



To: Members of the Remuneration Committee

Notice of a Meeting of the Remuneration Committee

**Thursday, 28 September 2017 at 4.00 pm in the
Grand Jury Room, County Hall, Oxford, OX1 1ND**

A handwritten signature in black ink that reads "Peter G. Clark".

Peter G. Clark
Chief Executive

September 2017

Committee Officer: **Sue Whitehead**
Tel: 0792 0084239 ; Email: deborah.miller@oxfordshire.gov.uk

Membership

Chairman – Councillor Ian Hudspeth
Deputy Chairman - Councillor Kevin Bulmer

Councillors

Lynda Atkins
Liz Brighthouse OBE

Mrs Judith Heathcoat
Charles Mathew

Richard Webber

Declarations of Interest

The duty to declare.....

Under the Localism Act 2011 it is a criminal offence to

- (a) fail to register a disclosable pecuniary interest within 28 days of election or co-option (or re-election or re-appointment), or
- (b) provide false or misleading information on registration, or
- (c) participate in discussion or voting in a meeting on a matter in which the member or co-opted member has a disclosable pecuniary interest.

Whose Interests must be included?

The Act provides that the interests which must be notified are those of a member or co-opted member of the authority, **or**

- those of a spouse or civil partner of the member or co-opted member;
- those of a person with whom the member or co-opted member is living as husband/wife
- those of a person with whom the member or co-opted member is living as if they were civil partners.

(in each case where the member or co-opted member is aware that the other person has the interest).

What if I remember that I have a Disclosable Pecuniary Interest during the Meeting?.

The Code requires that, at a meeting, where a member or co-opted member has a disclosable interest (of which they are aware) in any matter being considered, they disclose that interest to the meeting. The Council will continue to include an appropriate item on agendas for all meetings, to facilitate this.

Although not explicitly required by the legislation or by the code, it is recommended that in the interests of transparency and for the benefit of all in attendance at the meeting (including members of the public) the nature as well as the existence of the interest is disclosed.

A member or co-opted member who has disclosed a pecuniary interest at a meeting must not participate (or participate further) in any discussion of the matter; and must not participate in any vote or further vote taken; and must withdraw from the room.

Members are asked to continue to pay regard to the following provisions in the code that *“You must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself”* or *“You must not place yourself in situations where your honesty and integrity may be questioned.....”*.

Please seek advice from the Monitoring Officer prior to the meeting should you have any doubt about your approach.

List of Disclosable Pecuniary Interests:

Employment (includes *“any employment, office, trade, profession or vocation carried on for profit or gain”*.), **Sponsorship, Contracts, Land, Licences, Corporate Tenancies, Securities.**

For a full list of Disclosable Pecuniary Interests and further Guidance on this matter please see the Guide to the New Code of Conduct and Register of Interests at Members’ conduct guidelines.

<http://intranet.oxfordshire.gov.uk/wps/wcm/connect/occ/Insite/Elected+members/> or contact Glenn Watson on **07776 997946** or glenn.watson@oxfordshire.gov.uk for a hard copy of the document.

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.

AGENDA

1. Apologies for Absence and Temporary Appointments

2. Declarations of Interest - see guidance note

3. Minutes (Pages 1 - 6)

To approve the minutes of the meeting held on 10 July 2017 (**RC3**) and to receive information arising from them.

4. Petitions and Public Address

5. Update on Gender Pay Gap Reporting 2017 (Pages 7 - 8)

Report by the Director of Human Resources (RC5)

The report provides an update on regulations requiring employers in the UK with more than 250 staff to publish figures annually on their own website and on a government website to show how large the pay gap is between their male and female employees.

Remuneration Committee is asked to note the report.

6. Pensions Benefits Sub-Committee (Pages 9 - 12)

Report by the Director of Human Resources (RC6)

This report considers the role of the Pensions Benefits Sub-Committee and in particular its role with regard to the early release of pension benefits as a result of redundancy.

It is recommended that:

- ***The Pensions Benefits Sub-Committee's role is amended under the constitution to only consider early retirement cases where the Council has discretion. E.g. ill health retirement.***
- ***Consideration and approval for all other early retirements such as redundancy and business efficiency is delegated to council Directors with concurrence from the Strategic HR Manager.***
- ***That all redundancies and early retirements including associated costs are reported to the Remuneration Committee each quarter.***

7. Update on Teachers' Pay

Members will be given an update on the current position.

8. Outside Bodies

To determine the appointments below and any further nominations made at the meeting:

South East Reserve Forces' and Cadets' Association – Councillor Lynda Atkins
Mill Arts Centre Association – Councillor Eddie Reeves

EXEMPT ITEM

It is RECOMMENDED that the public be excluded for the duration of item RC9 since it is likely that if they were present during that item there would be disclosure of exempt information as defined in Part I of Schedule 12A to the Local Government Act 1972 (as amended) and specified below in relation to those items and since it is considered that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

THE REPORT AND ANNEXES TO THE ITEM HAVE NOT BEEN MADE PUBLIC AND SHOULD BE REGARDED AS 'CONFIDENTIAL' BY MEMBERS AND OFFICERS ENTITLED TO RECEIVE THEM.

THIS ALSO MEANS THAT THE CONTENTS SHOULD NOT BE DISCUSSED WITH OTHERS AND NO COPIES SHOULD BE MADE.

9. Exempt Minutes (Pages 13 - 14)

To approve the exempt minutes of the meeting held on 10 July 2017 (**RC3**) and to receive information arising from them.

The information contained in the report is exempt in that it falls within the following prescribed category:

- 1 *Information relating to any individual*
- 3 *Information relating to the financial or business affairs of any particular person (including the authority holding that information)*
- 4 *Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matters arising between the authority or a Minister of the Crown and employees of, or officer-holders under the authority*

It is considered that in this case the public interest in maintaining the exemption outweighs the public interest in disclosing the information, in that such disclosure would infringe the rights of the individual to privacy contrary to the general law and the duty of

the authority to respect human rights and to comply with that law and contrary to the authority's duties as a fair employer.

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REMUNERATION COMMITTEE

MINUTES of the meeting held on Monday, 10 July 2017 commencing at 9.00 am and finishing at 9.35 am

Present:

Voting Members: Councillor Ian Hudspeth – in the Chair

Councillor Kevin Bulmer (Deputy Chairman)

Councillor Lynda Atkins

Councillor Mrs Judith Heathcoat

Councillor Charles Mathew

Councillor Richard Webber

Officers: Hannah Farncombe, Deputy Director Children's Social Care; Kim Terry, HR Business Partner – People; Sue Whitehead (Resources Directorate)

The Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting, and decided as set out below. Except as insofar as otherwise specified, the reasons for the decisions are contained in the agenda and reports, copies of which are attached to the signed Minutes.

15/17 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

(Agenda No. 1)

Apologies were received on behalf of Councillor Brighthouse.

16/17 MINUTES

(Agenda No. 3)

The Minutes of the meetings held on 21 March and on 16 May 2017 were approved and signed as a correct record, subject to the correction to Councillor Hudspeth's name under Minute 12/17.

17/17 EXEMPT ITEM

(Agenda No.)

RESOLVED: That the public be excluded for the duration of items PB5 and PB6 in the Agenda since it was likely that if they were present during those items there would be disclosure of exempt information as defined in Part 1 of Schedule 12 A to the Local Government Act 1972 (as amended) and specified in relation to the respective items in the Agenda and since it was considered that, in all the circumstances of each case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

PROCEEDINGS FOLLOWING THE WITHDRAWAL OF THE PRESS AND PUBLIC

18/17 EXEMPT MINUTES

(Agenda No. 5)

The minutes of the meeting held in exempt session on 21 March 2017 were approved and signed.

The information contained in the report is exempt in that it falls within the following prescribed category:

- 1 *Information relating to any individual*
- 3 *Information relating to the financial or business affairs of any particular person (including the authority holding that information)*
- 4 *Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matters arising between the authority or a Minister of the Crown and employees of, or officer-holders under the authority*

It is considered that in this case the public interest in maintaining the exemption outweighs the public interest in disclosing the information, in that such disclosure would infringe the rights of the individual to privacy contrary to the general law and the duty of the authority to respect human rights and to comply with that law and contrary to the authority's duties as a fair employer.

19/17 RECRUITING AND RETAINING CHILDREN'S SOCIAL WORKERS IN OXFORDSHIRE

(Agenda No. 6)

The information contained in the report is exempt in that it falls within the following prescribed category:

- 1 *Information relating to any individual*
- 3 *Information relating to the financial or business affairs of any particular person (including the authority holding that information)*
- 4 *Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matters arising between the authority or a Minister of the Crown and employees of, or officer-holders under the authority*

It is considered that in this case the public interest in maintaining the exemption outweighs the public interest in disclosing the information, in that such disclosure would distort the proper process of free negotiations between the authority with another party for the purposes described and would prejudice the position of the authority in those negotiations and other negotiations of a similar nature in future.

The Remuneration Committee noted progress on a programme of initiatives and measures to recruit and retain Children's Social Workers and gave agreement to a further measure.

MINUTES OF PROCEEDING FOLLOWING THE READMITTANCE OF THE PRESS AND PUBLIC

20/17 OUTSIDE BODIES

(Agenda No. 7)

The Council's Constitution allocates to the Remuneration Committee the responsibility for appointments to outside bodies other than to those identified by the Cabinet as 'strategic'.

The Committee considered a report that identified bodies to which appointments needed to be made, including any proposed new additions, and deletions. During discussion members queried the value and purpose of some of the appointments which were of an historic nature and emphasised that more needed to be done to ensure that where appointed councillors were adding value for the organisation and the County Council.

RESOLVED: to:

- (a) make appointments to the non-strategic outside bodies as listed in Annex 1 and to consider further appointments to the vacancies as set out at a future meeting;
- (b) noted the review of the category 'C' outside bodies shown at Annex 2 to the report.

..... in the Chair

Date of signing 2017

ANNEX 1

Non Strategic Outside Bodies (Remuneration Committee appointments)

Outside Body	Places	Basis of Appointment	Current Appointments
Cogges Agricultural Museum Trust	1 1	Must be a Councillor officer	Lindsay-Gale
County Nature Conservation Forum	1	Need not be a councillor	vacancy
Environment Agency -Thames Regional Flood and Coastal Committee	1	Must be a councillor (shared with Swindon BC & Hampshire CC)	Constance Hampshire Swindon
Oxford Preservation Trust	3	Must be councillors	Lindsay-Gale Pressel Vacancy—OPT have advised a reduction in no of reps from 3 to 2
Oxfordshire Buildings Trust Ltd	3 1	Need not be councillors Relevant Cabinet member	CC Chairman (ex officio) Vacancy Vacancy Lindsay-Gale
Oxfordshire Federation of Young Farmers' Clubs	1	Usually a councillor	vacancy
Oxfordshire Museums Council	1 1	Councillor Officer	Lindsay-Gale Museum Service Manager
Trust for Oxfordshire's Environment	2	Expected to be 1 councillor and 1 officer	Cabinet Member for Environment Officer - (E+E)
Mill Arts Centre Association	3	Need not be a councillor	Jacque Bugeja vacancy
Chilterns AONB Conservation Board	1		Mathew

Cotswold AONB Conservation Board	1	Must be a councillor	Mathew
Outside Body	Places	Basis of Appointment	Appointees for 2013/14
Cotswolds and Malverns Transport Partnership	2	Must be councillors	Vacancy Howson
Local Government Association: Fire Service Forum	1	Must be a councillor	Deputy Leader
North Wessex Downs Area of Outstanding Natural Beauty	1	Must be a councillor	Mathew
Oxfordshire Association for the Blind	1	Need not be a councillor	Larry Sanders
Oxfordshire Play Association	3	Need not be councillors	vacancy Roz Smith Lygo
Oxfordshire Playbus	1	Need not be a councillor	Patrick
Oxfordshire Playing Fields Association	3	Expected to be councillors	Roz Smith Lygo Johnston
South East Reserve Forces' and Cadets' Association	1	Need not be a councillor	Vacancy
Trading Standards South East Ltd.	1	Relevant Cabinet Member	Vacancy
TVEnergy	1	Must be a councillor – usually appropriate Cabinet Member	Constance
Castle Committee	1	Must be a councillor	Cabinet Member for Property & Cultural Services – Lindsay-Gale
Abingdon/Witney College Board	1	Must be a councillor	
Townlands Steering Group	1	Must be a councillor	Vacancy

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REMUNERATION COMMITTEE – 28 SEPTEMBER 2017

Update on Gender Pay Gap Reporting 2017

Report by the Director of Human Resources

Introduction

1. From 6 April 2017 employers in the UK with more than 250 staff will be required by law to publish the following figures annually on their own website and on a government website to show how large the pay gap is between their male and female employees:
 - Gender pay gap (mean and median averages)
 - Gender bonus gap (mean and median averages)
 - Proportion of men and women receiving bonuses
 - Proportion of men and women in each quartile of the organisation's pay structure
2. For public sector employers the relevant date for reporting is 31st March each year. Employers have 12 months to publish their gender pay gap so the first report needs to be published by 31 March 2018.

What should be done with the calculations?

3. The results must be published on the employer's website and a government website.
4. Employers have the option to provide a narrative with their calculations. This should generally explain the reasons for the results and give details about actions that are being taken to reduce or eliminate the gender pay gap.

Current position on reporting

5. Our payroll service (Hampshire County Council IBC) is currently in the process of building a report for all partners to enable them to calculate their gender pay gap.
6. Once the results of our gender pay gap are known, any actions to reduce any gender pay gap identified will feed into the Equality in Employment Action plan 2017 – 2021.

Schools reporting

7. Schools will only have to publish gender pay reports if the legal entity they are part of has 250 or more employees.
 - No schools (other than the one exception of a pupil referral unit) will be included in its local authority gender pay reporting.

- For maintained schools in and out of federations, the governing body is responsible for publishing their own gender pay reports. Maintained schools include foundation, community, voluntary, nursery or special schools.
- For academies in and out of chains, and for free schools, the proprietor is responsible for publishing their own gender pay reports.

RECOMMENDATION

8. Remuneration Committee is asked to note the report.

STEVE MUNN
Director of Human Resources

Contact Officer: Fiona Percival, Strategic HR Manager; Tel: 07796 997006

REMUNERATION COMMITTEE – 28 SEPTEMBER 2017

Pensions Benefits Sub-Committee

Report by the Director of Human Resources

Introduction

1. This report considers the role of the Pensions Benefits Sub-Committee and in particular its role with regard to the early release of pension benefits as a result of redundancy.

The role of Pensions Benefits Sub Committee

2. Under the council's Constitution the Pensions Benefits Sub-Committee, appointed by the Remuneration Committee has the following functions:
 - a) To determine, as the Employing Authority, the benefits of individual applications for early retirement.
 - b) The functions relating to Local Government Pensions for which the Pension Fund Committee is not responsible.
3. The Committee must comprise of three Councillors and at least one must be a member of the Remuneration Committee who will chair the meeting.

The Pension Regulations

4. The current pension regulations are The Local Government Pension Scheme Regulations 2013. Under Regulation 60, the County Council as a scheme employer must have a policy in the following areas:
 - The funding of additional pensions (Regulation 16). Scheme members can ask to pay additional pension contributions up to a limit specified in the Regulations. The employer has discretion to fund these costs in part or in full.
 - Flexible Retirement (Regulation 30 (6)) – an active scheme member over the age of 55 has a right to request flexible retirement from their employer, whereby they reduce the hours or pay and then receive payment of their pension as if they had retired at that point – such pension would be reduced as set out in actuarial guidance issued by the Secretary of State.
 - Waiving of Actuarial Reduction (regulation 30 (8)) – In addition to the actuarial reduction applied under flexible retirement, a scheme member aged 55 or more can request early payment of their pension, which would be reduced as set out in the actuarial guidance. As a scheme employer, the Council should have a policy setting out its approach for waiving this actuarial reduction in cases of both flexible and full retirement. The costs of any such waiver must be paid by the Council direct to the Pension Fund

- Awarding of Additional Pension (Regulation 31) – in addition to paying any regular contribution to an active members additional pension, an employer can award additional pension (such that the total additional pension does not exceed the limit specified in the Regulations) within 6 months of the employment ending.
5. The review of these policies would fall under the responsibility of the Pension Benefits Sub-Committee under function b) above. The determination of the individual cases under these policies falls under the responsibility of the Committee under function a) above.
 6. The Regulations also cover three circumstances where the payment of pension is prescribed under the Regulations themselves. These are retirement on the grounds of ill-health, retirement on the grounds of redundancy and business efficiency.
 7. In respect of ill-health, the employer, after taking advice from an Independent Registered Medical Practitioner must determine whether the scheme member meets the criteria for ill-health and if so, under which of the three tiers set out in the Regulations and pay the pension accordingly. The cost of early retirement under ill-health is allowed for in the contribution rates set by the scheme actuary as part of the tri-ennial valuation process.
 8. In the cases of dismissal of a scheme member over the age of 55 on the grounds of redundancy or business efficiency, the Regulations stipulate that the pension must be brought into payment based on the benefits earned up to the point of dismissal, without any actuarial reduction. Neither the employer nor the scheme member has any discretion in such cases. The employer must pay the costs of such early retirements directly to the Pension Fund in the year the decision to dismiss the scheme member was made.

Pensions Benefits Sub-Committee

9. Currently all early retirement cases are submitted to the Pensions Benefits Sub-Committee for “*approval*”. However, the Committee has understandably questioned it’s role for redundancy cases, as under the Pension Regulations the pension benefits for redundant members age 55+ must be paid. The Committee has no discretion for these cases. This question was particularly highlighted when the Pensions Benefits Sub-Committee was recently asked to consider a redundancy case, where employment had already ended.
10. The Pensions Benefits Sub-Committee convenes on an ad-hoc basis. During 2016 the Committee met on 10 occasions and considered a total of 45 cases:

Redundancy	41
Flexible Retirement	1
Waiver of Actuarial Reductions	0
Early retirement on compassionate grounds	2
Early retirement on grounds of efficiency	1

Oversight and monitoring of redundancy costs

11. Under the Council's constitution, officers have discretion to dismiss employees in accordance with legal procedures and the council's policies. This includes dismissals on the grounds of redundancy.
12. There can be significant costs attached to redundancy and particularly where there are pension costs. Mechanisms are in place to ensure these costs are minimised or avoided wherever possible, including steps taken to look for alternative work for redundant employees.
13. Directors must give authorisation for all redundancy dismissals and concurrence is also required from the Strategic HR Manager.
14. It is also important for Councillors to have an oversight of redundancy numbers and associated costs.

RECOMMENDATIONS

15. It is recommended that:
 - The Pensions Benefits Sub-Committee's role is amended under the constitution to only consider early retirement cases where the Council has discretion. E.g. ill health retirement.
 - Consideration and approval for all other early retirements such as redundancy and business efficiency is delegated to council Directors with concurrence from the Strategic HR Manager.
 - That all redundancies and early retirements including associated costs are reported to the Remuneration Committee each quarter.

STEVE MUNN
Director of Human Resources

Contact Officer: Fiona Percival, Strategic HR Manager; Tel: 07796 997006

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By virtue of paragraph(s) 1, 3, 4 of Part 1 of Schedule 12A of the Local Government Act 1972.

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