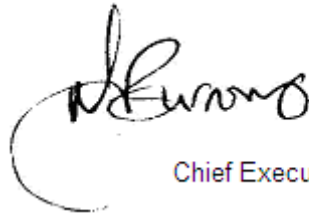


SUMMONS TO COUNCIL

date Thursday, 27 March 2014
commencing at 10:30

venue County Hall, West Bridgford,
Nottingham

You are hereby requested to attend the above Meeting to be held at the time/place and on the date mentioned above for the purpose of transacting the business on the Agenda as under.



Chief Executive

- | | | |
|----------|--|--------|
| 1 | Minutes of the last meeting held on 27 February 2014 | 7 - 26 |
| 2 | Apologies for Absence | |
| 3 | Declarations of Interests by Members and Officers:- (see note below)
(a) Disclosable Pecuniary Interests
(b) Private Interests (pecuniary and non-pecuniary) | |
| 4 | Chairman's Business
(a) Presentation of Awards/Certificates (if any) | |
| 5 | Constituency Issues (see note 5 below) | |
| 6 | Presentation of Petitions (if any) (see note 6 below) | |
| 7 | Questions
a) Questions to Nottinghamshire and City of Nottingham Fire Authority
b) Questions to Committee Chairmen | |

8	Clarification of Committee Meeting Minutes published since the last meeting	27 - 28
9	Amendments to the Council's Constitution	29 - 36
10	Approval of the Adult Social Care Strategy	37 - 44
11	Nottinghamshire County Council's Pay Policy Statement 2014-2015	45 - 120

12 NOTICE OF MOTION

“In light of the flooding events that have occurred both in Nottinghamshire and elsewhere in the country, damaging many homes and businesses, this Council:-

a) Calls on the Environment Agency to fulfil its duty to properly dredge and maintain our main rivers wherever appropriate throughout Nottinghamshire;

b) Calls on all relevant public bodies to provide more support for local voluntary organisations which are tackling many of the issues arising from flooding;

c) Calls on DEFRA to fast-track the already delayed implementation of Sustainable Urban Drainage Systems (SuDS) to allow the power vested in the Nottinghamshire Flood Risk Management Board to be exercised;

d) Calls for an extension in the powers and geographical areas of influence for Internal Drainage Boards (in relation to the Land Drainage Act 1991) to improve the overall condition of our waterways and hold riparian owners fully to account;

e) Calls on planning authorities to lobby for the appropriate legal powers to only accept planning applications within the flood plain in exceptional cases where detailed mitigation measures are in place;

f) Commits as the Lead Local Flood Authority (LLFA) to be more proactive, rather than reactive, in implementing its responsibilities under the Flood & Water Management Act 2010.”

**Councillor Bruce Laughton
Jackson**

Councillor Roger

13 ADJOURNMENT DEBATE
(if any)

(A) For Councillors

- (1) Members will be informed of the date and time of their Group meeting for Council by their Group Researcher.
- (2) The Chairman has agreed that the Council will adjourn for lunch at their discretion.
- (3)
 - (a) Persons making a declaration of interest should have regard to the Code of Conduct and the Procedure Rules for Meetings of the Full Council. Those declaring must indicate whether their interest is a disclosable pecuniary interest or a private interest and the reasons for the declaration.
 - (b) Any member or officer who declares a disclosable pecuniary interest in an item must withdraw from the meeting during discussion and voting upon it, unless a dispensation has been granted. Members or officers requiring clarification on whether to make a declaration of interest are invited to contact the Monitoring Officer or Democratic Services prior to the meeting.
 - (c) Declarations of interest will be recorded and included in the minutes of this meeting and it is therefore important that clear details are given by members and others in turn, to enable the Team Manager, Democratic Services to record accurate information.
- (4) Members are reminded that these papers may be recycled. Appropriate containers are located in the respective secretariats.
- (5) Members are given an opportunity to speak for three minutes on any particular issue which relates to matters relevant to their constituencies or any particular issues arising in their electoral division. This would be an opportunity simply to air these issues in Council meeting. It would not give rise to a debate on the issues or a question or answer session
- (6) Members are reminded that petitions can be presented from their seat with a 1 minute time limit set on introducing the petition.

(B) For Members of the Public

- (1) Members of the public wishing to inspect "Background Papers" referred to in the reports on the agenda or Schedule 12A of the Local Government Act should contact:

Customer Services Centre 0300 500 80 80.

- (2) The papers enclosed with this agenda are available in large print if required. Copies can be requested by contacting the Customer Services Centre on 0300 500 80 80. Certain documents (for example appendices and plans to reports) may not be available electronically. Hard copies can be requested from the above contact.



Nottinghamshire County Council

Meeting COUNTY COUNCIL

Date Thursday, 27th February 2014 (10.30 am – 4.45 pm)

Membership

Persons absent are marked with 'A'

COUNCILLORS

John Allin (Chairman)

Pauline Allan (Vice-Chairman)

Reg Adair
Roy Allan
Chris Barnfather
Alan Bell
Joyce Bosnjak
Nicki Brooks
Andrew Brown
Richard Butler
Steve Calvert
Ian Campbell
Steve Carr
Steve Carroll
John Clarke
John Cottee
Jim Creamer
Mrs Kay Cutts MBE
Maureen Dobson
Dr John Doddy
Boyd Elliott
Sybil Fielding
Kate Foale
Stephen Garner
Glynn Gilfoyle
Kevin Greaves
Alice Grice
John Handley
Colleen Harwood
Stan Heptinstall MBE
Tom Hollis
Richard Jackson
Roger Jackson
David Kirkham
John Knight

Darren Langton
Bruce Laughton
Keith Longdon
Rachel Madden
Diana Meale
John Ogle
Philip Owen
Michael Payne
John Peck JP
Sheila Place
Liz Plant
Darrell Pulk
Alan Rhodes
Ken Rigby
Tony Roberts MBE
Mrs Sue Saddington
Andy Sissons
Pam Skelding
Stella Smedley MBE JP
Martin Suthers OBE
Parry Tsimbirdis
Gail Turner
Keith Walker
Stuart Wallace
Muriel Weisz
Gordon Wheeler
John Wilkinson
Jacky Williams
John Wilmott
Yvonne Woodhead
Liz Yates
Jason Zadrozny

HONORARY ALDERMEN

Martin Brandon-Bravo OBE
John Carter

OFFICERS IN ATTENDANCE

Mick Burrows	(Chief Executive)
Jayne Francis–Ward	(Policy, Planning and Corporate Services)
Tim Gregory	(Environment and Resources)
Chris Kenny	(Public Health)
Robert Knott	(Adult Social Care, Health and Public Protection)
Anthony May	(Children, Families and Cultural Services)
David Pearson	(Adult Social Care, Health and Public Protection)
Paul Simpson	(Environment and Resources)
Caroline Baria	(Adult Social Care, Health and Public Protection)
Carl Bilbey	(Policy, Planning & Corporate Services)
Martin Done	(Policy, Planning and Corporate Services)
Chris Holmes	(Policy, Planning and Corporate Services)
Paul McKay	(Adult Social Care, Health and Public Protection)
Catherine Munro	(Policy, Planning and Corporate Services)
Neil Robinson	(Environment and Resources)
Nigel Stevenson	(Environment and Resources)
Karen Townrow	(Policy, Planning and Corporate Services)
Anna Vincent	(Policy, Planning and Corporate Services)
Michelle Welsh	(Policy, Planning and Corporate Services)

OPENING PRAYER

Upon the Council convening, prayers were led by the Chairman's Chaplain.

FORMER COUNCILLOR BOB CROSS

Members stood in silence in remembrance of former Councillor Bob Cross

1. MINUTES

RESOLVED: 2014/008

That the Minutes of the last meeting of the County Council held on 16th January 2014 be agreed as a true record and signed by the Chairman.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Jacky Williams (Illness) and Councillor Yvonne Woodhead (Illness).

3. DECLARATIONS OF INTEREST

Councillor Darrell Pulk, Councillor Stan Heptinstall MBE, Councillor John Wilmott and Councillor Michael Payne declared a non-pecuniary interest in agenda item number 9 Annual Budget 2014/15 as they were members of the Playhouse Board.

4. CHAIRMAN'S BUSINESS

(a) Former Councillor Bob Cross

The Chairman, Councillor Alan Rhodes, Councillor Mrs Kay Cutts MBE, Councillor Gail Turner, Councillor Darrell Pulk, Councillor Ken Rigby and Councillor Joyce Bosnjak all spoke in memory of former Councillor Bob Cross.

(b) Presentations and Awards

Ghurkha Sword

The Chairman presented the Ghurkha Sword to the County Council which he had received at a recent reception to the British Ghurkhas Ex-Servicemen and their families settled in Nottingham and Nottinghamshire in January.

5. PRESENTATION OF PETITIONS

The following petitions were presented to the Chairman as indicated below:-

- (1) Councillor Andrew Brown regarding flooding on Farr Lane, Normanton on Soar
- (2) Councillor Andrew Brown regarding a petition from students calling for lighting and cats eyes on Station road between Sutton Bonnington and Kingston on Soar
- (3) Councillor Ian Campbell regarding overspill car park at Retford Leisure Centre
- (4) Councillor Gail Turner regarding Pye Hill Road, Jacksdale
- (5) Councillor Darren Langton regarding the resurfacing of Upton Mount Road
- (6) Councillor Reg Adair regarding traffic lights on the A60 at Costock

- (7) Councillor Richard Jackson regarding Kingsbridge Way in Chilwell
- (8) Councillor Richard Butler regarding Langar Household Waste Re-cycling Centre (2 petitions)
- (9) Councillor Bruce Laughton regarding Fiskerton Household Waste Re-cycling Centre

RESOLVED: 2014/009

That the petitions be referred to the relevant Committees for consideration in accordance with the Procedure Rules, with a report being brought back to Council in due course

6. PETITION RESPONSES REPORT

RESOLVED: 2014/010

That the contents and actions taken as set out in the report be noted.

7. CLARIFICATION OF MINUTES

The report provided Members with the opportunity to raise any matters of clarification in the Minutes of Committee meetings published since the last meeting

8. CONDUCT ISSUES

Councillor Alan Rhodes introduced the report and moved a motion in terms of resolution 2014/011 below.

The motion was seconded by Councillor Joyce Bosnjak

RESOLVED: 2014/011

- (1) That the terms of reference for the Conduct Committee as set out in Appendix A be approved
- (2) That the amendments to the Procedure Rules for Committee and Sub-Committee meetings as set out in Appendix B be approved
- (3) That the Procedure for Dealing with Conduct Allegations as set out in Appendix C to the report be approved
- (4) That the Monitoring Officer be authorised to make consequential amendments to the Constitution

9. ANNUAL BUDGET 2014/2015
MEDIUM TERM FINANCIAL STRATEGY 2014/15 to 2017/18
COUNCIL TAX PRECEPT 2014/15
CAPITAL PROGRAMME 2014/15 to 2017/18

Councillor David Kirkham introduced the report and moved a motion in terms of resolution 2014/052 below, which was duly seconded by Councillor Alan Rhodes.

Councillor Reg Adair moved the Conservative Group's amendment which is set out in Appendix A to the minutes which was seconded by Councillor Mrs Kay Cutts MBE.

The Motion and amendment were debated. During the debate Council adjourned from 12.00 pm to 12.10 pm.

Council adjourned for lunch from 12.30 pm until 1.30 pm for lunch.

The Conservative Group's amendment was put to the meeting and after a show of hands the Chairman declared that it was lost. A recorded vote was requested.

It was ascertained that the following 25 Members voted '**For**' the amendment:-

Reg Adair
Chris Barnfather
Andrew Brown
Richard Butler
Steve Carr
John Cottee
Mrs Kay Cutts MBE
Dr John Doddy
Boyd Elliott
Stephen Garner
John Handley
Richard Jackson
Roger Jackson

Bruce Laughton
John Ogle
Philip Owen
Tony Roberts MBE
Mrs Sue Saddington
Andy Sissons
Martin Suthers OBE
Gail Turner
Keith Walker
Stuart Wallace
Gordon Wheeler
Liz Yates

The following 33 Members voted '**AGAINST**' the amendment:-

Pauline Allan
Roy Allan
John Allin
Alan Bell
Joyce Bosnjak
Nicki Brooks
Steve Calvert
Ian Campbell
Steve Carroll

John Clarke
Jim Creamer
Sybil Fielding
Kate Foale
Glynn Gilfoyle
Kevin Greaves
Alice Grice
Colleen Harwood
David Kirkham

John Knight
Darren Langton
Diana Meale
Michael Payne
John Peck JP
Sheila Place
Liz Plant
Darrell Pulk

Alan Rhodes
Pamela Skelding
Stella Smedley MBE JP
Parry Tsimbiridis
Muriel Weisz
John Wilkinson
John Wilmott

The following 6 Members '**ABSTAINED**':-

Maureen Dobson
Stan Heptinstall MBE
Keith Longdon

Rachel Madden
Ken Rigby
Jason Zadrozny

The original motion was then put to the meeting and after a show of hands the Chairman indicated that it was carried.

A recorded vote was requested and it was ascertained that the following 34 Members voted '**For**' the motion:-

Pauline Allan
Roy Allan
John Allin
Alan Bell
Joyce Bosnjak
Nicki Brooks
Steve Calvert
Ian Campbell
Steve Carroll
John Clarke
Jim Creamer
Maureen Dobson
Sybil Fielding
Kate Foale
Glynn Gilfoyle
Kevin Greaves
Alice Grice

Colleen Harwood
David Kirkham
John Knight
Darren Langton
Diana Meale
Michael Payne
John Peck JP
Sheila Place
Liz Plant
Darrell Pulk
Alan Rhodes
Pamela Skelding
Stella Smedley MBE JP
Parry Tsimbiridis
Muriel Weisz
John Wilkinson
John Wilmott

The following 30 Members voted '**AGAINST**' the motion:-

Reg Adair
Chris Barnfather
Andrew Brown
Richard Butler

Steve Carr
John Cottee
Mrs Kay Cutts MBE
Dr John Doddy

Boyd Elliott
 Stephen Garner
 John Handley
 Stan Heptinstall MBE
 Richard Jackson
 Roger Jackson
 Bruce Laughton
 Keith Longdon
 Rachel Madden
 John Ogley
 Philip Owen

Ken Rigby
 Tony Roberts MBE
 Mrs Sue Saddington
 Andy Sissons
 Martin Suthers OBE
 Gail Turner
 Keith Walker
 Stuart Wallace
 Gordon Wheeler
 Liz Yates
 Jason Zadrozny

The Chairman declared the motion carried and it was:-

RESVOLVED: 2014/012

- (1) That the Annual Revenue Budget for Nottinghamshire County Council be set at £504.261m for 2014/15.
- (2) That the Finance and Property Committee be authorised to make allocations from the General Contingency for 2014/15.
- (3) That the County Council element of the Council Tax be increased by 1.99%, that is, set at a standard Band D tax rate of £1,216.92, with the various bands of property being:

Band	Value as at 1.4.91	No. of Properties	% no. of properties	Ratio	County Council 2013/14 £	County Council 2014/15 £	Increase £
A	Up to £40,000	140,730	40.0	6/9	795.45	811.28	15.83
B	£40,001- £52,000	72,580	20.6	7/9	928.03	946.49	18.46
C	£52,001- £68,000	60,340	17.1	8/9	1,060.60	1,081.71	21.11
D	£68,001- £88,000	39,900	11.3	1	1,193.18	1,216.92	23.74
E	£88,001- £120,000	21,990	6.2	11/9	1,458.33	1,487.35	29.02
F	£120,001- £160,000	10,540	3.0	13/9	1,723.48	1,757.77	34.29
G	£160,001 - £320,000	5,910	1.7	15/9	1,988.63	2,028.20	39.57
H	Over £320,000	460	0.1	18/9	2,386.36	2,433.84	47.48

- (4) That the County Precept for the year ending 31 March 2015 shall be £282,083,710 and shall be applicable to the whole of the district council areas as General Expenses.

- (5) That the County Precept for 2014/15 shall be collected from district and borough councils in the proportions set out in paragraph 71 of the report with the payment of equal instalments on the following dates:

2014	2014	2015
17 April 28 May 2 July 6 August	11 September 16 October 20 November 29 December	3 February 10 March

- (6) That the Capital Programme for 2014/15 to 2017/18 be approved at total amounts of:

£112.593m 2014/15
£ 85.390m 2015/16
£ 59.614m 2016/17
£ 41.953m 2017/18

and be financed as set out in the report

- (7) That the variations to the Capital Programme be approved as set out in the report.
- (8) That the Maximum Revenue Provision policy for 2014/15 be approved as set out in the report
- (9) That the Prudential Indicators be approved as set out in Appendix J of the report.
- (10) That the Service Director – Finance and Procurement be authorised to raise loans in 2014/15 within the limits of total external borrowings.
- (11) That the Treasury Management Strategy for 2014/15 be approved as set out in Appendix K
- (12) That the Treasury Management Policy for 2014/15 be approved as set out in Appendix L
- (13) That the development of a revised operating model be noted.

- (14) That the Category A proposals be noted and the Category B and C proposals be approved and implemented as set out in appendices A to C.
- (15) That the creation of a Strategic Development Fund be approved
- (16) That the principles underlying the Medium Term Financial Strategy be approved.
- (17) That the report on the Annual Budget for 2014/15, and the Capital Programme 2014/15 – 2017/18 be approved and adopted.

The Chairman declared the meeting closed at 4.45 pm

CHAIRMAN

COUNTY COUNCIL MEETING – THURSDAY 27th FEBRUARY 2014

CONSERVATIVE GROUP AMENDMENT

ANNUAL BUDGET 2014/15

The Schedule of Recommendations moved by the Leader of the Council and the Chairman of the Finance and Property Committee as shown on pages 28 to 29 of the report be deleted and replaced by the following:

Recommendations

It is recommended that:

1. The Annual Revenue Budget for Nottinghamshire County Council is set at £501.905 million for 2014/15, including the following amendments to give no increase in Council Tax (details set out at Appendix A):

Committee Analysis	£000
Adult Social Care & Health	3,545
Children & Young People	1,042 (-)
Environment & Sustainability	105 (-)
Transport & Highways	2,156
Policy	614
Personnel	300
Finance & Property	1,404
Total Adjustments to Portfolio Budgets	6,872

2. The Finance and Property Committee be authorised to make allocations from the General Contingency for 2014/15.
3. That the County Council element of the Council Tax remains unchanged, that is, set at a standard Band D tax rate of £1,193.18, with the various Bands of property being:

Band	Value as at 1.4.91	No. of Properties	% no. of properties	Ratio	County Council 2013/14 £	County Council 2014/15 £	Change £
A	Up to £40,000	140,730	40.0	6/9	795.45	795.45	-
B	£40,001- £52,000	72,580	20.6	7/9	928.03	928.03	-
C	£52,001- £68,000	60,340	17.1	8/9	1,060.60	1,060.60	-
D	£68,001- £88,000	39,900	11.3	1	1,193.18	1,193.18	-
E	£88,001- £120,000	21,990	6.2	11/9	1,458.33	1,458.33	-
F	£120,001- £160,000	10,540	3.0	13/9	1,723.48	1,723.48	-
G	£160,001 - £320,000	5,910	1.7	15/9	1,988.63	1,988.63	-
H	Over £320,000	460	0.1	18/9	2,386.36	2,386.36	-

4. The County Precept for the year ending 31 March 2015 shall be £276,580,747 and shall be applicable to the whole of the district council areas as General Expenses.
5. The County Precept for 2014/15 shall be collected from the district and borough councils in the proportions set out in the table below:

District Council	Council Taxbase	County Precept £
Ashfield	30,256.20	36,101,093
Bassetlaw	31,893.84	38,055,092
Broxtowe	32,188.65	38,406,853
Gedling	34,912.38	41,656,754
Mansfield	26,943.82	32,148,827
Newark & Sherwood	36,233.47	43,233,052
Rushcliffe	39,373.00	46,979,076
Total	231,801.36	276,580,747

6. The County Precept for 2014/15 shall be collected from district and borough Councils in the proportions set out in paragraph 5 above with the payment of equal instalments on the following dates:

2014	2014	2015
17 April	11 September	3 February
28 May	16 October	10 March
2 July	20 November	
6 August	29 December	

7. The Capital Programme for 2014/15 to 2017/18 be approved, including amendments set out below, at total amounts of:

2014/15	£115.093m
2015/16	£ 85.390m
2016/17	£ 59.614m
2017/18	£ 41.953m

and the financing of the capital programme as set out in the report be amended to include the utilisation of £1.0 million additional capital receipts and use of revenue balances of £1.5 million to finance the inclusion of the School Halls scheme at £2.5 million in 2014/15.

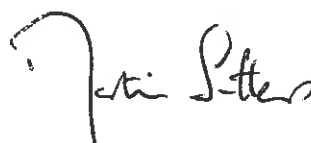
8. The variations to the Capital Programme, as amended for the inclusion £2.5 million expenditure and financing for the School Halls scheme in 2014/15, be approved.
9. The Minimum Revenue Provision policy for 2014/15 be approved.
10. The Prudential Indicators be approved.
11. The Service Director – Finance & Procurement be authorised to raise loans in 2014/15 within the limits of total external borrowings.
12. The Treasury Management Strategy for 2014/15 be approved.
13. The Treasury Management Policy for 2014/15 be approved.
14. The development of a revised operating model be noted.
15. That the Category A proposals, as amended, be noted and the Category B and C proposals, as amended, be approved and implemented. Amendments shown at Appendix A and B.
16. The creation of a Strategic Development Fund be approved.
17. The principles underlying the Medium Term Financial Strategy, as amended, be approved.
18. The report on the Annual Budget for 2014/15, and the Capital Programme 2014/15 – 2017/18 as amended, be approved and adopted to provide no increase in Council Tax in 2014/15 and 2015/16.



Cllr Reg Adair
Conservative Group
Spokesperson for
Finance & Property



Cllr Kay Cutts MBE
Conservative Group
Leader



Cllr Martin Suthers OBE
Conservative Group
Deputy Leader

APPENDIX A

Conservative Group Amendment 2014/15

		£000	£000
	Adult Social Care & Health		
A03	Younger Adults residential rehabilitation - increase use of Public Health funding	94	
A05	Restructure in the Joint Commissioning Unit	126	
A07	Major redesign and restructure of business support function	94	
A12	Group Manager Restructure	200	
B04	Reduction in supplier costs - older person's care homes	584	
	Younger Adults Assessment & Care Management (A&CM) and Structural Changes	833	
B07		45	
B09	Welfare Benefits Advice	250	
C06	Residential Short Breaks Services	350	(-)
C07	Day Services	20	
C08	Employment Development Services - Iwork		
	Various contract changes by the Joint Commissioning Unit	805	
C09		175	
C11	Newlands NHS Short Breaks Unit	300	
C13	Targeting Reablement Support		
	Various options to reduce the cost of the intermediate care service	50	
C14		250	
Addition	Removing duplication between NHS & NCC	69	
Addition	Internal Staff Agency*	<hr/>	3,545
	Children & Young People		
A17	Targeted Support and Youth Justice	200	
B11	Young People's Service - Youth Centres	675	(-)
	Early Years and Early Intervention -Children's Centres	850	(-)
B12		283	
Addition	Internal Staff Agency*	<hr/>	1,042 (-)
	Environment & Sustainability		
B19	Introduce a range of measures associated with HWRC's	105	(-)
			105 (-)
	Transport & Highways		
A35	Increased efficiency by Highways Operations Group	1,000	
	Efficiencies through more effective pothole repair & patching service	500	
A36		400	
A41	Reduce Street Lighting Energy Costs	217	
A45	Safety, Signals and Lighting - restructuring Planning, Access and Commissioning Group - restructuring	60	
A47		400	(-)
B17	Efficiencies & Local Bus Service reductions		

		£000		£000
B22	Restructure in Rights of Way Service	50		
B23	Blue Badges charges - increase to £5 only	25	(-)	
Addition	Highways - outsource more to Tarmac	280		
Addition	Internal Staff Agency*	74		
				2,156
	Policy			
A69	Refocus communications and marketing activity	171		
A72	Review PPCS management structure	50		
B32	Nottingham Playhouse Grant	45	(-)	
Addition	Internal Staff Agency*	35		
Addition	County Council management restructure	203		
Addition	Changes to Special Responsibility Allowances	200		
				614
	Personnel			
Addition	Living Wage	300		
				300
	Finance & Property			
A30	Reduction in County Offices Maintenance	300		
A31	Restructure in Property Group	100		
A32	Property Group - rationalisation	250		
A50	ICT - Contract Savings	100		
A51	ICT - Savings in provision of online @home service	250		
B34	Councillors' Divisional Fund	335	(-)	
Addition	County Supplies - new operating model**	100		
Addition	Procurement Group - new operating model**	500		
Addition	Internal Staff Agency*	139		
				1,404
	Total Amendments			6,872

*Internal Staff Agency – internalising delivery of agency staff support to departments

**New Operating Model – bringing in external expertise for the provision of this service through partnership or externalising the service

APPENDIX B

Conservative Group Amendments 2015/16 & 2016/17

		2015/16 £000		2016/17 £000
	Adult Social Care & Health			
A05	Restructure in the Joint Commissioning Unit	126		126
	Major redesign and restructure of business support			
A07	function	95		-
	Restructure of Adult Care Financial Services			
A09	(ACFS)	248		-
A12	Group Manager Restructure	200 (-)		-
B01	Assessment and Care Management - Older Adults	500		500
B03	Restructure social care staff in hospital settings	120		240
	Reduction in supplier costs - older person's care			
B04	homes	584 (-)		-
	Younger Adults Assessment & Care Management			
B07	(A&CM) and Structural Changes	634		633
B09	Welfare Benefits Advice	45		-
C01	Reducing Community Care Spend - Older Adults	-		362
C03	Reduction in long term care placements	-		477
C06	Residential Short Breaks Services	100		50
C07	Day Services	220 (-)		490 (-)
	Various contract changes by the Joint			
C09	Commissioning Unit	806		805
C11	Newlands NHS Short Breaks Unit	285 (-)		-
C13	Targeting Reablement Support	300 (-)		-
	Various options to reduce the cost of the			
C14	intermediate care service	50		-
Add't'n	Removing duplication between NHS & NCC	500		-
Add't'n	Residential Care Contracts	165		-
Add't'n	Internal Staff Agency*	46		-
		1,846		2,703
	Children & Young People			
A13	Support to Schools	30		-
A17	Targeted Support and Youth Justice	100		100
A18	Children's Social Care Management Review	100		-
	Planning, Performance and Quality Assurance			
A19	Group	250		250
B10	Independent Travel Training	-		500
B11	Young People's Service	675 (-)		-
B12	Early Years and Early Intervention	-		3,000 (-)
Add't'n	Internal Staff Agency*	188		-
		7 (-)		2,150 (-)

		2015/16 £000		2016/17 £000
Add't'n	Culture			
	Country Parks - new operating model**	500		-
		<u>500</u>		<u>-</u>
	Environment & Sustainability			
B19	Introduce a range of measures associated with HWRC's	405	(-)	-
B20	Provide financial support to Waste Collection Authorities to introduce kerbside Green Waste Collections	200	(-)	-
		<u>605</u>	<u>(-)</u>	<u>-</u>
	Finance & Property			
A30	Reduction in County Offices Maintenance	200	(-)	100 (-)
A31	Restructure in Property Group	100	(-)	-
A32	Property Group - rationalisation	50	(-)	200 (-)
A33	Reduction in Planned Maintenance Budget	500		-
A49	Finance & Procurement restructure	120		120
A50	Contract Savings	150		-
A53	Reduction in provision of ICT equipment replacement	-		100
A54	Restructure the Business Support and Development team	60		-
Add't'n	County Supplies - new operating model**	170		-
Add't'n	Procurement Group - new operating model**	1,500		-
Add't'n	Resource/Support Functions - new operating model**	1,194		-
Add't'n	Internal Staff Agency*	93		-
		<u>3,437</u>		<u>80 (-)</u>
	Policy			
A67	Redesign staffing structure	50		-
Add't'n	Resource/Support Functions - new operating model**	338		-
Add't'n	Internal Staff Agency*	23		-
Add't'n	County Council management restructure	607		-
		<u>1,018</u>		<u>-</u>
	Personnel			
Add't'n	Resource/Support Functions - new operating model**	288		-
		<u>288</u>		<u>-</u>

		2015/16 £000	2016/17 £000
	Transport & Highways		
	Increased efficiency by Highways Operations		
A35	Group	-	100 (-)
	Efficiencies through more effective pothole repair & patching service	100 (-)	100 (-)
A36		200	-
A41	Reduce Street Lighting Energy Costs	217 (-)	-
A45	Restructure - Safety, signals & Lighting Teams		
	Restructure - Planning, Access and Commissioning Group	60	60
A47		-	150
A55	Restructure - Transport & Travel Services	-	50
A57	Reduction of discretionary spend		
B17	Efficiencies & Local Bus Service reductions	400 (-)	-
B22	Reduction in Rights of Way Service budgets	100	100
B23	Proposed increase charges for Blue Badges	25 (-)	35 (-)
Add't'n	Passenger Transport – increased savings through re-tendering	600	-
Add't'n	Fleet Maintenance – new operating model**	110	-
Add't'n	Internal Staff Agency*	50	-
		378	125
	Total Amendments	6,855	598

*Internal Staff Agency – internalising delivery of agency staff support to departments

**New Operating Model – bringing in external expertise for the provision of this service through partnership or externalising the service

**FINANCIAL AND CONSTITUTIONAL IMPLICATIONS OF THE
CONSERVATIVE GROUP'S AMENDMENT - COMMENTS OF THE SERVICE
DIRECTOR – FINANCE & PROCUREMENT AND THE CORPORATE
DIRECTOR - POLICY, PLANNING & CORPORATE SERVICES**

1 Purpose

- 1.1 The purpose of this report is to set out the financial and constitutional implications of the Conservative Group's Budget Amendment and provide an opinion on whether it meets the funding requirements contained in the Local Government Finance Act 1992, the Local Government Act 2003, the CIPFA Prudential Code for Capital Finance, and is in accordance with the legal requirements and the Council's constitution.

2 Financial Implications

- 2.1 The impact of the Amendment is to increase the savings across Portfolio budgets in 2014/15 by a total of £6,872 million as summarised below:

Committee Analysis	£000
Adult Social Care & Health	3,545
Children & Young People	1,042 (-)
Environment & Sustainability	105 (-)
Transport & Highways	2,156
Policy	614
Personnel	300
Finance & Property	1,404
Total Adjustments to Portfolio Budgets	6,872

- 2.2 In addition, it is proposed to utilise £2.2 million of balances, predominately to offset the proposal to leave Council Tax standard Band D tax rate unchanged at £1,193.18 in 2014/15, arising from the loss of income from the Council Tax receipts and the gain in Council Tax Freeze Grant.
- 2.3 No increase in Council Tax levels are expected in 2015/16 partly offset by the proposed use of County Fund Balances of £3.0 million and additional savings of £6.8 million identified in the Conservative Group plans. Additional budget savings of £11.6 million will be required in 2015/16.

- 2.4 The change to the capital programme of £2.5 million for the inclusion of School Halls is intended to be funded from additional capital receipts of £1.0 million and use of £1.5 million of revenue balances.

3 Commentary on the Proposals

- 3.1 Council Tax in 2014/15 is proposed not to change from 2013/14 and will result in the loss of potential increase in Council Tax receipts of £5.5 million. This will be partly offset by the Council Tax Freeze Grant of £3.1 million and together with the proposed adjustments to Portfolio Budgets and funding of the amendment to the capital programme will reduce the need to draw upon County Fund Balances in 2014/15 by £3.0 million.
- 3.2 The proposed changes to the capital programme will be met from additional capital receipts and balances and will not result in any additional borrowing costs or changes to the Prudential Indicators.

4 Conclusions

- 4.1 In the opinion of the Service Director – Finance & Procurement, this Amendment meets the requirements of the Local Government Finance Act 1992, the Local Government Act 2003 and the CIPFA Prudential Code.
- 4.2 In the opinion of the Corporate Director – Policy, Planning & Corporate Services, the proposals contained in the Conservative Group's Amendment are in accordance with the law and the County Council's Constitution.

PAUL SIMPSON

SERVICE DIRECTOR – FINANCE & PROCUREMENT

JAYNE FRANCIS-WARD

CORPORATE DIRECTOR - POLICY, PLANNING & CORPORATE SERVICES

REPORT OF THE CHIEF EXECUTIVE

Clarification of Minutes of Committee Meetings published since the last meeting on 27th February 2014

Purpose of the Report

1. To provide Members the opportunity to raise any matters of clarification on the minutes of Committee meetings published since the last meeting of Full Council on 16th January 2014.

Information and Advice

2. The following minutes of Committees have been published since the last meeting of Full Council on 27th February 2014 and are accessible via the Council website:-
<http://www.nottinghamshire.gov.uk/dms/Meetings.aspx>

Committee meeting	Minutes of meeting
Adult Social Care and Health Committee	3 rd February 2014, 3 rd March 2014*
Appeals Sub-Committee	9 th October 2013
Audit Committee	2 nd December 2013
Children & Young People's Committee	10 th February 2014
Community Safety Committee	None
Corporate Parenting Sub-Committee	9 th December 2013
Culture Committee	4 th February 2014, 4 th March 2014*
Economic Development Committee	11 th February 2014, 11 th March 2014*
Environment and Sustainability Committee	30 th January 2014
Finance and Property Committee	24 th February 2014
Grant Aid Sub-Committee	28 th January 2014
Health Scrutiny Committee	None
Health & Well Being Board	5 th February 2014, 5 th March 2014*
Joint City/County Health Scrutiny Committee	11 th February 2014
Joint Committee on Strategic Planning and Transport	13 th December 2013
Nottinghamshire Pensions Fund Committee	17 th December 2013
Pensions Investment Sub-Committee	5 th December 2013
Pensions Sub-Committee	None
Personnel Committee	29 th January 2014
Planning & Licensing Committee	25 th February 2014
Police & Crime Panel	None
Policy Committee	5 th February 2014, 5 th March 2014*

Committee meeting	Minutes of meeting
Public Health Committee	9 th January 2014
Rights of Way Committee	None
Transport and Highways Committee	13 th February 2014

* Minutes expected to be published before 27th March 2014, but not yet approved by the relevant Committee.

Mick Burrows
Chief Executive

REPORT OF THE LEADER OF THE COUNCIL

AMENDMENTS TO THE COUNCIL'S CONSTITUTION

Purpose of the Report

1. To seek Council's approval to update the Constitution in respect of new legal requirements for budget meetings, revised terms of reference for the Health and Wellbeing Board, and an additional requirement in relation to County Council meeting minutes.

Information and Advice

2. Regulations that came into effect on 25 February 2014 require local authorities to take a recorded vote each time a budget decision is taken, confirming the names of voters and how they voted.
3. It is established practice in Nottinghamshire for a recorded vote to be taken at the Annual Budget Meeting. The revisions will however extend to votes on amendments as this is required by the regulations.
4. The proposed revisions to the Council's Procedure Rules for Meetings are set out at **Appendix 1**.
5. The Health and Wellbeing Board assumed its full statutory role on 1 April 2013. Officers have found that the terms of reference have sometimes been restrictive; in particular where the Department of Health has issued guidance requiring the Board to undertake specific tasks. In light of this it is proposed to add provision to allow for the Board to discuss issues that are relevant to its overall responsibilities and to perform duties allocated to it by the Department of Health. The proposed revisions are set out in **Appendix 2**.
6. Council is asked to approve that with immediate effect any Councillor's absence from a Council meeting for more than 10 minutes will be recorded in the minutes. This is to ensure the minutes accurately and transparently reflect participation in meetings, as well as matters considered and decisions made. Councillor absence due to declarations of interest will continue to be recorded in the normal way. The proposed revisions are set out in **Appendix 3**.

Other Options Considered

7. It is a statutory requirement to amend the procedure rules for meetings therefore no other options have been considered. Council may wish to consider leaving the terms of reference

for the Health and Wellbeing Board and the requirements for meeting minutes unchanged but the revisions have been proposed for the reasons set out below.

Reason/s for Recommendation/s

8. To comply with statutory requirements, to remove uncertainty regarding the Health and Wellbeing Board's authority to deal with matters allocated by the Department of Health, and to ensure County Council meeting minutes contribute to the Council's commitment to openness and accountability.

Statutory and Policy Implications

9. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 1) To amend the Procedure Rules for meetings of Full Council as set out in Appendix 1.
- 2) To amend the terms of reference for the Health and Wellbeing Board as set out in Appendix 2.
- 3) To amend Part Three of the Constitution, Transparency - Access to Information and Meetings, as set out in Appendix 3.

Councillor Alan Rhodes
Leader of the Council

For any enquiries about this report please contact:

Jayne Francis-Ward
Corporate Director Policy Planning and Corporate Services and Monitoring Officer
0115 9773478

Constitutional Comments (SG 17/03/14)

10. Council is the appropriate body to decide the issues set out in this report. Under Council's Terms of Reference, Council has responsibility for changing the Constitution and deciding a committee's terms of reference.

Financial Comments (SEM 17/03/14)

11. There are no specific financial implications arising directly from this report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- The Council's Constitution is published
- The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 are published
- The Health and Social Care Act 2012 is published

Electoral Division(s) and Member(s) Affected

- All

Appendix 1

PROCEDURE RULES FOR MEETINGS OF THE FULL COUNCIL

VOTING

69. Votes in Full Council are to be determined by a show of hands.
70. Where there are an equal number of votes for and against a motion the Chairman can exercise a second or casting vote.
71. A recorded vote will be taken if 10 or more Councillors request it [and where required under the Annual Budget meeting rules in paragraph 88. below](#). The process will be as follows:
- a. The Division Bell will be sounded.
 - b. The Chief Executive will then call the names of all Councillors and record the vote of each Councillor.
 - c. The Chairman will announce the result.
 - d. The minutes will record how each Councillor voted.
72. Any Councillor can require that the minutes of the meeting record how they voted on any decision taken.

ANNUAL BUDGET MEETING

88. To ensure the smooth flow of business the following provisions will operate for the annual budget meeting:
- a. After the budget proposals have been moved and seconded any budget amendments will be moved and seconded. The seconds of the amendments may either speak to them when seconding or may reserve their speech for later in the debate.
 - b. With the exceptions below, no Councillor will speak more than once or for more than 20 minutes:
 - the Councillor who moves the budget proposals is not subject to a time limit and is entitled to speak twice; once when moving proposals and once when replying to the debate
 - the movers of any amendments may speak for an unlimited time when moving those amendments and for 20 minutes when summing up
 - c. There will be a single debate on the motion and any amendments

- d. At the conclusion of the winding-up speeches, ~~the amendments will be voted on~~recorded votes will be taken on amendments in the order determined by the Chairman then a recorded vote will be taken on the substantive motion. The process for recorded votes is set out in paragraph 71 above.

Appendix 2

RESPONSIBILITY FOR FUNCTIONS

HEALTH AND WELLBEING BOARD – TERMS OF REFERENCE

- 37. To prepare and publish a joint strategic needs assessment.
- 38. To prepare and publish a [joint](#) health and wellbeing strategy based on the needs identified in the joint strategic needs assessment and to oversee the implementation of the strategy.
- 39. Discretion to give Nottinghamshire County Council an opinion on whether the Council is discharging its statutory duty to have due regard to the joint strategic needs assessment and the health and wellbeing strategy.
- 40. To promote and encourage integrated working include joint commissioning in order to deliver cost effective services and appropriate choice. This includes providing assistance and advice and other support as appropriate, and joint working with services that impact on wider health determinants.
- [41. To discuss all issues considered to be relevant to the overall responsibilities of the Health and Wellbeing Board, and to perform any specific duties allocated by the Department of Health.](#)

Appendix 3

TRANSPARENCY – ACCESS TO INFORMATION AND MEETINGS

PUBLIC ACCESS TO DOCUMENTS AFTER THE MEETING

14. Copies of meeting documents will be publicly available for 6 years following the date of the meeting unless they relate to exempt or confidential information.

15. The Council will supply copies of the publicly available documents to any person who requests them but may make a charge for costs incurred such as postage and photocopying.

~~15.~~16. Meeting documents will include minutes of meetings, agendas and reports. In respect of meetings of the Full Council, minutes of meetings will record any Councillor's absence of more than 10 minutes from a meeting.

**REPORT OF THE CHAIRMAN OF THE ADULT SOCIAL CARE AND HEALTH
COMMITTEE****APPROVAL OF THE ADULT SOCIAL CARE STRATEGY****Purpose of the Report**

1. To seek approval from County Council for the introduction and implementation of the Adult Social Care Strategy.

Information and Advice

2. Over the last year the Council has been working on development of a new strategy for the delivery of adult social care services to the people of Nottinghamshire. This has been undertaken in response to further reductions to government funding for local authorities and increased demand for services particularly in relation to people over 65 and younger adults with complex disabilities.
3. It is also intended to prepare for the upcoming implementation of the Care Bill, which includes a number of new duties and responsibilities for local authorities which will have costs attached. Financial modelling is currently being undertaken to more accurately identify the additional costs that local authorities will incur. For example, as a result of the funding reform local authorities will be required to pay for social care services for people once they reach the cap of £72,000 (in 2016), and the requirement to have a care account to keep track of progress towards the cap will mean early assessments of people who currently arrange and fund their own services.
4. The strategy sets out guiding principles for the future. It identifies a number of areas where the Council will focus its activity:
 - Information, Advice and Early Intervention
 - Prevention
 - Short-term Support (re-ablement)
 - Assessment and Care Management
 - Personal Budgets
 - Review
 - Commissioning Services
 - Finance and Charging
 - Structures and Processes

5. The strategy puts further emphasis on the need to focus resources on social care support that prevents, delays and reduces the need for care, which is a significant element of the Care Bill. It also states that prevention and short-term support will be targeted at people who are at risk of losing their independence. Assessment will be provided on a proportionate basis according to the individual's situation, and more use will be made of phone, online and clinic assessments.
6. The strategy places greater emphasis on the achievement of outcomes and value for money when the Council is commissioning services for people. Although choice and individual preferences will be taken into account wherever possible, the Council will always have to consider the most cost effective option for meeting people's needs. The continued focus is on reducing the demand for residential and nursing home care and the need for long term care in the community.
7. The strategy acknowledges the need to seek more efficient systems and processes to support the provision of adult social care, to prepare for change in response to the Care Bill; and to integrate with Health and other agencies wherever it is feasible to do so. The strategy is attached as appendix 1.
8. On 9th September 2013, the Adult Social Care and Health Committee approved the decision to undertake a public consultation on a proposed model for adult social care and a supporting Use of Resources Policy. The proposed model was discussed with frontline staff at Senior Leadership Team road shows in September and October 2013.
9. The public consultation started on 22nd October 2013 and was intended to finish on the 20th December, but was subsequently extended until 17th January 2014 to align with the budget challenge consultation. A wide range of local organisations and groups were contacted, including all District, Borough and Parish Councils, the 6 Clinical Commissioning Groups, NAVO, Healthwatch and the Citizen's Panel. A sample of current service users were also sent a copy of the proposed model and survey questions, and copies of the consultation information were available in all libraries. The consultation received 133 responses.
10. The majority of responses had consistent themes and a number of the respondents were aware of the budget challenge facing the Council, and had responded to the budget challenge consultation as well.
11. The consultation highlighted concerns about:
 - the language used in the model and what this would mean in practice
 - the potential for loss of choice and control for people needing social care support
 - an anticipated increase in pressure on carers
 - the perceived loss of face to face assessments
 - the availability of preventative services, and
 - difficulties with assessing and monitoring the impact of the model.
12. In response to issues raised in the consultation, further work has been undertaken to ensure the Council's intentions are clearer, particularly in relation to:

- identifying how risk will be assessed and the circumstances in which telephone, clinic, online or face to face assessment will be offered
- how support will be targeted at people in order to prevent, reduce or delay need for services in future
- how the needs of individuals will be taken into account, whilst ensuring that the Council achieves best value for money

In order to assist with clarification for the public, and implementation with staff, it was agreed at the Adult Social Care and Health Committee that the proposed model be renamed the Adult Social Care Strategy. This will be supported by detailed staff guidance, which is currently being developed, and will be presented in a training programme for staff alongside information for the public.

Other options considered

13. As stated earlier in the report considerable work has been undertaken to produce a statement for the public and staff which will clarify what the Council can offer in terms of adult social care. The strategy will need to be reviewed and revised over time in order to respond to circumstances and the changing environment in social care. At this point in time the Council did not feel there was an alternative option to this work.

Reason/s for Recommendation/s

14. It is important for the Council to produce clear information for service users and the public and clear guidance for staff, about how its resources will be prioritised and allocated, in the context of increasing demand, changes to legislation and reduced funding.

Statutory and Policy Implications

15. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the public sector equality duty, safeguarding of children or vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required

Implications for service users

16. Once approved the strategy, and supporting guidance for staff, will clarify the adult social care support that the Council is able to provide for service users and carers.

Financial Implications and Human Resources Implications

17. The strategy and staff guidance will clarify how the Council will allocate its financial and human resources in the future, to meet identified priorities in the most cost effective way. In relation to charging for services, people are already financially assessed and asked to contribute to their care subject to national charging criteria and this will continue to be the case.

Equalities implications

18. The original Equality Impact Assessment has been reviewed and updated further to the consultation.

RECOMMENDATION/S

It is recommended that the County Council:

- 1) approves the introduction and implementation of the Adult Social Care Strategy.

Councillor Muriel Weisz
Chairman of the Adult Social Care and Health Committee

For any enquiries about this report please contact:
Jon Wilson
Deputy Director, Adult Social Care, Health and Public Protection

Constitutional Comments (SLB 14/03/2014)

19. Full Council has authority to consider the content of the report.

Financial Comments (KAS 17/03/2014)

20. The financial implications are contained within paragraph 17 of the report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- Report to Adult Social Care and Health Committee 3rd March 2014

Electoral Division(s) and Member(s) Affected

All

Adult Social Care Strategy

Foreword

This strategy sets out the Council's proposals for the future of adult social care in Nottinghamshire. The proposals are in line with the Council's Strategic Plan 2014 – 2018 and are in anticipation of the new Care Bill. The proposals are being made at a time of an unprecedented reduction in the Council's income, accompanied by rising demand for our services from older people and people with complex needs.

The provision of good social care support has always been a priority for the Council. In responding to the changes ahead of us, we will always try to consider the needs and preferences of the individual, but we will have to balance this against the effective and efficient use of resources. We must ensure that we have sufficient resources to meet the needs of all people who are assessed as eligible for social care support and we must focus resources on support that prevents, delays and reduces the need for care and support.

1. Context

Priority Four of the Council's Strategic Plan deals with providing care and promoting health. It sets out the Council's intentions to develop individual and community resources to prevent, delay and reduce the need for care and support. In addition the Care Bill will change the way in which social care support is arranged and provided. It will, for example:

- provide a national eligibility threshold, which will apply to all councils. This will be implemented in April 2015.
- focus care and support on promoting wellbeing and preventing or delaying the need for social care support.
- require the Council to provide people with information and advice relating to care and support for adults and support for carers

Our guiding principles for the future are as follows:

Good quality information and advice will be available to all to help people plan for the future, reduce the need for care services and where possible maintain independence.

We will expect to share responsibility with individuals, families and communities to maintain their health and independence

We will enable people to live with the risks inherent in living independently whilst ensuring they are safeguarded from significant harm.

We will reduce the demand for institutional care and the need for long term care in the community by commissioning or providing services that support independence.

Where people have critical or substantial risks to their independence and they meet the national funding criteria, we will fund care and support only for as long as it is necessary.

We will promote individual health and independence through joint and collaborative working across the public sector.

We will encourage and stimulate an efficient, diverse, affordable and high quality social care market.

We will commission support from external organisations that is focused on helping people to remain independent for as long as possible and is efficient and affordable

We will always consider the eligible needs and preferences of the individual but the Council has a responsibility to balance this against the effective and efficient use of its resources, which take account of the needs of all adults eligible for social care and support.

2. Our strategy for achieving these aims

INFORMATION, ADVICE AND EARLY INTERVENTION

- We will provide good quality information and advice to ensure that people know what support is available to them and to help them to plan for the future.
- We will aim to meet people's needs quickly when they first contact us. This might be through the Customer Service Centre, at a clinic or at a health centre.

PREVENTION

- We will target all prevention and early intervention services at people who are at risk of losing or reducing their independence.
- We will maximise independence by loaning equipment and assistive technology to people, where appropriate
- We will ensure that social care support is available to carers, if they are assessed as eligible to receive it.
- We will intervene to keep people safe when we have reasonable cause to believe there is a significant risk of harm or neglect by others, or an individual is unable to protect him or herself.

SHORT TERM SUPPORT (re-ablement)

- We will target short term support (re-ablement) where initial indications show a critical or substantial risk to an individual's independence
- We will provide people with short term support (re-ablement) before a decision is made about whether they might be eligible for long term support. The aim of the short term support will be to reduce or delay their need for long term support, where possible.

ASSESSMENT AND CARE MANAGEMENT

- We will provide a proportionate assessment to people following short term support (re-ablement) where it appears that they have eligible social care needs.
- We will make more use of phone, online and clinic appointments to undertake assessments. Assessment visits to a person's home will be made in situations where it is clear that a person could not cope with a phone or online assessment, is unable to travel to a clinic, or requests a face to face assessment.
- We will arrange services at the time they are required for as long as they are required to meet the specific outcomes identified in the assessment
- We will ensure that an assessment, under the Mental Capacity Act 2005, is carried out where people lack the capacity to make a decision about how their care needs should be met.
- We will provide care closer to home where this meets a person's needs and is cost effective. For those people currently placed outside of the county, we will aim to commission services in Nottinghamshire, where this is more cost effective.
- We will ensure that people have access to independent advocacy support so that they can understand the choices available to them, where necessary.

PERSONAL BUDGETS

- We will ensure that other sources of funding and support are always explored before the allocation of a personal budget.
- We will decide how much a person's support would reasonably cost, based on their eligible needs.
- We will provide Personal Budgets that meet the essential outcomes identified through assessment in the most cost effective way
- We will expect people assessed as eligible for social care support to contribute towards their personal budget in line with the national charging arrangements for adult social care.
- We will offer a choice to individuals of taking their personal budget through a direct payment, a managed budget (arranged by the Council) or a mixture of the two.

REVIEW

- We will ensure that a person's entitlement to a personal budget is reviewed regularly to ensure that he/she is still eligible and that his/her outcomes are being met in the most cost effective way.

COMMISSIONING SERVICES

- When commissioning services for people, we will place greater emphasis on the achievement of outcomes and value for money over the level of choice available. We will always aim to maximise people's independence and take their preferences into account, but the funding made available to support an individual will be determined by the most cost effective care package, based on the local care market, the availability of local care providers and the cost of community based and residential care. All situations will have to be assessed and considered on an individual basis.
- We will reduce the demand for institutional care and the need for long term care in the community by commissioning or providing services that support independence, for example extra care housing and/or housing with support. This will involve working with Health, housing providers and other agencies.

- We will expect organisations that provide services on our behalf to deliver good quality support that keeps people safe. Where they fail to do so in a timely manner, we will commission alternative support for people
- We will expect organisations that provide services on our behalf to pay for our support in situations where they are not meeting their contractual requirements and require support for improvement.
- We will fund non-statutory/discretionary services where there is evidence that they prevent, delay or reduce the need for care and support

FINANCE AND CHARGING

- We will charge a fee which reflects the cost of the service to people and organisations, where we are able to do so.
- We will ask people to pay the difference where they choose care and support which is more expensive than care that can be procured by the Council.
- We will provide advice and guidance to people on other funding that might be available if their preferred service is more expensive than similar care and support that can be procured by the Council
- We will make sure that people understand the different ways in which they can get independent financial advice in relation to their social care support.

STRUCTURES AND PROCESSES

- We will continue to adapt to changes to adult social care outlined in the Care Bill
- We will make our systems and processes as efficient as possible to save money.
- We will ask the most appropriate agencies and care providers to undertake support planning and arrange services on our behalf
- We will integrate our structures with Health and other agencies where it will provide better outcomes and more cost effective services

REPORT OF THE LEADER OF THE COUNTY COUNCIL**NOTTINGHAMSHIRE COUNTY COUNCIL'S PAY POLICY STATEMENT
2014-2015****Purpose of the Report**

1. To seek approval of the County Council's Pay Policy Statement for the financial year 2014-2015. A copy of which is attached as **Appendix A**.

Information and Advice**Background**

2. Nottinghamshire County Council is committed to good governance and openness to public scrutiny and accountability. As part of this commitment this Council wishes to demonstrate that decisions on the pay and reward packages for its Chief Executive and senior officers have been made in an open, transparent and accountable manner.
3. Under the terms of the Accounts and Audit (England) Regulations 2011 the Council publishes on its website, and regularly updates, information about its most senior officer's pay, including information relating to the Chief Executive and Corporate Directors.
4. Section 38 of the Localism Act 2011 Act set out the requirement for all Local Authorities in England and Wales to publish annual Pay Policy Statements with effect from the financial year 2012-13 onward.
5. This requirement does not extend to school based staff.
6. Legislation and supporting Government guidance, identifies the statutory contents of a Pay Policy Statement and how it should be presented. The core requirements of the provisions of the Localism Act are that a Pay Policy Statement must set out the Authority's policies relating to:
 - Chief Officer remuneration:

The level and elements of remuneration for each Chief Officer (including salary, any bonuses/performance related pay, charges/fees/allowances, benefits in kind, enhancement to pension at termination).

The definition of a Chief Officer adopted by the Act is, as defined by the Local Government and Housing Act 1989, any post that reports directly to the statutory Chief Officer, the Chief Executive, in the case of this Authority this currently applies to Corporate Directors, and those who report to them (Service Directors).

- Remuneration of its lowest paid employees
 - The definition used for this group and the reason for adopting this definition.
 - The relationship between Chief Officer Remuneration and that of other staff.
7. The Pay Policy Statement must by law be approved by Full Council in advance of the financial year to which it relates and must be published in the public domain on the Council's website by 1st April each year. Legislation provides for Pay Policy Statements to be amended as necessary during the financial year concerned, with Full Council approval, to reflect any necessary changes.

Pay Policy Statement

8. In drafting this Pay Policy Statement the Council has used the guidance available from the national employer's organisation and the Government as set out in paragraph 6 of this report.
9. The focus of the legislation relates to the overall pay policy and not individual post holders. The guidance does however allow Local Authorities discretion over some additional areas of supporting content. As part of the County Council's commitment to transparency and public accountability, the Council's Pay Policy Statement extends beyond the basic statutory requirements and pulls together a wide and comprehensive range of information on pay and remuneration in one place and presents it in a simple, consistent format in order that the public can understand:
- How the Council determines pay and terms and conditions for all staff
 - What the Council pays its employees
 - The context and rationale behind decisions
 - How senior officer remuneration relates to that of other employees.
10. The key principles underpinning the Pay Policy Statement are that the Council:
- Is committed to equity and fairness of treatment across the whole workforce
 - Is committed to openness, transparency and public accountability
 - Has the right to determine senior officer pay locally
 - Has ensured that senior officer pay and terms and conditions are in line with those applicable to other employees
 - Needs sufficient flexibility to cope with a variety of changing circumstances such as market factor supplements
 - Needs to reflect local circumstances such as shortage of particular key skills.

Other Options Considered

11. The focus of the Pay Policy Statement is on ensuring that the Council complies with the requirement under the Localism Act to have a Pay Policy Statement and to publish this annually. In addition, the Council has sought to pull together all of the information on the policies relating to pay and remuneration and publish this for public scrutiny in a way which enables the public to understand the operational context and decisions made and rationale for these.
12. This Statement can be amended during the financial year as necessary to reflect the prevailing legislation at the time or as emerging practice or clarification of guidance necessitate.

Reason for Recommendation

13. To ensure that Nottinghamshire County Council is legally compliant in terms of the publication of a Pay Policy Statement and accountable to the public of Nottinghamshire.

Statutory and Policy Implications

14. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Equality Implications

15. The Council's pay and grading structure is based on a "points to pay" relationship determined through Job Evaluation as a mechanism to ensure the consistent evaluation of the relative value of job roles across the council. This in turn ensures a fair, open and transparent pay and reward structure that is affordable and supports the equal treatment of all employees in respect of their pay, terms and conditions; is compliant with Equal Pay legislation and Single Status requirements. The Council's policies on pay and terms and conditions apply equally to employees at all levels of seniority across the authority.

Human Resources Implications

16. The HR implications are contained within the body of the report. The Pay Policy Statement pulls together existing policies in relation to pay and terms and conditions and publishes these for wider public scrutiny. These have previously been the subject of consultation with the recognised trades unions and agreed by elected members.
17. Trades union colleagues provided comments in response to the Pay Policy Statement which were discussed at the Central Joint Consultative and Negotiating Panel in detail. A copy of the trades union comments is available as a background paper.

RECOMMENDATION

1. It is recommended that Full Council:

Approve the Pay Policy Statement, **as appended**, which sets out the Council's existing policies, procedures and terms and conditions of employment for all staff for publication on the Council's website by 1st April 2014.

Cllr Alan Rhodes
Leader of the County Council

For any enquiries about this report please contact:

Claire Gollin, Group Manager HR on 0115 9773837 or claire.gollin@nottsc.gov.uk

Constitutional Comments (SLB 11/03/14)

18. Full Council is responsible under the constitution for approving the annual Senior Office Pay Policy Statement. The proposal in this report is therefore within the remit of Full Council.

Financial Comments (SEM 12/03/14)

19. There are no specific financial implications arising directly from this report.

Background Papers

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972:

- Openness and Accountability in Local Pay: Guidance under Section 40 of the Localism Act – DCLG 17th February 2012
- Localism Act 2011- Chapter 8 “Pay Accountability” – 15TH November 2011
- Code of Recommended Practice for Local Authorities on Data Transparency (DCLG) – September 2011
- The Hutton Report on Fair Pay in the Public Sector – 2011
- Equality Impact Assessment
- Trades union comments in response to the Pay Policy statement

Electoral Division(s) and Member(s) Affected

All

Pay Policy Statement

2014-15

Draft v2

1st February 2014.

CONTENTS:

1. Introduction and Purpose:

2. Background

3. Organisational context

4. Determination of pay and terms and conditions

5. Relationship between highest and lowest paid employees

6. Level and elements of remuneration of Chief Officers

7. List of appendices:

- Nottinghamshire County Council Top Level Structure Chart February 2014 (Appendix 1)
- Chief Officer Pay at Nottinghamshire County Council February 2013 (Appendix 2 a)
- Public Health Pay for Chief Officer Equivalents (Appendix 2b)
- Local Government Scheme - Salary scales 2013 (Appendix 3)
- Nottinghamshire County Council's Grading Policy (Appendix 4)
- Nottinghamshire County Council's Process for Assessment and Approval of Market Factor Supplements (MFS) (Appendix 5)
- Nottinghamshire County Council's Policy on Acting up and Honoraria Payments (Appendix 6)
- Nottinghamshire County Council's Policy on Redundancy and Early Retirement (Appendix 7)
- Nottinghamshire County Council's Redundancy Payment Calculator (Appendix 8)
- Nottinghamshire County Council's Policy on Flexible Retirement (Appendix 9)
- Nottinghamshire County Council's Policy on the Re-employment or Re-engagement of Former Employees (Appendix 10)
- Nottinghamshire County Council's Policy on the Payment of Travelling Allowances (Appendix 11)
- Nottinghamshire County Council's Policy on the Payment of Subsistence Allowances (Appendix 12)
- Nottinghamshire County Council's Pay Protection Policy (Appendix 13)
- Nottinghamshire County Council's Car Leasing Scheme (Appendix 14)
- Extract from Nottinghamshire County Council's Constitution Part 6 Section C, Employment Procedure Rules (September 2012) (Appendix 15).

1. PURPOSE AND SCOPE:

1.1 The purpose of a Pay Policy Statement is to increase accountability in relation to payments made to senior employees in the public sector, in particular those in local authorities, by enabling public scrutiny.

1.2 Section 38 (1) of the Localism Act 2011 requires all local authorities in England and Wales to produce and publish a Pay Policy Statement for each financial year from 2012-13 onward. Nottinghamshire County Council published its initial Pay Policy Statement on 30th March 2012.

1.3 As specified in the Act this requirement does not extend to schools and this Statement does not therefore include school based employees.

1.4 The requirements of the Localism Act in respect of transparency about senior pay build on the Accounts and Audit (England) Regulations 2011 with which the County Council is also compliant; published details of the remuneration of its Chief Executive and Corporate Directors can be found on the Council's public website.

1.5 A Pay Policy Statement must articulate the Council's own policies towards a range of issues relating to the pay of its workforce, in particular its Chief Officers, as defined by the Local Government and Housing Act 1989 and to its lowest paid employees.

1.6 Nottinghamshire County Council's Pay Policy Statement meets the mandatory requirements of the Act and provides information on Nottinghamshire County Council's Pay and Conditions of Service for its Chief Officers in comparison to the majority of the workforce employed on Local Government Scheme (LGS) terms and conditions.

Specifically it covers the Council's policy on the following points:

- the level and elements of remuneration for each Chief Officer
- the remuneration of the Council's "lowest paid employees"
- the relationship between the remuneration of Chief Officers and other officers
- other aspects of Chief Officers' remuneration including remuneration on recruitment, increases and additions to remuneration, use of performance related pay and bonuses, termination payments.

1.7 This Pay Policy Statement includes all direct employees covered by the National Joint Council (NJC) for Local Government Services national agreement on pay and conditions of service and those covered by the Joint Negotiating Committee (JNC) conditions of service for Chief Executives and Chief Officers. It excludes the small numbers employed on Youth and Community Worker national terms and conditions, or Craft Workers or Soulbury conditions of service.

1.8 **Appendix 1.** contains a structure chart of all Senior Employees of the Council employed by the Council as at **1st February 2014**, as defined in the

Employment Procedure Rules of its Constitution (**appendix 15**), employed by the Council as at **1st February 2014**, that is:

- Chief Executive
- Corporate Directors
- Service Directors
- Group Managers reporting direct to a Corporate Director
- Public Health equivalents including the Director of Public Health and their direct reports.

1.9 All of these senior employees are directly employed by the Council.

1.10 Nottinghamshire County Council's Pay Policy Statement reflects the wide definition of "remuneration" within the Act. This includes not just pay but also charges, fees, allowances, benefits in kind, increases in or enhancements of pensions and termination payments.

1.11 This Pay Policy Statement will be published on the Council's website as soon as possible following the agreement of Full Council and by **1st April 2014**.

1.12 This Statement will be reviewed annually and amended as necessary to reflect the prevailing legislation at the time; with Full Council approval as required.

1.13 This Statement will be complied with on each occasion when the Council sets the terms and conditions for a Chief Officer.

1.14 Unless otherwise stated the information and data in this Statement is current as at **1st February 2014**.

2. ORGANISATIONAL CONTEXT:

2.1 As the largest employer in Nottinghamshire, the County Council wishes to contribute to building a more prosperous local community by modelling good employment practice, including ensuring fairness in the way that it pays and rewards its existing and future employees.

2.2 The Council also wishes to be an attractive source of potential employment to job seekers across its community and is committed to using its resources to create meaningful and properly remunerated employment opportunities for local people.

2.3 The following information outlines the Council's operating basis and general position in respect of employment, pay and conditions of service and is pertinent to the requirements of the Localism Act.

2.4 Nottinghamshire remains the 11th largest local authority in England with an estimated population of 792, 200 (source: ONS latest available population estimate for Nottinghamshire, mid 2012).

2.5 The Council is the largest employer in the county with a headcount of 9,428 directly employed staff, as at 31st January 2013 (excluding those in schools), a significant proportion of whom provide a range of nearly 440 direct services to the public.

2.6 The Council's gross budget in 2014/15 is £1.2 billion of which £0.7 billion is for the direct running costs of service delivery and £0.5 billion relates to staffing costs. The Council's budget is financed by a combination of general income £0.2 billion, formula grant £0.2 billion, dedicated schools grant £0.3 billion, general grants £0.2 billion and Council tax £0.3 billion.

2.7 In order to meet the continuing budget challenges facing it the Council is reviewing and restructuring its services. To date this has resulted in an overall reduction of 25% in the number of management and supervision posts across the County Council. The Council is committed to further reducing its senior management costs in order to maximise spend on front-line services and in 13/14 deleted two additional posts at Service Director level in the Policy, Performance and Corporate Services Department.

2.8 Five posts currently work within the national conditions of service covered by the JNC for Chief Executives and Chief Officers, these being the Chief Executive, and four posts of Corporate Director. Together with the Director of Public Health, who is on NHS Consultants terms and conditions, these posts constitute the Council's Corporate Leadership Team.

2.9 Public Health services in Nottinghamshire and Nottingham City came under the responsibility of the respective County and City Councils from 1st April 2013. Public health staff transferred from the health service to the respective Councils on their NHS terms and conditions of employment protected for two years by statute.

2.10 A decision was made by both Councils to appoint a single shared Director of Public Health to enable the two Public Health departments to work closely together. As the Director of Public Health has joint responsibility for public health services in Nottinghamshire and Nottingham City, 40% of the salary of the Director of Public Health is recoverable by Nottinghamshire County Council from Nottingham City Council.

2.11 All other employees defined by the Localism Act as Chief Officers, including Service Directors, work within the national conditions of service covered by the NJC for Local Government Employees.

3. DETERMINATION OF PAY AND TERMS AND CONDITIONS:

3.1 Nottinghamshire County Council continues to subscribe to national pay bargaining through the National Joint Council (NJC) on which the local government employers are represented by the Local Government Association (LGA).

3.2 The Council fully implemented "Single Status" in 2008 (this term was designed by the national employers and trade unions to describe the equal treatment of all employees in respect of their pay, terms and conditions).

3.3 Arising from this the Council has an established pay and grading structure which is based on a "points to pay" relationship determined through a Job Evaluation process.

3.4 Job Evaluation:

3.4.1 The consistent evaluation of the relative value of job roles across the Council ensures a fair, open and transparent pay and reward structure that is affordable and compliant with Equal Pay legislation and Single Status requirements.

3.4.2 The County Council continues to use two job evaluation schemes to evaluate the work of its employees using trained in-house Job Analysts for all posts other than posts at Service Director level which are subject to an independent analysis by an external provider, the Hay Group.

- The "Hay" scheme:

3.4.3 This method of job evaluation was selected by the Council as it has been used extensively across the public sector and particularly in local government. It provides a coherent model to compare dissimilar jobs and the characteristics of different levels of work.

3.4.4 There is a specific criteria for determining if the post should be evaluated using this scheme as outlined in **Appendix 4**.

3.4.5 If a job scores less than 175 points (band A) under the Hay scheme, the job will then be evaluated under the National Job Evaluation scheme and that score will determine the grade.

- National Job Evaluation (NJE) scheme:

3.4.6 All other jobs are evaluated under the National Job Evaluation scheme. To ensure consistency across the Council, a joint Moderating Panel sits regularly to quality assure the work of the in-house Job Analysts.

3.4.7 The evaluated job score equates to a pay band on the Council's Salary Scale which is attached as **Appendix 3**.

3.4.8 The Hay Group and NJE Job Evaluation Schemes will continue to be used to establish pay grades for all jobs covered by the NJC, including Service Directors.

3.4.9 A copy of the Council's Grading Policy is attached as **Appendix 4**. The principles outlined in the policy and the schemes used have not changed.

3.5 Performance Related Pay:

3.5.1 Nottinghamshire County Council has not introduced Performance Related Pay. The Council has a Competency Framework which provides a standard set of behaviours applicable to all employees against key role descriptors at a range of levels, including Chief Officers. This assessment informs individuals' learning plans and supports effective service delivery but is not related to pay.

3.6 Pay awards and increases:

3.6.1 Nottinghamshire County Council adheres to national pay bargaining in respect of the national pay spine and any annual cost of living increase negotiated on the pay spine.

3.6.2 The first national pay award since 2009 saw employees up to and on point 57 on the national pay spine awarded a 1% pay increase from 1st April 2013. The County Council took a local decision to apply this to all employees below Service Director level in its structure (see appendices 1,2 and 3).

3.6.3 The NJC Trade Union Side have submitted their pay claim for 2014/15 in November 2013 and the National Employers have consulted on this with Councils regionally.

3.6.4 It remains the case that the last annual pay rise for Chief Executives of local authorities was awarded nationally in April 2008.

3.6.5 As part of its overall ambition to model good employment practice Nottinghamshire County Council has formally adopted the "Living Wage" for the U.K. The current nationally set Living Wage rate of £7.65 per hour (outside London), will apply to all of the Council's direct employees on spinal column point 10 or below of its current pay scale.

3.6.6 From 1st April 2014, the Living Wage rate will be paid, as an allowance on top of existing pay rates, as the minimum basic rate of pay paid on the Council's pay spine, applied to all hours worked, including enhancements and overtime payments.

3.6.7 In addition, from 1st April 2014, the Council will ensure that all young people placed within the authority as apprentices, and therefore outside of the scope of the Living Wage, are paid the national Minimum Wage regardless of age or experience. Currently this is set at £6.31 p per hour.

3.7 Incremental salary progression:

3.7.1 The Chief Executive and Corporate Directors are on fixed salaries. That is, no incremental progression applies.

3.7.2 The LGA do recommend that local authorities continue to pay contractual annual increments within their agreed pay bands. Nottinghamshire County Council have complied with this and all other employees receive contractual annual increments up to the maximum spinal column point of the evaluated salary band for their post.

3.8 Pensions:

3.8.1 The directly employed staff who are the subject of this policy, including Chief Officers, are covered by the Local Government Pension Scheme. Employees who opt into the Local Government Pension Scheme (LGPS) pay contributions from their salary dependent on earnings as set out in the LGPS Regulations in the table below:

Pension Scheme Contributions - Standard pay band table 2013 / 2014:

Band	Range	Contribution Rate
1	£0 - £13,700	5.5%
2	> £13,700 - £16,100	5.8%
3	> £16,100 - £20,800	5.9%
4	> £20,800 - £ 34,700	6.5%
5	> £34,700 - £46,500	6.8%
6	> £46,500 - £ 87,100	7.2%
7	> £87,100	7.5%

Currently National Health Service terms and conditions apply to the Public Health employees who transferred into the County Council on 1st April 2013, these include a contributory pension scheme under which employees contribute between 5 and 13.3 % of their salary dependent on seniority.

The pay band ranges will be increased each April in line with the cost of living.

3.8.2 These provisions apply equally to Chief Officers whose salaries place them in the top of the band range. Chief Officers, who are members of the scheme, therefore contribute 7.5% of their salary to their membership of the scheme.

3.8.3 The Employers contribution to the pension of all employees at all levels remains at 18.3%.

3.8.4 The Local Government Pension Scheme (LGPS) changes from 1 April 2014 will be reflected in the Council's next Pay Policy Statement.

3.9 Professional fees:

3.9.1 The professional fees of qualified Solicitors and Legal Executives and Architects employed by the Council are paid annually by the Council to enable them to continue to practice.

3.9.2 Payment of fees to cover the cost of registration with their professional body (HCPC) for Social Workers and Occupational Therapists are a matter of personal responsibility.

3.9.3 No professional fees are paid for any other employee groups, including Chief Officers.

3.10 Acting Up Allowances and Honoraria:

3.10.1 Nottinghamshire County Council's policy on the payment of Acting Up Allowances and Honoraria is set out in **Appendix 6**. Such payments are only made on an exception basis on the submission of a full business case, at the discretion of the appropriate Chief Officer.

3.11 Overtime and other additional payments:

3.11.1 In line with the NJC national agreement on pay and conditions of service, employees on spinal column point 28 (£23,708) and below are entitled to additional payments when required to work:

- on Saturday or Sunday
- on public holidays
- at night
- sleeping in duty
- split shifts
- beyond the full time equivalent hours for the week in question.

3.11.2 Members of the Corporate Leadership team are expected to be on call at all times as part of their duties and responsibilities and receive none of the additional payments available to other employees.

3.12 Car Leasing Scheme:

3.12.1 The Council's scheme (**Appendix 14**) applies to all employees including Chief Officers. At present no Chief Officers are using vehicles leased under the provisions of the scheme as indicated in **Appendix 2**

3.13 Payment of expenses:

3.13.1 Where claimed, expenses incurred by staff, including Chief Officers, in the course of carrying out their duties are paid in line with the Council's Travel and Accommodation Policy. This is part of the nationally agreed terms and conditions of service supplemented by the Council's local conditions as laid down in its policies on Travelling Allowances (**Appendix 11**), and Subsistence

Allowance (**Appendix 12**). All expenses claimed by the Chief Executive and Corporate Directors are published on the County Council's website.

3.14 Pay Protection:

3.14.1 The Council's Pay Protection Policy was last reviewed as part of the package of changes to terms and conditions and associated policies implemented in April 2010 in response to budget pressures. A copy is attached as **Appendix 13**.

3.14.2 This policy is used in circumstances where the duties of a post change and following revaluation the grade for the post goes down or where individuals are redeployed to a lower graded post to protect them from redundancy.

3.14.3 All employees receive salary protection for a period of two years, but with salary being frozen at the point at which pay protection starts, i.e., employees will not receive any subsequent incremental increases or any annual cost of living pay awards. At the end of the protection period the employee reverts to the maximum spinal column point or spot point of the substantive grade of their post.

3.15 Redundancy compensation payments:

3.15.1 Contractual notice and redundancy pay in relation to a redundancy is as set out in the Council's policy on Redundancy and Early Retirement which applies to all employees of the Council, including Chief Officers (**Appendix 7**). If the employee is aged 55 or over, under LGPS Regulations they can, by agreement, access their pension benefits without any reduction.

3.15.2 Local Authorities are able to grant, at their discretion, benefits in excess of the statutory provisions for payments to employees who cease their employment prematurely on the grounds of redundancy. Under the Equality Act 2010, Local Authorities are required to develop and publish their own policy on the award of any discretionary redundancy payments for loss of employment.

3.15.3 Nottinghamshire County Council has exercised this discretion to apply a multiplier of 1.65 on the statutory redundancy formula based on age and local government service, capped at 30 years reckonable service. A copy of Nottinghamshire County Council's redundancy payment calculator is contained in **Appendix 8**.

3.15.4 Contractual redundancy payments are therefore calculated using the discretionary formula which already includes the statutory element. This allows up to 50 weeks actual salary (dependent on age and length of service) regardless of whether the individual is under or over 55 years of age or whether the individual concerned is in the LGPS pension scheme.

3.15.5 No other additional payments or enhancements are payable.

3.15.6 This policy applies to all direct employees, including Chief Officers.

3.16 Payment on retirement:

3.16.1 Employees may also leave the employment of the Council under the following types of termination:

Efficiency of the service - As set out in the Council's policy on Redundancy and Early Retirement this provision would only be used in very exceptional circumstances.

Flexible Retirement - As set out in the Council's policy on Flexible Retirement (**Appendix 9**) employees may apply to access their pension from age 55 but remain working at the Council either on reduced pay or reduced hours. Due to the associated Pension Strain costs this provision has not been applied to Chief Officers.

3.16.2 Under the terms of the LGPS Regulations employees may also retire on the basis of age:

Age Retirement - Under Pension Regulations employees, including Chief Officers, may automatically access their pension benefits, currently from age 60, when they leave employment. As permitted under the Employment Equality (Age) Regulations 2006, the Council does not operate a default retirement age whereby employees are dismissed at age 65.

Early Retirement - As set out in the Council's policy on Redundancy and Early Retirement, under LGPS regulations, employees can request access to their pension from age 55 with the Council's consent, and the Council may choose to waive the actuarial reduction.

3.16.3 Re-engagement of former employees:

Nottinghamshire County Council's policy on the Re-employment and Re-engagement of Former Employees is set out in full in **Appendix 10** and applies to all employees, including Chief Officers. Where the former employee has previously received a voluntary or compulsory redundancy payment, part or all of the compensatory element of the redundancy payment may be recovered and abatement of pension could apply.

4. **RELATIONSHIP BETWEEN HIGHEST AND LOWEST PAID EMPLOYEES:**

4.1. **Highest and lowest paid employees:**

4.1.1 The Council's highest paid employee is its Chief Executive who is paid a fixed salary of £184,410.

4.1.2 For the purpose of this Pay Policy Statement, the definition of “Lowest Paid Employee” at Nottinghamshire County Council is LGS employees on Grade 1 spinal column point 5, equating to £12,435, annual basic pay (£6.37 per hour). This is the lowest pay point and salary currently offered for a substantive post at the Council and exceeds the statutory National Minimum Wage, currently set at a maximum of £6.31 per hour for employees over 21 years of age.

4.1.13 The implementation by the Council of the Living Wage from 1 April 2014 will benefit just over 2,200 of its lowest paid direct employees on NJC terms and conditions who are currently paid below the Living Wage rate, that is point 10 and below on the Council's current pay spine. If the Living Wage Allowance is included this increases the minimum rate of pay to £7.65 per hour.

4.2 Relationship between the Pay of the Highest and Lowest Earner:

4.2.1 When expressed as a multiplier of pay, the Chief Executive's salary is 15:1 greater than that of the Council's lowest earner before application of the Living Wage Allowance.

4.3 Median Pay of Workforce:

4.3.1 For the purpose of this Pay Policy Statement, Nottinghamshire County Council has based the calculation of its “average basic pay” on Government guidance (DCLG) which requires use of the Median figure.

4.3.2 As at 1st February 2014, the Council's Full Time Equivalent **Median pay** was: £17, 333 per annum (approx spinal column point 18 on the Council's pay scale).

4.4 Pay Multiple:

4.4.1 The relationship between the Chief Executive's pay and that of the Council's median earner (£17,333) is a ratio of 11:1.

4.4.2 Nottinghamshire County Council does not currently have a policy of maintaining or reaching a specific pay multiple target.

5. LEVEL AND ELEMENTS OF REMUNERATION OF CHIEF OFFICERS:

5.1 The pay of Chief Officers at Nottinghamshire County Council is determined by its democratically elected representatives through its Personnel Committee which, under current constitutional arrangements, has delegated authority from the County Council to make decisions on behalf of the Council relating to pay, terms and conditions (**see Appendix 15**)

5.2 Under current Constitutional arrangements, Chief Officer appointments are made by elected members on the Senior Staffing Sub Committee which is a sub committee of the Policy Committee. These Committees refer to Full Council and as such all such appointments are subject to ratification by Full Council.

5.3 The comparative level of remuneration of each Corporate Director is decided on the basis of their particular accountabilities and responsibilities (including any statutory responsibilities) and the size of the job, taking into account the range of services provided the number of employees and the size of the population within their remit. This is supported by information from the Hay Group on median pay rates for comparative roles of a similar size in a range of public sector organisations across the country.

5.4 The table at **Appendix 2 (a)** sets out a comprehensive breakdown of all pay related terms and conditions offered to the County Council's senior employees, including Chief Officers, which are in line with those which apply to other members of staff. The detail of the remuneration packages of all members of the Chief Officers Leadership Team is also set out on the Council's Public website under "About Senior Officers".

5.5 The table at **Appendix 2 (b)** sets out all of the pay related terms and conditions of their Public Health equivalents.

5.6 Supplementary statutory guidance to the Localism Act (section 40), issued in February 2013, includes a new requirement that the severance packages for senior officers of, or above, £100,000 are approved by Full Council. No such payments have been made by the Council during 2013/14.

5.7 Remuneration of Chief Officers on recruitment:

5.7.1 The starting salary of the Service Directors falls within the pay band for their job, as set out in **Appendix 2 (a) and 3**, and is subject to annual incremental progression to the top point of the pay band.

5.7.2 New Service Directors will normally start on the minimum pay point for their pay banding and will not be offered more than the maximum. In seeking to appoint from outside the Council there may be a need to offer more than the minimum of the grade to secure the appointment of the preferred candidate. In any case the starting salary offered will not be more than the maximum of the pay band for the evaluated grade of the job unless another policy such as Market Factor Supplements is applicable.

5.7.3 On appointment, a Chief Executive or Corporate Director will be appointed to the agreed spot salary for their post.

5.8 Returning / Counting Officer's Fee:

5.8.1 In Nottinghamshire, the County Council's Chief Executive is the Chief Officer nominated as Returning Officer in charge of the running of Local, European, Parliamentary Elections and National Referenda. The Council does not govern the fee payable for these elections as it is funded by central government and is therefore not related to Nottinghamshire County Council's terms and conditions. The fee paid to the County Council for the Chief Executive undertaking this function is retained by the Council. The Chief Executive receives no additional remuneration.

5.9 Deputy Chief Executive

5.9.1 The Council makes an additional payment of £416.67 per month gross to the Corporate Director appointed to undertake the additional duties involved in formally deputising for the Chief Executive. Currently this is the Corporate Director Children, Families and Cultural Services as cover this role in the absence of the Corporate Director of Adult Social Care and Health and Public Protection who is undertaking the role of Vice President and President elect for the Association of Directors of Adult Social Services, provisionally until 1st April 2015.

5.10 Deputy Director Adult Social Care and Health and Public Protection (ASCHPP)

5.10.1 In 2013 the Council's Corporate Director ASCHPP was elected as the Vice President, and then President, of the Association of Directors of Adult Social Services (ADASS). A Deputy Director was appointed from 11th November 2013 to deputise for the Corporate Director by managing the Department on a day to day basis and providing business continuity. The Council makes an additional payment of £572.22 per month gross to the Service Director, Personal Care and Support (younger adults), to undertake these duties.

5.11 Monitoring Officer's Fee:

5.11.1 The Council's Corporate Director, Policy Planning and Corporate Services currently fulfils the statutory obligations of the Monitoring Officer to ensure Nottinghamshire County Council, its officers, and its elected Councillors maintain the highest standards in all they do. The Monitoring Officer's legal basis is found in [Section 5 of the Local Government and Housing Act 1989](#); as amended by the Local Government Act 2000. This duty was taken into consideration in the evaluation of the salary of the Corporate Director Policy, Planning and Corporate Services post under the Hay Group Job Evaluation scheme. The post holder also undertakes the Monitoring Officer role to the Police and Crime Panel but receives no additional remuneration for this work. The Deputy Monitoring Officer is the Group Manager - Legal and Democratic Services.

5.12 Section 151 Officer

5.12.1 In Nottinghamshire County Council this responsibility under the local Government Act 1972 is undertaken by the Service Director Finance and Procurement. This duty was taken into consideration in the evaluation of the salary of the Service Director Finance and Procurement under the Hay Group Job Evaluation scheme. No separate payment is made for undertaking this function.

5.13 Public Health transfer

5.13.1 The Director of Public Health and his direct reports are currently on NHS pay and terms and conditions (as listed in **Appendix 2 (b)**) on a transitional basis under the Transfer of Undertakings (Protection of Employment) Regulations (TUPE), arrangements for a period of two years from the date of transfer, which was 1st April 2013.

5.14 Payments to Chief Officers on ceasing to hold office or be employed by Nottinghamshire County Council:

5.14.1 To ensure accountability is maintained Under Part 6 c of the Council's current Constitution (**Appendix 15**), under delegated powers from Full Council, the Senior Staffing Committee is responsible for the appointment and dismissal of and the taking of disciplinary action against senior employees, that is the Chief Executive, Corporate Directors and Service Directors, this includes the Monitoring Officer and Section 151 Officer.

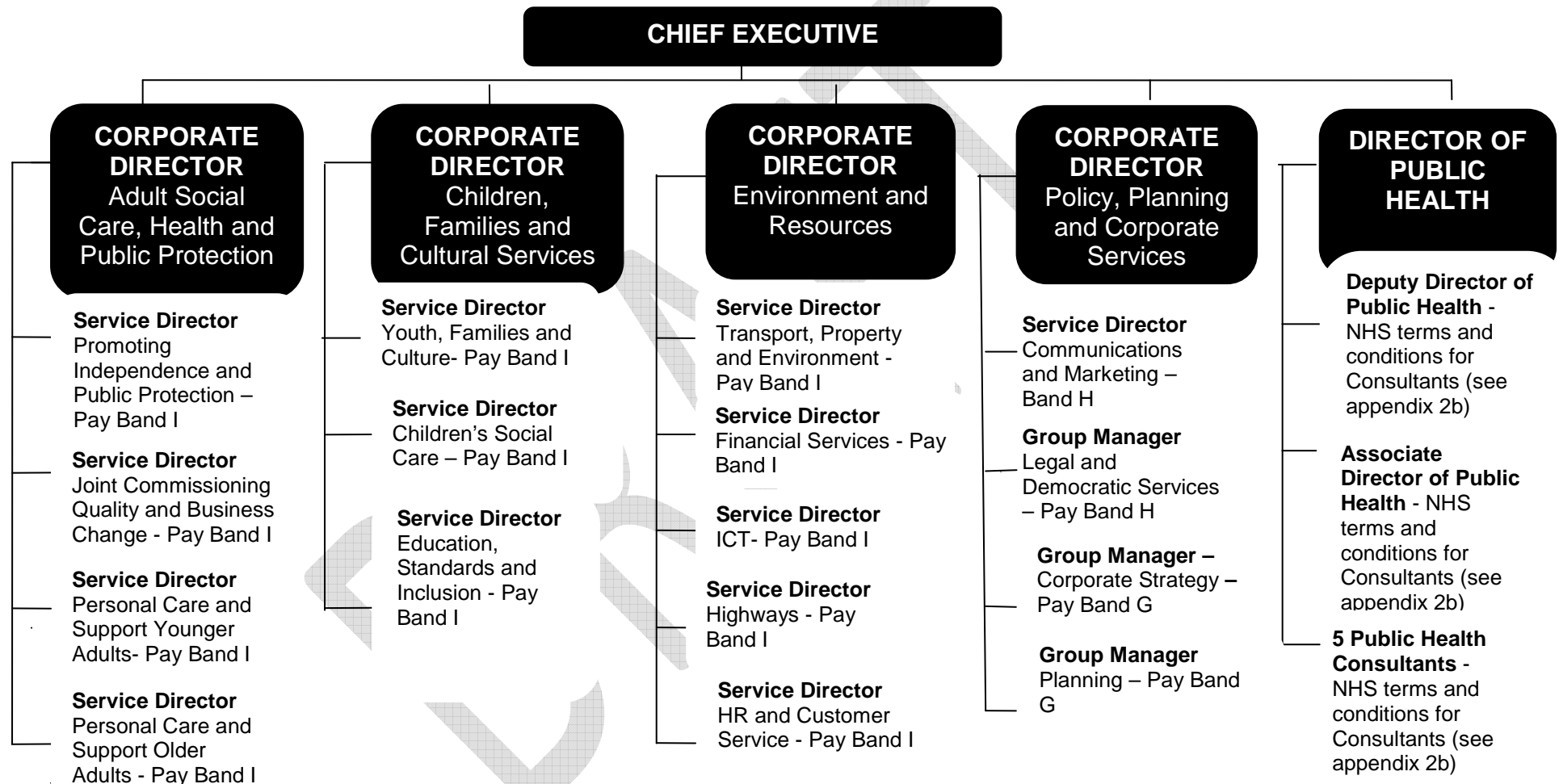
5.14.2 The Council's payment to Chief Officers leaving the Council is made under the same types of termination and same rules as for other employees as set out in section 3 above and the relevant policies apply. Any such terminations are reported to Personnel Committee and published in the annual Statement of Accounts.

5.14.3 In compliance with the supplementary statutory guidance to the Localism Act (section 40), any future severance packages for senior officers of or above £100,000 will be subject to approval by Full Council.

Appendices:

See separate appendix.

Appendix 1: Nottinghamshire County Council's Substantive Top Level Structure Chart, as at 1st February 2014



Appendix 2a: Chief Officer Pay at Nottinghamshire County Council 1st February 2014

Chief Officer post (see structure chart at appendix 1)	Current annual basic pay	Salary scale (see appendix 3)	Increase and additions inc any Honoraria or MFS	Bonuses	Benefits in kind	Increase / enhancements to pension	Amount payable on cessation of employment	Car Lease (Y/N)
Chief Executive – (Returning Officer) *	£184,410	CE	NIL	Not Applicable under Single Status Agreement	Not applicable – none paid	Not applicable - LGPS provision apply to all NCC staff (see page 5 of PPS)	As per agreed redundancy compensation provisions applicable to all NCC staff (see appendix 7)	N
Corporate Director Policy Planning Services (Monitoring Officer)	£121,371	CO	NIL					N
Corporate Director Children, Families and Cultural Services	£134,908	CO	*£5,000 additional allowance per year for Deputy Chief Executive duties.					N
Corporate Director Adult Social Care and Public Protection	£121,371	CO	NIL					N
Corporate Director Environment and Resources	£121,371	CO	NIL					N
Service Director Promoting Independence & Public Protection	£87,038	Band I	NIL					N
Service Director Joint Commissioning , Quality and Business Change	£87,038	Band I	NIL					N

Service Director Personal Care and Support - Younger Adults	£87,038	Band I	£6, 867 per year for acting as Deputy Corporate Director Adult Social Care and Public Protection					N
Service Director Personal Care and Support – Older Adults	£87,038	Band I	NIL					N
Service Director Youth, Families and Culture	£87,038	Band I	NIL					N
Service Director Children's Social Care	£87,038	Band I	NIL					N
Service Director Education Standards and Inclusion	£87,038	Band I	NIL					N
Service Director HR & Customer Service	£87,038	Band I	NIL					N
Service Director Communications and Marketing	£70,179	Band H	NIL					N
Service Director Transport, Property and Environment	£87,038	Band I	NIL					N
Service Director Finance and Procurement (Section 151 Officer)	£87,038	Band I	NIL					N
Service Director ICT	£83,467	Band I	NIL					N
Service Director Highways	£83,467	Band I	NIL					N

Group Manager – Corporate Strategy	£60,440	Band G	NIL					N
Group Manager – Planning	£59, 072	Band G	NIL					N
Group Manager Legal and Democratic Services	£66,280	Band H	Nil					N

Appendix 2b: Chief Officer Equivalent Post – Public Health Pay at Nottinghamshire County Council 1st February 2014									
Chief Officer post (see structure chart at appendix 1)	Current annual basic pay	Salary scale	Social Care Call Out annual allowance	NHS Clinical excellence annual allowance	Flat rate annual allowance	NHS Add Program Activity annual allowance	Increase / enhancements to pension	Amount payable on cessation of employment	Car Lease (Y/N)
Corporate Director – Public Health(40% of salary and contractual allowances is rechargeable to Nottingham City Council)	£90,263	Paid under NHS terms and conditions as part of TUPE transfer to Nottinghamshire County Council.	£902	£17,919	£6,576	£10,818	NHS pensions provisions under TUPE transfer	As per agreed redundancy compensation provisions.	Y
Deputy Director of Public Health	£101,451		£3,043	£35,839	£2,965	£27,458			N
Associate Director of Public Health	£81,618								N
Consultant in Public Health (1)	£101,451		£2,029	£8,960	£3,288	£11,041			N
Consultant in Public Health (2)	£95,860		£1,879	£2,957					N
Consultant in Public Health (3)	£81,618								N
Consultant in Public Health (4)	£77,850								N
Consultant in Public Health (5)	£69,645		£1,618						N

Appendix 3:

Pay Scales

Local Government Scheme - Salary Scales 2013

Spinal Column point (SCP)	01/04/2013 - 2014	SCP	01/04/2013 - 2014	SCP	01/04/2013 - 2014
		35	£29,528	66	£60,440
5	£12,435	36	£30,311	67	£61,811
6	£12,614	37	£31,160	68	£63,297
7	£12,915	38	£32,072	69	£64,791
8	£13,321	39	£33,128	70	£66,280
9	£13,725	40	£33,998	71	£67,776
10	£14,013	41	£34,894	72	£69,265
11	£14,880	42	£35,784	73	£70,881
12	£15,189	43	£36,676	74	£72,494
13	£15,598	44	£37,578	75	£73,379
14	£15,882	45	£38,422	76	£74,979
15	£16,215	46	£39,351	77	£76,579
16	£16,604	47	£40,254	78	£78,301
17	£16,998	48	£41,148	79	£80,024
18	£17,333	49	£42,032	80	£81,744
19	£17,980	50	£42,895	81	£83,467
20	£18,638	51	£43,791	82	£85,193
21	£19,317	52	£44,719	83	£87,038
22	£19,817	53	£45,612	84	£88,884
23	£20,400	54	£46,553	85	£90,726
24	£21,067	55	£47,493	86	£92,575
25	£21,734	56	£48,435		
26	£22,443	57	£49,391		
27	£23,188	58	£49,997		
28	£23,945	59	£51,243		
29	£24,892	60	£52,488		
30	£25,727	61	£53,731		
31	£26,539	62			
32	£27,323	63	£56,337		
33	£28,127	64	£57,707		
34	£28,922	65	£59,072		

GRADE	MIN SCP	MAX SCP
Grade 1	4	8
Grade 2	9	13
Grade 3	14	18
Grade 4	19	23
Grade 5	24	28
Band A	29	34
Band B	34	39
Band C	39	44
Band D	42	47
Band E	47	52
Band F	56	61
Band G	63	68
Band H	69	74
Band I	78	83
Band J	81	86

Appendix 4:

Nottinghamshire County Council's Grading Policy

1. Introduction

This policy explains how posts within the County Council are graded. It covers all staff employed on the National Joint Council for Local Government Services (Green Book) conditions, excluding Corporate Directors.

2. Principles

2.1 The County Council is committed to ensuring that the grading of posts is undertaken to ensure consistency, fairness, openness and equality of treatment. In pursuit of this the following principles will be upheld:

2.1.1 All posts will be evaluated and graded using either the National Joint Council Job Evaluation Scheme or the Hay Job Evaluation Scheme according to the criteria set out in 3.1, and no other method.

2.1.2 Performance related pay will not be a feature.

2.1.3 The grade will relate to the post and not the employee.

2.1.4 There will be equal pay for work of equal value.

2.1.5 All considerations which may discriminate unfairly will be eliminated.

2.1.6 Grades need to accurately reflect the duties and responsibilities of the post, so where these have changed sufficient to be reflected in their evaluation then either managers or employees can request a re-evaluation.

3. Determining the Correct Evaluation Scheme

3.1 The following criteria will be applied to determine the most appropriate job evaluation scheme under which to evaluate a job. Jobs will be evaluated first under the Hay job evaluation scheme if:

3.1.1 The job requires a full professional qualification or an equivalent level of organisational policy and procedural knowledge (i.e. would score level 6 or higher for Knowledge in the NJC scheme or level E for Technical Know-how in the Hay scheme), OR

3.1.2 The post holder manages a discrete function or activity, OR

3.1.3. The post holder is the Authority's corporate expert on a specialised technical subject

3.2 If the job scores less than 175 points (Band A) under the Hay scheme, the job will then be evaluated under the NJC scheme and that score will determine the grade.

3.3 All other jobs will be evaluated first under the NJC scheme. If the job scores in excess of 600 points, it will be evaluated under the Hay scheme and that score will determine the grade.

3.4 Disputes regarding the correct scheme to use will be resolved by the Moderating Panel.

4. Process

4.1 The evaluation process will be the same regardless of the job evaluation scheme used.

4.2 Posts will need to be evaluated:

- When they are established
- Where there have been changes in the duties and responsibilities
- At the request of the manager or employee (where they can demonstrate that there has been a significant change to the role)
- Following a restructuring where changes will impact on the post.

4.3 Where employees wish to have their posts re-evaluated they must first discuss their concerns with their line manager. If the job holder and the line manager disagree about the need for a re-evaluation this should be resolved using normal Council procedures.

4.4 Where managers wish to put the post through a new evaluation they must first inform the affected employees of their intention.

4.5 Having established the posts to be evaluated the manager will then contact the Job Evaluation Team to request the evaluation. However it is important to note that where duties have been reallocated all affected posts must be re-evaluated.

4.6 The JE Team will issue a Job Description Questionnaire; the questionnaire will be the same regardless of the evaluation scheme to be applied.

4.7 Where the post is vacant then the manager must fill in the Job Description Questionnaire.

4.8 Where there is a single job-holder the job-holder should fill in the Job Description Questionnaire with the manager. Where the job-holder is a member of a trade union they can have the support of a steward.

4.9 Where the evaluation is for a small group of staff the manager should convene the whole group and complete the form together. Where there is a

large group or where it is not possible for all staff to fill in the Job Description Questionnaire then the group must elect a representative to fill in the Job Description Questionnaire on their behalf. The completed Job Description Questionnaire should be shared with the whole group before being submitted for evaluation.

4.10 Completed job description questionnaires will be subject to an initial assessment by a job analyst. If any of the information in the form is unclear, incomplete or not relevant the analyst will contact the line manager and/or the job holder to seek clarification. Any additional information gained will be shared with the job holder.

4.11 The Job Analyst will then evaluate the job using the appropriate job evaluation scheme.

4.12 The evaluation will then be moderated by a joint panel comprising an equal number of management and trade union representatives. The managers and employees will be notified of the evaluation of the post within 10 days of the moderating panel meeting.

4.13 The effective date of the evaluation shall be:

4.13.1 The date of the change / restructuring that triggered the evaluation, although this date cannot be more than 6 months before the request to be evaluated.

4.13.2 Where there are no identifiable points of change the effective date shall be the day the evaluation was requested.

5. Appeals

5.1 Introduction

5.1.1 Where employees are dissatisfied with the evaluation of their post they have the right to appeal. Employees should normally appeal within 10 working days of written receipt of the outcome of the evaluation, although this may be extended if circumstances warrant it. Where employees appeal the evaluated grade will not be implemented until the outcome of the appeal is known.

5.1.2 The appeals process is the same regardless of the evaluation scheme used.

5.1.3 Appeals can result in job scores going up, staying the same or going down. Any change of grade that arises from the appeals process will be implemented with effect from the date of the changes that triggered the re-evaluation or 6 months, whichever is the less. Whenever the grade of a post is reduced as a result of an appeal, the Council's agreed pay protection scheme will apply.

5.1.4 The outcome of the appeal process will be final. There will be no further right of appeal, either within or outside the County Council.

5.2 Appeals Process

5.2.1 The grounds for appeal are that:

- The wrong job evaluation scheme has been applied; or
- The applicable scheme has been wrongly applied; or
- There is new or better information available to support the evaluation

5.2.2 Appeals must be registered by the job holder using the published form. Appeals in respect of vacant posts may be registered by the line manager.

5.2.3 Following receipt of the completed registration form, the job evaluation team will request the completion of a job description questionnaire in respect of the relevant factors. The job description questionnaire must be completed by the job holder and counter-signed by their line manager. If in exceptional circumstances the job holder and the line manager disagree about the accuracy of any of the information the job holder has provided, this should be resolved prior to submission of the form. The job holder may be assisted by their trade union representative, at their own discretion, and may seek advice from the job evaluation team.

5.2.4 Where there is more than one job holder in a particular job, a workplace meeting of the whole group of job holders will be convened. That meeting will decide whether or not an appeal should be pursued in respect of the job, on the basis of a simple majority of those present. If the meeting decides to pursue an appeal, members of the group will nominate a representative to complete the job description questionnaire on their behalf, but all members of the group will be given the opportunity to comment on the completed form.

5.2.5 Individuals or sub-groups who are able to demonstrate that their job is different from the rest of the group may be considered for a separate evaluation.

5.2.6 Completed job description questionnaires will be subject to an initial assessment by a job analyst. If any of the information in the form is unclear, incomplete or not relevant the analyst will contact the line manager and/or the job holder to seek clarification. Any additional information gained will be shared with the job holder.

5.2.7 Appeals will then be considered by a joint review panel. The joint review panel will comprise three members, two of whom have had no previous involvement in the job evaluation process for the post, with one member being from the joint moderating panel, to support consistent application of the scheme.

5.2.8 The panel will consider the evidence that has been submitted against all relevant factors. Where the panel considers that the evidence submitted

impacts on factors other than those identified in the appeal, these will be taken into account by the panel and the appellant will be notified accordingly.

5.2.9 Where the evidence submitted clearly supports the appellant's case, the panel will uphold the appeal. The job evaluation team will notify the job holder and their line manager of the outcome of the panel's deliberations within 10 working days of the panel's meeting.

5.2.10 Where the evidence submitted is less clear cut, the meeting shall be adjourned and the job evaluation team will write to the job holder setting out the panel's concerns.

5.2.11 The panel will subsequently be reconvened and the line manager, job holder and their representative, where requested, will be invited to attend. Where the appeal is on behalf of a group of job holders, the group's nominated representative(s) will be invited to attend.

5.2.12 This will provide the opportunity to highlight the areas of concern and for the panel to ask questions of the job holder and line manager to clarify areas of difference, following which all parties will be asked to withdraw.

5.2.13 The panel will then determine the outcome of the appeal taking account of any representations made. The outcome of the panel's decision will be notified within 10 working days.

5.2.14 Following completion of the above procedure there will be no further right of appeal.

Note - Where managers are concerned about their ability to recruit or retain staff on the evaluated grade then they may be able to make a case for a Market Factor Supplement (**see Appendix 5**).

Appendix 5:

Nottinghamshire County Council's Process for Assessment and Approval of Market Factor Supplements (MFS)

1. Evidence required.

- 1.1 Where a Chief Officer believes that there may be a case for the payment of a market factor supplement in relation to a particular job, they will submit evidence to the Pay Board for consideration.
- 1.2 The Service Director responsible for the job in question or their delegated Service Head will produce a report setting out the business case for the Board's consideration, and may be required to attend a meeting of the Board to present the detail.
- 1.3 Evidence provided in the report should show that pay is a key factor in relation to the Authority's ability to recruit/retain employees in the job role concerned.
- 1.4 The evidence submitted will be based on the following criteria and should be shown in a number of these areas in order to give a rounded picture.
 - Information from external salary surveys showing that NCC pay is below the market rate for the job;
 - Press articles about particular national skills shortages in the related occupational area;
 - Information about similar jobs elsewhere that offer greater remuneration packages. These should not be taken simply at face value but should consider:
 - The comparability of the job description and person specification requirements.
 - The geographical location of the job(s) and the relative cost of living
 - How typical the job(s) and package is – a review of other external recently advertised, similar jobs should take place to get a balanced view.
 - Evidence that employees/potential employees within a particular employment group or geographical area are being attracted to alternative jobs within that employment group, area or other organisation and that pay is the main driving factor in this.

- Evidence of recruitment difficulties. The reasons for such difficulties need to be examined to establish whether or not pay is the key issue. Closer examination should involve:
 - Advertising response rates and the media used.
 - Surveys of individuals who have shown an interest (requested job details) but not returned an application to establish their reasons.
- Other supporting evidence may include:
 - Evidence of job offers to individuals
 - Turnover rates within the team/section – there would need to be evidence from exit interviews that pay is the cause of high turnover and not some other factor.

2. Process for approval.

- 2.1 If Pay Board is not satisfied that sufficient evidence exists to show the need to pay a market factor supplement it may either reject the request, giving reasons to the Chief Officer concerned, or ask that more evidence is provided in order that further consideration may be given before it makes its final recommendation. In the case of partnership posts the Chief Officer of the partners concerned will make the final decision. The grounds for such decisions will be recorded, to help ensure a consistent approach to such cases.
- 2.2 If the Pay Board is satisfied that sufficient evidence exists (in accordance with the criteria set out above) details of the post and the evidence provided will be forwarded for independent validation. Pay Board may also ask Departmental HR Advisors, or where appropriate external agencies to:
- Advise the Pay Board where, in their experience, this type of job requiring the appropriate skills, experience etc would attract higher pay than the original evaluation supports, and
 - Advise the Pay Board of the appropriate pay band to be awarded as a market factor supplement that they would recommend in relation to this job.
- 2.3 The Pay Board will consider the advice received from the independent agency, plus any other data (e.g. from the Local Government Information Unit) that may be relevant to that particular job, when drawing up its final recommendation.

- 2.4 Pay Board will make a recommendation on an appropriate indicative level of payment for the Market Factor Supplement, normally prior to the selection process for the post. Where this results in recruitment difficulties Pay Board may be asked to reconsider the recommended level of payment in the light of additional information arising from the recruitment process.
- 2.5 The recognised trade unions will be informed of all decisions to pay Market Factor Supplements.
- 2.6 The payment of any Market Factor Supplement will be time limited for up to a maximum of three years and subject to annual review. The outcome of the review will normally be applied according to the circumstances of the case. (In the case of a fixed term contract, the Market factor Supplement will be set for the duration of the contract, subject to a maximum of three years.) Re-assessment of market factor supplement payments will take place through the collection of evidence and process set out in this document.
- 2.7 Where a base grade changes after appeal, any market factor supplements will be assimilated into the pay adjustment for the substantive grade.

Appendix 6:

Nottinghamshire County Council's Policy on Acting up and Honoraria Payments

Criteria for Awarding Acting Up and Honoraria Payments

1. Principles

1.1 The policy and payment criteria for both acting up and honoraria payments will apply to all posts, regardless of the amount of payment involved.

1.2 Payment of any acting up or honorarium will only apply to situations of more than four weeks in duration.

1.3 Payment of any acting up or honorarium will usually be for a maximum of 12 months.

1.4 If an honorarium or acting up arrangement is to continue beyond six months, it should be reviewed at six months and in any event, in normal circumstances, should not exceed 12 months.

1.5 Where the change to the job role is permanent, it should be re-evaluated under current job evaluation arrangements to take the new duties into account.

1.6 Senior officers are expected to work flexibly and honoraria provisions will not normally apply to officers on Hay Band F and above, other than in very exceptional circumstances agreed by the Chief Executive.

1.7 Project work, including cross cutting corporate project work and project work involving external partners is a requirement of all senior officers on Hay Band F and above and will not, normally, merit an honorarium payment.

1.8 Departments will ensure that this requirement is reflected in job descriptions for all posts at third tier level in the new departmental structures, subject to collective agreement.

1.9 Opportunities for discrete and time limited project work, which may be promotional, should **normally** be advertised in accordance with agreed recruitment and selection guidelines and will be appointed to at the evaluated rate for the project duties and responsibilities concerned.

1.10 Honoraria will not usually be paid where additional work is undertaken which is of a like nature to the individual's existing job description i.e. of the same type at the same level.

1.11 A fully documented business case should be made by the department to support all proposals for acting up and honoraria payments.

1.12 The business case will include evidence to illustrate the following:

1.12.1 The reason for the proposed payment, for example to cover a long term absence or undertake a specific piece of work

1.12.2 Posts affected and grades of the substantive and higher level / alternative duties involved

1.12.3 The extent of different and /or additional duties involved i.e. - full or partial, if partial quote percentage

1.12.4 The duration, specifying dates from and to

1.12.5 Alternatives considered. In many situations the need for extra work of the same type to be undertaken on a temporary basis can be accommodated without the need for additional payment.

1.12.6 Cost. The calculation of the amount of payment should be made in accordance with the guidance set out under the criteria for calculating payments

1.13 These rules should normally be applied in each case, however, where this can be demonstrated by the business case; in very exceptional cases it may be more appropriate to adopt a token payment approach.

2. Process

2.1 The circumstances potentially justifying an honorarium, and where possible the likely period involved, shall be identified at the outset and agreed with the employee.

2.2 The manager should submit their written business case, listing all the elements set out in 1.above, to their departmental management team.

2.3 The advice of the HR team should be sought as necessary and the proposal copied to the Service Head (HR).

2.4 Corporate Directors will apply the criteria at 1 above and decide whether honoraria or acting up proposals should be implemented, seeking the advice of the Service Director Corporate Services (HR) as necessary.

2.5 The Corporate Director's decision on honoraria will be subject to scrutiny through Delegated Decision.

2.6 Decision reports on honoraria should be constructed in such a way as to avoid the need for exemption.

3. Definition

3.1 Acting up

3.11 An “acting up” situation is defined as one where an employee(s), for any reason other than annual leave, is called upon to undertake the full duties and responsibilities of a higher graded post for a continuous period of at least four weeks.

3.12 Acting up may be shared between two parties on a pro- rata basis. To qualify as “acting up”, the employee(s) concerned must undertake **the full duties and responsibilities** of the higher level post, as set out in the agreed job description, for the duration of the period concerned i.e. 100 percent of the duties for a specified percentage of the time.

3.13 Consideration should be given to advertising more widely in longer term situations such as maternity cover.

3.14 After four weeks, an approved acting up payment commensurate with the evaluated grading of the post temporarily occupied will be made, backdated to the first day of acting up, period, as set out in the delegated decision report.

3.2 Honoraria

3.21 An honorarium payment may be granted in circumstances where employees temporarily undertake a proportion of a higher level of duties and responsibilities outside the scope of their normal post, where these are significant and over an extended period, but short of undertaking the full duties and responsibilities of the higher graded post.

3.22 Such circumstances may include:

3.2.2.1 Shared responsibility with more than one employee undertaking a specific and or separate part of a wider role which has been evaluated as having higher level duties.

3.2.2.2 A substantial addition of some higher level duties to the employee's job for a specific period and where a permanent re-evaluation as a changed job is deemed inappropriate.

3.2.3 The proposed payment shall be paid in the normal pay cycle and shall have regard to:

3.2.3.1 The evaluated level of the higher graded job. This may necessitate a reference to the Job Evaluation team if the higher level work has changed significantly.

3.2.3.2 Any additional hours over and above the employees existing contractual hours worked over the applicable period. These will be remunerated at plain time rates, subject to the discounting of four hours each

week or any extra working associated with the employee's substantive job, whichever is greater.

3.2.3.3 Pro rata principles where applicable e.g. two or more employees sharing a higher graded post by undertaking separate and distinct duties within it.

Criteria for the Calculation of Acting Up and Honoraria Payments

1. Acting up payments

1.1 Where an individual undertakes the full duties and responsibilities of a more highly graded job, subject to satisfying the criteria for awarding payments, they should receive the salary appropriate to the bottom point of the evaluated grade of the higher graded job.

1.2 Where there is an overlap between the individual's current spinal column point on their substantive grade and the bottom point of the pay band of the higher graded job they should be awarded one additional increment.

1.3 Where individuals are in receipt of an agreed salary protection and there is a difference between their protected grade and that of the substantively higher graded job, the acting up payment should be calculated based on the difference between their protected salary and the grade of the higher job for the duration of their ongoing protection period.

1.4 If the protected grade is higher than the grade of the "acting up" in relation to the individuals' substantive post, the higher level protection will continue to apply for the duration of the remaining protection period, reverting to an acting up situation as and when the protection ends.

1.5 All payments will be back-dated to the start of the arrangement, subject to any annual incremental progression but excluding accelerated incremental pay.

2. Honoraria Payments - Higher Graded Posts

2.1 Where an individual undertakes a proportion, but not all, of the duties of a more highly graded job (i.e., partial acting up), an honorarium payment may be made, subject to satisfying the criteria for awarding payments.

2.2 The total amount payable will be calculated by assessing the proportion, expressed as a percentage, of the higher graded role that is being undertaken, and multiplying this by the difference in pay between the current and higher graded role for the period of partial acting up.

2.3 The honorarium should be paid in monthly instalments (back-dated to the start of the arrangement), particularly where there is uncertainty about the likely duration of the partial acting up.

2.4 The rate used should be the spinal column point that the individual would receive if they were appointed to the higher graded job. This would normally be the minimum of the grade, but may be higher (i.e. the next available increment above the individual's own current pay) in the case of overlapping pay bands.

2.5 Where individuals are in receipt of an agreed salary protection, the honoraria payment should be calculated based on the difference between their protected salary and the grade of the higher job for the duration of the ongoing protection period.

3. Undertaking Additional Duties

3.1 An honorarium may also be appropriate where an individual at band E or below undertakes work from a different job type in addition to their own role, with no additional staffing resource, and that work is evaluated on the same pay band.

3.2 Such honorarium payments will normally be based on five percent of the individual's substantive pay (including any ongoing salary protection) for the period of undertaking additional duties.

Appendix 7:

Nottinghamshire County Council's Policy on Redundancy and Early Retirement

1. Definition

1.1 A “redundancy” occurs where the County Council needs to reduce its workforce, for example where an establishment is closing down, or because fewer employees are needed for work of a particular kind. Normally the job will have disappeared.

1.2 Non school based employees affected by redundancy, will be considered under the provisions of the Redeployment Policy.

1.3 Agreed process for selection for redundancy of employees on teacher's terms and conditions and support staff based in schools is separate and any changes will be discussed through the School and Southwell JCNP. Consultation with trade unions on any proposed redundancies will be in accordance with the specific procedure and guidance covering these employees which is in place at the time.

2. Redundancy Situations

2.1. Compulsory redundancy will only be instigated when all other reasonable available means of managing business needs have been considered and exhausted.

2.2 Details of proposed large scale redundancies including the full financial implications will be subject to departmental or corporate Delegated Decision Reports as appropriate to the service(s) concerned.

2.3 Corporate Directors should identify and quantify possible redundancies and make every effort to identify posts and therefore individuals who are at risk of redundancy.

2.4 The County Council will endeavour to ensure that all reasonable means are utilised to effectively manage employee redundancies arising out of redundancy situations.

2.5 To reduce the possibility of compulsory redundancy, the following measures may be considered where appropriate:

- the possibility of releasing a “not at risk” employee to avoid an “at risk” employee being made compulsorily redundant (this is known as “substitution” or “bumping”), dependent upon available posts, transferability of skills experience, timescale and budget

- voluntary reduction in hours or “job sharing”: may be appropriate where a redundancy situation could be avoided by a number of employees reducing their hours
- voluntary redeployment: dependent upon available posts, transferability of skills experience, timescale and budget
- voluntary redundancy/early retirement: seeking expressions of interest from employees who are willing to volunteer for redundancy (see 2.6 below).

2.6 Corporate Directors have delegated authority to agree individual cases of voluntary redundancy, with or without early retirement, taking account of the financial implications.

2.7 There is no guarantee that every request for voluntary redundancy will be agreed and employees expressing an interest are not bound to accept the severance package offered, neither will they be able to appeal a refusal of their application.

2.8 The basic principles as regards voluntary redundancy are:

- there is a need to reduce staff numbers in the volunteers’ service area
- releasing the volunteer will allow another employee at risk to secure continued employment
- the remaining staff have the skills, qualifications and experience to fill the remaining posts and ensure continued excellent service delivery

2.9 In the event that there are more volunteers than reductions required, selection will be made using a skills audit to ensure service delivery can be maintained and account will be taken of the cost to the Council of agreeing the redundancy in each case.

2.10 Individuals taking early retirement should be encouraged to attend a pre-retirement course, organised through the County Council, details are available on the Learning and Development System (LDS).

3. Consultation

3.1 There are statutory requirements in relation to consultation which the Council are required by law to comply with where it is proposed to dismiss 20 or more employees (Section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 (TULR (C) A) 19), however, it is normal County Council policy to also apply the 30 day consultation period in circumstances involving less than 20 people wherever possible.

3.2 The purpose of consultation is to provide as early an opportunity as practicable for all concerned to share the problems and explore options. The County Council will keep the trade unions informed as fully as possible.

3.3 Consultation will begin:

- at least 30 days prior to the first notice of dismissal being issued when the County Council proposes to dismiss as redundant up to 100 employees at any one establishment in a 30 day period
- at least 90 days prior to the first notice of dismissal being issued when the County Council proposes to dismiss as redundant 100 or more employees at any one establishment in a 90 day period.

3.4 In general, consultation should begin as soon as the possibility of redundancy arises to agree a protocol in relation to the information on which employees and trade union representatives will be consulted and a commitment to consider alternative proposals.

3.5 The consultation process should precede any public announcement of specific redundancies.

3.6 The statutory rules require the authority to consult on the following:

- the reason for the redundancies
- the number of and type of employees affected as against the overall number of employees of that type
- the method of selecting for redundancy
- the method of carrying out the dismissals and the time period after which the dismissals will happen
- the method of calculating the redundancy payment.

3.7 No notices of dismissal will be issued until consultation is completed. Consultation will be through the trade unions or other employee representatives and will be undertaken at the earliest opportunity to also seek ways to mitigate and avoid redundancies wherever possible.

3.8 The only possible exception to this may be where applications for voluntary redundancy have been approved, the employee has accepted the severance package on offer and the authority can issue formal notice of dismissal and the employees trade union or if a non-union member their representatives agrees to their early release prior to completion of the consultation.

4. Selection for redundancy

4.1 Posts at risk will be identified before any selection of individuals for redundancy has been carried out.

4.2 Individual employees at risk will be identified following an enabling or redundancy selection process designed to determine which of the employees

working in a prospective redundancy situation are at risk of redundancy and from what date.

4.3 There are occasions when the employees at risk are identified automatically by the very nature of the duties undertaken and the area of redundancy.

4.4 Once the employee has been informed that they have been identified, they should be invited to a formal, individual meeting with the manager who is responsible for making the final decision in relation to redundancy (or other designated officer). The employee is entitled to be represented by their trade union representative, colleague or other identified support person at these meetings. Formal notice of dismissal may be issued following this meeting. See Managing the consultation process for checklists and further guidance.

5. Appeals

5.1 Statutory dismissal and redundancy procedures are revoked under the Employment Act 2008, including redundancy situations.

5.2 Employees selected for redundancy will have a right of appeal against dismissal to Elected Members.

5.3 The process for the appeal will be in accordance with the Appeal Hearing Procedure except that management reserve the right to present cases collectively where the business case is the same.

5.4 An appeal should be lodged with the Corporate Director and Democratic Services within 10 working days of receipt of such confirmation of dismissal by reason of redundancy. The full process and supporting pro-forma are available from [HR Teams](#).

5.5 Any appeal in relation to compulsory redundancy is limited to the application of the redundancy process on the grounds that the selection for redundancy was unfair. The appeal process cannot be used to complain about the fact of the business decision to reduce or cease work in a particular area.

5.6 There will be no right of appeal in respect of non- selection for voluntary redundancy or refusal to agree an application for voluntary redundancy.

6. Training and Retraining

6.1 The Employment Rights Act 1996 gives employees with 1 year or more continuous employment who are to be made redundant a right to reasonable time off work with pay to arrange training or to look for new employment.

6.2 The granting of leave to enable redundant employees to seek alternative employment is a matter for Corporate Director's discretion (or other

designated officer). As a general guide, it may be considered appropriate to allow up to 3 days for this purpose but it should be borne in mind that the entitlement is an individual one and each case should be considered on its own merits.

7. The Statutory Redundancy Payment

7.1 The Government has exempted the determination of statutory redundancy payments from the provisions of the Equality Act 2010 which apply to the calculation of any additional, discretionary payments.

7.2 Any employee with over 2 years service who is made redundant will be entitled, in accordance with the statutory formula, to a minimum statutory redundancy payment in accordance with the Equality Act 2010, which is based upon their actual pay.

7.3 The amount of statutory redundancy payment depends on an employee's age, length of service and the amount of their normal contractual weeks pay:

- 0.5 week's pay for each full year of service where age during the year is less than 22
- 1 week's pay for each full year of service where age during the year is 22 or above but less than 41
- 1.5 week's pay for each full year of service where age during the year is over 41.

7.4 Only continuous service with organisations covered by the Redundancy Payments (Continuity of Employment in Local Government etc) (Modification) Order 1999 should be treated as reckonable when calculating an individuals' entitlement to a redundancy payment. Contracts must be successive and any break in continuous service, as defined above, will not count as reckonable.

7.5 See the list of organisations covered by the Modification Order.

7.6 The maximum service which can be taken into account under statutory provisions is 20 years, the maximum payment allowable 30 weeks pay and the maximum amount which may be used to calculate a week's pay is £430 (as at 1st February 2012).

8. Additional Discretionary Redundancy Pay

8.1 Local authorities are able to grant, at their discretion, benefits in excess of the statutory provisions to employees who cease their employment prematurely on the grounds of redundancy.

8.2 In order to comply with the Equality Act 2010, local authorities are required to develop and publish their own policy on the award of any discretionary payments for loss of employment.

8.3 Nottinghamshire County Council has exercised this discretion to apply a multiplier of 1.65 on the statutory redundancy formula based on age and local government service, capped at 30 years reckonable service.

8.4 Redundancy payments are therefore calculated using the discretionary formula which already includes the statutory element.

8.5 This allows up to 50 weeks actual salary in all cases, regardless of whether the individual is under or over 55 years of age or whether the individual concerned is in a pension scheme.

8.6 A copy of Nottinghamshire County Council's redundancy payment calculator is available through this link (PDF 31KB]

8.7 Under LGPS regulations, any redundancy payment is subject to the employee not being in receipt of any offer of alternative employment, outside of the county council's redeployment processes, prior to the last day of service and within 4 weeks of termination, regardless of the start date of the new employment.

9. Efficiency Termination

9.1 The provisions for the Council to effect a termination 'in the interests of the efficiency of the service' will be used in exceptional cases only and will be subject to the agreement of the relevant Corporate Director.

9.2 The distinction between efficiency and redundancy is that in the latter the resultant vacancy is not filled.

9.3 The circumstances in which employment may be terminated on efficiency grounds are not simply reorganisation/restructuring (such cases are more often on redundancy grounds) but are more generally related to health/ability/age considerations.

9.4 Appropriate cases are those involving an employee over 55 years of age and demanding an element of compassion e.g. the application of the provisions may be justified in a case of intermittent ill-health where a person does not qualify for immediate payment of pension benefits on grounds of permanent incapacity; or where an employee with long service becomes unable to adapt to modern methods or to a change of post and the County Council cannot accommodate them elsewhere.

9.5 There will be no award of added years in any circumstances.

9.6 It is important to stress that a decision on each case must be reached 'on the grounds of the efficient discharge of the County Council's functions' and not merely on the basis of financial savings for the County Council, this being necessary in order to comply with the appropriate pension regulations.

10. Retirement on Health Grounds (Permanent Incapacity)

See Retirement on Ill Health Grounds, Personnel Handbook.

11. Pension/Gratuity Payments

When dealing with cases of redundancy, it is necessary to bear in mind the following considerations relating to pension/gratuity payments:

11.1 Pension Position of Employees Under 55 Years of Age at Termination

With less than three months membership in the scheme - contributions may be refunded or accrued rights transferred to the Pension Scheme of a new employer.

With three months or more membership in the scheme - accrued rights may be either transferred to a new scheme or left in the Pension Fund as deferred benefits payable at pension age. Alternatively, an election to receive early payment may be made at or after age 55 (with employer's consent if under 60).

11.2 Non-Pensionable Employees Aged Over 55 Years at Termination

Gratuity payments are payable to employees over 55 years of age, who are made redundant provided that 15 years' service has been completed (See Gratuity Scheme, Personnel Handbook).

Appendix 8: Redundancy Payment Calculator

CALCULATE YOUR ENHANCED REDUNDANCY PAYMENT																																
**Total reckonable service in Local Government (years)																																
Age	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30			
18	2																															
19	2	2																														
20	2	2	3																													
21	2	2	3	4																												
22	2	2	3	4	5																											
23	2	3	4	5	6	7																										
24	3	4	5	6	7	7	8																									
25	3	5	6	7	7	8	9	10																								
26	3	5	7	7	8	9	10	11	12																							
27	3	5	7	8	9	10	11	12	12	13																						
28	3	5	7	8	10	11	12	12	13	14	15																					
29	3	5	7	8	10	12	12	13	14	15	16	17																				
30	3	5	7	8	10	12	13	14	15	16	17	17	18																			
31	3	5	7	8	10	12	13	15	16	17	17	18	19	20																		
32	3	5	7	8	10	12	13	15	17	17	18	19	20	21	21																	
33	3	5	7	8	10	12	13	15	17	18	19	20	21	21	22	23																
34	3	5	7	8	10	12	13	15	17	18	20	21	21	22	23	24	25															
35	3	5	7	8	10	12	13	15	17	18	20	21	22	23	24	25	26	26														
36	3	5	7	8	10	12	13	15	17	18	20	21	23	24	25	26	26	27	28													
37	3	5	7	8	10	12	13	15	17	18	20	21	23	25	26	26	27	28	29	30												
38	3	5	7	8	10	12	13	15	17	18	20	21	23	25	26	27	28	29	30	31	31											
39	3	5	7	8	10	12	13	15	17	18	20	21	23	25	26	28	29	30	31	31	32	33										
40	3	5	7	8	10	12	13	15	17	18	20	21	23	25	26	28	30	31	31	32	33	34	35									
41	3	5	7	8	10	12	13	15	17	18	20	21	23	25	26	28	30	31	32	33	34	35	35	36								
42	4	6	7	9	11	12	14	16	17	19	21	22	24	26	27	29	31	32	34	35	35	36	37	38	39							
43	5	7	8	10	12	13	15	17	18	20	21	23	25	26	28	30	31	33	35	36	37	38	39	40	40	41						
44	5	7	9	11	12	14	16	17	19	21	22	24	26	27	29	31	32	34	35	37	39	40	40	41	42	43	44					
45	5	7	10	12	13	15	17	18	20	21	23	25	26	28	30	31	33	35	36	38	40	41	42	43	44	45	45	46				
46	5	7	10	12	14	16	17	19	21	22	24	26	27	29	31	32	34	35	37	39	40	42	44	45	45	46	47	48	49			
47	5	7	10	12	15	17	18	20	21	23	25	26	28	30	31	33	35	36	38	40	41	43	45	46	47	48	49	50	50			
48	5	7	10	12	15	17	19	21	22	24	26	27	29	31	32	34	35	37	39	40	42	44	45	47	49	50	50					
49	5	7	10	12	15	17	20	21	23	25	26	28	30	31	33	35	36	38	40	41	43	45	46	48	50							
50	5	7	10	12	15	17	20	22	24	26	27	29	31	32	34	35	37	39	40	42	44	45	47	49	50							
51	5	7	10	12	15	17	20	22	25	26	28	30	31	33	35	36	38	40	41	43	45	46	48	50								
52	5	7	10	12	15	17	20	22	25	27	29	31	32	34	35	37	39	40	42	44	45	47	49	50								
53	5	7	10	12	15	17	20	22	25	27	30	31	33	35	36	38	40	41	43	45	46	48	50									
54	5	7	10	12	15	17	20	22	25	27	30	32	34	35	37	39	40	42	44	45	47	49	50									
55	5	7	10	12	15	17	20	22	25	27	30	32	35	36	38	40	41	43	45	46	48	50										
56	5	7	10	12	15	17	20	22	25	27	30	32	35	37	39	40	42	44	45	47	49	50										
57	5	7	10	12	15	17	20	22	25	27	30	32	35	37	40	41	43	45	46	48	50											
58	5	7	10	12	15	17	20	22	25	27	30	32	35	37	40	42	44	45	47	49	50											
59	5	7	10	12	15	17	20	22	25	27	30	32	35	37	40	42	45	46	48	50												
60	5	7	10	12	15	17	20	22	25	27	30	32	35	37	40	42	45	47	49	50												
61	5	7	10	12	15	17	20	22	25	27	30	32	35	37	40	42	45	47	49	50												
62	5	7	10	12	15	17	20	22	25	27	30	32	35	37	40	42	45	47	50													
63	5	7	10	12	15	17	20	22	25	27	30	32	35	37	40	42	45	47	50													
64 plus	5	7	10	12	15	17	20	22	25	27	30	32	35	37	40	42	45	47	50													

Appendix 9:

Nottinghamshire County Council's Policy on Flexible Retirement

Part 1: Flexible Retirement – Employee Information

1. Who does the policy apply to?

Under the Local Government Pension Scheme Regulations 2006, employees who are members of the scheme and aged 55 or over can apply for flexible retirement in circumstances where, with the employers consent, the employee reduces either their contracted hours of work and/or grade of post.

Nottinghamshire County Council is committed to offering older employees flexible options for the transition from working life to retirement, that balance both the needs of employees and those of the Council where this is affordable to the council.

2. Who is excluded from the provisions?

Employees who are members of other occupational schemes (e.g. the Teachers' Pension Scheme) or who have made alternative pension arrangements outside of the LGPS will not be able to benefit from the flexible retirement pension options set out below. Similar arrangements will be negotiated through the CFCS department JCNP.

3. Benefits of Flexible Retirement

Flexible retirement can offer benefits to both employers and employees, by:

- Helping with the management of organisational change by providing an option to older workers, whose employment may be at risk, thus helping to avoid redundancies and associated costs.
- Helping to develop a balanced age profile within the workforce by retaining older workers and keeping their skills, knowledge and expertise within the workplace.
- Offering opportunity for better succession planning and developing the capacity for older workers to act as mentors.
- Giving employees greater flexibility to balance their home and work commitments and interests.

These flexible retirement provisions apply to those employees of the Council who are members of the Local Government Pension Scheme (LGPS).

4. Pension benefits - Employees age 55 and over

Under changes made by HM Revenue and Customs in 2006, employees can receive pension benefit whilst still holding the job through which this was

accrued. As a result, an employee aged 55 or over whom, with their employers consent, reduces their contracted hours or grade, can apply to receive their accrued pension benefits.

Those employees aged 55 or over, whose application to receive their pension through this route is approved by the Council, will receive their reduced pay (either through a reduction in hours of their existing post or working in a lower graded post) as well as the pension benefit accrued to the point at which the change took effect. This may or may not be actuarially reduced; this will depend on your age and length of service.

5. Key Points to Note

5.1 There may, dependant on individual circumstances, be a cost to the employee (in the form of an actuarial reduction in pensions benefits) through taking the flexible retirement option. They will, however, receive the pension that they would have been entitled to had they fully retired at that point in their working life.

5.2 From the point at which flexible retirement benefits are taken, pension contributions into the LGPS may continue, but this will be treated as a new membership of the scheme. As a result, when the employee finally retires, they will be entitled to a second pension based on this second period of service.

5.3 If the employee finally retires (from this further employment) before age 65, it is likely that pension benefits accrued during this second period of pension scheme membership will be actuarially reduced, although the employee may opt to have payment of pension benefits deferred until they reach age 65.

5.4 An important factor to be considered is that once a pension has been agreed and put into place, it cannot be recalculated and an actuarial reduction, once in place, cannot be rescinded.

There may be circumstances where an employee takes the flexible retirement route and starts contributing to a new pension, but subsequently faces ill health retirement or redundancy. In these scenarios, it is important to seek advice from the pension team on individual circumstances. All employees who are considering the flexible benefits option should look into the possible impact of future events on pension payments over the longer term.

Where flexible retirement cannot be supported on cost grounds
employees should consider what other alternatives might be available to them, such as a straightforward reduction in contracted hours – this should be discussed with the line manager or HR team. Advice on the personal pension implications of any such change is available by contacting the pension helpline (see paragraph 12).

6. Planning Ahead

6.1 Retirement is a key life event and employees may be apprehensive about such a major change. Employees will need to be aware of the guidance that is available to them in good time so that they can make informed choices about their retirement; managers should support employees seeking such guidance. The best time to seek advice will depend on the employee's personal circumstances and when they plan to retire although in normal circumstances it may be helpful to employees to seek initial advice around five years prior to the anticipated retirement date.

6.2 Employees will need to ensure that any decisions that they may make when considering flexible retirement options fully take into account their financial liabilities/commitments. Sources of advice include:

- An independent financial adviser
- Your bank or building society – but who, in most cases, will advise only in respect of their own financial products and services
- Voluntary organisations such as Age Concern (**website:** www.ageconcern.org.uk) and Citizens Advice Bureaux (**website:** www.citizensadvice.org.uk) – particularly in respect of state pensions, benefits and debt management
- NCC Welfare rights (**website:** www.nottinghamshire.gov.uk/benefitsadvice) – benefits entitlements

6.3 Whilst the pensions team will be able to provide you with pension figures should you be interested in taking advantage of the flexible retirement provisions, they will not be able to advise on which particular course of action to take.

7. Pension Implications

Employees may be concerned about the effect of flexible retirement choices on their pension. Further details in terms of the options for early retirement and flexible retirement are contained within the Guide to the Local Government Pension Scheme, copies of which are available by contacting the pension team.

The LGPS is currently the subject of a government review, and the terms and benefits available under the scheme may be subject to change as a result. It is vital that before taking any final decisions employees contact the pensions helpline on **tel:** 0115 846 3333 for more detailed information on their own pension position.

8. Pay

Employees taking up flexible retirement options resulting in their working reduced hours will be paid on a pro rata basis, according to the number of

hours worked. Those moving to a lower graded post will receive payment at the maximum spinal point of the lower graded post; pay protection provisions will not apply in these circumstances.

Employees considering such options should satisfy themselves that their financial commitments can be covered.

9. Leave

Where flexible working options are adopted resulting in reduced hours, leave entitlement will be calculated on a pro-rata basis as set out in the Personnel Handbook. Where a new post has been taken up the new leave entitlement (relating to grade and number of years continuous service) will apply.

10. Continuous Service

Continuous service will be preserved when taking up a flexible retirement option if the employee remains in NCC employment without any break in service.

11. Changes to Contracts of Employment

Where an employee takes up one of the flexible retirement options set out above, all matters relating to changes to contracts of employment and the payment of pensions will be dealt with at the Business Services Centre at Oak House, Ruddington.

12. LGPS Pensions Helpline

Pension scheme members can obtain further information by contacting the Council's pension help line on **tel:** 0115 846 3333.

More information about the local government pension scheme is available on the Nottinghamshire Pension Fund **website:** www.nottspf.org.uk.

13. Pre-retirement Courses

There is a one-day pre-retirement course available for employees approaching retirement age arranged by the Corporate Learning and Development team in the Resources department. Details of the course programme, dates and availability of places are available through the Learning and Development System (LDS).

Part 2: Flexible Retirement – Policy and Procedure

1. The granting of flexible retirement linked to a reduction in hours or grade requires employer consent, which will be at the Council's discretion.
2. Employees interested in applying for flexible retirement should, in the first instance, apply in writing to their team manager. Where a request is received,

the manager will consider the request and discuss it with the employee and seek figures/costs information from the pensions team. When figures have been received, the manager should meet with the employee to discuss these and the options available. The manager should then inform the employee, within 14 days of this meeting, whether the flexible retirement request will be supported. If this timescale cannot be achieved (e.g. where undergoing job redesign and evaluation) the employee should be kept fully informed.

3. Team managers will need to examine each request, by considering the service needs and workload management implications alongside the needs of the employee. In cases where a team manager recommends approval of a flexible retirement request, a flexible retirement business case will need to be prepared to support a formal decision by the relevant service director.

4. Any planned changes to the establishment arising from a flexible retirement request should be subject to trade union consultation.

5. The Council will normally require a minimum reduction in contracted hours of at least one full working day (i.e. 20 percent of contracted hours) for full time employees.

6. A similar minimum reduction of 20 per cent (on a pro rata basis) will normally be required for part time employees.

7. For cases where the granting of a flexible retirement request will result in a pension strain cost to the Council, a reduction of up to 50 percent of contracted hours will normally be required, dependent upon the circumstances of the case.).

8. In cases of disciplinary, attendance management or capability procedures being underway, the Council may decline to consider requests for flexible retirement until any such cases have been fully dealt with (including appeals stages).

9. The Council will not normally consider redesigning jobs with a view to reducing the grade solely to facilitate flexible retirement; exceptions to this may include where this would facilitate the retention of particular skills in areas with recruitment difficulties or where it might meet a temporary service need pending restructure. In such cases the change in grade will be determined through the application of the appropriate job evaluation scheme (which will be done prior to final consideration of the request). Any reduction in grade must be at least one grade band in the Council's pay structure to qualify.

10. Requests to reduce hours/grade may be made where pension is not claimed or where the employee is not a member of the LGPS. Any such requests will be considered on their merit and will be dealt with as variations of contract by mutual agreement.

11. All cases resulting in a cost to the department will be subject to a formal delegated decision by the relevant Service Director. In these cases:

11.1 details of the proposed retirement and any related establishment matters

11.2 cost implications

11.3 service/ongoing workload management implications.

12. All other cases that are supported by managers, for which there is no cost to the employing department, will be subject to a formal decision by the relevant Service Director under delegated powers and recorded on the delegated decision log.

13. If the employee's pension is subject to a reduction for early retirement, then the Council will only consider waiving that reduction (at additional cost to the Council) in exceptional circumstances.

14. Where a flexible retirement request is declined, the employee will be informed by their manager in writing, with the reason for the rejection stated.

15. Any changes to employment under this policy will be permanent in nature and will be subject to acceptance of a new or amended contract of employment, as appropriate. In cases of reduction of hours, terms and conditions will be applied, where applicable, on a pro rata basis.

16. Any employee complaint about the application or outcome of the flexible retirement procedure will be dealt with through the Council's grievance procedure.

17. Where a flexible retirement package based on a reduction in grade is agreed, this will be on the basis of a mutually agreed variation of contractual terms and the Council's pay protection policy will not apply.

18. Where flexible retirement is agreed for an employee already on a protected salary, pay protection will cease when the flexible retirement arrangements commence, as this is a voluntary agreement and the employee will be in receipt of their pension.

Appendix 10:

Nottinghamshire County Council's Policy on the Re-employment or Re-engagement of Former Employees

1. Introduction

This section covers the re-employment or engagement of former employees who have received a redundancy payment from the Authority and/or who are already in receipt of their Local Government Pension Scheme (LGPS) pension benefits.

The re-engagement of former employees can, in some circumstances, provide practical solutions to specific workload/project staffing needs. Former employees will also have a wealth of knowledge about and experience of the organisation.

However, there is a danger that such appointments, if not considered and made through a structured approach, can be seen as nepotism (favouritism; denying developmental opportunities to current staff; circumventing equalities provisions and potentially denying redeployment opportunities to staff at risk of compulsory redundancy).

For those staff leaving on voluntary redundancy, where it is clear there will be an ongoing need for the skills, knowledge and experience of a particular individual, careful consideration should be given to whether the person can be allowed to leave the service on voluntary redundancy. Alternatively, it may be possible to revise the last day of service, to enable suitable contingency plans to be developed. If an employee leaves the service and it is subsequently identified that there was an intention to re-employ and the individual returns after a short space of time then there are potential implications in terms of continuity of employment and the validity of any redundancy payment made.

A balanced judgement is therefore needed, taking all of these issues into account. HR advice must be sought by managers in all cases prior to entering discussions with individuals regarding any opportunity for re-employment. Any such arrangements must also be cost effective and provide best value in the use of Council resources.

2. Inland Revenue - Employment Status

The Inland Revenue requires the authority to determine whether an arrangement with a consultant or contractor constitutes a contract of employment or can be deemed to be on a self-employed basis.

This includes a pro-forma the employing department will need to use to make a judgement, based on the responses to set questions. This determination will need to be made for each and every contract or agreement that is proposed as the decision on status is related to the contract, not to the individual. This

process to determine status must be undertaken before the engagement is agreed and any contract is signed.

Where this process determines that an engagement constitutes a contract of employment, then normal County Council terms and conditions will apply and the work must be paid for at the rate for the job assessed where appropriate through job evaluation. Remuneration arrangements must comply with corporate pay policy.

3. Protocol – short term or consultancy

3.1 It must be clear from the outset as to whether the arrangement is to re-employ through a contract of employment or to engage as a consultant with a contract for service following the relevant procurement process. This relates to employment on a short term or consultancy basis.

3.2 Areas where the re-engagement of former employees may be appropriate include:

- Discrete pieces of work where the ex-employee has the appropriate levels of skill and experience that are not available elsewhere within the Council.
- Where it is more cost effective to re-engage a former employee given their specific experience, skills and knowledge.
- Where there are problems in maintaining authorised staffing levels in a difficult recruitment market.
- Where work of an urgent nature arises at short notice and cannot reasonably be accommodated within existing resources.
- Where it is not possible for the work to be undertaken by retraining, redeployment, acting up arrangements or secondment of staff from elsewhere within the organisation.
- Where there are ad hoc pieces of work where the frequency with which the need arises is difficult to predict, for example, employment or complaint investigations.

Such skills gaps should be addressed in the longer term under the HR strategy through structured workforce planning.

3.3 Such arrangements should be time limited and be subject to appropriate written agreements covering the nature, duration, quality standards for the work to be undertaken and the basis on which the agreement will be terminated.

3.4 The initial consideration for providing cover for urgent work, where there are vacancies/staff absences/unexpected peaks in workload, should be through the use of temporary employment contracts advertised in the normal

manner or through acting up or secondment arrangements made available to existing staff, as appropriate in the circumstances. This should particularly be the case where the work relates to the normal business of the service area concerned, as opposed to defined projects or 'one-off' tasks.

3.5 The final decision on the course of action to be taken should rest with the Corporate Director for the relevant department, having consulted with the Service Director Human Resources and Customer Service. This will be subject to consideration of the particular business case.

3.6 For the purpose of these rules, former employees will be defined as anyone who has previously held a permanent employment contract with Nottinghamshire County Council.

3.7 Re-engagement on a short term or consultancy basis should not be offered to:

- Former employees who were retired prematurely on grounds of ill-health where the conditions for ill health retirement benefits being released still exist as defined by the regulations and rules of the Local Government Pension Scheme (LGPS). Further information on the 3 tiers of ill health retirement can be found in of the Personnel Handbook.
- Former employees who were dismissed for reasons of conduct. Managers should seek the advice of the relevant HR Group Manager when considering the re-employment of a former employee dismissed on the grounds of capability particularly where health has been a factor.
- Former employees whose employment with the Council ended by mutual consent on terms set out in a compromise agreement.
- Former employees who retired on efficiency grounds, where these grounds still affect the ability of the individual to carry out the work in question.
- Former employees where there have been substantiated allegations or findings of harassment and bullying, or where there are known safeguarding concerns.

3.8 Re-engagement on a short term or consultancy basis may be offered to:

- Former employees who resigned and who may have subsequently undertaken paid employment or consultancy elsewhere.
- Employees who were made redundant (either on a compulsory or voluntary basis), subject to an appropriate period of time having elapsed. Normally a minimum of 6 months is proposed as the usual provision, however for urgent work on a time limited basis, a reduced period may be considered provided this period is not less than one month

3.9 Where re-engagement is being considered, Corporate Directors should ensure that:

- The pro forma on employment status has been completed, and that the engagement complies with the Inland Revenue provisions on employment status. Advice should be sought at the earliest opportunity from Financial Services and the relevant HR Group Manager.
- Any proposed re-engagement is in response to a genuine service need and not a response to canvassing.
- Full consideration is given to equality of opportunity and where more than one potential candidate may be available the appointment should follow established recruitment and selection principles.
- The proposed arrangements comply with Financial Regulations requirements on the procurement and use of consultants, (as set out in Section E of the Financial Regulations).
- The individual has been made aware of the need to seek advice on the potential impact of their re-engagement on LGPS benefits (please see [section 4 below](#)).
- The decision to offer re-engagement is robust, able to withstand scrutiny, and that the terms of engagement (including specification of work to be undertaken, duration and payment arrangements) are clearly stated in writing.
- Appropriate records relating to the engagement and work being undertaken are retained.
- The trade unions are informed of any such appointments through the relevant JCNP.

4. Protocol – permanent or longer term re-employment

4.1 Where a former employee who has previously received a voluntary or compulsory redundancy payment, is offered re-employment with the County Council, on a permanent basis or for a period of more than 12 months, consideration will be given to whether part or all of the compensation payment should be recovered. The decision will be at the discretion of the relevant Chief Officer and be based on the following criteria:

- Part or all of the compensatory element of the redundancy payment will be recovered where a former employee is re-employed to do the same or a very similar role to the one they previously undertook.
- Whether the role is at the same or a lower grade than the post previously held.
- Where the individual left on the grounds of voluntary redundancy; the pension will be abated. If the individual was compulsorily redundant consideration will be given on a case by case basis to determine whether in the particular circumstances the pension should be abated.

- A break of at least 4 weeks must elapse before a former employee is re-employed and recovery of part or all of the redundancy payment will be considered for a period of up to 6 months after the last day of service.
- No recovery action will be taken where a former employee is re-employed after 4 weeks have elapsed, in a role of a lower grade than the one previously held, where the vacancy protocol has been applied and no internal candidate(s) has been identified as suitable to fill the role.

4.2 The Local Government Pension Scheme (Administration) Regulations 2008 requires each administering authority to formulate and review its policy concerning abatement (that is, the extent if any, to which the amount of retirement pension payable to a member from any pension fund maintained by it under the Scheme should be reduced or extinguished, where the member has entered a new employment with a Scheme employer, other than one in which he or she is eligible to belong to a teachers' scheme).

4.3 Pension abatement will be considered where a former employee is re-employed on a permanent basis. The decision to abate will rest with the Chief Officer for the employing department in consultation with the Service Director, Human Resources and Customer Service.

4.4 Where a former employee is re-employed on a time limited basis, not exceeding 12 months, and upon the production of a business case explaining the rationale for the re-employment, there will be discretion for Chief Officers not to apply pension abatement.

4.5 Any former employee engaged through a consultancy framework, on a preferred supplier list or on a separately procured consultancy basis, where payment is for a contract for service and not made through an employment contract, will not be the subject of pension abatement.

Appendix 11:

Nottinghamshire County Council's Policy on the Payment of Travelling Allowances

1. Mileage Allowances and Authorised Car Users

1.1. Introduction

Mileage allowances for travelling on authorised County Council business are determined by the authority using HM Revenue & Customs (HMRC) approved rates. There are locally determined rates for motor cycles, and bicycles.

1.2. Determining Authorised Car Users

Authorised car users will ideally have access to transport for the efficient undertaking of duties but are not required to have a vehicle available at all times. Authorised car users will only need to provide transport with advance notice. This designation does give the post holders access to a County Council car loan.

1.3. Disabled employees who are unable to drive because of their disability but who occupy posts designated as authorised car users are allowed to use taxis to carry out their duties. The scheme of taxi hire in lieu of authorised car user allowances applies to both existing disabled employees and those who become disabled.

1.4. General Conditions

Official mileage undertaken from and to the approved base, should normally be undertaken, and claimed, by the shortest available route, unless a standard mileage has been determined for that journey. All car users must be satisfied that travel by car is the most economical, taking into account travelling costs and time away from the office.

1.5. On those occasions where official mileage is claimable from and to the employee's home address, this should normally be undertaken by the shortest available route and must be claimed on the basis of:

- Home address to first call - whichever is the shorter distance between either mileage between home and first call or mileage between approved base and first call.
- Last call to home address - whichever is the shorter distance between last call and home address and last call and approved base.

1.6. Any journey between home and permanent work-base is considered by HMRC to be commuting and is subject to tax and National Insurance Contributions on the full payment.

1.7. Prior permission of the Corporate Director, or a designated officer, must be sought if an employee intends to use their car for a journey beyond 60 miles (120 miles round trip) by the most appropriate route, from the administrative base. Employees should always investigate the use of public transport as their first option for such journeys.

1.8. Where any such approval has not been given, but nevertheless the employee chooses to travel by car, then any travel claim is limited to the cost of public transport. Authorised car users should claim reimbursement via their logbook under 'railway or bus fares'; non-authorised users should claim reimbursement using the appropriate departmental form.

1.9. The reimbursement of parking fees is allowable where the use of public car parks is unavoidable, for example, when no parking facilities are available at the premises being visited and where there is no alternative to a car being used for the journey. Journeys into Nottingham city centre from County Hall or other bases in the immediate area of the City or other urban centres should normally be undertaken by public transport. There may be occasions when, for good and valid reasons, a car has to be used for such a journey and in this event, car parking charges, necessarily incurred, will be reimbursed. Where appropriate, toll-bridge charges may be claimed.

1.10 Mileage claims must only be completed by the employee incurring expenditure and should detail start and finishing mileometer readings (except where standard mileages exist), reasons for all journeys, and places of call. For visits to County Council establishments, the name will normally suffice. However, for non-County Council establishments, it is not sufficient to state simply 'London', more specific details need to be given. Authorised car users must submit their claims on a regular monthly basis. The County Council shall have the right to require an employee to carry official passengers without any additional payment and employees should not use their own cars on journeys where there is room on one of the County Council's vehicles or in the car of another employee making the same journey. As far as possible, employees should travel together to reduce the number of journeys made.

1.11. Tax Position on Car Allowances

Certain travelling expenses claims are regarded by the HMRC as not being wholly exclusively and necessarily in the performance of duties on behalf of Nottinghamshire County Council and tax therefore is deducted at source, i.e. payments are made via the payroll system. If an employee has a temporary work-base for less than 24 months, HMRC sees travel between home and this temporary work-base as business mileage. It is only when the travel is between home and permanent work-base that HMRC sees this as commuting and no tax relief is applicable. The rules regarding these are fairly complex and further information can be obtained from the Financial Services Section.

1.12. Claims and Certification

All claims for payment of mileage, subsistence allowances, travelling and incidental expenses shall be made up to a specified day each month and submitted to the Corporate Director within seven days and certified as 'Head of Department' by an officer designated for that purpose by the Corporate Director. With certain exceptions (see below) a certifying officer must be at a higher level than the claimant, e.g. equal deputies should not certify each other's claims. A Corporate Director's claim should be certified by a senior designated officer for that purpose, on the understanding that the employee so designated shall refer any queries which cannot be resolved with the Corporate Director to the Head of Service for Finance for a ruling; any such unresolved queries on the Head of Service for Finance's claims shall be referred to the Chief Executive. If a Corporate Director has any doubt as to the correctness of any claim they may wish to make, they will refer it to the Chief Executive; the latter will refer to the Leader of the County Council. Otherwise, employees generally will pursue their queries in accordance with arrangements made within the particular department.

1.13. Officers' claims submitted after six months will be paid only with the express approval of the Head of Service for Finance. Late claims will be reduced as follows:

- Between 6 and 12 months' delay - 10 per cent reduction
- More than 12 months' delay - 20 per cent reduction
- More than 2 years' delay. Corporate Director's approval is required.

1.14. Insurance

1.14.1. All employees who use their cars for County Council business should have included and maintained their policy of insurance a clause indemnifying the County Council against all third party claims (including those concerning passengers), arising out of the use of the vehicle on such business. Therefore all employees who use their vehicles or someone else's vehicle, including that of their partner, on County Council business (which would include visiting clients at home or attending day release or other training courses or seminars) must ensure that the relevant motor insurance policy covers the use of this vehicle on County Council business. The certificate of insurance should state the use permitted. Use limited to 'social, domestic and pleasure purposes' will not cover any journey in connection with work. Use 'by the policyholder in person on connection with their business', means that only the person named as policyholder on the certificate of insurance can use the vehicle for County Council business.

1.14.2. Thus, if employees are using a vehicle which is not their own, then this must be specifically stated on the certificate of insurance and it is recommended that the insurance company concerned is contacted to confirm that such use is permitted before the trip commences.

1.14.3. The possible results of using a vehicle without adequate insurance cover could be:

- A breach of the requirements of the Road Traffic Act and a subsequent police prosecution.
- Refusal by the insurance company concerned to deal with the cost of repairing the vehicle being used.
- Refusal by the insurance company concerned to deal with a claim made against the driver arising out of the use of such vehicle.

1.14.4. A No Claims Bonus Protection insurance is available to employees and application forms may be obtained from the Insurance Section, Financial Services.

2. Travelling Allowances for Training Activities

2.1. Travelling Expenses - Day or Evening Classes

Reclaimable expenses are limited to the excess over normal daily home to base expenses. Employees can claim additional mileage at the appropriate rate.

2.2. Block Release, Sandwich or Full Time (Residential) Courses

Reclaimable expenses are limited to the distance from home to the course at the commencement and completion of each period or term and one return journey every fourth weekend during college periods. The allowance will be equivalent to second class rail fare or bus fare. Where employees choose to travel daily to a course which normally would require residence in the locality of the course, they will be paid travelling allowance as if it were a day course, subject to the maximum weekly payment of the sum prescribed for lodging allowances. Payment on this basis will also be made for essential daily journeys between lodgings and the course centre. For details of the latest rates, contact the HR Team for your department.

2.3. Special Provisions for Placement Expenses

Where employees are required to use their cars for placements (e.g. ASCH employees on full time secondment training) which are an integral part of the course, they shall be paid in accordance with the following provisions:

- **NCC mileage rate** for visits to clients.
- **NCC mileage rate** for travel to placement centre from college or lodgings, whichever is the nearer.
- **NCC mileage rate** for travel to college which is in excess of previous home/work mileage.

- **NCC mileage rate** for visits of observation arranged by Course Organisers (in any case where the secondee has no car, the actual cost of public transport to be claimed).

2.4. Externally Organised Training Courses

In attending externally organised training courses employees may reclaim expenses in respect of:

- Daily travel, where the course does not require residence.
- Travel between course venue and overnight accommodation.
- Journey at commencement and completion of the course.
- A return journey home each weekend when attendance at the course is not required.

The allowances will be at the NCC mileage rate.

2.5. Internally Organised Training Courses

Reclaimable travelling expenses are limited to the expenditure in excess of that which would have normally been incurred to attend the employee's normal place of work. Employees can claim additional mileage at the appropriate rate.

2.6. Employees Attending Selection Interviews for Further Professional Training/Membership of Professional Bodies

Employees required to attend for interviews as part of the examination procedure of the various bodies issuing formal approval qualifications, will be paid travelling allowances.

3. Rail Travel

3.1. Any travel by train within mainland UK will usually be standard class fare unless travel by other classes of ticket is cheaper overall. Any councillor or officer requesting first class rail travel must give reasons which shall be recorded in the register referred to in the travel and accommodation policy.

3.2. All journeys by first class travel should be authorised beforehand except on the occasions where a second class compartment is found to be full and an employee transfers their ticket to first class status. In all cases, reimbursement will relate to any available cheap rate or the ordinary return fare, whichever is the less. In cases where it is necessary or advantageous for an employee to travel by air or to hire a taxi or car, the actual expenditure (including gratuities) shall be reimbursed.

3.3. Train tickets should be booked through Members Services.

4. Travel Abroad

4.1. Travel abroad is subject to the approval of the Administration Committee.

4.2. The Insurance Officer in the Financial Services Section must be notified at least four weeks before the proposed visit to make the necessary insurance arrangements. The Insurance Section will always arrange personal accident, loss of baggage etc. insurance for employees and Members travelling abroad. As a matter of course they also advise travellers to obtain an E111 form where relevant. These are obtained from local post offices.

4.3 Accommodation will be booked and paid for by Member Support on behalf of the County Council.

4.4 Subsistence allowance may be claimed for actual reasonable expenses incurred on meals, beverages, transport within the foreign country, laundry, 'phone calls etc.

4.5 The current maximum amount for subsistence per 24 hours for countries within the European Union is £75.00 (plus £10 per day for unreceipted out of pocket expenses).

4.6 For travel to other destinations, Members' Support will calculate a maximum amount for subsistence per 24 hours. That amount will be notified to Administration Committee when approval is sought for the travel to be undertaken.

4.7 The above rates assume that all meals (excluding breakfast) will have to be paid for from the subsistence allowance. If meals are provided as part of the visit and at no personal cost to the Council's representative(s) the daily allowance will be reduced by 20 per cent for each meal provided.

4.8 Receipts must be obtained wherever practicable for all claimable expenditure. Where this is not possible, a written statement will be required from the person making the claim

4.9. Air travel should be arranged prior to departure.

4.10. Where an employee intends to be accompanied (e.g. by their spouse, partner, member of family etc.) on a visit abroad, no cost will fall on the County Council for any expenses other than those to which the employee is entitled under the relevant Conditions of Service.

5. Attending Official Events

5.1. When attending an official event e.g. Chair's reception, travelling allowances will not be paid unless an employee is wholly on duty.

5.2. When attending a funeral, travelling allowances will not be paid unless an employee is attending as an official representative on behalf of the County Council and in which case paid leave of absence is also applicable.

6. Multiple Visits

Where any employee combines a private visit with a duty visit the travelling allowances shall relate only to the expenses which would have been incurred on duty. In such cases, employees should show:

- The mileage which would have been incurred on the duty visit travelling by the shortest possible route and
- Both the actual and what would have been normal times of leaving/return with an appropriate explanatory note

Appendix 12: Nottinghamshire County Council's Policy on the Payment of Subsistence Allowances

1. Eligibility

1.1. As a general principle, employees will be responsible for meeting the cost of their own food and drinks whilst at work. In exceptional circumstances, set out below, employees may submit claims for the reimbursement of expenditure actually incurred beyond the norm.

Reimbursement of expenditure will be on the basis of receipts for costs actually incurred (up to the maximum level agreed by the National Joint Council for Local Government Services), which will need to be obtained by the employees and submitted with claim forms. Details of the maximum levels of reimbursement are available on the County Council's intranet site or from the HR Teams for employees without internet access.

2. Allowances Available

2.1 Reimbursement in respect of any meals may be claimable where an employee has had an overnight stay or other exceptional circumstance. and where approved by the manager, the employee should seek advanced confirmation from their line manager that expenses can be claimed.

3. Details of the Scheme

3.1 The maximum amount for each category of reimbursement will be those as defined by the National Joint Council for Local Government Services. These do not represent fixed allowances, and in all cases reimbursement will be limited to the amount supported by the receipts submitted. The receipt must relate to the day and time of the meal claimed.

3.2 The County Council will not reimburse expenditure on alcoholic drinks or tobacco products in any circumstances.

3.3 Overnight Allowances

Employees are allowed to claim actual costs for absence overnight (bed and breakfast), up to an agreed maximum on the production of receipts. Details of the current rates are available from the County Council's intranet site or from the HR Teams for employees without internet access.

3.4 Submitting a Claim

Subsistence allowances should be claimed in the Travelling Expenses Log Book, in respect of authorised car users, and on the appropriate Travelling and Sundry Expenses Claim Form in respect of non-authorised car users. Times of leaving and returning to base should always be shown when subsistence allowances are claimed.

3.5 Candidates for Interview

Paragraphs 3.1-3.4 shall be applied to candidates interviewed for appointments with the County Council.

3.6 Travel Abroad

3.6.1 Bed and breakfast - actual expenditure incurred.

3.6.2 Other meals and expenses - reimbursement will be based on expenditure incurred subject to a maximum figure determined by the Head of Service for Finance. Receipts must be submitted when claims are made.

3.6.3 The rates apply to journeys to Europe only.

3.6.4 The Head of Service for Finance can vary the rate in respect of journeys outside Europe.

3.7 Out of Pocket Expenses

Out of pocket expenses incurred at residential training courses will be reimbursed in accordance with the relevant Conditions of Service. Claims for courses lasting more than 6 weeks will be the subject of review and will be considered by Corporate Directors. Where the employee has to arrive at the training establishment on the preceding Sunday night and thus will be in attendance for five or more nights they should receive the daily allowance in respect of that night outside of the weekly limit.

3.8 Visits when Accompanied by Spouse/Partner

Where an employee is accompanied by their spouse/partner, no charge will fall on the County Council for any expenses other than those to which the employee is entitled under the Conditions of Service.

Appendix 13

Pay Protection Policy:

In situations where pay protection arrangements are required employees will be offered protection arrangements as follows:

The employee will receive salary protection for a period of two years, but with salary being frozen at the point at which pay protection starts, i.e., employees will not receive any subsequent incremental increases or annual cost of living pay awards. At the end of the protection period the employee will revert to the maximum spinal column point of the substantive grade of their post.

Please see the [Management Guidance on the Application of the Pay Protection Policy \[WORD 44KB\]](#)

Notes

(i) Where employees current (pre-protection) salary includes allowances or other payments for non-standard working arrangements, consideration will be given on a case by case basis as to how these might be reflected in the Scheme of Protection.

(ii) Where other allowances are paid e.g. telephone allowances etc protection will be limited to six months.

(iii) Where an employee is redeployed to a post which has a lower level of annual leave (by reference to the grade and service related annual leave matrix) the higher level of leave will be protected for the duration of the pay protection period. At the end of the protection period, annual leave will revert to the level appropriate for the grade of the post then occupied.

(iv) In all cases, individuals will be encouraged to seek re-deployment at the level of their original post, and will receive support through the redeployment process, should they so wish.

(v) The only exception to these proposals would be in circumstances where, as in LGR, nationally negotiated protection arrangements are proposed. The operation of any such specific protection measures would be the subject of separate consultation with the trade unions at that time.

Appendix 14:

Nottinghamshire County Council's Policy Car Leasing Scheme:

1. Introduction

The County Council operates a car leasing scheme which is optional for all authorised car users. The scheme is not available to occasional casual car users. Employees wishing to apply should study the detailed Employee Guide to the Car Leasing Scheme, which is available from the HR Team for your department.

2. The County Council Car Leasing Scheme

2.1 The scheme provides for the following elements:

2.1.1 Provision of the vehicle.

2.1.2 Number plates.

2.1.3 Servicing of the vehicle at times recommended by the manufacturer.

2.1.4 All necessary repairs and replacement parts except those:

- Needed as a result of accidental, deliberate or negligent damage to the vehicle.
- In respect of accessories fitted after the date of delivery for any reason other than to replace accessories fitted to the vehicle at the date of delivery which are or become defective.

2.1.5 Unlimited tyre replacement and puncture repairs. Cases of obvious tyre abuse will result in the employee bearing the replacement cost.

2.1.6 Replacement batteries and exhausts required as a result of fair wear and tear or faulty manufacture.

2.1.7 Breakdown, recovery and Homestart service. The breakdown and recovery service does not apply to any towed unit. These costs will be the responsibility of the employee.

2.1.8 Road Fund Licence. The employee will not be liable for any increase in the cost of the Road Fund License during the period of hire unless the cost is increased by more than 10% from the commencement of the hire.

2.1.9 The supply during servicing of oil or lubricants recommended by the manufacturer.

2.1.10 The supply of antifreeze either during servicing or each autumn.

2.1.11 A replacement vehicle after 48 hours in the event of a mechanical breakdown, theft or accident damage, where, in the opinion of the Transport Manager, the vehicle is unroadworthy. No undertaking is given to provide a replacement vehicle of the same size, age or standard of the leased vehicle.

2.2 Vehicles Available

All makes of European built cars will be available through the scheme. High performance vehicles will not be provided under the scheme - in this connection final discretion will rest with the Transport Manager who will take into account job requirements. Normally the vehicle supplied will be capable of using unleaded fuel. Diesel cars are also available.

2.3 Insurance

The employee will be responsible for the provision of fully comprehensive insurance with an insurer approved by the County Council which shall include cover for normal social, domestic, pleasure and business use together with glass replacement. The insurance for the vehicle must be taken out and maintained in the name of the employee.

2.4 Business Mileage Claims

Authorised users will claim the mileage rate for business mileage undertaken.

2.5 Taxation of Motor Mileage Allowances

NCC lease cars are seen as company cars by HM Revenue & Customs and depending on the CO2 emissions of the car and the contributions towards private use there may be a taxable benefit that will be deducted against the employees code and will be arrived at using the HMRC company car taxation rules.

2.6 Mileage Bands

Vehicles are available on a wide range of mileage bands to suit individual requirements and the hire agreement will specify the maximum total mileage which the vehicle may cover during the period of the agreement.

2.7 Application Procedure

Eligible employees who, after reading the detailed Employee Guide, decide that they wish to apply for a leased car should determine the make and model of the car required and obtain a quotation from the Transport Manager, Nottinghamshire Contracting, Transport Services, 2 Riverside Way, The Meadows, Nottingham NG2 1DS. **tel:** 0115 9340705, or 0115 9340745 or 0115 9340716

Appendix 15:

Nottinghamshire County Council's Constitution

Part 6c - Employment Procedure Rules

INTRODUCTION

1. The Council has developed these regulations in order to outline the process to be followed when appointing or dismissing employees or taking disciplinary action against employees.
2. These regulations also deal with who has responsibility for changes to staffing structures. Staffing structures specify the number and types of posts that exist in each department.

APPOINTMENT AND DISMISSAL - SENIOR EMPLOYEES

3. The Senior Staffing Sub-Committee is responsible for the appointment and dismissal of, and the taking of disciplinary action against, the following employees (who will be known as "Senior Employees" for the purposes of these regulations):
 - a. Chief Executive;
 - b. Corporate Directors;
 - c. Service Directors;
 - d. where the statutory role of the Head of Paid Service, Chief Finance Officer or Monitoring Officer is held by another post holder, that post holder.
4. The Senior Staffing Sub-Committee will meet as and when required.
5. The appropriate committee Chairman for the post being considered will always be present as a member of the Senior Staffing Sub-Committee. Where the issue being considered relates to the Chief Executive or a Corporate Director, the Senior Staffing Sub-Committee will have a membership of nine; otherwise the Senior Staffing Sub-Committee will have a membership of five.
6. The Senior Staffing Sub-Committee will be required to follow the Council's Recruitment and Selection Policy.

APPOINTMENTS

7. The Council may choose to appoint any of the Senior Employees from an internal pool of candidates or by externally advertising.
8. The Council will draw up a job description and person specification which will be sent to any person on request.
9. The Senior Staffing Sub-Committee will draw up a shortlist of candidates for interview and assessment and will interview all short-listed candidates in

accordance with:

a. the Recruitment and Selection Policy; and

b. the advice of an appropriate HR advisor.

10. The preferred candidate will be offered the post subject to satisfactory references and pre-employment checks.

11. A final decision in respect of the appointment of the Head of Paid Service, Chief Finance Officer and Monitoring Officer rests with Full Council.

12. Where a reorganisation affects the structure/numbers of Senior Employee posts, posts in the new structure will be filled in line with the enabling process agreed at the time. Any competitive interviews will be carried out by the Senior Staffing Sub-Committee in accordance with the enabling process.

DISMISSALS AND DISCIPLINARY ACTION

13. In the case of dismissals, the Senior Staffing Sub-Committee will hear the case against the Senior Employee concerned and the hearing will be conducted in accordance with the Council's Disciplinary Procedure.

14. A final decision in respect of the dismissal of the Head of Paid Service, the Chief Finance Officer and the Monitoring Officer rests with full Council. Full Council will approve such dismissal before the notice of dismissal is issued.

15. The Senior Employee (unless the employee is the Head of Paid Service, the Chief Finance Officer or the Monitoring Officer) will have a right of appeal to the Appeals Sub-Committee in accordance with the appeals process set out in the Personnel Handbook. The Appeals Sub-Committee will be advised by an appropriate HR adviser who has had no previous dealings with the matter.

16. In the case of the Head of Paid Service, the Chief Finance Officer and the Monitoring Officer, no disciplinary action may be taken until a recommendation has been made following an investigation by a designated independent person. The neutral act of suspension for the purpose of investigating the alleged misconduct can be made by:

a. the Monitoring Officer in relation to the Head of Paid Service; or

b. the Head of Paid Service in relation to the Chief Finance Officer or the Monitoring Officer, in consultation with the Council Leader and Chairman of the Personnel Committee and any suspension will be on full pay and for a period of no longer than two months.

APPOINTMENT OF ASSISTANTS TO POLITICAL GROUPS

17. The appointment of any person as a political assistant must be done in accordance with legislative requirements.

APPOINTMENT, DISMISSAL AND MANAGEMENT OF ALL OTHER EMPLOYEES

18. The appointment, dismissal and management of employees (except Senior Employees) including disciplinary action will be carried out by properly authorised officers of the Council in line with the Recruitment and Selection Policy, other employment policy and procedures agreed by the Council and in compliance with statutory obligations.

EMPLOYMENT POLICIES AND PROCEDURES

19. The Council recognises national collective bargaining and acknowledges the role of national negotiating bodies in agreeing a framework of terms and conditions for local government employees.

20. Regular information will be provided to committees as and when required and requested regarding staffing.

21. The Council will develop and amend employment policies as required.

22. Proposals for new initiatives, for changes to existing employment policies and the development of management guidance will be developed by Personnel Committee.

23. Proposals for new employment policies or changes to existing policies will be subject to consultation and negotiation with the recognised trade unions through the agreed mechanisms as set out in the Employment Relations Agreement as amended from time to time. Following consultation changes to existing employment policies and new policy matters will be considered by Personnel Committee and recommended to Policy Committee for approval.

24. Details of approved employment policies and procedures and any changes will be set out in the Personnel Handbook, policy documents or guidelines as appropriate.

25. The Council will recommend that community schools adopt the Council's approved employment policies and procedures; however the adoption or otherwise of such policies will be a matter for the school governing body, if such responsibility rests with them.

CHANGES TO STAFFING STRUCTURES

26. Changes to staffing structures must be made by the relevant committees unless the post is temporary for less than 3 months. In such cases, the relevant Corporate Director can authorise the appointment (provided that, if the requirement for the temporary appointment continues after this time, the relevant committee's approval will be required).

27. A formal report will need to be presented to the relevant committee and will include the required advice and HR comments.

28. The recognised trade unions will be consulted on all proposed changes to staffing structures and any views given should be fully considered prior to a decision being made.

CHANGES TO STAFFING AND STRUCTURE RECORDS

29. The Business Services Centre (BSC) will maintain staffing and structure records. The Chief Executive and his/her nominees must ensure that any changes to the staffing structures within their departments are notified to the BSC immediately after authorisation via the established procedures.

PAY AND GRADINGS

30. Full Council will approve the Council's annual Pay Policy Statement.

31. For posts occupied by staff employed under the NJC for Local Government Services Agreement, the initial grading and any subsequent re-grading will be determined by the application of either the NJC or Hay Job Evaluation Schemes.

32. The re-grading of existing posts following evaluation using the Hay or National Job Evaluation Schemes will be automatically incorporated into contracts of employment.

33. The grading of new posts needs to be detailed in the reports to the relevant Committee regarding establishing those posts.

34. The re-grading of posts for those employee groups where job evaluation is not applied will require authorisation by the relevant Corporate Director (or their nominee) and will be reported back periodically to the relevant Committee for information.

35. With the exception of honoraria and market factor supplement payments that have been considered through the approved process set out in the Personnel Handbook, there is no discretion to apply extensions of pay above or outside of authorised pay bands. All honoraria and market supplement payments will be reported back to the relevant Committee periodically.

36. As a result of national collective bargaining, the Council will implement national pay awards as agreed by the various national joint negotiating bodies from time to time. The Council will determine a local pay structure comprising a number of salary bands, based on the National Pay Spine, extended as appropriate.

RESOLUTION OF DISPUTES UNDER THE EMPLOYMENT RELATIONS AGREEMENT

37. Arrangements for the conduct of relationships with the recognised trade unions will be set out in the Employment Relations Agreement which is agreed between the parties.

38. The Employment Relations Agreement will incorporate the structure and mechanisms for dialogue, consultation and negotiation with recognised trade unions at both corporate and departmental level and will include joint arrangements for the resolution of disputes including the establishment of a Local Joint Resolutions Committee.

39. A separate process for trade union consultation and negotiation with schools may be agreed directly with the relevant trade unions.