

TONBRIDGE & MALLING BOROUGH COUNCIL



EXECUTIVE SERVICES

Chief Executive

Julie Beilby BSc (Hons) MBA

Gibson Building
Gibson Drive
Kings Hill, West Malling
Kent ME19 4LZ
West Malling (01732) 844522

NB - This agenda contains proposals, recommendations and options. These do not represent Council policy or decisions until they have received proper consideration through the full decision making process.

Contact: Committee Services
committee.services@tmhc.co.uk

24 February 2017

To: MEMBERS OF THE GENERAL PURPOSES COMMITTEE
(Copies to all Members of the Council)

Dear Sir/Madam

Your attendance is requested at a meeting of the General Purposes Committee to be held in the Civic Suite, Gibson Building, Kings Hill, West Malling on Monday, 6th March, 2017 commencing at 7.30 pm

Yours faithfully

JULIE BEILBY

Chief Executive

A G E N D A

PART 1 - PUBLIC

- | | | |
|----|--------------------------|-------|
| 1. | Apologies for absence | 5 - 6 |
| 2. | Declarations of interest | 7 - 8 |

3. Minutes 9 - 12
- To confirm as a correct record the Minutes of the meeting of General Purposes Committee held on 20 October 2016

4. Minutes of Electoral Review Working Group 13 - 16
- To consider the Minutes of the meeting of the Electoral Review Working Group held on 22 November 2016

Matters for Recommendation to the Council

5. Members' Allowances 17 - 44
6. Localism Act - Pay Policy 45 - 56

Decisions to be taken under Delegated Powers

7. Annual Review of Whistleblowing Policy 57 - 68

Matters submitted for Information

8. 2018 Review of Parliamentary Constituencies 69 - 74
9. Apprenticeship Update 75 - 90
10. Urgent Items 91 - 92

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

Matters for consideration in Private

11. Exclusion of Press and Public 93 - 94

The Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information.

PART 2 - PRIVATE

Decisions to be taken under Delegated Powers

12. Establishment Changes 95 - 98

LGA 1972 Sch 12A Paragraph 1 – Information relating to an individual

13. Urgent Items 99 - 100

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

MEMBERSHIP

Cllr O C Baldock (Chairman)
Cllr L J O'Toole (Vice-Chairman)

Cllr M A C Balfour
Cllr Mrs S Bell
Cllr P F Bolt
Cllr M A Coffin
Cllr N J Heslop
Cllr B J Luker

Cllr D Markham
Cllr S C Perry
Cllr R V Roud
Cllr C P Smith
Cllr Ms S V Spence
Cllr M Taylor

This page is intentionally left blank

Apologies for absence

This page is intentionally left blank

Declarations of interest

This page is intentionally left blank

TONBRIDGE AND MALLING BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

Thursday, 20th October, 2016

Present: Cllr O C Baldock (Chairman), Cllr L J O'Toole (Vice-Chairman), Cllr Mrs S Bell, Cllr P F Bolt, Cllr M A Coffin, Cllr N J Heslop, Cllr B J Luker, Cllr R V Roud, Cllr C P Smith, Cllr Ms S V Spence and Cllr M Taylor

Councillors M R Rhodes and H S Rogers were also present pursuant to Council Procedure Rule No 15.21.

An apology for absence was received from Councillor S C Perry

PART 1 - PUBLIC

GP 16/15 DECLARATIONS OF INTEREST

There were no declarations of interest made in accordance with the Code of Conduct.

GP 16/16 MINUTES

RESOLVED: That the Minutes of the meeting of the General Purposes Committee held on 27 June 2016 be approved as a correct record and signed by the Chairman.

GP 16/17 MINUTES OF ELECTORAL REVIEW WORKING GROUP

Members considered the proposals supported by the Electoral Review Working Group and set out in the Minutes of the meeting held on 19 July 2016 regarding the Community Governance Review of the Kings Hill parish boundary. It was recommended that the Area A1 was transferred to Kings Hill and no other parish boundary changes were proposed.

The next stage was to liaise with the Local Government Boundary Commission for England about any consequential changes to the Ward and Division boundaries and for the Borough Council to create the Order to make the parish boundary change. The change would take effect from the May 2019 elections.

RESOLVED: That the proposal to transfer Area A1 to Kings Hill as recommended by the Electoral Review Working Group of 19 July 2016 and set out at Minute ER 15/7 be endorsed.

DECISIONS TAKEN UNDER DELEGATED POWERS IN ACCORDANCE WITH PARAGRAPH 3, PART 3 OF THE CONSTITUTION

GP 16/18 2018 REVIEW OF PARLIAMENTARY CONSTITUENCIES

The report requested that delegated authority be granted to allow the Chief Executive to respond to the current consultation on the initial proposals for Parliamentary Constituencies.

These initial proposals would be considered by the Electoral Review Working Group on 22 November 2016 and a response to the Boundary Commission for England formulated. Due to the timing of the publication of the initial proposals in relation to the pre-arranged committee meeting programme it was not possible for the Working Group to prepare a response to present to the General Purposes Committee for approval in time for the close of the public consultation. Therefore, it was proposed that the Chief Executive, in liaison with the Leader, Deputy Leader and Chairman of General Purposes Committee finalise the response to the consultation following the meeting of the Electoral Review Working Group on behalf of the Borough Council.

It was noted that the boundary review was designed to equalise the numbers of electors per constituency although Tonbridge and Malling was particularly affected by the proposals. Members, local community groups and political parties could submit their own responses to the consultation if they wished.

RESOLVED: That, following the meeting of the Electoral Review Working Group on 22 November 2016 and in consultation with the Leader, Deputy Leader and Chairman of the General Purposes Committee, the Chief Executive be granted delegated authority to finalise the response to the Boundary Commission for England consultation on the initial proposals for Parliamentary Constituencies.

GP 16/19 REQUEST FOR DISPENSATION - CODE OF CONDUCT

Members considered a request for a dispensation under the Code of Conduct to enable Councillor Mark Davis to participate in meetings of the Area Planning Committees, the Planning and Transportation Advisory Board and other meetings where the Local Plan was under consideration in circumstances where Councillor Davis would otherwise be required to declare an Other Significant Interest (by virtue of being a partner in Warners Solicitors and having a client of the firm with an interest in the matter under consideration) and leave the room having taken no part in the discussion or vote.

It was noted that Councillor Davis did not seek a dispensation to vote on any such reports but sought permission to be allowed to remain in the

room and participate in discussions. The grounds for the request for the dispensation were set out in Annex 1 to the report.

Consultation had taken place with the two independent persons (David Ashton and John Gledhill) in advance of the meeting and their comments were noted. Particular reference was made to the observation raised by Mr Ashton that Councillor Davis could be considered to already have a favoured position by virtue of being a serving member of the Borough Council which could be seen to benefit potential business clients. The Director of Central Services reminded Members that any potential commercial benefits were not the 'test' for the Committee to consider but whether the granting of dispensation was appropriate in all the circumstances, having regard to a number of matters including the need to promote high standards of ethical conduct whilst at the same time allowing for the efficient and effective administration of Borough Council business.

Careful consideration was given to the request for dispensation as set out by Councillor Davis and whether his withdrawing from meetings for potentially having an Other Significant Interest due to his employment status as a partner of Warners Solicitors represented a disenfranchisement for him and local residents. Members felt it important that Councillor Davis should be able to listen to any relevant discussions to aid his understanding of any concerns raised and to enable him to accurately report the Borough Council's views to his constituents. The importance of setting out clear criteria for the dispensation to avoid confusion and to provide transparency for Members and residents was also recognised.

The Director of Central Services reminded the Committee of the circumstances under the current Code of Conduct where any Member with an Other Significant Interest had the right to address the meeting (for example via a three minute statement at Area Planning Committees) and that this should apply to Councillor Davis if a dispensation was granted.

After careful consideration, it was proposed that dispensation be granted to allow Councillor Davis to remain in the meetings of the:

- Area Planning Committees; and
- Planning and Transportation Advisory Board, Cabinet and Full Council where the Local Plan was discussed

to listen to, but not participate in, the debate or vote on the matter in hand. In addition, Councillor Davis would have the right to address the Committee but would not then be permitted to take further part in the discussions, this dispensation to be announced at all relevant Committees to avoid confusion. Finally, there should be a formal review of the dispensation after 12 months to monitor progress.

RESOLVED: That the request for dispensation for Councillor Mark Davis be approved on the grounds set out above and to remain in effect until the next local elections in May 2019, subject to anything arising from the formal review in 12 months.

GP 16/20 UPDATE OF THE FLEXIBLE RETIREMENT POLICY

The report of the Director of Central Services recommended a number of minor amendments to the Flexible Retirement Policy and proposed that the updated Policy, attached as Annex 2 to the report, be adopted.

Recommended changes included the addition of a new Section 2 entitled 'Principles'; the removal of the requirement to pro-rata the Essential Car User allowance for those taking flexible retirement and replacing the phrase 'where there is no cost to the Council' with 'where there are clear financial or operational advantages'. The recommended changes were compliant with the Local Government Pension Scheme Regulations 2007 and 2014, the Equality Act 2010 and aimed to avoid potential age discrimination and reinforce the Borough Council's commitment to equality issues.

RESOLVED: That the updated Flexible Retirement Policy, as set out in Annex 2 to the report, be adopted.

MATTERS FOR CONSIDERATION IN PRIVATE

GP 16/21 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 8.25 pm

TONBRIDGE AND MALLING BOROUGH COUNCIL

ELECTORAL REVIEW WORKING GROUP

Tuesday, 22nd November, 2016

Present: Cllr N J Heslop (Chairman), Cllr M A C Balfour (Vice-Chairman), Cllr M A Coffin, Cllr D Lettington and Cllr A K Sullivan

Councillors Mrs J A Anderson, R P Betts, Mrs F A Kemp, R V Roud and H S Rogers were also present pursuant to Council Procedure Rule No 15.21.

An apology for absence was received from Councillor O C Baldock

PART 2 - PRIVATE

ER 15/8 DECLARATIONS OF INTEREST

There were no declarations of interest made in accordance with the Code of Conduct.

ER 15/9 MINUTES

RESOLVED: That the Minutes of the meeting of the Electoral Review Working Group held on 19 July 2016 be approved as a correct record and signed by the Chairman.

ER 15/10 RESPONSE TO INITIAL PROPOSALS FOR NEW PARLIAMENTARY CONSTITUENCIES

The report of the Chief Executive set out the Borough Council's proposed response to the current Boundary Commission for England (BCE) consultation on initial proposals for new Parliamentary constituencies. There was a legislative requirement to reduce the number of MPs from 650 to 600 across the UK and equalise the number of registered electors per MP across the country. The deadline for responses was 5 December 2016.

Particular reference was made to the initial proposals for the Tonbridge and Malling Borough Council area, set out at paragraph 1.6 of the report. Details of the proposed new constituencies were also outlined and noted.

Careful consideration was given to the draft response to the current consultation on the initial proposals (attached as Annex 6 to the report). Members noted that each constituency must have no fewer than 71,031 electors and no more than 78,507.

Concern was expressed that the initial proposals did not reflect the best interests of residents as longstanding associations between communities were severed; did not represent the communities within the Borough; made no sense and were confusing. There was strong feeling that communities that were affiliated with each other should continue to be linked and in the same Parliamentary constituency.

Members also expressed concern that representation by three different MPs could result in the needs of local residents being diluted and lost amongst the needs of the rest of the constituents. It was felt that the needs and expectations of residents in neighbouring communities differed greatly from those in Tonbridge and Malling, due in part to different economic needs of communities and local demographics.

In addition, Members believed that a constituency that was co-terminous, as far as possible, with local authority boundaries was in the best interests of electors and asked that this point be emphasised in the consultation response.

With regard to the proposed new constituencies the following points were made and noted:

Chatham and the Mallings:

- The communities of Wateringbury, Kings Hill, East Malling, West Malling and Leybourne had no affiliation with the rest of the proposed Chatham and the Mallings constituency;
- Members supported the proposal to include the entire East Malling and Larkfield parish in the same constituency as this reflected local interests and identities; and
- Members did not support the proposed name and endorsed the comment set out in the draft consultation response

Sevenoaks:

- Members believed that the wards of Borough Green and Long Mill; Downs and Mereworth and Wrotham, Ightham and Stansted had a closer affiliation with Tonbridge than with any other large community and should be included within a Tonbridge constituency.

Tonbridge and the Weald:

- The proposal did not reflect the community affiliations within the Borough of Tonbridge and Malling and grouped together communities that had no links to each other;

- Members did not support the proposed name and endorsed the comment set out in the draft consultation response; and
- Members did not support the creation of a Tonbridge and the Weald constituency.

Members noted the risk that the views of the Borough Council would not be taken into account if they could not be accommodated, or if other submissions gave counter-views. However, if the Borough Council did not respond then any views or concerns raised could not be considered by the BCE.

RESOLVED: That

- (1) the key points set out above be included in the consultation response; and
- (2) in accordance with the delegated authority granted at Minute GP 16/18, the Chief Executive, in liaison with the Leader, Deputy Leader and Chairman of the General Purposes Committee, should finalise and submit the Borough Council's response to the BCE consultation by the deadline of 5 December 2016

**ER 15/11 POST IMPLEMENTATION REVIEW OF CAPITAL SCHEME:
ELECTORAL REGISTRATION**

Members noted the post implementation review for the capital purchase of equipment required to support the introduction of Individual Electoral Registration (IER) as set out in the report of the Chief Executive.

In addition, an estimated saving of £15,000 due to keeping all printing and processing in-house had been achieved.

A formal Post Implementation Review had been completed and was attached at Annex 2 to the report.

The meeting ended at 8.25 pm

This page is intentionally left blank

TONBRIDGE & MALLING BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

06 March 2017

Report of the Management Team

Part 1- Public

Matters for Recommendation to Council

1 MEMBERS' ALLOWANCES

The report sets out a recent review undertaken by the Independent Remuneration Panel on Members' Allowances. Members are reminded that the law requires that no changes to the Scheme of Members' Allowances can be made until the report of the IRP has been considered. The Council is not obliged to adopt the recommendations of the IRP but it is obliged to publish in local newspapers what the IRP recommended and what the Council determined.

Members of the Committee are asked to consider the independent report of the IRP and make appropriate recommendations to Full Council.

1.1 Introduction

- 1.1.1 A report has been received from the Joint Independent Remuneration Panel (IRP) following its fundamental review of Members' Allowances. The IRP, whose panel members are independent members of the community, serves the three West Kent Authorities – Tonbridge & Malling, Tunbridge Wells and Sevenoaks.
- 1.1.2 Members may recall that the last major review of allowances took place during 2012/13 culminating in a decision by the Full Council on 16 April 2013. Although the core principles set out by the IRP were accepted, in recognition of the Council's difficult budgetary situation, it was agreed that the recommended allowances could not be taken and therefore a 'scaled back' alternative was agreed.
- 1.1.3 Since the allowances were adopted in April 2013, they have been annually indexed in line with staff pay awards. The last pay award adopted was in April 2016 when 2% was agreed covering a 2 year period. Therefore the next award is not due until April 2018.
- 1.1.4 A current list of approved allowances is attached at **[Annex 1]** for Members' information. It should be noted that some Members have personally chosen not

to receive increases in allowances and have instructed accordingly. For budgeting purposes, it is assumed that the approved allowance will be paid and hence at outturn there is often a small underspend against budget.

1.2 2016/17 Review – Summary

1.2.1 The IRP's latest Report is attached at **[Annex 2]** to this report.

1.2.2 The report makes recommendations in respect of the 'basic' allowances (applicable to all Members), as well as recommendations in respect of those appointments that attract special responsibility.

1.2.3 The IRP's report is comprehensive and sets out the 'rationale' for the recommendations made. In arriving at the recommendations, the following set of 'core principles' were adopted by the IRP:

- 1) To remove, where possible, the immediate financial barriers to becoming a councillor to assist in the diversity of the cohort of councillors, regardless of political background;
- 2) To reflect the current time commitment required to perform the role of ward councillor and the potential loss of earnings opportunities for councillors in doing so;
- 3) To recognise the increasing levels of responsibility and accountability being devolved from central government to local government and its impact on the nature of leadership and scrutiny roles within the Council;
- 4) To retain a significant element of public service, *pro bono* contribution from elected councillors;
- 5) To benchmark the comparative position of council members with those in similar roles in Kent and other South East councils; and
- 6) To recommend allowances based on objective data with a simple and logical structure that can easily be updated in future.

1.2.4 In summary, **the key recommendations of the Independent Remuneration Panel** are as follows:

- 1) The Basic Allowance payable to all Members should reduce to £5,000 per annum based on benchmarking with other district councils;
- 2) The Leader's Allowance should be based on a multiplier of 4 of the Basic Allowance, recognising the critical nature of the role and expertise needed;
- 3) A Special Responsibility Allowance (SRA) for the Deputy Leader should be introduced reflecting the workload and requirements of this role based on 75% of the Leader's Allowance;

- 4) The SRAs for Cabinet Members should be based on 42.5% of the Leader's Allowance;
 - 5) The structure of SRAs for other roles should be simplified further based on the 'multiplier' approach (full details set out in paragraph 6.8 of Annex 2);
 - 6) One SRA for the chairmanship of the regulatory planning function should be awarded, and divided by three recognising that the Council has chosen to operate three area committees (see paragraph 6.7 of Annex 2);
 - 7) The SRA for the Opposition Group Leader should be a flat sum of £1,250 per annum to recognise the collaborative way of working within the Council, plus £250 per member in the group;
 - 8) Vice-chair allowances should cease, with the exception of the regulatory planning function where a specific recommendation is made (see paragraph 6.9 of Annex 2);
 - 9) Carers' allowances should be set at a maximum rate of £7.20 per hour (linked to the National Living Wage) for general childcare and £16.00 per hour for dependent carers.
- 1.2.5 As recommended in the previous Panel report and adopted by the Council, the Panel continues to support the view that Members should not receive more than one SRA.
- 1.2.6 The Panel also recommends that the current scheme for travel expenses, based on the HMRC approved rate, should continue. In addition, meal and subsistence allowances should be paid at the rates agreed by HMRC (excluding tea allowances).
- 1.2.7 The Panel recommends that allowances should be updated in line with any annual increases in staff pay, as is the present arrangement.

1.3 Commentary

- 1.3.1 The IRP fully recognise that the number of hours committed by individual councillors will vary. However in order to arrive at a Basic Allowance applicable to everyone, a workload of 15 hours per week is assumed. In accordance with guidance, some of those hours are deemed to be voluntary (otherwise known as the 'public service principle').
- 1.3.2 The Panel have thus applied a discount of 40% to reflect the public service principle. In other words, 6 of the assumed 15 hours are deemed to be voluntary.
- 1.3.3 The Panel noted the high influx of new councillors at the last election in 2015, including younger members, and concluded that the Basic Allowance is not a barrier to attracting councillors.

- 1.3.4 When benchmarked against other district councils, however, the Panel felt that the existing allowance (currently £5,283) is a little high, and therefore recommend a reduction to £5,000. As it is feasible that some existing councillors may have decided to stand for election based on a particular level of allowances (and also recognising that 40% of time is already deemed voluntary), the Panel have suggested that consideration could be given to 'protecting' the allowance (as would happen with staff in similar circumstances) at its current level until the next borough-wide election in 2019.
- 1.3.5 Whilst not part of their remit, the Panel did comment on the total number of councillors in comparison to other district councils, and suggest that the Council gives some consideration to pursuing a reduction in the number of Borough councillors as a long-term strategic objective. The Panel observes that the total cost of basic allowances is high, in comparison to other councils, as a result.
- 1.3.6 The Panel has recommended some simplification of the SRAs for chairmanships, and the cessation of SRAs for vice-chairman (other than the regulatory planning function). The recommended allowances for Chairmanships are:

<u>Committee/Board</u>	<u>Recommended Special Responsibility Allowance</u>	<u>% of Leader's allowance</u>
Planning Committee	£5,000 (giving £1,665 per area if TMBC continues to split the function into 3 areas)	25%
Overview & Scrutiny; Licensing & Appeals; Joint Standards; Audit Committees	£2,500 per Committee	12.5%
General Purposes Committee	£1,600	8%
Advisory Boards	£1,600 per Board	8%

- 1.3.7 The Panel recommends that there should be no allowances for Vice-chairs other than the Planning Committee. On the same principle as the allowance for the Chair set out in the table above, the SRA would be £1,000 but would need to be divided by three if the area committee system continues.
- 1.3.8 Members will note from the table that in comparison to existing allowances, some of the recommendations reflect a reduction. As the appointments for chairmanships are annual, it would probably not be relevant to consider 'protecting' allowances as mentioned in paragraph 1.3.4.
- 1.3.9 Members will note from the Panel's report that the high workload and responsibilities of the Leader, and the Deputy Leader, are recognised. The SRA proposed for the Deputy Leader is 'new', because at the last review TMBC did not have a formal Deputy Leader position recognised within its Constitution. As Members are aware, it is now a requirement that the Council formally appoints a

Deputy Leader annually. The recommended levels of remuneration for the Leader and Deputy Leader are £20,000 and £15,000 respectively.

- 1.3.10 In respect of allowances for the Cabinet positions, the Panel noted that under TMBC's Constitution, Cabinet Members do not have full delegated decision-making responsibilities, unlike in some other councils where higher allowances are paid. Accordingly, the allowance recommended is broadly as it is set presently – being £8,500 and representing 42.5% of the Leader's allowance.
- 1.3.11 It is worth noting that the Panel commented favourably on the Council's collaborative way of 'cross party' working, which is unlike some other councils. Accordingly this is reflected in the recommended allowance for the Opposition Group Leader whereby a fixed sum of £1,250 plus an amount per group member is proposed.
- 1.3.12 The Panel recommends the Council's current practice that only one SRA allowance is payable to a Member (Group leaders' allowances are excluded from this recommendation), and that the annual indexation is linked to staff pay.

1.4 Summary

- 1.4.1 The Panel's recommendations, if adopted, would produce a saving of circa £30,000 when compared to the budget included within the 2017/18 Estimates which were considered by the Finance, Innovation & Property Advisory Board on 4 January.
- 1.4.2 If Members choose not to recommend to Full Council any or all of the Panel's recommendations, alternative proposals will need to be put forward for consideration by all Members at the Full Council meeting.

1.5 Legal Implications

- 1.5.1 The Joint Independent Remuneration Panel ('the Panel') was established in November 2001 under the Local Authorities (Members' Allowances) (England) Regulations 2001. These Regulations have since been superseded by the Local Authorities (Members' Allowances) (England) Regulations 2003.
- 1.5.2 The law requires that no changes to the Scheme of Members' Allowances can be made until the report of the IRP has been considered. The Council is not obliged to adopt the recommendations of the IRP but it is obliged to publish in local newspapers what the IRP recommended and what the Council determined.
- 1.5.3 Due to the nature of the matters raised in this report, Members of the Committee will require a dispensation from the Monitoring Officer under s33 of the Localism Act 2011 in order to allow them to consider and vote upon the recommendations contained within the report of the Joint Independent Remuneration Panel.

1.6 Financial and Value for Money Considerations

- 1.6.1 Current budgetary provision with the 2017/18 Estimates is circa £397,000 for basic and special responsibility allowances. The allowances recommended by IRP would reduce the budget by around £30,000.

1.7 Risk Assessment

- 1.7.1 The Council must consider the recommendations of the Panel and publish its decision.
- 1.7.2 If Members decide to recommend allowances which total a higher amount than is presently factored into the Budget, additional budget provision may need to be made. Alternatively, if Members choose to agree a lower level of allowances, this would represent a saving within the current Estimates and MTFs.

1.8 Equality Impact Assessment

- 1.8.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

1.9 Policy Considerations

- 1.9.1 Human Resources

1.10 Recommendations

- 1.10.1 Members are **REQUESTED** to consider the recommendations of the IRP and make appropriate recommendations to Full Council about:
- 1) The level of the Basic Allowance for 2017/18;
 - 2) The level of Special Responsibility Allowances for 2017/18;
 - 3) The level of Childcare and Dependent Carers Allowances;
 - 4) The level of Mileage Allowances and Subsistence Allowances;
 - 5) The annual indexation of Basic and Special Responsibility Allowances; and
 - 6) Confirmation as to whether only one SRA is payable to individual Members (excluding group leader allowances).

Background papers:

contact: Sharon Shelton

Nil

Sharon Shelton
Director of Finance & Transformation

Julie Beilby
Chief Executive

Adrian Stanfield
Director of Central Services

Members' Allowances
Applicable amounts with effect from April 2016

	Multiplier	Allowance
Basic Allowance to all Councillors	1.00	£5,283
Special Responsibility Allowances:		
Leader of the Council	3.48	£18,384
Opposition Group Leader – fixed sum (<u>plus</u> a sum of £264 per opposition group member is paid in addition to the fixed sum)	0.25	£1,320
Cabinet Member	1.59	£8,400
Chair of Area Planning Committee	1.00	£5,283
Chair of Overview & Scrutiny Committee	1.00	£5,283
Chair of Audit Committee	0.50	£2,643
Chair of Licensing & Appeals Committee	0.50	£2,643
Chair of Joint Standards Committee	0.50	£2,643
Chair of General Purposes Committee	0.25	£1,320
Chair of programmed Advisory Board	0.25	£1,320
Chair of non-programmed Advisory Board #	0.10	£528
Vice-Chair of Area Planning Committee	0.25	£1,320
Vice-Chair of Overview & Scrutiny Committee	0.25	£1,320
Vice-Chair of Audit Committee	0.125	£660
Vice-Chair of Licensing & Appeals Committee	0.125	£660
Vice-Chair of Joint Standards Committee	0.125	£660
Vice-Chair of General Purposes Committee	0.063	£333
Vice-Chair of programmed Advisory Board	0.063	£333
Vice-Chair of non-programmed Advisory Board #	0.025	£132

There are presently no non-programmed advisory boards established within the Constitution.

This page is intentionally left blank

**A REVIEW OF
COUNCIL MEMBERS' ALLOWANCES
FOR
TONBRIDGE AND MALLING BOROUGH COUNCIL
January 2017**

**Joint Independent Remuneration Panel [The Panel]
for
Sevenoaks District Council
Tonbridge & Malling Borough Council
Tonbridge Wells Borough Council**

Contents

- 1. Introduction**
- 2. Summary of Recommendations**
- 3. Background**
- 4. Approach & Methodology**
- 5. Allowance Calculations**
- 6. Special Responsibility Allowances**
- 7. Carers' Allowances**
- 8. Travel Expenses**
- 9. Meal Allowances**
- 10. Number of Councillors**
- 11. Conclusions**
- 12. Acknowledgements**

Appendices

- 1. Regulations and Guidance for Independent Remuneration Panels**
- 2. Terms of Reference & Panel Members**
- 3. Comparative data from Kent & Sussex Borough/District Council Allowances**
- 4. Revised Schedule of Recommended Members' Allowances**

1 Introduction

1.1 The Council is required under the Local Authorities (Members' Allowances) (England) Regulations 2003 and subsequent amendments to establish and maintain an Independent Remuneration Panel [The Panel] to review and make recommendations to the Council on the range and levels of remuneration for elected Members (see Terms of Reference Appendix 2).

1.2 Under the Regulations the Council is required to undertake a full review every four years. The last full review was reported to and considered by Council on 16 April 2013. This report is the result of the latest review conducted in Autumn/Winter 2016.

1.3 The purpose of this review is to carry out the quadrennial update of local councillors' allowances required by legislation, taking into account Members' workload, responsibilities and required time commitment and then to recommend a fair level of recompense for those commitments.

1.4 The Panel is mindful always of its remit to assist in broadening the diversity of councillor representation by minimising financial barriers to participation in local government.

1.5 While affordability of the Panel's recommendations is ultimately an issue for the Council to decide, the Panel fully appreciates the sensitivity of making any increase in allowances in the current financial climate and has tried to propose a scheme which is fair, simple to administer and properly reflects the significant time commitments given by individuals in this important tier of government. However, the Panel appreciates that time commitment alone is not necessarily an accurate indicator of efficiency, output and results.

1.6 The panel also has the responsibility of reviewing allowances for both Tunbridge Wells Borough and Sevenoaks District Councils. The Panel's recommendations were rejected by Tunbridge Wells Borough Council who determined that the status quo should continue.

2 Summary of Recommendations

2.1 Basic Allowance

A Basic Allowance for elected Members of £5,000 p.a. based on benchmarking with other district Councils in the 'Kent Family' and including a discount factor to reflect the ethos of public service inherent in the elected representative's role. The gross value of the allowance is £8,333 p.a., reduced by £3,333 p.a. for this voluntary element. This allowance is the same as the Panel's recommendation for Tunbridge Wells Borough Council.

2.2 Special Responsibility Allowances

In this review the Panel has considerably simplified the structure of SRAs by using an approach which sets the level of each SRA as a percentage of the Leader's allowance. The Panel has also re-considered the allowances for Vice-Chairs. The Panel continues

to support the 2007 guidance on Members Remuneration from the Councillors Commission which recommends that members should not receive more than one SRA.

The Panel’s recommendations for Special Responsibility Allowances for each role (after reduction for the voluntary/public service element) are:-

- Council Leader - £20,000 p.a.
- Deputy Leader - £15,000 p.a.
- Opposition Group Leader - £1,250 plus £250 p.a. per group member
- Cabinet Members - £8,500 p.a.

- Committee Chairs:

Area Planning – 3No	£1,665 p.a. each – (£5,000 divided by 3)
Overview & Scrutiny	£2,500 p.a.
Audit	£2,500 p.a.
Licensing & Appeals	£2,500 p.a.
Joint Standards	£2,500 p.a.
General Purposes	£1,600 p.a.
Advisory Board - Programmed	£1,600 p.a.

- Area Planning Committee Vice-Chairs - £333 p.a. each

2.3 Carer Allowances

The Panel’s recommendations are that the Child Care Allowance should be equivalent to the forthcoming National Living Wage payable at the actual amount charged, subject to a maximum rate of £7.20 per hour per child or and that the Dependant Carer’s Allowance should be payable at the actual amount charged subject to maximum of £16.00 per hour.

2.4 Travel Expenses

The Panel recommends that the current scheme for Members, based upon the HMRC approved rate should continue.

2.5 Number of Councillors

Given the high proportion of total expenditure on Members’ Allowances that is made up by the Basic Allowance and the high level in comparison to other Kent districts (SEE Table 1), the Panel recommends that the Council gives consideration to pursuing the reduction of the number of councillors in the Borough as a longer-term strategic option, to reduce the cost of representation. The Panel understands that a number of councils have already done this for example Canterbury City Council (from 50 to 39) and Shepway District Council (from 46 to 30). The number of councillors in Tonbridge and Malling is high in comparison to other Kent councils and therefore the total cost of basic allowances is high at £285,000, which needs to be reflected upon in an environment where councils are being forced to cut budgets for services.

2.6 Protection

As some of the recommended allowance rates are below current levels, the Panel considers that the Council may wish to consider implementing Protection arrangements in the same way it would for staff.

2.7 Updating

In future the allowances should be updated in line with any annual increases in pay awards to Council staff.

2.8 Meal Allowances

The Panel recommends that meal and subsistence allowances should be paid to councillors at the rates agreed by HMRC, but excluding tea allowances.

3 Background

3.1 The basis of the current level of members' allowances for Tonbridge and Malling Borough Council was established by the Panel in December 2001 following guidelines issued by central government [see Appendix 1]. These allowances replaced the previous system of attendance-based payments and have been revised in subsequent years to reflect cost of living increases and changes in council structure and responsibilities.

3.2 The process is that the Panel recommends a structure of allowances, after consultation with members and officers but that the final decision is the responsibility of the Council. The Panel has followed broadly the same methodology since 2008.

3.3 The 2007 Councillors Commission paper on Members Remuneration suggested a set of basic principles to govern allowance schemes:

- The basic allowance should encourage people from a wide range of backgrounds and with a wide range of skills to serve as local councillors
- Those who participate in and contribute to the democratic process should not suffer unreasonable financial disadvantage
- Councillors should be compensated for their work and the compensation should have regard to the full range of commitment and complexity of their roles
- The system should be transparent, simple to operate and understand
- The system should not encourage the proliferation of meetings or provoke councillors into spending more time on council business than is necessary
- The level of remuneration should relate to a commonly accepted benchmark, such as the median male non-manual salary

These principles underpin the recommendations made in this report and are reflected in our Terms of Reference [Appendix 2]

4 Approach and Methodology

4.1 In line with the previous reviews, and reflecting the approach taken by many other Independent Review Panels elsewhere in the country, the Panel established a set of core principles to guide this review as follows:-

- To remove, where possible, the immediate financial barriers to becoming a councillor to assist in the diversity of the cohort of councillors, regardless of political background
- To reflect the current time commitment required to perform the role of ward councillor and the potential loss of earnings opportunities for councillors in doing so
- To recognise the increasing levels of responsibility and accountability being devolved from central government to local government and its impact on the nature of leadership and scrutiny roles within the Council
- To retain a significant element of public service, *pro bono* contribution from elected councillors
- To benchmark the comparative position of council members with those in similar roles in Kent and other South East councils
- To recommend allowances based on objective data with a simple and logical structure that can easily be updated in future

In conducting the review at the Council, the Panel held meetings with senior officers and party leaders, and offered the opportunity to all elected members to meet individually with the Panel, a number of whom took up this offer. The Panel considered meetings were a more effective way of eliciting information than a questionnaire. One member provided written information.

5 Allowance Calculations

5.1 There are some important principles and constraints on the calculation of allowances which are detailed in our Terms of Reference [Appendix 2].

Determining the Basic Allowance

5.2 The statutory guidance for Local Authority Allowances says that the *“basic allowance is intended to recognise the time commitment of all councillors, including such inevitable calls on their time as meeting with officers and constituents and attendance at political group meetings. It is also intended to cover incidental costs such as the use of their homes.”* [ODPM 2003. Para 10].

5.3 There are three core elements which determine the Basic Allowance: time spent on councillor duties, a standard financial hourly rate and the public service discount element.

Time Commitment

5.4 *“Having established what local councillors do, and the hours which are devoted to these tasks the local authorities will need to take a view on the number of hours for which, councillors ought to be remunerated”* [ODPM 2003. Para 67].

5.5 The number of hours committed by individual councillors to their elected and representative duties varies widely between individuals and over time. It is recognised that, for many councillors, the role is far more than just attendance at council meetings and will include, for example, constituency duties, committee meetings, meetings with officers and training courses.

5.6 The Panel determined in 2008 that the average time taken to satisfactorily perform a ward councillor role was an average of 15 hour per week, following a survey of members and soundings at all levels of the council. This figure was used for the 2012 review. Since that time there has been a small reduction in the number of formal meetings, but this of course does not mean that the overall workload of members has declined, just that less time is spent in formal meetings.

5.7 All 54 councillors are members of one of three Area Planning Committees. This involves training and considerable preparation and increases Councillors' hours, above that if a single Committee operated. Most councils operate a single Planning Committee, with only a proportion of the councillors sitting on it. Whilst the decision to have all councillors on an Area Planning Committee is a matter for the Council, the Panel questioned whether this is an efficient use of councillor's time and should not count in the time that councillors perform their duties.

5.8 During our discussions with members their estimates of the time spent on Council business was varied and it was not possible to draw a conclusion of the average productive hours spent.

Hourly rate

5.9 Previously, including for the last review in 2012, the Panel used the median hourly pay for all employees who live within the Tonbridge and Malling local authority area as published by the Office of National Statistics in their Annual Survey of Hours & Earnings (ASHE). In 2012 this was £14.61 per hour [*Source: ASHE 2012. ONS*] and this was the base hourly-rate for the Panel's recommended allowances. This resulted in a Basic Allowance of £5,836, which the Council considered to be too high, with a figure of £5,076 being adopted by the Council in April 2013.

5.10 The Panel has carried out benchmarking, which showed that the Basic Allowance for Tonbridge and Malling is higher than for comparable local authorities in Kent. See Table 1 below. The position was the same for the other two Councils that the Panel covered, which suggested that the previous methodology was not applicable. The Panel considers that the previously used hourly rate bears little relation to the actual hourly rates paid in Tonbridge and Malling, because it is distorted by the fact that many residents actually work in London.

5.11 The high level of the Basic Allowance was recognised by some members of the Council when the annual inflationary adjustment was considered for the 2016/17 financial year. The updated amount was £5,283, but 26 Councillors decided to freeze their Basic Allowance at the previous year's figure of £5,178.

Table 1 - KENT BASIC ALLOWANCE COST COMPARISON – 2016

Authority	Basic	No of Cllrs	Total
Sevenoaks	£5,253	54	£283,662
Tonbridge & Malling	£5,283	54	£285,282
Tunbridge Wells	£5,500 *	48	£264,000
Ashford	£4,466	43	£192,038
Canterbury	£5,303	39	£206,817
Dartford	£5,000	44	£220,000
Dover	£3,980	45	£179,100
Gravesham	£3,447	44	£151,668
Maidstone	£4,666	55	£256,630
Shepway	£3,867	30	£116,010
Swale	£4,880	47	£229,360
Thanet	£4,570	56	£255,920

* The Panel recommended £5,000 in the latest review for Tunbridge Wells Borough Council

5.11 The Panel had felt that the three councils within its purview are so similar that it should really be recommending one rate for all three. One way of doing this would be to calculate an average figure based on the latest hourly ASHE rates for all three councils. The results for the latest available ASHE survey (2015), Table 8.6(a) give the following hourly rates for the three councils:

- Sevenoaks - £14.49
- Tonbridge and Malling - £14.08
- Tunbridge Wells - £13.10

These figures give an arithmetic mean of £13.89 per hour.

The Public Service/Voluntary Principle

5.12 Central government guidance to Independent Remuneration Panels for setting the basic allowance states that *“it is important that some element of the work of members continues to be voluntary – that some hours are not remunerated. This must be balanced against the need to ensure that financial loss is not suffered by elected members, and further to ensure that, despite the input required, people are encouraged to come forward as elected members and that their service to the community is retained”* [ODPM 2003. Para 68].

5.13 This idea that some work of members should remain voluntary is called the ‘public service principle’ and this is incorporated into the financial calculations as a percentage discount factor, agreed locally. The Councillors Commission report indicated that considerable variations of between 20-50% apply. The Panel’s meetings with members and Council leaders confirmed that this principle is understood and supported by elected councillors.

5.14 In the 2012 review the Panel recommended a public service discount factor of 40% based on benchmarking with allowance schemes elsewhere and consistent with the recommendations of our predecessors on this Panel since its inception in 2001. The Panel recommends that this level of discount be retained.

Calculating the Basic Allowance – the formula

5.15 To bring together the separate elements of the time-based model the following formula is commonly used by other Independent Remuneration Panels:

- 1) Expected hours input x hourly rate x 48 weeks = Gross Basic Allowance p.a.
- 2) **minus** discount for voluntary public service = recommended Basic Allowance p.a.

Using the above data and formula the Panel considered an annual Basic Allowance derived as follows:-

- 1) 15 hours per week x £13.89 per hour x 48 weeks = £10,000.80 p.a.
- 2) **minus** 40% public service discount = £6,000 p.a. (rounded)

This calculation results in a Basic Allowance that is too high in relation the 'Kent Family' of district councils. The Panel carried out benchmarking of district councils in Sussex to establish if the Kent figures were low, but as shown in Appendix 3, this was not the case. The Panel concludes that the use of the hourly rate is no longer appropriate and the Basic Allowance calculated above cannot be recommended, as it is too high when compared to the level for the 'Kent Family' of district councils.

Basic Allowance – recommendation

5.16 The Council had a high influx of new Councillors at the last election, including some younger members, which indicates that the Basic Allowance is not a barrier for attracting Councillors. The decision by a number of Councillors not to adopt the last increase, shows that the Basic Allowance is not considered to be low. Based on benchmarking, the Panel recommends the Basic Allowance be reduced to £5,000. Based on a 40% public service discount, this equates to £8,333 p.a. No evidence was provided to the Panel that the basic allowance has been a disincentive in recruiting new councillors.

RECOMMENDATION: that the Basic Allowance should be reduced TO £5,000 p.a. However the Council may wish to consider protecting current allowances until the next election.

6 Special Responsibility Allowances (SRAs)

6.1 In reviewing the current system of SRAs, the Panel took into account the evolution of the governance structures within the Council and the frequency of committee meetings, including the time to research and prepare. The Panel is of the view that allowances should be kept as simple as possible and favour an approach adopted by many councils which relates allowances to that paid to the Council Leader. This approach which calculates the top figure and then bases others on percentages of that figure is in common use in the public sector for determining senior level salaries, so the principle is well-established.

Council Leader

6.2 The previous approach was to recommend that the Leader's allowance should be three times the Basic Allowance. However, the Panel's perception is that this role is so critical to the successful running of the Council, and that both the expertise needed to undertake the role and the time required are so high that a multiplier of four is more appropriate. The Panel therefore recommends that the Leader's SRA should be a multiple of four times the Basic Allowance. This equates to a gross allowance of £33,332 p.a., but after the voluntary discount is a net £20,000 p.a.

RECOMMENDATION: that the Special Responsibility Allowance for Council Leader should be £20,000 p.a.

Deputy Leader

6.3 The Panel is aware that the Deputy Leader often has to stand in for the Leader so needs to have read all relevant papers and be prepared to represent him at those meetings. He also accompanies the Leader at a number of strategic meetings. For these reason the Panel believes this role merits a Special Responsibility Allowance and consider that this should be set at 75% of the Leader's Allowance ie £15,000 p.a.

RECOMMENDATION: that the Special Responsibility Allowance for Deputy Council Leader should be £15,000 p.a.

Opposition Group Leader

6.4 The Panel established the principle in the previous reviews that Council Leader's Allowance reflects the full role, including those duties associated with political leadership of the majority party. However, there is an additional time commitment required of leadership of an opposition group which is not reflected in the Basic Allowance.

6.5 In line with the approach to simplify the structure of allowances the Panel recommends that the Opposition Group Leaders' allowances should be on a variable sliding scale determined by the number of elected councillors in the opposition party, at a rate of 5% of the Basic Allowance per member, being £250. When the Council considered the results of the last review, it decided that there was an additional role for the Opposition Leader, because of the Council's collaborative way of working which is unlike some other Councils. The interviews carried out as part of this review, highlighted the Opposition Leader's attendance at collaborative meetings and the Panel accepts that the current practice of an additional flat sum being paid, should continue. The Panel recommends an allowance of 25% of the Basic Allowance being £1,250 p.a.

RECOMMENDATION: that the Special Responsibility Allowance for the Opposition Group Leader should be £1,250 p.a. plus £250 per member in the group.

Cabinet Members

6.6 Whilst acknowledging the broad portfolio responsibilities and time commitments of Cabinet Members, the Panel recognises that under the Council's Constitution, they do not have full individual decision making responsibility. The Panel therefore recommends an SRA of 42.5% of the Council Leader's allowance. This equates to an allowance after discount for the public service element of £8,500 p.a.

RECOMMENDATION: that the Special Responsibility Allowance for Cabinet Members should be 42.5% of the Council Leader's Allowance = £8,500 p.a.

Chairs of Committees

6.7 The Panel has reviewed the Committee allowances using a simplified factor model which aligns Committees into groups of similar dimensions which broadly reflect the frequency of meetings and their position in the governance process. The Panel is not convinced of the appropriateness of having 3 Area Planning Committees. Whilst recognising this is a matter for the Council, the Panel recommends that the allowance for Planning is divided between the three Chairs.

6.8 The Panel recognises the importance that the Council puts on the Overview and Scrutiny function and work of the Advisory Boards. This has to be balanced against the work of the other committees and based on the current scheme and operational arrangements, the Panel makes the following recommendations for Committee Chair allowances:-

Committee	% of Leader's Allowance	Recommended Allowance
Area Planning – 3 No	25% * 0.33	£1,665 each (£5,000 divided by 3)
Overview & Scrutiny	12.5%	£2,500
Audit	12.5%	£2,500
Licensing & Appeals	12.5%	£2,500
Joint Standards	12.5%	£2,500
General Purposes	8%	£1,600
Advisory Board - Programmed	8%	£1,600

Vice-Chairs

6.9 There has been much discussion about the role of Vice-Chairs and there seems little doubt that these vary considerably often depending on the personality of the Chair. In line with the last review, the Panel's view is that it is only for the Planning function, that this role should be recognised. The Panel takes the view that this should be reflected in an appropriate SRA and would consider that the rate for the Planning function should be equivalent to 5% of the Council Leader's Allowance, divided between the three Vice-Chairs, being £333 p.a.

RECOMMENDATION: that the Special Responsibility Allowance for the Area Planning Committee Vice-Chairs should be at the rate of £333 p.a.

Updating

6.10 To keep the updating process as straightforward as possible, the Panel recommends that in future, all allowances are updated in line with any increases in the remuneration of Council staff.

RECOMMENDATION: that in future the allowances are updated in line with any increases in the remuneration of Council staff.

7 Carers' Allowances

7.1 In earlier reviews two separate allowances were established to distinguish between the costs of standard childcare and that of professional care for dependants with special requirements. These allowances are proposed as follows:-

Childcare Allowance: for child-minding of the Member's dependent children. Payable at the actual amount charged, subject to a maximum rate of **£7.20** per hour per child.

Dependant Carer's Allowance: for professional care for elderly or disabled dependants, or other dependants with special requirements. Payable at the actual amount charged, subject to a maximum rate of **£16.00** per hour. The Panel also recommends that booking fees from professional agencies should be claimable.

7.2 In practice, these allowances have rarely been claimed by Tonbridge and Malling councillors but the Panel continues to support the need for them.

8 Travel Expenses

8.1 The Council currently operates a scheme based upon the HMRC approved rate and the Panel recommends that this continues.

RECOMMENDATION: that the current travel expenses scheme based upon the HMRC approved rate, continues.

9 Meal Allowances

9.1 The Council currently adopts the subsistence allowances agreed by HMRC and the Panel feels that this should continue, albeit given the nature and timings of the work of councillors, tea allowances should be excluded.

RECOMMENDATION: that meal and subsistence allowances should be paid to Councillors at the rates agreed by HMRC, but excluding tea allowances.

10 Number of Councillors

10.1 Councils face considerable financial constraints. The number of councillors in Tonbridge and Malling is high in comparison to other Councils in the 'Kent Family' of district councils and therefore the total cost of basic allowances is high at £285,000 (See Table 1), especially, in an environment where councils are being forced to substantially cut budgets for services. The Panel suggests that the Council should consider reducing the number of councillors eligible to receive allowances.

10.2 The Panel is aware that this not a quick solution given the processes adopted by the Boundary Commission but this long lead time supports the view that the Council should give this serious consideration as soon as possible. The Panel is aware that a number of councils have already done this e.g. Canterbury City Council (from 50 to 39) and Shepway District Council (from 46 to 30).

11 Conclusions

11.1 The Panel has attempted in this review to propose levels of allowances which would remove financial barriers that deter potential candidates from standing for election and to properly recognise the time commitments that individual members offer in support of their local community.

11.2 The Panel has also sought to propose a system that is easy to understand and update and which may be perceived as fair by all. The Panel has also tried to re-balance the allowances to reflect the fact that the degree of commitment involved for those with additional responsibilities is proportionately greater than may have been the case in the past.

12 Acknowledgements

12.1 The Panel's thanks go to the officers and members who gave us their time and opinions which have helped to shape the Panel's thinking.

Regulations and Guidance for Independent Remuneration Panels

- *The Local Authorities (Members' Allowances) (England) Regulations 2003*. Statutory Instrument 2003 No. 1021
- *The Local Authorities (Members' Allowances) (England) (Amendment) Regulations 2003*. Statutory Instrument 2003 No. 1692
- *The Local Authorities (Members' Allowances) (England) (Amendment) Regulations 2004*. Statutory Instrument 2004 No. 2596
- *New Council Constitutions: Consolidated Guidance on Regulation for Local Authority Allowances - 2003*
- *The Local Government Pension Scheme and Discretionary Compensation (Local Authority Members in England) Regulations 2003*. Statutory Instrument 2003 No. 1022
- *New Council Constitutions. Guidance on Consolidated Regulations for Local Authority Allowances*. Office of the Deputy Prime Minister and Inland Revenue. July 2003
- *Members Remuneration – models, issues, incentives and barriers*. - Councillors Commission. Dept. of Communities and Local Government. December 2007
- *Representing the Future – Report of the Councillors Commission*. December 2007
- *Members' Allowances Survey 2008*. Report by the Local Government Association Research Department

Joint Independent Review Panel
for
Sevenoaks District Council
Tonbridge & Malling Borough Council
Tonbridge and Malling Borough Council

Terms of Reference

Introduction

The Joint Independent Remuneration Panel (JIRP) for Tonbridge and Malling Borough Council, Tunbridge Wells Borough Council and Sevenoaks District Council was originally established in 2001 and now operates under the Local Authorities (Members' Allowances) (England) Regulations 2003. The function of the panel is to make recommendations to Council in accordance with Statutory Instruments (primarily 2003 No.1021 and No.1692).

The JIRP was established jointly by the three Councils but it considers each Council individually and makes separate recommendations for each according to the particular structures and requirements of the organisation.

Members of the Panel are appointed by the Councils but are independent members of the community with relevant professional backgrounds in remuneration and benefits.

Membership – Joint Independent Remuneration Panel

The members of the panel are:

- Gary Allen, a resident of Lamberhurst
- Max Lewis, a resident of Tunbridge Wells
- Chris Oliver, a resident of Tonbridge & Malling Borough

JIRP meetings will normally involve all four Panel members. A quorum will be three members. One of the members will act as Chair of the Panel by agreement between the Panel members.

The Local Authorities (Members' Allowances) (England) Regulations 2003 determine that none of the Panel members may be a member of the local authority in question, or of its committees, or an employee of the council, but that this does not preclude participation by parish councillors.

Panel Recommendations

The 2003 Regulations require that councils must have regard to their Independent Remuneration Panel's recommendations, which must be publicised on the authority's website and in the authority's newspaper, if it has one. The Panel must be required to make recommendations whenever the council decides to revoke or amend its members' allowances scheme. However, Panel recommendations are not binding on authorities. After considering its panel's recommendations, a council can decide for up to four years on automatic indexation of members' allowances without the need for a review by the Panel.

Principles for Allowances Schemes

There is currently little central prescription of members' allowance. However, there are some important constraints:-

- Attendance allowances are prohibited
- The basic allowance must be paid equally to all members
- Where one or more groups on a council form an administration, a special responsibility allowance must be paid to a member of the opposition. This is usually paid either to the leader of the opposition, if this post exists, or to a chair of a scrutiny committee

The report of the Councillors' Commission in December 2007 highlighted a 'universal principle' that members should not suffer financial loss as a direct result of their council activities and service. They went on to suggest a more detailed set of principles to govern allowance schemes:-

- The basic allowance should encourage people from a wide range of backgrounds and with a wide range of skills to serve as local councillors
- Those who participate in and contribute to the democratic process should not suffer unreasonable financial disadvantage
- Councillors should be compensated for their work and the compensation should have regard to the full range of commitment and complexity of their roles
- The system should be transparent, simple to operate and understand
- The system should not encourage the proliferation of meetings or provoke councillors into spending more time on council business than is necessary
- The level of remuneration should relate to commonly accepted benchmark, (for example, the median male non-manual salary)

The Panel will operate within the scope of these principles. Should any departure from these be considered necessary, the reasons for the variation will be made clear in the relevant report.

The core objective of the Panel is to present informed comprehensive recommendations that are fair and equitable.

Appendix 3

Comparative data from Kent & Sussex Borough/District Councils

Authority	Basic	Leader	Cabinet Member	Chair Planning Cttee	Chair Overview/ Scrutiny	Chair Licensing	Last Review Date
Ashford	£4,378	£18,000	£7,200	£6,000	£5,400	£1,440	01.04.2014
Dartford	£5,000	£31,339	£8,357	£5,014	£2,090	£2,090	01.04.2016
Gravesham	£3,447	£20,260	£3,447	£3,447	£3,447	£3,447	Summer 2015
Maidstone	£4,666	£18,661	£7,464	£7,464		£3,732	2016
Sevenoaks	£5,253	£15,761	£6,567	£3,153	£525	£2,102	2014
Tonbridge & Malling	£5,283	£18,384	£8,400	£5,283	£5,283	£2,643	01.04.16
Tunbridge Wells	£5,500	£19,250	£11,000	£5,500	£1,375	£1,375	25.02.2015
Medway (U)	£8,836	£20,391	£11,123	£7,415	£9,269		01.04.2016
Bexley (U)	£9,418	£26,391	£13,197	£8,802	£4,260	£8,802	21.05.2015
Bromley (U)	£10,870	£30,600	£20,400	£8,670		£8,670	01.04.2016
Tandridge	£4,068	£2,885		£2,885	£2,885		01.04.2016
Mid Sussex	£4,501	£20,596	£8,238	£4,620	£3,862	£475	01.04.2013
Rother	£4,280	£12,500	£2,719	£2,719	£2,719	£1,989	01.04.2016
Wealden	£4,300	£4,460	£5,200	£3,925	£3,515	£1,275	01.04.2014

(U) – Unitary Authorities

[Source: Council websites July 2016; South East Employers Survey 2016]

N.B. The Joint Independent Review Panel works on behalf of Sevenoaks District Council, Tonbridge & Malling Borough Council and Tunbridge Wells Borough Council but considers each Council individually and makes separate recommendations for each according to the particular structures and requirements of the organisation. It should be noted that members' allowances are currently under review at all three councils but the figures quoted above are those in force at time of writing this report and do not reflect any changes to be proposed by the JIRP as part of this review process.

Appendix 4

Revised Schedule of Recommended Members' Allowances

Tonbridge and Malling Borough Council

	<u>2013 JIRP Recommendation</u>	<u>Current</u>	<u>2017 JIRP Recommendation</u>
<u>Basic Allowance</u>	£5,836	£5,283	£5,000
<u>Special Responsibility Allowances:-</u>			
<u>Opposition Group Leaders:</u>			
	£292 per member	£1,320 plus £264 per member	£1,250 plus £250 per member
<u>Cabinet</u>			
Leader	£17,509	£18,384	£20,000
Deputy Leader	n/a	n/a	£15,000
Cabinet Member	£8,754	£8,400	£8,500
<u>Committee Chairs</u>			
Area Planning – 3 No	£5,836	£5,283	£1,665 each
Overview & Scrutiny	£2,918	£5,283	£2,500
Audit	£2,918	£2,643	£2,500
Licensing & Appeals	£2,918	£2,643	£2,500
Joint Standards	£2,918	£2,643	£2,500
General Purposes	£1,459	£1,320	£1,600
Advisory Board - Programmed	£1,459	£1,320	£1,600
<u>Committee Vice-Chairs</u>			
Area Planning	£1,269	£1,320	£333 each
Overview & Scrutiny	£0	£1,320	£0
Audit	£0	£660	£0
Licensing & Appeals	£0	£660	£0
Joint Standards	£0	£660	£0
General Purposes	£0	£333	£0
Advisory Board - Programmed	£0	£333	£0

N.B. All figures are per annum except where stated

This page is intentionally left blank

TONBRIDGE & MALLING BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

06 March 2017

Report of the Director of Central Services

Part 1- Public

Matters for Recommendation to Council

1 LOCALISM ACT – PAY POLICY

Section 38(1) of the Localism Act 2011 requires English and Welsh local authorities to review their pay policy statement for each financial year. This report summarises the requirements of the Act and presents an updated Pay Policy Statement for 2017/18 in Annex 1. Members will note that as there have not been any changes in the Council's remuneration policy, the substantive content of the updated Pay Policy Statement is identical to the Council's first Pay Policy Statement (adopted on 16 February 2012).

1.1 Contents of the Pay Policy

- 1.1.1 As Members may recall, the Act is prescriptive in that, in the interests of transparency, it requires the pay policy statement to include: the level and elements of remuneration for each chief officer, the policy of their remuneration on appointment; increases and additions to their remuneration, a definition of the "lowest paid employees" and their remuneration; the policy on the relationship between the remuneration of its chief officers and other officers, and, the policy on re-employing someone who has been made redundant.
- 1.1.2 The title "chief officer" includes both statutory and non-statutory chief officers and their deputies. Therefore, within the Pay Policy Statement set out in Annex 1, the information about the remuneration of chief officers includes the posts of the Chief Executive, the Council's four Service Directors, the Head of Planning, the Chief Financial Services Officer and the Chief Environmental Health Officer, as well as the senior officers that are directly accountable to these "chief officers".
- 1.1.3 The Act's definition of remuneration includes pay, charges, fees, allowances, benefits in kind, enhancement of pension entitlements and termination payments. All of these elements have been covered in the pay policy statement attached in Annex 1.

- 1.1.4 In order to provide a holistic and transparent context for the remuneration of chief officers and their deputies, the pay policy in Annex 1 provides an overview of the pay elements for all Council employees.

1.2 Legal Implications

- 1.2.1 The policy set out in Annex 1 contains all of the elements of a statutory pay policy as stipulated in section 38 (1) of the Localism Act 2011.
- 1.2.2 The attached pay policy is also compliant with Regulation 7 of the Local Government (Early Termination of Employment)(Discretionary Compensation))(England and Wales) Regulations 2006 and the Local Government Pension Scheme (Administration) Regulations 2008 & 2014.
- 1.2.3 The definition of the terms “chief officer” and “deputy chief officer” is in accordance with section 2 of the Local Government and Housing Act 1989.

1.3 Financial and Value for Money Considerations

- 1.3.1 As set out in Section A of the attached Pay Policy, the Council’s approach to setting a pay multiple is broadly calculated on a base salary multiple of 8 being the gap between the remuneration of the lowest and the most highly paid employees and is enshrined within the Council’s locally determined job benchmarking evaluation scheme. Such an approach places an emphasis on cash reward as the cornerstone of the Council’s pay policy, and ensures that pay is based on job requirements.

1.4 Risk Assessment

- 1.4.1 Given the scrutiny of public sector remuneration it would be imprudent for the Council not to comply with the Localism Act’s requirements to have reviewed the Pay Policy Statement by 31 March 2017.

1.5 HR Policy Considerations – Equality Impact Assessment

- 1.5.1 As Members will observe from the outcomes of the gender pay gap analysis in Annex 2, in 2016 there was a full time pay gap of 17.2% in favour of men. The key contributing reason for this pay gap is that there are historically more women than men working in jobs graded at the three lowest quartiles of the Council’s pay scales. There is no evidence of men and women being paid differently for equal work and indeed there has been a reduction in the full time pay gap since 2015 (when it was 18.1%).

1.6 Recommendations

- 1.6.1 It is recommended that this committee commends the pay policy in Annex 1 to this report for adoption at the Council meeting on 14 February 2017.

Background papers:

contact: Delia Gordon

Nil

Adrian Stanfield
Director of Central Services and Monitoring Officer

This page is intentionally left blank

ANNEX 1

Pay Policy Statement 2017/18 Introduction

When determining remuneration levels the Council is mindful of the requirement to balance the needs of managing scarce public resources with the need to secure and retain high-quality employees. The Council aligns its reward strategy with organisational needs by an emphasis on cash rewards, and ensuring that pay is determined by job requirements. The Council aims to operate a consistent and equitable organisation-wide reward system by placing the responsibility for remuneration decisions with a committee of elected councillors, the General Purposes Committee, and the responsibility for administering the pay policy within the Council's Personnel team.

Section 38 (1) of the Localism Act 2011 requires the council to prepare an annual pay policy statement for 2017/18. The Act specifies that the following must be included in the pay policy statement:

- the level and elements of remuneration for each chief officer
- the policy on the remuneration of chief officers on recruitment
- increases and additions to their remuneration including performance related pay, bonuses, charges, fees, allowances, benefits in kind and termination payments
- a definition of the "lowest paid employees" and the policy on the remuneration of this group
- the policy on the relationship between the remuneration of its chief officers and other officers
- policy on re-employing someone who has been made redundant.

This statement will be published on the Council's website.

Section 1 – Remuneration of statutory and non-statutory Chief Officers and Deputy Chief Officers

The term "chief officer" within The Localism Act includes both statutory and non-statutory chief officers, and their deputies. The actual remuneration for these roles is available on the Council's website

(<http://www.tmbc.gov.uk/services/council-and-democracy/councillors,-democracy-and-elections/transparency-senior-salaries>)

The salary scales for the statutory and non-statutory Chief Officers and Deputy Chief Officers in post in January 2017 is set out below.

No of chief officers	Grade	% of M2 benchmark	Pay Point Range
13	M6	56.0%	141- 144

7	M5	61.0%	147 - 150
3	M4	70.0%	151- 154
4	M2a	97.5%	181- 184
1	M1	125.0%	191- 194

Fee for acting as the Returning Officer

Tonbridge & Malling Borough Council is required to appoint a Returning Officer by virtue of section 35 of the Representation of the People Act 1983. In Tonbridge & Malling, the Chief Executive has been appointed as the Returning Officer. This is a personal appointment, separate from their other duties. In this capacity they are the Returning Officer for UK Parliamentary elections and elections to the Borough Council and to Parish Councils within this Borough. The Returning Officer fee is payable for the substantial additional duties undertaken, and leadership required of the Returning Officer in planning, delivering and undertaking the elections, and recognises the personal nature and personal responsibility of the role of the Returning Officer.

For Borough and Parish Council elections, the Returning Officer fee is calculated in accordance with an agreed Kent Scale of Fees. For National, European and Police & Crime Commissioner elections the fee rate is set by central government.

Section 2 – Remuneration of the lowest paid employees

In compliance with Section 38 of the Localism Act, for the purposes of this statement the “lowest paid employee” has been defined as those who are engaged as cleaners. In 2017/18 it is anticipated that such posts will receive a full time annual salary equivalent of approximately £15,294.

Section 3 – Decision on pay

The pay of all council employees (including chief officers) is determined by the evaluated grade of the post. The pay band for most jobs within the council (including chief officers) is very narrow, based on 3 or 4 incremental points. Progression through the pay band is based on length of service, subject to the achievement of expected performance standards, and thus recognises development in a role over time based on the accumulation of experience and knowledge. It is anticipated that during 2017/18 the total number of permanent and fixed term contract staff on the Council’s payroll will be approximately 265 in any one month.

The Council has not adopted the national local government job evaluation or grading schemes but has developed a locally negotiated framework that more

closely reflects its own particular requirements. Within this framework there are two remuneration “families”. The first has been developed for the Council’s professional and senior managerial cohorts, and includes chief officers. The second is for supervisory, technical and clerical staff.

All staff (including chief officers) are appointed to the organisation at the bottom of the grade, unless there are exceptional circumstances based on business need.

Annual Pay Award

The salary of all council employees (including chief officers) may increase annually by an annual pay award which is locally determined taking into consideration:

- “caps” on public sector pay rates set by the Government
- the council’s ability to pay
- inflation levels
- the “going rate” of pay awards in neighbouring authorities and nationally
- recruitment and retention levels.

Section 4 – Pay structure and pay relationships.

The Code of Recommended Practice for Local Authorities on Data Transparency September 2011 requires that there is a process established to monitor the rate of growth of senior earnings compared to all other employees in the organisation. During 2017/18 there will be a multiple of approximately 8 between the base level salary of the Chief Executive and a cleaner, reflecting the differences in skill sets, complexity and span of control from the lowest to the highest paid employees of the Council.

The total salary for the post of Chief Executive is in the region of £119,000. The median full time equivalent salary for all other employees in Tonbridge & Malling Borough Council is in the region of £25,250, the mean full time equivalent salary is in the region of £29,800. The pay multiple is therefore approximately 4.70 against the median and 4 against the mean.

The Council’s bespoke grading structure for employees with professional and specialised high level skill sets is entitled the “M” grade framework. All those referred to as chief officers within this pay policy statement fall within the “M grade” framework.

A feature of the M grade framework is that the remuneration levels for all M grade posts (including those of chief officers), are fixed as a percentage of a notional benchmark grade M2. Therefore, the grading structure specifies the pay multiples attached to each grade as a percentage of the lowest incremental point of a notional benchmark M2. Posts are positioned within the M grade framework on the basis of the required specialist knowledge, professional skills, depth of professional and managerial judgement, and

managerial span of control. Broadly speaking the range of capabilities required for junior M grade posts (M9 – M7 inclusive) equate to professional and/or managerial capability equivalent to Level 6 of the National Qualifications Framework (NQF). Those occupying senior managerial posts graded M6 to M2 are required to possess **both** professional and managerial skill sets equivalent to Level 7 of the NQF. All four director level chief officer posts are graded as M2a. The professional and managerial capabilities **and** span of control required at director level broadly equate to level 8 of the NQF. A Level 8 degree of professional and managerial expertise is also required for the post of the Chief Executive. This, alongside the extensive span of control intrinsic to the role of paid head of service for the entire Council workforce, merits the grade of M1.

Supervisory, technical and clerical grades

The council has developed a bespoke grading structure for its supervisory, technical and clerical staff that ranges from the grade of senior officer to clerical scale 1. Broadly speaking the managerial, professional and skill set required for posts graded Senior Officer equate to Level 5 of the NQF, posts graded scale 5-6 equate to Level 4 of the NQF, posts graded scale 3-4 to Level 3 of the NQF, posts graded scale 1-2 require a Level 2 skill set.

The Council considers that the relationship between the base salaries of its highest and lowest paid employees, as well as the relationship between the highest paid and the mean and medial salaries of the entire workforce, represents an appropriate, fair and equitable internal pay relationship.

Section 5 – Policies common to all employees

The following elements of remuneration are determined by corporate policies or arrangements which apply to all permanent employees of the Council (including its chief officers and deputy chief officers), regardless of their pay level, status or grading. Full details on any of the policies listed below can be provided on request.

The Council aims to have a streamlined and transparent pay structure and therefore it does not pay additional one off bonuses, market premiums, location allowances, subsidy towards child care costs or special awards for any staff (including chief officers). Pension contributions for all employees opting to join the Local Government Pension Scheme are nationally determined.

Payments on termination of employment

According to the Local Government (Early Termination of Employment)(Discretionary Compensation)(England and Wales) Regulations 2006 the Council has the power to make discretionary payments on early

termination of employment. The Council has determined that it will calculate payments made to any eligible employee (including chief officers) who are made redundant or who depart on the grounds of the efficiency of the service by using the Government's statutory redundancy payment calculator formula and the employee's actual weekly pay. For those who depart on the grounds of redundancy or efficiency of the service, or who chose to retire "early", the Council does not increase the employee's total pension scheme membership or award additional pension. This response to the Local Government Pension Scheme (Administration) Regulations 2008 applies to all employees, including chief and deputy chief officers.

The Council's policy is that it does not re-employ anyone (including chief or deputy chief officers) who has left with a severance or redundancy payment, nor does it re-engage them on a self-employed basis with a contract for services.

Car allowances

For those posts where it is deemed that there is an essential requirement for the post holder to use a car to perform their job, and they are expected to travel in excess of 2,500 miles per annum in the course of their duties, the post holder either receives a lump sum allowance to contribute towards the associated running costs of the car in accordance with the rates previously set by the National Joint Council or they are allocated a lease car, or they receive a cash equivalent payment as an alternative to a lease car. Those who drive leased cars are required to make their leased car available for the use of all Council employees possessing a suitable driving licence, if so required, (the Council has the appropriate insurance cover).

Telephone allowances

Those employees who are deemed to be essential users of mobile telephones are either supplied with a mobile telephone for council related activities, or receive a mobile telephone allowance

Professional fees

Annual professional subscription fees to one relevant professional body are reimbursed to those employees where it is deemed an essential requirement for the post holder to belong to a professional institute.

Reimbursement of removal/relocation costs on appointment and mortgage subsidy scheme

The Council's relocation and mortgage subsidy schemes provide financial assistance (within pre-defined limits) to employees who re-locate from outside a reasonable travel area to the Borough to take up an appointment with the Council.

Subsistence Allowance

The Council reimburses expenditure on meals, accommodation, and any other expenses necessarily (within pre-defined limits) incurred by employees who have to be away from home on Council business.

Standby and call out allowances

Any employee who is required to undertake standby and call-out duties will be recompensed at the appropriate rate in accordance with the negotiated policy and payment rate for their role.

Annex 2 Gender Pay Gap Analysis

Proposed Government measures	2016	
Gender pay gap based on gross hourly pay (mean)*	£4.29	
*Males are paid this amount more than females, on average		
Gender pay gap based on gross hourly pay (median)*	£7.23	
*Males are paid this amount more than females, on average		
	Female	Male
Proportions in Quartile 1	73%	27%
Proportions in Quartile 2	81%	19%
Proportions in Quartile 3	55%	45%
Proportions in Quartile 4	42%	58%

Analysis (2016)			
All staff	Female	Male	Gap
£15.97	£14.38	£18.67	23.0%
£13.58	£12.13	£19.37	37.3%
	Total	Female	Male
Quartile 1	62	45	17
Quartile 2	70	57	13
Quartile 3	65	36	29
Quartile 4	67	28	39

Proposed Government measures	2015	
Gender pay gap based on gross hourly pay (mean)*	£4.60	
*Males are paid this amount more than females, on average		
Gender pay gap based on gross hourly pay (median)*	£7.28	
*Males are paid this amount more than females, on average		
	Female	Male
Proportions in Quartile 1	80%	20%
Proportions in Quartile 2	77%	23%
Proportions in Quartile 3	56%	44%
Proportions in Quartile 4	41%	59%

Analysis (2015)			
All staff	Female	Male	Gap
£15.67	£14.03	£18.62	24.7%
£13.76	£11.70	£18.98	38.4%
	Total	Female	Male
Quartile 1	69	55	14
Quartile 2	78	60	18
Quartile 3	63	35	28
Quartile 4	66	27	39

Additional data	2016					2015				
	Total	Female	Male	Gap £	Gap %	Total	Female	Male	Gap £	Gap %
Employees - number	264	166	98			276	177	99		
Employees - percentage		63%	37%				64%	36%		
Full-time employees - number	168	78	90			169	81	88		
Full-time employees - percentage	64%	46%	54%			61%	48%	52%		
Part-time employees - number	96	88	8			107	96	11		
Part-time employees - percentage	36%	92%	8%			39%	90%	10%		
Full-time average hourly pay (median)	£16.75	£12.73	£19.37	£6.64	34.3%	£16.66	£13.32	£18.98	£5.67	29.9%
Part-time average hourly pay (median)	£11.29	£11.29	£9.91	-£1.39	-14.0%	£11.07	£11.07	£16.66	£5.59	33.5%
Full-time average hourly pay (mean)	£17.63	£15.86	£19.17	£3.30	17.2%	£17.44	£15.59	£19.03	£3.44	18.1%
Part-time average hourly pay (mean)	£13.07	£13.06	£13.13	£0.07	0.5%	£12.93	£12.71	£15.36	£2.65	17.3%

TONBRIDGE & MALLING BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

06 March 2017

Report of the Director of Finance and Transformation

Part 1- Public

Delegated

1 ANNUAL REVIEW OF WHISTLEBLOWING POLICY

This report informs Members of the outcome of the annual review of the Council's Whistleblowing Policy.

1.1 Introduction

1.1.1 The Whistleblowing Policy provides employees and Members with information about how they may report concerns regarding breaches of laws, regulations, policies or procedures committed by other employees or Members of the Council. It also outlines how the Council will deal with those concerns once they have been reported.

1.2 Whistleblowing Policy

1.2.1 The Whistleblowing Policy was last reviewed by the Committee in April 2016. This latest review found that no changes were required to the Policy.

1.2.2 A copy of the Whistleblowing Policy is attached at **[Annex 1]**.

1.3 Action Following Approval of the Policy

1.3.1 The Whistleblowing Policy was considered and approved by the Audit Committee at its meeting on 23 January subject to including relevant contact details in Section 8. The Policy, once approved, will be circulated to all staff with computer access using Netconsent and made available on the Council website.

1.4 Legal Implications

1.4.1 The Policy is not mandatory, but does comply with best practice and refer to the relevant legislation where appropriate.

1.5 Financial and Value for Money Considerations

1.5.1 Providing clear guidelines to staff on how they may report concerns of inappropriate conduct or fraud strengthen the Council's zero tolerance approach to fraud and corruption.

1.6 Risk Assessment

- 1.6.1 While there is no statutory requirement to have an appropriate mechanism for dealing with whistleblowing, it is relevant to helping the Council comply with associated law. Failure to have an adequate whistleblowing mechanism carries significant reputational risk.

1.7 Equality Impact Assessment

- 1.7.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

1.8 Recommendations

- 1.8.1 Members are asked to approve, subject to any required amendments, the Whistleblowing Policy attached at **[Annex 1]**.

Background papers:

contact: Samantha Buckland

Nil

Sharon Shelton
Director of Finance and Transformation

WHISTLEBLOWING POLICY



January 2017

Contents

Section		Page
1	Introduction	1
2	Definition of Whistleblowing	1
3	Aims and Scope of this Policy	1
4	Who does this Policy Cover?	3
5	Supporting the Individual Raising a Concern	3
6	How to Raise a Concern	4
7	How the Council will Respond	5
8	How the Matter can be Taken Further	6
9	Review and Approval of this Policy	7
Appendix 1	Report A Concern	8

TONBRIDGE & MALLING BOROUGH COUNCIL WHISTLEBLOWING POLICY

A confidential reporting policy for all Members, employees and contractors

1. Introduction

- 1.1 Tonbridge & Malling Borough Council operates within legal requirements and regulations and expects its employees to co-operate in this by adhering to all laws, regulations, policies and procedures. The Council recognises that employees are often the first to realise that there may be something seriously wrong within the Council. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Council. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.
- 1.2 The Public Interest Disclosure Act 1998 (the 1998 Act) contains measures which help to promote greater openness between employers and employees in the workplace and supports a structure for whistleblowing. The 1998 Act:
- a) *is designed to give statutory protection to employees who “blow the whistle” on their employer’s malpractice; and*
 - b) *although not requiring the Council to set up an appropriate mechanism for dealing with whistleblowing, makes clear the important role that such a mechanism can play in helping the Council comply with the law.*
- 1.3 The Council is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect and support employees, and others that we deal with, who have serious concerns about any aspect of the Council's work to come forward and voice those concerns. This policy is intended to encourage and enable individuals to raise concerns within the Council, without fear of reprisals, rather than overlooking a problem or “blowing the whistle” outside. The policy does, however, recognise that individuals must be able to take matters further if they are dissatisfied with the Council’s response.

2. Definition of Whistleblowing

- 2.1 *‘Whistleblowing’ means the disclosure of malpractice or wrongdoing within an organisation.*

3. Aims and Scope of this Policy

- 3.1 The Whistleblowing Policy aims to:

- encourage you to feel confident about raising concerns and to question and act on those concerns;

- provide a way for you to raise concerns and receive appropriate feedback on any action taken;
- confirm that all concerns raised will be examined and the Council will assess what action should be taken;
- reassure you that you will be protected from possible reprisals or victimisation if you have made a disclosure in good faith; and
- provide ways for you to take the matter further if you are dissatisfied with the Council's response.

3.2 The *Whistleblowing Policy* is intended to cover concerns that fall outside the scope of the Council's Grievance Procedure which enables employees to lodge a grievance relating to their employment. This Policy is also intended to cover concerns that fall outside the scope of the Council's corporate complaints procedures and other statutory reporting procedures. These may include:

- any unlawful act, whether criminal (e.g. theft) or a breach of the civil law (e.g. slander or libel)
- health and safety risks, including risks to the public as well as to other employees (e.g. faulty electrical equipment)
- damage to the environment (e.g. pollution)
- the unauthorised use of public funds (e.g. expenditure for improper use)
- possible fraud and corruption
- inappropriate or improper conduct (e.g. abuse of power, bullying / harassment)
- serious failure to comply with appropriate professional standards (e.g. National Code of Local Government Conduct)
- breach of Council or statutory codes of practice or the Council's standing orders (e.g. Officers' Code of Conduct)
- discrimination on the grounds of race, colour, creed, ethnic or national origin, disability, age, sex, sexual orientation, marital status or class
- abuse of children and vulnerable adults (e.g. through physical, sexual, psychological or financial abuse, exploitation or neglect)
- other unethical conduct.

4. Who does this Policy Cover?

4.1 This policy applies to disclosures made in relation to or by:

- any employee of the Council, either under contract of employment or apprenticeship
- any Member of the Council
- any contractors, their agent, subcontractors and suppliers working with or on behalf of the Council
- consultants and agency staff working with or for the Council
- any organisation working in partnership with the Council.

5. Supporting the Individual Raising a Concern

5.1 **Harassment or Victimisation:** The Council is committed to good practice and high standards. The Council also recognises that the decision to report a concern can be a difficult one to make. It will not tolerate harassment or victimisation of whistleblowers and will take action to protect individuals who raise concerns in good faith.

Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that may already affect the individual. However, this does not mean that if the individual is already the subject of disciplinary or redundancy procedures, that those procedures will be halted as a result of raising a concern under this policy.

5.2 **Confidentiality:** Individuals are encouraged to put their name to any allegation; concerns expressed anonymously are much less powerful but will be considered at the discretion of the Council, taking into account:

- the seriousness of the issues raised;
- the credibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

All concerns will be treated in confidence and the Council will do its best to protect the individual's identity when they do not want their name to be disclosed. It must be appreciated that the investigation process may reveal the source of the information and a statement by the individual raising the concern may be required as part of the evidence. If the situation arises where the Council is not able to resolve the concern without revealing the individual's identity, this will be discussed with the individual in an attempt to identify how the matter can be progressed.

5.3 **Untrue Allegations:** Any individual who makes an allegation in good faith, but which is not subsequently confirmed by the investigation, will have no action

taken against them. If, however, an individual makes malicious or vexatious allegations or an allegation for personal gain, disciplinary action may be taken against them.

6. How to Raise a Concern

6.1 When an individual wishes to raise a concern, they will need to identify the issues carefully. An individual must be clear about the standards against which they are judging practice. They should consider the following:

- Is it illegal?
- Does it contravene professional codes of practice?
- Is it against government guidelines?
- Is it against the Council's guidelines?
- Is it about one individual's behaviour or is it about general working practices?
- Does it contradict what the employee has been taught?
- Has the employee witnessed the incident?
- Did anyone else witness the incident at the same time?
- Where an individual is unsure whether to raise a concern they should contact the Internal Audit and Fraud Team for advice.

6.2 Members should raise a concern in the first instance with the Chief Executive, Monitoring Officer or S151 Officer. Employees should raise concerns in the first instance with their immediate Line Manager or Service Manager, if possible. Similarly, non-employees (e.g. agency workers or contractors) should raise a concern in the first instance with their contact within the Council, usually the person to whom they directly report.

6.3 In some cases, the nature, seriousness or sensitivity of the concern or the individuals involved in the activities causing concern means that this may not always be appropriate. If a person feels they cannot raise their concern with their immediate management/contact, they are able to go directly to the Audit and Assurance Manager.

6.4 Individuals may also contact the Internal Audit and Fraud Team for advice/guidance on how to pursue matters of concern or if, having raised the concern with the immediate manager/contact, they feel there has not been an appropriate response.

- 6.5 In the event of a concern being of an extreme and potentially serious nature, individuals may raise the matter directly with the Chief Executive.
- 6.6 Once an employee is certain that the concern should be raised, the following action should be considered:
- Concerns may be raised verbally or in writing. Employees who wish to make a written report should give the background and history of the concern and the reason why they are particularly concerned about the situation. The earlier concerns are expressed the easier it is to take action. A form is available at Appendix 1 of this policy for those wishing to raise a concern in writing.
 - If the employee wishes, they may ask for a private meeting with the person to whom they wish to make the complaint. An employee may take a Trade Union representative or work colleague with them as a witness or for support. The employee should take to the meeting, if possible, dated and signed written supporting statements from anyone who can also confirm the allegations.
 - When making the complaint verbally the employee is encouraged to write down any relevant information and date it. Copies of all correspondence and relevant information should be retained.
 - The employee should ask the person to whom they are making the complaint what the next steps will be and if anything more is expected of them.
- 6.7 Although the individual raising the concern is not expected to prove the truth of an allegation, they will need to demonstrate to the person contacted that there are sufficient grounds for the concern.

7. How the Council will Respond

- 7.1 Once a concern is raised the appropriate Council manager is responsible for making initial enquiries, taking advice from Personnel and or Internal Audit and Fraud Team to help decide if an investigation is appropriate and if so, what form it should take. In determining the action to be taken, the Council will take into consideration public interest and whether the concerns or allegations fall within the scope of and may be dealt with under other specific procedures such as the Council's Grievance Procedure.
- 7.2 Concerns raised may:
- be resolved by agreed action without the need for investigation;
 - be investigated by management;
 - be investigated by the Internal Audit and Fraud Team and or Personnel;

- be referred to the Police;
 - be referred to the External Auditor.
- 7.3 As soon as possible, and in any case within 10 working days of a concern being raised, the person handling the matter will either write to or email the individual raising the concern acknowledging that it has been raised and indicating how, as far as possible, it will be dealt with. The individual will be kept informed of progress and will receive a full and final response, subject to any legal constraints.
- 7.4 The amount of contact between the persons considering the issues and the individual(s) raising the concern will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary to pursue investigation activity, the Council will seek further information from the individual. Where any meeting is arranged, the individual may be accompanied by a union or professional association representative or a friend or colleague.
- 7.5 The Council will take steps to minimise any difficulties which individuals may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings, the Council will arrange for you to receive advice and support in doing this.

8. How the Matter can be Taken Further

- 8.1 This policy is intended to provide individuals with an avenue to raise concerns within the Council. The Council hopes that those using this process will be satisfied with the way their concerns are treated and any investigations that may be carried out. However, if they are not satisfied, or feel it is right to take the matter outside the Council, the following are possible contact points:
- The Council's External Auditor, currently Grant Thornton UK LLP (Tel: 01293 554072, sarah.l.ironmonger@uk.gt.com)
 - Public Concern at Work (Tel: 020 7404 6609, www.pcaw.co.uk) who are a registered charity whose services are free and confidential
 - The local Citizens Advice Bureau
 - Relevant professional bodies, Trade Unions or regulatory organisations
 - Unison's whistleblower's hotline 0800 597 9750
 - The Police
 - A solicitor

- The Local Government Ombudsman.

8.2 If individuals do feel it is right to take the matter outside the Council, they will need to ensure that confidential information is not disclosed. Advice and guidance on this issue may be sought from the Internal Audit and Fraud Team or the Council's Monitoring Officer.

9. Review and Approval of this Policy

9.1 The Whistleblowing Policy will be reviewed at least annually by the Audit Committee for recommendation to the General Purposes Committee for approval.

WHISTLEBLOWING POLICY - REPORT OF A CONCERN

Give a description of the concern including any serious risk to persons or property.

Give details of the information that you have relating to the concern, e.g. what evidence do you have that gives rise to your concern.

Have you previously raised this concern? If so, with whom and what action was taken?

Please give details about yourself - All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. At the appropriate time, however, you may need to come forward as a witness.

Name.....

Contact details.....

I understand that this concern is being raised under the Council’s Whistleblowing Policy and have read and understood the Policy.

Signed..... Date.....

TONBRIDGE & MALLING BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

06 March 2017

Report of the Chief Executive

Part 1- Public

Matters for Information

1 2018 REVIEW OF PARLIAMENTARY CONSTITUENCIES

This report confirms the response made to the Boundary Commission for England consultation in respect of the above.

1.1 Background

1.1.1 General Purposes Committee held on 20 October 2016, resolved:

1.1.2 That, following the meeting of the Electoral Review Working Group (ERWG) on 22 November 2016 and in consultation with the Leader, Deputy Leader and Chairman of the General Purposes Committee, the Chief Executive be granted delegated authority to finalise the response to the Boundary Commission for England consultation on the initial proposals for Parliamentary Constituencies.

1.1.3 Following debate at ERWG, the submission was finalised and submitted to the Boundary Commission. A copy is attached at Annex1.

1.2 The next steps

1.2.1 The Boundary Commission for England have advised that they received nearly 20,000 responses to that consultation. The next stage of the 2018 Review is for them to publish all those representations so that others may comment on them. At the time of writing I was advised that they intend to publish all the representations on Tuesday 28 February 2017, and invite comments on them for four weeks until Monday 27 March 2017. All representations will be published on the Boundary Commission for England website at www.bce2018.org.uk.

1.2.2 Members may wish to view the representations and make individual comments thereon direct to the Boundary Commission for England.

Background papers: Nil

contact: Julie Beilby

Nil

This page is intentionally left blank

Tonbridge & Malling Borough Council

Response to the Boundary Commission for England's initial proposals for the 2018 Boundary Review of Parliamentary constituencies

Contact information

Further information about this submission is available from:

Richard Beesley
Head of Electoral & Democratic Services
Tonbridge & Malling Borough Council
Gibson Drive, Kings Hill
West Malling ME19 4LZ
voting@tmbc.gov.uk

1 About this submission

- 1.1 This submission is made by Tonbridge & Malling Borough Council, and includes consideration of the needs and views of residents (including the community associations between areas) and the practicalities and administrative considerations to the Borough Council.
- 1.2 It has been prepared by the Electoral Review Working Group and is a submission on behalf of the whole Council.
- 1.3 Party views of political groups, and those of individual Councillors, parishes and other representatives are not included in this submission but have been encouraged to be sent separately.
- 1.4 For ease of reference, the three proposed constituency areas from the BCE Initial Proposals are discussed separately where appropriate.

2 Introduction

- 2.1 Tonbridge & Malling Borough Council (TMBC) notes the statutory criteria for determining new Parliamentary constituencies and recognises the significant work undertaken by the Boundary Commission for England (BCE) in developing these initial proposals. TMBC also welcomes the opportunity to comment upon the initial proposals through this consultation.
- 2.2 Given the statutory requirement to have equal numbers of registered electors per constituency, TMBC recognises that there is a need for constituencies to cross over existing Borough/District boundaries as well as across the boundaries between Kent and Medway, and Kent and East Sussex.
- 2.3 The BCE have identified 'sub-regions' within the South East England region, and note that comments are welcome. TMBC have no comments to make on these groupings.

3 Initial proposals

- 3.1 Under the initial proposals, the Borough of Tonbridge & Malling will be served by three MPs – up from the current two.
- 3.2 Despite a diverse community, the residents of the Borough of Tonbridge & Malling share a single council and associated identity. This is distinct from that of neighbouring local authority areas.
- 3.3 We therefore consider that residents of the Borough of Tonbridge & Malling would be better served by having fewer different constituencies, rather than pockets of the Borough being split into different areas.
- 3.4 We believe a constituency that is co-terminous as far as possible with local authority boundaries is in the best interests of our electors. Taking the whole of the borough of Tonbridge & Malling, excluding Aylesford North & Walderslade, Aylesford South, Burham & Wouldham and Ditton gives an electorate of 76,132 which is just 1.82% off the target and well within the acceptable range for new constituencies.
- 3.5 We consider that to be served by three different MPs would cause confusion for electors. The link between council areas and MPs would be lost, with no easy reconciliation for electors. In addition, if our residents were represented by three MPs, our residents would form only a small part of each MPs overall constituency. This would mean the needs of our residents would be diluted amongst the needs of the rest of the constituents, and the needs of Tonbridge & Malling residents would be lost. We have noted that the needs and expectations of residents in neighbouring communities differ greatly from those of our own residents; for example the economic needs of communities in Tonbridge & Malling differ from those of Sevenoaks communities and can at times oppose one another. It is therefore not appropriate for one MP to try to serve and adequately represent these two community needs.
- 3.6 A number of existing communities within the Borough have been moved between a large number of Parliamentary Constituencies through previous reviews. We do not consider this results in convenient and effective governance, and it does not support attempts to build communities.
- 3.7 A number of our Councillors have discussed the BCE proposals with their residents and have, almost without exception, been met with confusion. The BCE proposals sever longstanding links between communities, and force together communities that have no links whatsoever. Our residents have expressed that this makes no sense, is confusing, and is unnecessary.
- 3.8 The administration and conduct of Parliamentary elections will become considerably more complex, particularly in terms of postal voting. At the 2015 Parliamentary election, the Electoral Services team in Tonbridge & Malling Borough Council provided data to Medway council for Chatham & Aylesford electors, and received it from Sevenoaks for Tonbridge & Malling electors. This sharing of data was complex, time-consuming and created risks for the election, particularly where timescales being followed locally differ between authorities and Acting Returning Officers have no authority of Direction over neighbouring authorities. The proposals indicate TMBC may provide data to two different authorities and receive it from another; this creates an additional level of complexity to the process. We believe that this additional complexity, particularly as the 2015 elections will be combined with local polls, will result in an unmanageable situation. This will lead to democratic difficulties and disenfranchisement of electors.
- 3.9 The next part of the TMBC response is split between each of these constituencies below.

4 BCE proposed new constituency: Chatham and The Mallings

- 4.1 This new constituency largely reflects the existing Chatham & Aylesford constituency, albeit more wards from the Borough of Tonbridge & Malling are included and fewer from Medway. The constituency includes some densely populated areas in Chatham, and a number of less densely populated areas (Snodland, Aylesford, Kings Hill and so on), separated by a belt of rural communities (Burham, Wouldham, Eccles).
- 4.2 The main difference between the initial proposal and the existing constituency is the removal of one ward from Medway, and the inclusion of four wards from the Borough of Tonbridge & Malling. TMBC are disappointed that the BCE proposal does not represent the communities within the Borough of Tonbridge & Malling. We strongly believe that communities that are affiliated with each other, and which have long-standing associations with one another, should continue to be linked and in the same Parliamentary constituency.
- 4.3 The communities of Watringbury, Kings Hill, East Malling, West Malling and Leybourne have no affiliations with the rest of the proposed Chatham and The Mallings constituency.
- 4.4 TMBC **support** the proposal to include the entire East Malling & Larkfield parish (as served by East Malling, Larkfield North and Larkfield South Borough wards) in the same constituency. This reflects local interests and identities.
- 4.5 TMBC **do not support** the proposed name as it reflects both the Chatham town identity, and the identity of the more rural East and West Mallings and surrounding communities.

5 BCE proposed new constituency: Sevenoaks

- 5.1 This new constituency includes a large proportion of the existing Sevenoaks constituency, adding three wards from the Borough of Tonbridge & Malling. The constituency includes Sevenoaks as the major town, fairly centrally located within the constituency and surrounded by a wide area of less densely populated areas, with Hextable in the north, Westerham in the west and Mereworth in the east.
- 5.2 This is a geographically large area. Residents in the western part of the constituency, such as Westerham, have little in common with those in the east in Mereworth.
- 5.3 Electors in the western part of the Borough, principally Shipbourne and Plaxtol, communities in Downs & Mereworth ward, and Wrotham, Ightham and Stansted have a closer affiliation with Tonbridge than with any other large community. As a result, we believe that the wards of Borough Green & Long Mill, Downs & Mereworth, and Wrotham, Ightham & Stansted should be included within a Tonbridge constituency.
- 5.4 The communities of Wrotham, Ightham and Stansted, for example, have much stronger affiliations with the parishes to their east, and have no association with the communities in Sevenoaks to the west.

Residents of large parts of the borough of Tonbridge & Malling have become accustomed to the Tonbridge & Malling constituency. Although the 'Malling' and 'Tonbridge' parts of the borough have their own characteristics, they are currently served by the same MP and by the same Council. We believe this is in the best interests of the local communities and would wish for the Tonbridge & Malling links to be retained. This includes Wrotham, Ightham and Stansted; and Downs & Mereworth wards.

6 BCE proposed new constituency: Tonbridge & The Weald

- 6.1 The proposed constituency of Tonbridge and The Weald is comprised of part of the existing Tonbridge & Malling constituency, part of the Faversham and Mid Kent constituency, and part of the Maidstone and The Weald constituency. The constituency is shared with Maidstone Borough Council.
- 6.2 This constituency includes Tonbridge as the major town, and extends from Hildenborough in the west, cutting a swathe to the south of Maidstone then extending up as far as Stockbury in the north east and as far east as Lenham. This is a very large constituency geographically with a large sprawl of rural communities that are distinct and very different from Tonbridge.
- 6.3 Geographically this is a very large area. In terms of communities, it is very diverse. The interests and affiliations in Hildenborough are very different from those in Stockbury.
- 6.4 The proposed Tonbridge constituency is a very large geographical area, bringing some of the more remote parts of Maidstone Borough into the same constituency as Tonbridge. There are no direct major transport links through this area, and a resident from Stockbury (for example) would have to travel through at least three other constituencies to reach Tonbridge by road. The communities in Tonbridge have no association with those proposed in the new constituency in Maidstone borough.
- 6.5 We note that the existing Tonbridge & Malling constituency has been “significantly reconfigured due to changes elsewhere” (as noted in the BCE report) and the implication that this means changes to the constituency arrangements are not necessarily by design.
- 6.6 There are clear links between communities within the Borough of Tonbridge & Malling, which are not mirrored in the proposed constituency.
- 6.7 The BCE proposed constituency does not reflect the community affiliations within the Borough of Tonbridge & Malling. The proposal groups together communities which have no affiliation with one another. There are very limited transport links across the proposed constituency – such that the MP would have to travel across single-track bridges to traverse the constituency, whereas there are considerable transport links within the Borough of Tonbridge & Malling.
- 6.8 In summary, therefore, TMBC do **not support** the creation of a Tonbridge and The Weald constituency.
- 6.9 TMBC also do **not support** the name of the constituency. To the west of the proposed constituency is ‘Sevenoaks Weald’. The wards in the north-east of the proposed constituency are also not in the Low Weald area.
- 6.10 Administratively, running an election across such a broad geographical area with very limited transport links would be difficult and would increase the risk of delivery of the election.

// ENDS //

TONBRIDGE & MALLING BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

06 March 2017

Report of the Director of Central Services

Part 1- Public

Matters for Information

1 APPRENTICESHIP UPDATE

This report advises the Committee of national changes to apprenticeship funding and of the application of apprenticeship targets to public bodies, including this Council, from April this year.

1.1 **The Apprenticeship Levy**

1.1.1 From April 2017 all organisations with a payroll in excess of three million pounds will be required to pay an apprenticeship levy. The annual liability for this Council will be in the region of £25,000, which will be paid to HMRC via the PAYE process. Once the levy has been declared to the HMRC the Council will be able to access funding for the “off the job” component of apprenticeships through an apprenticeship service account. An online national apprenticeship is currently being trialled that will enable organisations to select apprenticeship frameworks or standards, select appropriate training providers and assessors, and advertise apprenticeship vacancies

1.2 **The public sector apprenticeship targets**

1.2.1 The Government has set a minimum target of 2.3% apprenticeship starts each financial year for each public sector body with 250 or more employees. The targets will start from April 2017 and will be calculated using headcount rather than full time equivalents. For this authority this will equate to 6 apprenticeships per year. The Government has acknowledged that this will be a stretch for some public sector bodies and has therefore stated that the target will be averaged across the financial years from 2017/18 to 2020/21 to allow a little more flexibility to meet the target. Regulations setting out the regime for reporting annual apprenticeship statistics are scheduled to be in force in March 2017 (with the first report due in 2018).

1.3 **The way forward for apprenticeships within Tonbridge and Malling Borough Council**

- 1.3.1 The Council, in conjunction with KCC and West Kent College, has run an apprenticeship scheme in Customer Services since 2009 that has enabled an average of 2 apprentices a year to obtain an NVQ in Customer Services. These apprentices have started their programmes in supernumerary placements. Approximately 75% of participants have obtained either permanent or temporary employment with the Council either during or after completing their NVQ study. All but 1 of the remainder have obtained employment elsewhere on completion of the Scheme.
- 1.3.2 The time taken by apprentices to achieve the standard required for an NVQ Level 2 has varied from 1 year to 18 months. This, coupled with the fact that it is difficult to recruit individuals to the apprenticeship programme in this area (largely attributable to a fairly buoyant job market and the relatively high costs of public transport) has meant that the number of apprentices within the council at any one time has varied from 0 to 3.
- 1.3.3 Even allowing for the increased profile of apprenticeship opportunities resulting from a national recruitment campaign, it is anticipated that it will not be realistic to recruit and fully train more than 2 Customer Service Apprentices in any one financial year. How then will the Council be able to provide its target of 6 new starts each year?
- 1.3.4 As will be discerned from the list in Annex 1 of apprenticeship standards, (qualifying for the payment from the apprenticeship levy of the off the job component of an apprenticeship programme), there are unfortunately very few that reflect the occupations required by a district council. Hopefully more will be added as the national apprenticeship initiative gathers momentum.
- 1.3.5 In the meantime it has been determined that the most viable options for meeting the target of 6, certainly in the current financial year, is a) identifying any suitable permanent or temporary posts that become vacant as one year apprenticeships (still paying the established rate of pay for the role), and, b) utilising the levy to fund supervisory or management off the job training for staff already in post. This approach is possible because there is no age restriction on an apprenticeship, and, the regulations will stipulate that apprenticeships can be new recruits or career development for existing staff.

1.4 Legal Implication

- 1.4.1 The apprenticeship levy was first announced in the summer 2015 budget. Regulations specifying how public sector apprenticeship targets are to be monitored are anticipated to come into force in March 2017.

1.5 Financial and Value for Money Considerations

- 1.5.1 Appropriate provision has been made to fund the salaries of the 2 supernumerary Customer Service apprenticeships in the 2017/18 Revenue Budget. It is hoped that the salaries of remaining 4 apprenticeships will be cost neutral as these posts

will be new starters in established posts or those already employed in supervisory or managerial posts within the Council.

1.6 Risk Assessment

- 1.6.1 The obligation is to “have regard to the target” in workforce planning decisions and the Government has stated that it expects organisations to strive to meet the target. At this point in time we understand that if an organisation is unable to meet their target the regulations will specify that it should set out in its annual report how it has considered the target and state what plans it has to redress this. If an organisation is unable to show it has “had regard” to the targets an external adviser will work with the Council to determine what support is required to assist it in meeting its target in future years.

1.7 Policy Considerations – Equality Impact Assessment

- 1.7.1 The proposals outlined above have no relevance to the substance of the Equality Act 2010. There is no perceived impact on end users.

Nil

contact: Delia Gordon

Adrian Stanfield
Director of Central Services

This page is intentionally left blank

Apprenticeship Standards

Groups of employers (trailblazers) are working together to design new world-class apprenticeship standards that respond to the needs of their industries. More than 1200 large and small employers are already involved in a wide variety of industry sectors.

✓ = standard in development
 ✓✓ = standard published
 ✓✓✓ = approved for delivery (standard and assessment plan approved)

Agriculture, Environmental and Animal Care	Level	Status
Advanced golf greenkeeper	3	✓✓
Animal care and welfare officer		✓
Animal trainer		✓
Arborist	2	✓✓
Conservator		✓
Countryside worker		✓
Crop technician		✓
Equine groom	2	✓✓
Farrier	3	✓✓
Forest operative	2	✓✓
Golf course manager	5	✓✓
Golf greenkeeper	2	✓✓✓
Historic environment practitioner		✓
Horticulture and landscape operative	2	✓✓
Horticulture and landscape supervisor	3	✓✓
Packhouse team leader		✓
Pest control technician		✓
Poultry technician		✓
Poultry worker		✓
Senior equine groom	3	✓✓
Sports turf operative	2	✓✓✓
Stock person		✓
Underkeeper		✓
Veterinary nurse		✓

Business and Administration	Status
Associate project manager	4 ✓✓✓
Business administrator	3 ✓✓
Chartered manager (degree)	6 ✓✓✓
Entrepreneur	4 ✓✓
HR advisor	✓
HR consultant / partner	5 ✓✓
HR support	3 ✓✓
Innovation and growth associate	✓
Junior management consultant	4 ✓✓✓
Operational delivery officer	3 ✓✓✓
Operations / departmental manager	5 ✓✓✓

Project / programme / portfolio manager (degree)		✓
Recruitment consultant	3	✓ ✓
Recruitment resourcer	2	✓ ✓
Senior leader		✓
Team leader / supervisor	3	✓ ✓ ✓
Voluntary and community sector worker		✓

Catering and Hospitality		Status
Advanced baker	3	✓ ✓
Advanced butcher	3	✓ ✓ ✓
Advanced dairy technician (technologist)	5	✓ ✓ ✓
Bakery	2	✓ ✓
Butcher	2	✓ ✓ ✓
Chef de partie	3	✓ ✓
Cleaning and support services operative		✓
Commis chef	2	✓ ✓ ✓
Fishmonger	2	✓ ✓
Hospitality manager	4	✓ ✓
Hospitality supervisor	3	✓ ✓ ✓
Hospitality team member	2	✓ ✓ ✓
Maritime caterer		✓
Senior chef culinary arts	4	✓ ✓
Senior chef production cooking	3	✓ ✓ ✓

Childcare and Education		Status
Academic professional		✓
Assistant equalities named coordinator		✓
Children, young people and families manager	5	✓ ✓
Children, young people and families practitioner	4	✓ ✓
Early years centre leader		✓
Early years educator	3	✓ ✓
Assistant early years practitioner		✓
Education learning mentor	3	✓ ✓
Further education assessor-coach	4	✓ ✓
Further education lead teacher		✓
Further education learning and skills teacher	5	✓ ✓
Health and wellbeing leader		✓
Lead equalities named coordinator		✓
Quality improvement leader		✓
School business director		✓
Senior early years practitioner		✓
Services leader		✓
Teacher		✓
Teaching assistant		✓

Construction		Status
Advanced carpentry and joinery	3	✓ ✓
Asbestos analyst / surveyor		✓
Asbestos removal operative		✓
Bricklaying		✓
Building services design engineer		✓

Building services engineering craftsperson	3	✓	✓	
Building services engineering design technician	4	✓	✓	
Building services engineering ductwork craftsperson	3	✓	✓	
Building services engineering ductwork installer	2	✓	✓	
Building services engineering installer	2	✓	✓	
Building services engineering service and maintenance engineer	3	✓	✓	
Building services engineering site management (degree)	6	✓	✓	
Building services engineering technician	4	✓	✓	
Building services engineering ventilation hygiene technician	3	✓	✓	
Carpentry and joinery	2	✓	✓	
Chartered surveyor (degree)	6	✓	✓	✓
Civil engineer		✓		
Civil engineering site management (degree)	6	✓	✓	
Civil engineering technician	3	✓	✓	
Construction assembly technician	2	✓	✓	
Construction design and build technician	4	✓	✓	
Construction design management (degree)	6	✓	✓	
Construction quantity surveyor (degree)	6	✓	✓	
Construction site engineering technician	4	✓	✓	
Construction site management (degree)	6	✓	✓	
Construction site supervisor	4	✓	✓	
Construction surveying technician	4	✓	✓	
Construction technician	4	✓	✓	
Digital engineering technician	3	✓	✓	
Dual fuel smart meter installer	2	✓	✓	✓
Electrical, electronic product service and installation engineer	3	✓	✓	
Engineering construction pipefitter	3	✓	✓	
Facilities management supervisor	3	✓	✓	
Facilities manager		✓		
Fire emergency and security systems technician	3	✓	✓	✓
Floorcoverings		✓		
Form worker		✓		
Gas engineering	3	✓	✓	✓
Geospatial survey technician		✓		
Geospatial mapping and science		✓		
Highway electrical maintenance and installation operative	2	✓	✓	✓
Highway electrician / service operative	3	✓	✓	✓
Highways maintenance skilled operative	2	✓	✓	
Highways maintenance supervisor	3	✓	✓	
Housing / property management	3	✓	✓	✓
Housing / property management assistant	2	✓	✓	✓
Industrial coatings applicator		✓		
Installation electrician / maintenance electrician	3	✓	✓	✓
Interiors systems		✓		
Joiner		✓		
Junior energy manager		✓	✓	✓

Lifting technician	2	✓✓
Metal decking installer		✓
Moving and erecting capital structures and plant		✓
Painter and decorator	2	✓✓
Piling attendant	2	✓✓
Plant hire desk controller		✓
Plasterer	3	✓✓
Plumbing and domestic heating technician	3	✓✓
Powered pedestrian door installer and service engineer	2	✓✓
Property maintenance operative	2	✓✓✓
Railway engineering design technician	3	✓✓✓
Roofer		✓
Sawmilling		✓
Scaffolder		✓
Senior / head of facilities management		✓
Senior housing / property management	4	✓✓✓
Shop fitting (level 2)		✓
Shop fitting (level 3)		✓
Skilled fencer		✓
Smart home technician		✓
Smart systems information and security		✓
Steel fixer	2	✓✓
Stone mason		✓
Structural steelwork erector	2	✓✓
Structural steelwork fabricator	2	✓✓
Surveying technician	3	✓✓✓
Thermal insulation operative	2	✓✓
Trade supplier		✓
Tunneling operative	2	✓✓
Wall and floor tiler		✓

Creative and Design		Status
Animator		✓
Assistant technical director - visual effects	4	✓✓✓
Bespoke saddler	3	✓✓
Bespoke tailor and cutter	5	✓✓✓
Blacksmith		✓
Bookbinder		✓
Broadcast and communications engineer		✓
Broadcast and communications technical operator		✓
Broadcast and communications technician		✓
Broadcast production assistant	3	✓✓✓
Calligrapher		✓
Ceramicist		✓
Clockmaker		✓
Community arts co-ordinator		✓
Community coordinator / associate community manager		✓
Cordwainer		✓
Creative venue technician	3	✓✓

Development researcher		✓
Fashion studio assistant	3	✓✓✓
Glass maker		✓
Hand engraver		✓
Jewellery maker		✓
Journalist		✓
Journeyman bookbinder		✓
Junior 2D artist - visual effects	4	✓✓✓✓
Junior content producer	3	✓✓✓
Junior journalist	3	✓✓✓✓
Leather craftsperson		✓
Live event rigger	3	✓✓✓✓
Live event technician	3	✓✓✓
Milliner		✓
Organ builder	3	✓✓✓
Outside broadcasting engineer	7	✓✓✓✓✓
Photographer		✓
Props practitioner		✓
Puppet maker		✓
Shoemaker		✓
Spectacle maker	3	✓✓✓
Storyboard artist		✓
Thatcher		✓
Watch maker	3	✓✓✓
Weaver		✓
Wheelwright		✓
Wood-turner		✓

Digital		Status
Aerospace software development engineer (degree)	6	✓✓✓✓
Business analyst		✓
Cyber intrusion analyst	4	✓✓✓✓
Cyber security technical professional (degree)		✓
Cyber security technologist	4	✓✓✓✓
Data analyst	4	✓✓✓✓
Digital and technology solutions professional (degree)	6	✓✓✓✓
Digital and technology solution specialist		✓
Digital business administrator		✓
Digital business specialist		✓
Digital marketer (level 3)	3	✓✓✓✓
Digital marketer (level 6)		✓
Digital user experience (UX) professional (degree)		✓
Infrastructure technician	3	✓✓✓✓
Internet of things and cyber systems engineer (level 7)	7	✓
Internet of things and cyber systems engineer (level 6)	6	✓
Internet of things and cyber systems engineer (level 5)	5	✓
Internet of things and cyber systems technician (level 3)		✓
IT solution technician		✓

IT support		✓		
IT technical salesperson	3	✓	✓	✓
Network cable installer		✓		
Network engineer	4	✓	✓	✓
Software developer	4	✓	✓	✓
Software development technician	3	✓	✓	✓
Software tester	4	✓	✓	✓
Unified communications technician	3	✓	✓	✓
Unified communications trouble shooter	4	✓	✓	✓
Video games quality assurance technician	4	✓	✓	

Engineering and Manufacturing		Status		
Abattoir workers - red meat		✓		
Accident repair technician	3	✓	✓	
Advanced manufacturing fitter		✓		
Aerospace engineer (degree)	6	✓	✓	✓
Aerospace manufacturing electrical, mechanical, and systems fitter	3	✓	✓	✓
Aerospace manufacturing fitter	3	✓	✓	✓
Aircraft maintenance certifying engineer	4	✓	✓	✓
Aircraft maintenance fitter / technician (fixed and rotary wing)	3	✓	✓	✓
Airworthiness planning, quality and safety technician	3	✓	✓	✓
Automotive engine test engineer		✓		
Automotive engine test technician		✓		
Automotive glazing technician		✓		
Aviation maintenance mechanic (military)	2	✓	✓	✓
Biomass installations engineer		✓		
Boatbuilder	3	✓	✓	✓
Bus and coach engineering manager	4	✓	✓	✓
Bus and coach engineering technician	3	✓	✓	✓
Business improvement technician		✓		
Caster [ceramics]		✓		
Community energy specialist		✓		
Composites technician	3	✓	✓	
Continuous improvement manager		✓		
Continuous improvement technician		✓		
Control / technical support engineer (degree)	6	✓	✓	✓
Decorator [ceramics]		✓		
Electrical / electronic technical support engineer	6	✓	✓	✓
Electrical power protection and plant commissioning engineer	4	✓	✓	✓
Electronic systems technician		✓		
Embedded electronic systems design and development engineer (degree)	6	✓	✓	✓
Engine room ratings		✓		
Engineering design and draughtsperson	3	✓	✓	✓
Engineering technician		✓		
European re Fridgeration, air conditioning and heat pump design and applications engineer		✓		
Firing operative [ceramics]		✓		

Food and drink advanced process operator	3	✓	✓	✓
Food and drink process operator	2	✓	✓	✓
Food technologist	3	✓	✓	✓
Food industry technical professional (degree)	6	✓	✓	
Food and drink maintenance engineer	3	✓	✓	✓
Fork lift truck technician		✓		
Furniture manufacturer	2	✓	✓	✓
Gas network craftsperson	3	✓	✓	✓
Gas network team leader	2	✓	✓	✓
Glass manufacturing operator		✓		
Glazing operative [ceramics]		✓		
Heavy vehicle service and maintenance technician	3	✓	✓	✓
Land-based service engineer	2	✓	✓	✓
Land-based service engineering technician	3	✓	✓	✓
Lift / escalator electromechanic		✓		
Locksmith		✓		
Machinist - advanced manufacturing engineering	3	✓	✓	✓
Maintenance and operations engineering technician	3	✓	✓	✓
Manufacturing engineer (degree)	6	✓	✓	✓
Manufacturing operative		✓		
Manufacturing technology engineer		✓		
Marine engineer	3	✓	✓	
Maritime electrical fitter	3	✓	✓	
Maritime fabricator	3	✓	✓	
Maritime mechanical fitter	3	✓	✓	
Maritime pipeworker	3	✓	✓	
Metal recycling general operative		✓		
Mechatronics maintenance technician	3	✓	✓	✓
Military engineer		✓		
Military (Royal Navy) electrical mechanical mechanic	2	✓	✓	
Mineral extraction drilling and blasting operator		✓		
Mineral processing and static plant engineer		✓		
Mineral processing mobile and static plant operator	2	✓	✓	
Mineral products weighbridge operator		✓		
Modeller [ceramics]		✓		
Motor vehicle service and maintenance technician (light vehicle)	3	✓	✓	✓
Motorcycle manufacturer and designer		✓		
Motorcycle technician (repair and maintainace)		✓		
Mould maker [ceramics]		✓		
Non-destructive testing operator	2	✓	✓	✓
Non-destructive testing engineer (degree)	6	✓	✓	
Non-destructive testing engineering technician	3	✓	✓	✓
Nuclear health physics monitor	2	✓	✓	✓
Nuclear operative	2	✓	✓	
Nuclear scientist and nuclear engineer (degree)	6	✓	✓	✓
Nuclear technician		✓		
Nuclear welding inspection technician	4	✓	✓	✓
Papermaker	2	✓	✓	✓
Post graduate engineer		✓		
Power engineer (degree)		✓	✓	

Power network craftsperson	3	✓	✓	✓
Power networks engineer		✓		
Print finisher, prepress operative and printer		✓		
Process automation engineer		✓		
Product design and development engineer (degree)	6	✓	✓	✓
Product design and development technician	3	✓	✓	✓
Project controls technician	3	✓	✓	
Rail and rail systems engineer		✓		
Rail and rail systems principal engineer		✓		
Rail and rail systems senior engineer		✓		
Rail engineering advanced technician	4	✓	✓	✓
Rail engineering operative	2	✓	✓	✓
Rail engineering technician	3	✓	✓	✓
Rail infrastructure operator		✓		
Refrigeration air conditioning and heat pump engineering technician	3	✓	✓	✓
Risk and safety management practitioner		✓		
Science industry maintenance technician	3	✓	✓	✓
Science industry process / plant engineer		✓		
Science manufacturing process operative		✓		
Science manufacturing technician	3	✓	✓	✓
Selector [ceramics]		✓		
Slip preparation operative [ceramics]		✓		
Specialist tyre technician		✓		
Stairlift, platform lift, service lift electromechanic		✓		
Survival equipment fitter	3	✓	✓	✓
Systems engineering (master level)	7	✓	✓	✓
Technical support technician	3	✓	✓	
Textile manufacturing operative		✓		
Toolmaker & tool and die maintenance technician	3	✓	✓	
Tyre and autocare technician		✓		
Utilities engineering technician	3	✓	✓	✓
Vehicle damage assessor		✓		
Vehicle damage mechanical technician		✓		
Vehicle damage paint technician		✓		
Vehicle damage panel technician		✓		
Water process technician	3	✓	✓	✓
Water treatment operative		✓		
Water treatment technician		✓		
Welder (level 2)	2	✓	✓	✓
Welder (level 3)	3	✓	✓	✓

Hair and Beauty				Status
------------------------	--	--	--	---------------

Advanced beauty professional		✓		
Beauty professional	2	✓	✓	
Hair professional	2	✓	✓	✓
Senior hair professional		✓		

Health and Science				Status
---------------------------	--	--	--	---------------

Animal technologist	3	✓	✓	
Associate ambulance practitioner	4	✓	✓	✓

Community activator coach		✓		
Community sport and health officer	3	✓	✓	✓
Dental hygiene therapist		✓		
Dental laboratory assistant	3	✓	✓	✓
Dental nurse	3	✓	✓	✓
Dental practice manager	4	✓	✓	✓
Dental technician	5	✓	✓	✓
Health and wellbeing leader		✓		
Healthcare assistant practitioner	5	✓	✓	✓
Healthcare science assistant	2	✓	✓	✓
Healthcare science associate	4	✓	✓	✓
Healthcare science practitioner	6	✓	✓	
Healthcare support worker	2	✓	✓	✓
Laboratory scientist	5	✓	✓	✓
Laboratory technician	3	✓	✓	✓
Leisure recreation assistant		✓		
Metrology technician	3	✓	✓	
Nurse (registered nurse degree)	6	✓	✓	
Nursing associate		✓		
Ophthalmic technician		✓		
Outdoor sports		✓		
Personal trainer	3	✓	✓	
Pharmacy services assistant		✓		
Podiatrist		✓		
Rehabilitation worker (visual impairment)		✓		
Senior healthcare support worker	3	✓	✓	✓
Senior metrology technician		✓		
Senior pharmacy services assistant		✓		

Legal, Finance and Accounting		Status		
Actuarial technician	4	✓	✓	✓
Actuary		✓		
Advanced credit controller and debt collection specialist	3	✓	✓	✓
Assistant accountant	3	✓	✓	✓
Bookkeeper		✓		
Chartered legal executive (degree)	6	✓	✓	✓
Compliance / risk officer	3	✓	✓	✓
Conveyancing technician	4	✓	✓	✓
Credit controller / collector	2	✓	✓	✓
Financial adviser	4	✓	✓	✓
Financial services administrator	3	✓	✓	✓
Financial services customer adviser	2	✓	✓	✓
Financial services professional		✓		
Insurance practitioner	3	✓	✓	✓
Insurance professional	4	✓	✓	✓
Investment operations administrator	2	✓	✓	✓
Investment operations specialist	4	✓	✓	✓
Investment operations technician	3	✓	✓	✓
Licensed conveyancer		✓	✓	✓
Mortgage adviser	3	✓	✓	✓

Motor finance specialist		✓		
Paralegal	3	✓	✓	✓
Paraplanner	4	✓	✓	✓
Payroll administrator	3	✓	✓	
Probate technician	4	✓	✓	
Professional accountant		✓	✓	
Professional accounting taxation technician	4	✓	✓	✓
Regulatory compliance officer	4	✓	✓	
Relationship manager - banking	6	✓	✓	✓
Senior compliance / risk officer specialist	6	✓	✓	✓
Senior financial services customer adviser	3	✓	✓	✓
Small business financial administrator		✓		
Solicitor	7	✓	✓	✓
Workplace pensions consultant or administrator	3	✓	✓	✓

Protective Services		Status		
Business fire safety advisor	3	✓	✓	
Emergency service contact handling		✓		
HM Forces serviceperson (public services)	2	✓	✓	✓
Operational firefighter		✓		
Police community support officer		✓		
Police officer		✓		
Prison officer		✓		
Security first line manager	3	✓	✓	
Serious and complex crime investigator		✓		
Specialist rescue operative		✓		

Sales, Marketing and Procurement		Status		
Automotive industry customer service advisor		✓		
Bid and proposal co-ordinator	3	✓	✓	
Business to business sales manager (degree)		✓		
Customer service specialist	3	✓	✓	
Customer service practitioner	2	✓	✓	✓
Estate agent / auctioneer		✓		
Event assistant	3	✓	✓	✓
Junior estate agent	2	✓	✓	
Leisure duty manager	3	✓	✓	
Public relations assistant		✓		
Public relations consultant		✓		
Public sector commercial professional	4	✓	✓	✓
Retail manager	4	✓	✓	✓
Retail team leader	3	✓	✓	✓
Retailer	2	✓	✓	✓
Travel consultant	3	✓	✓	✓
Vehicle parts operator		✓		
Vehicle sales advisor		✓		

Social Care		Status		
Adult care worker	2	✓	✓	✓
Lead adult care worker	3	✓	✓	✓
Lead practitioner in adult care	4	✓	✓	

Leader in adult care	5	✓	✓
Social worker		✓	
Rehabilitation practitioner		✓	

Transport and Logistics		Status
Able seafarer - deck	2	✓ ✓ ✓
Airside operator	2	✓ ✓ ✓
Aviation ground operative	2	✓ ✓ ✓
Aviation ground specialist	3	✓ ✓ ✓
Aviation operations manager	4	✓ ✓ ✓
Deckhand		✓
Express delivery operative	2	✓ ✓
Express delivery manager (level 6) (degree)		✓
International supply chain manager		✓
Large goods vehicle (LGV) driver	2	✓ ✓ ✓
Marine pilot		✓
Maritime operations officer	3	✓ ✓
Network operations		✓
Passenger transport driver - bus, coach and rail	2	✓ ✓
Passenger transport onboard and station team member	2	✓ ✓
Passenger transport operations manager	4	✓ ✓
Port marine operations officer		✓
Port operative		✓
Supply chain operator	2	✓ ✓ ✓
Supply chain professional		✓
Supply chain warehouse operator	2	✓ ✓ ✓
Transport planning technician	3	✓ ✓ ✓
Workboat crewmember		✓

NAS-P-100137 - updated 20 January 2017

This page is intentionally left blank

Agenda Item 10

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

This page is intentionally left blank

Agenda Item 11

The Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information.

**ANY REPORTS APPEARING AFTER THIS PAGE CONTAIN EXEMPT
INFORMATION**

This page is intentionally left blank

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

Agenda Item 13

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

This page is intentionally left blank