borough and communities remain safe for all.

### A Clean and Green Borough

- Do all we can to become carbon neutral and sustainable for the future.
- Protect our borough, keep it clean and enhance our green areas.
- Reduce our waste, improve biodiversity and increase recycling.
- Connect our parks and open spaces with green cycleways.

### Right Homes, Right Places

- Offer quality, affordable, sustainable homes fit for the future.
- Build our fair share of housing with the right infrastructure to support and enable our borough to grow.
- Protect our unique places and preserve our natural environment.
- Help with your housing needs and support people to live independently in their own homes.

### Keeping the Borough Moving

- Maintain and improve our roads, footpaths and cycleways.
- Tackle traffic congestion, minimise delays and disruptions.
- Enable safe and sustainable travel around the borough with good transport infrastructure.
- Promote healthy alternative travel options and support our partners to offer affordable, accessible public transport with good network links.

### Changing the Way We Work for You

- Be relentlessly customer focussed.
- Work with our partners to provide efficient, effective, joined up services which are focussed around you.
- Communicate better with you, owning issues, updating on progress and responding appropriately as well as promoting what is happening in our Borough.
- Drive innovative digital ways of working that will connect our communities, businesses and customers to our services in a way that suits their needs.

## MEMBERSHIP OF THE PERSONNEL BOARD

### Councillors

John Halsall (Chairman)  
Stephen Conway  
Rachel Bishop-Firth

John Kaiser (Vice-Chairman)  
Clive Jones

Pauline Helliar-Symons  
Simon Weeks

ITEM NO.	WARD	SUBJECT	PAGE NO.
9.		<b>APOLOGIES</b> To receive any apologies for absence	
10.	None Specific	<b>MINUTES OF PREVIOUS MEETING</b> To confirm the Minutes of the Meeting held on 28 June 2021.	5 - 6
11.		<b>DECLARATION OF INTEREST</b> To receive any declarations of interest	
12.		<b>PUBLIC QUESTION TIME</b> To answer any public questions  A period of 30 minutes will be allowed for members of the public to ask questions submitted under notice.  The Council welcomes questions from members of the public about the work of this committee.  Subject to meeting certain timescales, questions can relate to general issues concerned with the work of the Committee or an item which is on the Agenda for this meeting. For full details of the procedure for submitting questions please contact the Democratic Services Section on the numbers given below or go to <a href="http://www.wokingham.gov.uk/publicquestions">www.wokingham.gov.uk/publicquestions</a>	
13.		<b>MEMBER QUESTION TIME</b> To answer any member questions	
14.	None Specific	<b>PROPOSED NEW PAY ELEMENT: ANTI-SOCIAL HOURS SHIFT ALLOWANCE - ENFORCEMENT &amp; SAFETY SERVICE</b> To receive a report regarding the proposed new pay element: Anti-Social Shift Allowance - Enforcement & Safety Service.	7 - 18
15.	None Specific	<b>EXCLUSION OF THE PUBLIC</b> That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information	

as defined in Paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act (as amended) as appropriate.

16. None Specific

**SENIOR TEAM STRUCTURE**

To receive a report regarding the structure of the senior team.

**To  
Follow**

**Any other items which the Chairman decides are urgent**

A Supplementary Agenda will be issued by the Chief Executive if there are any other items to consider under this heading.

**CONTACT OFFICER**

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**MINUTES OF A MEETING OF THE  
PERSONNEL BOARD  
HELD ON 28 JUNE 2021 FROM 6.00 PM TO 6.30 PM**

**Committee Members Present**

Councillors: John Halsall (Chairman), John Kaiser (Vice-Chairman), Lindsay Ferris, Pauline Helliar-Symons, Clive Jones, Simon Weeks and Rachel Bishop-Firth

**Officers Present**

Madeleine Shopland, Democratic and Electoral Services Specialist

Joelle Cooper, HR

Jon Forde, HR

Christine Bennett, Interim Assistant Director HR

**1. APOLOGIES**

There were no apologies for absence received.

**2. MINUTES OF PREVIOUS MEETING**

The Minutes of the meeting of the Board held on 23 March 2021 were confirmed as a correct record and signed by the Chairman.

**3. DECLARATION OF INTEREST**

There were no declarations of interest received.

**4. PUBLIC QUESTION TIME**

There were no public questions.

**5. MEMBER QUESTION TIME**

There were no Member questions.

**6. ANNUAL PAY POLICY STATEMENT 2021**

Joelle Cooper, HR presented the Annual Pay Policy Statement 2021.

During the discussion of this item the following points were made:

- An improved methodology had been applied for that year, in that the full time equivalent salary had been used for the purposes of data comparison, ensuring a more robust and accurate method for like for like salary comparison between officer pay.
- This year a new baseline had been set for data analysis that could be used as a comparator for future years.
- The gap between the highest paid officer and the lowest paid officer continued to diminish, primarily through changes applied to the National Minimum Wage each year.
- The mean salary continued to change. This could be attributed to changes in general recruitment and retention movement throughout the year. Covid response and recruitment requirements had also contributed to changes, as well as general organisational structures.
- The essence of the Pay Policy remained unchanged from the previous year.
- There would be more of a focus on the Council's general approach to pay and reward strategy to ensure that the Council best supported and underpinned its best ability to deliver against the Corporate Delivery Plan and the People Strategy.

- With regards to managers having discretion to appoint new staff at a level above the minimum salary and managers having discretion to withhold incremental increases in the event of unsatisfactory performance, Councillor Weeks questioned how often this took place and at what level of staff. Joelle Cooper indicated that she would feed back to the Board. Members were reminded that managers would be operating within set pay bands.
- In response to a question from Councillor Kaiser, Joelle Cooper indicated that the full time equivalent salary was used in the preparation of the Gender Pay Gap Report.
- Councillor Bishop-Firth asked how much support and control there was for managers exercising their discretion in either appointing at above the minimum level or withholding incremental increases. Joelle Cooper indicated that it was managers discretion as to which entry point within the pay band that they appointed to. However, the withholding of increments would be discussed with HR and would be aligned with a performance management process.
- Councillor Bishop-Firth sought clarification regarding redundancy pay. Joelle Cooper agreed to feed back.

**RESOLVED:** That the Personnel Board approve the Pay Policy Statement 2021 and recommend its agreement to Full Council on 22 July 2021.

#### **7. EXCLUSION OF THE PUBLIC**

**RESOLVED:** That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act (as amended) as appropriate.

#### **8. AGENCY WORKER USAGE - QUARTER 4**

The Board received the Agency Worker Usage Quarter 4 report.

**RESOLVED:** that the Agency Worker Usage Quarter 4 report be noted.

<b>TITLE</b>	<b>Proposed new pay element: Anti-Social Hours Shift Allowance - Enforcement &amp; Safety Service</b>
<b>FOR CONSIDERATION BY</b>	Personnel Board on 10 November 2021
<b>WARD</b>	None Specific
<b>LEAD OFFICER</b>	Christine Bennett - Interim Assistant Director, Human Resources - Communities, Insight & Change

## **OUTCOME / BENEFITS TO THE COMMUNITY**

To ensure that the Council is able to attract and retain colleagues for the new Anti-Social Behaviour team, (part of the in-house Enforcement and Safety service) and that measures are in place to adequately remunerate colleagues working in out of hours services from 1 April 2022.

The proposal is based on providing a competitive offer, using a method that rewards well and provides the Council flexibility to adapt or evolve should working practices alter over time as the team and service develops to meet the needs of residents.

## **RECOMMENDATION**

That Personnel Board

- 1) agree a proposal for a new Anti-social Hours Shift Allowance at 15% of spinal point 27, equivalent to £4,700 per annum for each shift worker from the Enforcement & Safety Service.
- 2) note the financial implications which will be considered as part of the Medium-Term Financial Plan.

## **SUMMARY OF REPORT**

Proposed new pay element: Anti-social hours shift allowance.

On 18 March 2021 Full Council resolved to leave the Public Protection Partnership (PPP) with West Berkshire and Bracknell councils and to bring regulatory services back in-house. 12-months' notice was given, and the new service is planned to start on 1 April 2022.

The new in-house service design features a responsive Anti-Social Behaviour team who will be required to work outside normal office hours to respond to incidents of anti-social behaviour when they happen. An appropriate pay mechanism is required to compensate team members for working a shift rota and to recognise the extent that an employee's work-life balance is disrupted due to the needs of providing this service.

This allowance will provide complete recompense for working unsocial hours.

The allowance will be adjusted annually in line with the nationally agreed pay award and is pensionable. It will be subject to statutory deductions for tax and National Insurance

A separate allowance would give the Council greater flexibility to review, amend, or remove the allowance if it becomes necessary to change working patterns, or the activities required to meet residents' needs in tackling anti-social behaviour across the Borough change.

The proposed terms and conditions for the shift allowance are set out in Appendix 1.

## **BACKGROUND**

Wokingham Borough Council has issued notice to withdraw from the Public Protection Partnership with West Berkshire and Bracknell Forest councils to provide an in-house Enforcement and Safety service encompassing commercial, licensing and processing, residential and environmental, and anti-social behaviour.

Within the proposed new Enforcement and Safety service, there will be a team of 10 comprising 5 Technical Officers at Grade 6 and 5 Enforcement Officers at Grade 8 who will be required to work a shift pattern incorporating weekends, nights, and Bank Holidays to respond to incidents of anti-social behaviour.

## **ANALYSIS OF PROPOSAL**

Traditionally enforcement officers in local authorities work across normal weekly office opening hours. Resourcing for hours when the public are more likely to socialise and when incidents of anti-social behaviour are more likely to occur, is a new practice that appears to be increasingly adopted by local authorities.

We have conducted a benchmarking analysis, gathering data from 19 London councils operating an out-of-hours noise service, Reading Borough Council, West Sussex County Council and survey data on shift patterns and allowances from XpertHR, a specialist HR services organisation that provides information on HR trends including benchmarking. The data shows that the most common arrangement is a shift allowance in the range of 14% - 20% of salary. Other arrangements included: an additional cash payment ranging between £2,600 to £7,500 per annum; time and a half for hours worked between 8pm Friday to 7am Monday, a payment of £150 per night plus half time off in lieu. The comparative data is set out in Appendix 2.

### **Options considered:**

#### **1. 15% of the mid-point salary for the roles in the team**

This equates to £4,700 pa for each shift worker. Based on 15% of spinal point 27 (in grade 7), £31,346. A small number of colleagues would be eligible for this allowance. The Anti Social Behaviour team consists of a maximum of five roles at grade 6 and five roles at grade 8. The allowance is costed at scale point 27 in grade 7 which is between the two grades.

This scale point has been selected as it recognises that all team members are impacted equally and are therefore compensated at the same amount for the disturbance to their personal lives, irrespective of their role and responsibilities. The difference in responsibilities has already been reflected in the job grade and salary. Linked to a spinal

point, the allowance would be adjusted annually in line with the nationally agreed pay award.

This would cost approx. £47,000 + on-costs per annum.

The proposed terms and conditions for this allowance are set out in Appendix 1.

## **2. 15% of base salary.**

This is equivalent to £4,300.80 per annum for someone on the top salary point of Grade 6 and £5,683.50 per annum for someone on the top salary point of Grade 8. Whilst colleagues would receive the same percentage of salary, the cash value would vary according to the individual's grade and spinal point. This would result in larger cost increases as the value would increase in line with both incremental progression and the national pay award. It would also shift the focus away from recognising the equal disturbance to personal time.

The Council previously had an allowance of 10% of base salary for shift working. This pay element has not been used since 2016, however could be easily re-activated and set to a different percentage in the system.

This would cost approx. £49,922 + on-costs per annum based on current pay points.

## **3. Utilising rates of pay as set out in the Harmonisation Collective Agreement for Local Terms (2003).**

### **a. Weekend working**

The Harmonisation Collective Agreement Local Terms (2003) agreed revised terms which apply to all Council employees covered by the national terms and conditions known as the "Green Book":

The terms relating to weekend working are as follows:

#### **Weekend working:**

- a. For staff members regularly rostered to work weekends (i.e. regularly rostered to work both on Saturdays and on Sundays), and at least 10% of hours worked at weekends: 2 increments (Referred to as 2R Grade)
- b. Any other weekend working by regular staff to be paid at 1.5 (in these cases any overtime worked at weekends is paid at 1.5).

Team members regularly rostered to work weekends would qualify for 2 additional increments. However, this option is not recommended as it only addresses one element of the shift pattern and does not consider the requirement for night working or bank holidays.

It is not good practice to consolidate allowances into basic salary. It would be very difficult to reduce someone's salary should the requirement for shift working change or cease and colleagues may have made financial commitments e.g., mortgages, based on the higher base salary. It is also not advisable to create additional grades within the pay and grading structure, as this could skew salary reporting and potentially create an equal pay risk.

We have considered those areas with staff on the 2R grades (Bridges Resource Centre and Countryside Service, Multi Activity Centre Team). Roles in these areas are on the 2R grade as they are regularly rostered to work weekends, however, they do not have the additional requirement for regular night working.

We have also considered the Lateral Flow Testing Team, as the service operates Monday to Saturday. The working pattern did not meet the criteria for the 2R grade, as the requirement for weekend working was not sufficiently regular, so team members are paid time and a half for any Saturdays worked.

An additional 2 increments would cost between £1,009 and £1,779 per annum for each shift worker on grade 6, and between £1,963 and £1,990 per annum for each shift worker on grade 8. This would cost between £14,860 and £18,845 per annum plus on-costs.

This option would increase in costs in line with incremental progression and any nationally agreed pay awards, it would then plateau when the individual reached the ceiling for their grade. However, the individual would continue to be paid 2 or 4 increments above their pay grade.

We do not recommend this option as we do not feel that this represents a fair level of remuneration for shift working and it is not competitive against the market for attraction and retention.

#### **a) Local Terms for other non-standard working patterns**

The Harmonisation Collective Agreement for Local Terms sets out the following terms for other non-standard working patterns:

**Bank holiday working:** reinstate 2 time + TOIL for all bank holidays for all staff.

**Shift payments:** Part of weekend working (see above).

**Evening work:** Flat rate (except when overtime which, if beyond 37 hours a week average, would be at 1.5 as above) and based on actual time worked only.

**Night work:** (i.e. on regular shifts throughout the night) no change to NJC terms – basic pay x 1.33

This option is not recommended as it takes a piecemeal approach to remuneration, it is inefficient, bureaucratic and would incur hidden costs. It would be administratively burdensome on both colleagues and Payroll, as it would require detailed timesheets to be completed specifying the number of hours worked at each of the different rates of pay, which will need to be checked and authorised by managers. These timesheets would need to be manually input into the system by Payroll each month. There is a greater risk of error with this approach.

#### **RECOMMENDATION**

It is proposed that option one is adopted as this would be the most cost effective and efficient method to fairly remunerate those colleagues working the shift rota as part of the new Anti-social Behaviour Team. It takes a holistic approach by having a single pay element that takes all the features of the job into account. It has been set at a level that is

competitive and attractive to facilitate recruitment and retention into this team, enabling us to deliver effective services to the community. It is fit for purpose and easy to manage, as once the pay element has been set up in the system it will not require constant manual intervention and will be uplifted automatically in line with the nationally agreed pay award.

## FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

*The Council faces severe funding pressures, particularly in the face of the COVID-19 crisis. It is therefore imperative that Council resources are focused on the vulnerable and on its highest priorities.*

	How much will it Cost	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	£0 structure not in place this financial year	Anticipated ongoing operational cost for the project under salary line	N/A
Next Financial Year (Year 2)	£47,019 (£47,842 if the pay award of 1.75% is agreed)		N/A
Following Financial Year (Year 3)	£48,559 (assuming a pay award of 1.5% for 2022/23)		N/A

### Other financial information relevant to the Recommendation/Decision

The allowance would be subject to statutory deductions for tax and National Insurance and would be pensionable. As the allowance would be linked to a point on the pay scale, it will be uplifted in line with the nationally agreed pay awards.

### Cross-Council Implications

None

### Public Sector Equality Duty

N/A

### List of Background Papers

Attachment 1 – Anti-Social Hours Shift Allowance Terms & Conditions

<b>Contact</b> Andree Cantale – Lead HRBP for the PPP project	<b>Service</b> Human Resources
<b>Telephone No</b> 07809311564	<b>Email</b> Andree.Cantale@wokingham.gov.uk

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### Shift Allowance for Anti-Social Behaviour Team – Terms and Conditions

#### Applies to:

Anti-Social Behaviour Team members required to work on a shift rota basis incorporating night, weekend and Bank Holiday working.

#### Information:

Rate: 15% of spinal point 27. This is equivalent to £4,700 p.a. based on a salary of £31,346.

To be adjusted in line with the nationally agreed pay award. The allowance is subject to statutory deductions for tax and National Insurance and is pensionable.

#### Terms:

- The allowance is paid in complete recompense for shift working incorporating weekend (both Saturdays and Sundays), nights and Bank Holiday working. No other enhanced rates of pay are applicable.
- Non-office hours working (between 17.30 and 09.00) will amount to a minimum of 15% of your overall working hours.
- Your duties and hours of work will be allocated and directed by your line manager, or anyone acting on their behalf. You will be given a minimum of 3 weeks' notice of your shift pattern. However, colleagues are expected to demonstrate flexibility where it is not possible to give the full notice period e.g. covering a shift pattern due to sickness absence.
- The allowance is not payable during periods of sick leave or family leave (maternity/paternity/shared parental leave). Any deductions will be reflected in the next available payroll run.
- You will be required to work 37 hours per week. Time worked beyond the normal shift should be agreed and managed under flexible working, so that colleagues are not working in excess of 37 hours per week on average.
- The Council reserves the right to review, adjust, or remove the allowance in line with business needs. You will be given one months' notice in writing of any change.
- The allowance will cease if you are no longer participating in the shift rota.

#### Contract Clause wording

The Anti-social Hours Shift Allowance applies to this role. This allowance is payable in complete recompense for working hours in the evenings, weekends, and bank holidays, according to the needs of the service. Please see the Allowance Terms and Conditions for more details.

This allowance is subject to review and may be altered or withdrawn if your working pattern changes, or the Council's policies in this area are varied. You will be given one months' written notice of any changes.

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## Comparative Data – Shift Allowances and Out of Hours Noise Service Provision

Authority	Information	Payment
Reading Borough Council	Shift/unsocial hours' allowances are payable where: <ul style="list-style-type: none"> <li>• The service is provided each day for periods, which extend beyond the plain hours' bands 7am till 8pm Monday to Friday, and</li> <li>• The employee is required to work an average of at least 2 shifts on separate days per week over a 4 week rota period, which represent a varying amount of disruption to work life balance.</li> </ul>	<ul style="list-style-type: none"> <li>• 15 % of salary</li> </ul>
West Sussex County Council	A rotating shift allowance is payable where: <ul style="list-style-type: none"> <li>• The total period covered by the shift is 18 hours or more</li> <li>• At least 4 hours are worked between 20.00 and 06.00</li> </ul> Where the above conditions are satisfied, the following allowances are payable:	<ul style="list-style-type: none"> <li>• 17.0% of salary: for three shifts on a rota basis including a night shift over 5 or 6 days a week</li> <li>• 20.0% of salary: for three shifts on a rota basis including a night shift over 7 days a week. The shift allowance is payable, where appropriate, in addition to the enhanced rate of pay for work on a Saturday or Sunday as part of the normal working week</li> </ul>

<b>Comparison of London Boroughs with Out of Hours Noise Services</b>			
<b>Authority</b>	<b>Time of Service</b>	<b>Cost of Out hours Service Mon – Fri 18:00 to 08:00 + weekends</b>	<b>Payment</b>
Barking & Dagenham	Mon – Thurs 19:30 to 02:15 Fri – Sat 19:30 to 04:15 Sun 19:30 to 02:00	92,400	Shift allowance of 20%
Barnet	Throughout Fri to Mon, from 20:00 Fri to 07:00 Mon	108,314	One and half times normal Pay
Brent	Mon – Fri 11:00 to 02:00 Sat 18:00 to 05:00 Sun 18:00 to 02:00	154,000	Enhanced payment of £4,800
Camden	Fri – Sat 22:00 to 04:00	76,451	£150/night + half TOIL
Croydon	Mon – Sun 20:00 to 03:00 In summer, Sat –Sun 10:00 to 17:00 All other times covered by standby service		
Ealing	Mon – Fri 09:00 to midnight Fri – Sat 23:00 to 04:00		20% bonus for every shift, weekend double time
Enfield	Thur – Sun 21:00 to 03:00	93,000	
Haringey	Mon – Fri 08:45 to 05:00 Sat –Sun 10:00 to 18:00 21:00 to 05:00	268,000	20% shift allowance

<b>Authority</b>	<b>Time of Service</b>	<b>Cost of Out hours Service Mon – Fri 18:00 to 08:00 + weekends</b>	<b>Payment</b>
Havering	Thur 19:00 to 23:00 Fri – Sat 22:00 to 02:00	14,700	Payment for each session £336
Hounslow	Fri – Sat 22:00 to 04:00	33,000	Bonus of £2,600 pa
Islington	Sun – Thurs 20:00 to 02:00 Fri – Sat 22:00 to 04:00 Separate licensing team checking noise condition on Sat 21:00 to 04:00	311,657	
Kensington & Chelsea	Sun – Thur 06:00 to 03:00 Fri – Sat 24 hours service	275,315	£7,500 pa per officer
Lambeth	Sun – Thur 22:00 to 03:00	342,000	20 % shift allowance
Merton	Sat 23:00 to 04:00	20,000	
Newham	24/7		25% shift allowance
Redbridge	Mon – Thur 17:00 to 01:00 Fri 18:00 to 02:00 Sat 10:00 to 02:00 Sunday 10:00 to 01:00		
Richmond	Fri – Sat 22:00 to 03:00	48,000	14% shift allowance
Tower Hamlet	Mon – Sat 20:00 to 04:00	434,000	14% enhancement
Waltham Forest	Sun - Thurs 09:00 to 01:00 Fri 09:00 to 03:00 Sat 20:00 to 04:00		20% enhancement

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