



**County Council
Tuesday, 8 February 2022**

ADDENDA

8. Pay Policy Statement 2022/2023 (Pages 1 - 24)

Report of Director of Human Resources

9. Appointment of Interim Chief Executive (Pages 25 - 26)

Report of Director of Law and Governance

10. Appointment of Returning Officer (Pages 27 - 30)

Report of Corporate Director Commercial Development, Assets and Investment

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Divisions Affected - All

COUNCIL

8 February 2022

Pay Policy Statement 2022/23

Report by Director of Human Resources

RECOMMENDATION

1. **Council is RECOMMENDED to:**
 - a) **Approve the Pay Policy Statement 2022/23 (Annex A).**
 - b) **Approve the Gender Pay Gap Report (Annex B)**

Executive Summary

Pay Policy Statement

2. The Pay Policy Statement 2022/23 attached at Annex A applies in the event that Cherwell District Council at their Extraordinary Full Council meeting on 7 February 2022 and this Council, at agenda item 7 of this meeting agenda, each resolve to mutually serve notice to end the formal S113 Agreement between Oxfordshire County Council (OCC) and Cherwell District Council (CDC).
3. In 2012 a stand-alone Remuneration Committee was set up to report each year directly to Full Council and to make recommendations regarding the Council's Pay Policy Statement. Attached at Annex A is the Pay Policy Statement 2022/23.
4. The Localism Act requires all councils to agree and publish a Pay Policy Statement every financial year. The Act lays down requirements on the content of the statement. This requirement is supplemented by detailed guidance from the Department for Communities and Local Government entitled 'Openness and Accountability in Local Pay: Guidance under Section 40 of the Localism Act'.
5. The Pay Policy Statement must contain the following:
 - The ratio between the highest paid chief officer and the lowest paid employees at the council and the highest paid chief officer and the median pay point at the council.
 - The ratio between the average salary of all chief officers and the lowest paid employees and the average salary of all chief officers and the median pay point at the council.
 - The appointment arrangements for all chief officers at the council.
 - Pay strategy, design, structures, and arrangements including job evaluation methods and arrangements for pay progression.
 - Pay arrangements on termination of employment

6. In addition, the code of Recommended Practice for Local Authorities on Data Transparency (updated in 2014) requires that councils publish prescribed information on senior pay, jobs and organisational structures.
7. The Act requires the Pay Policy Statement to be agreed by full Council. As required by the Act and Code of Practice, once approved by Council the Pay Policy Statement will be published on the Council's website and will be available on request
8. The Council's Constitution (Part 2, Article 11) sets out that one of the roles and functions of the Remuneration Committee is "To make recommendations to Council on the content of an annual pay policy statement for each forthcoming year".
9. The Remuneration Committee considered the draft Pay Policy Statement at its 13 January 2022 and considered an updated version at its 2 February 2022 meeting.
10. The Pay Policy Statement fulfils the requirements set down by the relevant legislation and codes. The updated version took into account the Committee's deliberations at its 13 January meeting and reflected the proposed appointment to a post of interim Chief Executive for the Council solely following the mutual agreement to formally end the S113 Partnership Agreement between Oxfordshire County Council and Cherwell District Council.
11. Having given due consideration, the Remuneration Committee resolved to recommend to Full Council that the Pay Policy Statement 2022/23 be approved.

Gender Pay Gap Report

12. From 2017, an employer who has a headcount of 250 or more employees on a 'snapshot date' must comply with regulations on gender pay gap reporting. Gender pay gap calculations are based on employer payroll data drawn from a specific date each year. This specific date is called the 'snapshot date'.
13. The 'snapshot date' for Oxfordshire County Council (as with most other public authority employers) is 31 March every year. The Council must report and publish their gender pay gap information by 30 March of the following year.
14. The gender pay gap shows the difference between the average (mean and median) earnings of all male employees and all female employees. This is expressed as a percentage of all male employee's earnings.
15. The aim of Gender Pay Gap (Annex B) reporting legislation is to help employers to identify the gaps in their organisations and to take action to close their gender pay gap.

Gender Pay Gap vs Equal Pay

16. The gender pay gap differs from equal pay as it is concerned with the differences in the average pay between men and women over a period of time no matter what their role is. Equal pay deals with the pay differences between men and women who carry out the same or similar jobs

Financial Implications

17. There are no financial implications arising directly from this report.

Legal Implications

18. The Localism Act 2011 requires Council's to approve is Annual Pay Policy Statement by 31 March each year and to publish it as soon as reasonably practicable after it has been approved.

19. The Pay Policy Statement will be submitted to the 8 February Council meeting for approval, ensuring the Council fulfils this requirement.

Annex: Annex A: Pay Policy Statement
Annex B: Gender Pay Gap Report

Background papers: None

Contact Officer: Karen Edwards
Director of Human Resources

February 2022

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Oxfordshire County Council

Pay Policy Statement

This policy statement has been reviewed by the Remuneration Committee and has been approved by the Council. It will be subject to review annually and in accordance with new or proposed legislation to ensure that it remains relevant and effective. It is effective from 1st April 2022

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1. Introduction, Overview and Purpose

Under Section 112 of the Local Government Act 1972, the Council has the “power to appoint officers on such reasonable terms and conditions as the authority thinks fit”. This Pay Policy Statement (the ‘statement’) sets out the Council’s approach to pay policy in accordance with the requirements of Section 38-43 of the Localism Act 2011 and due regard to the associated Statutory Guidance including the Supplementary Statutory Guidance issued in February 2013 and guidance issued under the Local Government Transparency Code 2015.

The purpose of this statement is to provide transparency with regard to the Council’s approach to setting the pay of its employees, excluding teaching staff, employees working in local authority schools and academies and alternative service delivery models.

This statement details the methods by which salaries for all roles are determined. This statement will be published on the Council’s public website and will be available in other formats upon request.

Procedural and approval requirements set down in the Council’s Constitution will be applied as required.

In determining the pay and remuneration of all its employees, the Council takes account of the need to ensure value for money in respect of the use of public expenditure.

The Council also aims to develop and implement rewards systems and structures which meet the following requirements.

- Allow the Council to recruit and retain high calibre employees to provide high quality services
- Maintain levels of pay which are in line with the Council’s financial policies and provide value for money
- Are open, transparent and accountable
- Are fair and consistent

Once approved, this policy statement will come into effect on the 1st April 2022 superseding the 2021/22 statement and will continue to be reviewed on an annual basis.

2. Definitions

To support the transparency of the Pay Policy Statement, below are definitions for common words/phrases that are used throughout.

2.1. Remuneration

For the purposes of this statement remuneration includes three elements – basic salary, pension and all other allowances arising from employment.

2.2. Chief Officers

The definition of Chief Officers is defined as the officer designated as the Head of the Authority's Paid Service; a statutory chief officer – which under the Local Government and Housing Act 1989 means Director of Children's Services, Director of Adult Social Services, Director of Public Health, Section 151 Officer and Monitoring Officer.

The definition of a non-statutory chief officer which under section 2 (7) of the 1989 Act means direct reports of the Head of Paid Service (HOPS), a person for whom the HOPS is directly responsible; a person who, as respects all or most of the duties of his/her post, is required to report directly or is directly accountable to the head of the authority's paid service; and any person who, as respects all or most of the duties of his/her post, is required to report directly or is directly accountable to the local authority themselves or any committee or sub-committee of the authority.

In the case of the Council these posts are:

- Chief Executive (Head of Paid Service)

Statutory Chief Officers

- Corporate Director of Children's Services
- Corporate Director of Adult Services
- Corporate Director of Public Health
- Director of Finance and Section 151 Officer
- Director of Law and Governance and Monitoring Officer

Non-Statutory Chief Officers

- Corporate Director of Customers, Organisational Development and Resources
- Corporate Director of Commercial Development, Assets and Investment
- Corporate Director of Environment and Place

2.3. Lowest Paid Employees

According to the pay scales, the lowest pay that employees receive is on Grade 1, Spinal Point 1 which is the lowest standard pay point. The salary on this grade is currently payable to staff carrying out cleaning roles. Lowest paid employees exclude apprentices due to their trainee status and exclude staff who transferred into the Council under TUPE protected rates.

2.4. Pay Multiples

The pay multiple is the relationship between two different pay amounts, showing the number of times one value is contained within another value. The relationships will be shown between:

- the highest paid taxable earnings (including base salary, variable pay, bonuses, allowances and cash value of any benefits in kind) and the lowest paid taxable earnings.
- the highest paid taxable earnings (including base salary, variable pay, bonuses, allowances and the cash value of any benefits in kind) and the median earnings figure of the whole workforce.
- the average median salary of Chief Officers and the median earnings figure of the whole workforce.

3. Pay Strategy

We undertake a review of the remuneration of all staff each year, taking into consideration hourly pay rates and other significant benefits such as annual leave above the statutory requirements, employer pension contributions and training and development. We believe that taking a holistic view to remuneration ensures that our staff are rewarded fairly and encourages us all to think of total reward packages rather than a single component such as base pay.

When annual leave above the statutory minimum requirements and employer pensions contributions are added to our lowest pay rates, the hourly rate equates to £11.25 this is currently 18.42% above the April 2022 rates for UK Living Wage of £9.50, 13.64% above the Real Living Wage of £9.90 and 7.14% more than the Oxford Living Wage of £10.50. However, it is important to note that the pay award for 2021/22 (at time of writing) had not been agreed and negotiations for the 22/23 pay award had not yet commenced.

4. Pay Design

There are 8 pay schemes in operation in agreement with trade unions. These are:

- Joint Negotiating Committee for Chief Officers
- Green Book (majority of Council employees)
- Gold Book (National Joint Council for Chief and Assistant Chief Fire Officers)
- Grey Book (Firefighters)
- Blue Book (Soulbury Committee covering Educational Psychologists)
- Burgundy Book (Teachers)
- National Joint Council for Coroners
- Public Health (NHS)

The Council ensures that all pay arrangements can be objectively justified through the use of Job Evaluation methods. These are:

- National Joint Council job evaluation scheme up to Grade 18.
- Roles above Grade 18 are subject to a separate Local Government Association approved Senior Manager job evaluation scheme.
- All Chief Officer and Deputy Chief Officer roles were subject to a comprehensive external and independent review in 2020 and salaries reflect the outcome of that review.

Grading structures for all groups of employees are implemented in line with agreed published pay scales and agreed relevant national terms and conditions of employment.

5. Joint Working

With the exception of the Chief Executive, Monitoring Officer, s151 Officer and the Corporate Director of Children’s Services, all other Statutory and non Statutory Chief Officers and many Deputy Chief Officer appointments are shared appointments with Cherwell District Council and will be reviewed following the mutual agreement to formally end the S113 Partnership Agreement between Oxfordshire County Council and Cherwell District Council.

6. Appointments

The Remuneration Committee is the appointing body for all Statutory and non-statutory Chief Officer appointments.

Post	Regulatory Description	Appointment under Constitution
Head of Paid Service	Head of Paid Service	Remuneration Committee with recommendation to Full Council
Corporate Director of Children’s Services	Statutory Chief Officer	Remuneration Committee
Corporate Director of Adults	Statutory Chief Officer	Remuneration Committee
Corporate Director of Public Health	Statutory Chief Officer	Remuneration Committee

(s151 Officer) Director of Finance	Statutory Chief Officer	Remuneration Committee with recommendation to Full Council
Monitoring Officer	Statutory Chief Officer	Remuneration Committee with recommendation to Full Council
Corporate Director Customers, Organisational Development and Resources	Non-statutory Chief Officer	Remuneration Committee
Corporate Director of Commercial Development, Assets and Investment	Non-statutory Chief Officer	Remuneration Committee
Corporate Director of Environment and Place	Non-statutory Chief Officer	Remuneration Committee

It still remains that the Cabinet consultation procedure would be utilised as required by regulations for Chief Officer posts.

Any pay or grading changes for Chief Officers are considered and, if agreed, approved by the Remuneration Committee.

Salary packages for new posts in excess of £100,000 per annum will be subject to formal approval by the Remuneration Committee.

7. Pay Structures

7.1. Pay Grades and Progression

Most jobs have a grade with at least four incremental points and some grades have six points. When an employee is appointed to a new role it is typically at the bottom of the grade, unless they have significant experience in a similar role.

Annually and usually with effect from 1st April (Green Book, Chief Officers, Public Health (NHS), Coroners), 1st July (Fire and Rescue), 1st September (Soulbury, Teachers) and 1st January (Chief and Assistant Chief Fire Officers), pay awards are implemented in line with national negotiations. Employees progress to the next incremental point as long as they have been on their existing pay point for six months or more. This system recognises their increasing experience and performance progression continues until they reach the top of the grade.

High levels of performance are expected from all employees and where standards are non-satisfactory prompt managerial action will be taken to improve performance. This may include disciplinary/capability action in accordance with agreed procedures.

7.2. Pay Supplements

From time to time it may be necessary to pay special allowances or supplements to individual employees as part of their employment contract where specific circumstances require this and where it can be justified in accordance with the Council policies. Such allowances are determined by Council policy. The Council uses the following:

- Market Supplements in order to attract and retain employees with particular experience, skills and capacity, for example when there are skills shortages locally or nationally. Market supplements must be agreed by the Job Evaluation Moderation Panel which is responsible for the local determination of job grades.
- Honoraria may be paid where an employee has taken on additional duties and responsibilities for a defined period, for example covering a vacancy or taking on a special project.
- A Golden Hello of up to £3,500 is used to encourage experienced children's social workers into the Assessment and Family Support Teams.
- An Introductory Fee may be paid to an employee who formally introduces a children's social work applicant, and they are successfully appointed to an approved post. The introductory fee will be paid to the introducer.
- On Call Allowances to compensate employees for their requirement to be available with limited notice.
- Car Allowances are applicable in a minority of circumstances such as when staff have transferred into the Council under TUPE.
- Certain roles also attract shift allowances for working evenings, weekends and/or bank holidays. Night shift premiums and allowances for waking nights are also applicable in certain roles.

The Council will ensure that the requirement for an additional allowance or supplement is objectively justified by reference to clear and transparent evidence and where market supplements are considered, this is with reference to data available from within and outside the Local Government sector.

Pay Supplements are subject to reviews as appropriate

8. Other Employment Related Arrangements

8.1. Local Government Pension Scheme (LGPS)

Subject to qualifying conditions, employees have a right to belong to the LGPS.

The Employee contribution rates which are defined by statute, currently range between 5.5% and 12.5% of pensionable pay depending on actual salary levels.

The Employer contribution rates are set by actuaries and reviewed on a triennial basis in order to ensure the scheme is appropriately funded. The current average rate is 19.9%.

The Council will not at any time augment the pension or membership of employees nor award or fund additional pension to employees unless required to do so by the LGPS Regulations.

8.2. Fire Brigade Pension Schemes

Subject to qualifying conditions, employees have a right to belong to one of several Firefighters' Pension Schemes.

The employee contribution rates are dependent upon which Scheme the employee is a member of and their actual salary levels. The rates currently range between 8.5% and 17% of pensionable pay.

The Employer contribution rates also vary depending on the Scheme between 27.4% and 37.3%.

8.3. Benefits Schemes

As part of the Reward Strategy to recruit and retain high calibre employees, the Council provides a wide range of benefits including Cycle to Work, Childcare Voucher, and Electric Vehicle salary sacrifice schemes as well as discounts to support the local economy.

A full review of the benefits offered by the council is continuing in 2022.

8.4. Expenses

Expenses are based on nationally agreed levels except car mileage which is based on the HM Revenue & Customs approved rate, currently 45 pence per mile, falling to 25 pence for miles travelled in excess of 10,000 per annum.

9. Pay Arrangements for Senior Management

9.1 With the exception of the Chief Executive, Monitoring Officer, s151 Officer and the Corporate Director of Children's Services, all other Statutory and non

Statutory Chief Officers and many Deputy Chief Officer appointments are currently joint appointments with Cherwell District Council. The funding for all joint posts is currently shared between both authorities and this will be reviewed following the mutual agreement to formally end the S113 Partnership Agreement between Oxfordshire County Council and Cherwell District Council.

9.2 Pay scales are reviewed annually by the Joint Negotiating Committee for Chief Executives, Joint Negotiating Committee for Chief Officers and the National Joint Council for Chief and Assistant Chief Fire Officers (as applicable) and changes usually take effect from 1st April.

The Council does not apply any bonuses or performance related pay to its Chief or Deputy Chief Officers.

Where the Chief Executive or other officer receives election fees these will be shown separately to salary. These fees are set annually by the Council's Audit and Governance Committee. In addition, a comprehensive review of election fees is undertaken by the Audit and Governance Committee every four years in readiness for the County quadrennial elections.

10. Pay Multiples and Medians as at 9th February 2022

The County Council is required to report on the pay multiples between its lowest and highest paid members of staff.

Table 1 shows the ratio between the lowest paid and the highest paid role and the ratio between the median salary of the workforce and the highest paid.

Pay Multiples	2021/2022
Highest Paid – Interim Chief Executive (Oxfordshire County Council)	£185,000
Lowest Paid	£17,842
Pay Multiple between the lowest paid and the highest paid	1:10.37
Median Salary	£31,346
Pay Multiple between median and highest paid	1:5.9

Table 2 shows the ratio between the median salary of the workforce and the average salary of its Chief Officers, including those that are currently **joint roles and jointly funded with Cherwell District Council**

Pay Multiples using the average salary of Chief Officers	2021/2022
Average Salary of Chief Officers	140,733
Lowest Paid	£17,842
Pay Multiple between the lowest paid and the Average Salary of Chief Officers	1:7.89
Median Salary	£31,346
Pay Multiple between Median salary and Average salary of Chief Officers	1:4.49

11. Payments on Termination of Employment

The Oxfordshire County Council Redundancy Scheme applies to all employees and is currently one and half times statutory entitlement based on actual pay. It will apply where redundancy payments are due.

All employees who have received a redundancy payment in relation to the termination of their contracts of employment will be subject to the provisions of the Redundancy Modification Order and will be subject to Local Government Pension Scheme (LGPS) Regulations or other pensions scheme regulations where applicable.

Severance payments for all employees will comply with the Council's Pensions and Retirement Policy. This sets out that early retirement may be granted for employees aged 55 years and over with at least two years membership of the LGPS.

Where the severance payments are appropriate such payments will be approved by the Director of Law and Governance and the Director of Finance and will be the subject of a Settlement Agreement for the purpose of compromising any compensation for which the Council may otherwise be legally liable.

12. Gender Pay Gap Report

The Council complies with the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 in publicly reporting on average pay differences between their male and female employees. This report is available in a separate document.

13.Publication of Senior Salaries Statement

In accordance with publication requirements, there are two tables published on the Council's website. The first showing information on the number of employees earning above £50,000 and the second showing the individual remuneration details for each senior employee, defined by regulations as the Chief Officers listed above, whose salary is more than £50,000 per year. All allowances and other payments will be shown. Only those employees whose salary is above £150,000 are disclosed by name, all remaining senior officers are disclosed by post title.

Karen Edwards
Director of Human Resources
February 2022

Gender Pay Gap Report 2021

Background

1. The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 stipulate that all businesses, public sector and third sector organisations with over 250 employees must publicly report on average pay differences between their male and female employees. The Regulations require employers to publish their:
 - Mean gender pay gap in hourly pay
 - Median gender pay gap in hourly pay
 - Mean bonus gender pay gap
 - Median bonus gender pay gap
 - Proportion of males and females receiving a bonus payment, and
 - Proportion of males and females in each pay quartile.
2. As a public sector body, we are required to publish this pay gap information within 12 months, taking the “snapshot date” of 31 March 2021.
3. Our calculations follow the legislative requirements as set out in the Equality Act 2010 (Specific Duties & Public Authorities) Regulations 2017. All staff who were deemed to be relevant employees at 31 March 2021 are included.
4. This information will be published on the Oxfordshire County Council (OCC) website for a minimum of 3 years and published on the government website (www.gov.uk) by 31 March 2022.

Equal pay and gender pay gap

5. The purpose of gender pay gap reporting is to achieve greater gender equality in terms of pay across the UK and increase pay transparency. This differs from equal pay which deals with differences between men and women who carry out the same roles.

Details within this report

6. Using a snapshot of employees' pay as at 31 March 2021, only 3 of the 6 calculations detailed above were made due to no bonus payments being paid at Oxfordshire County Council. The 3 calculations are as follows:
 1. Mean gender pay gap
 2. Median gender pay gap
 3. The proportion of men and women divided into four quartile pay bands

Information required for publication

Relevant employee

7. An employee who was on full pay (not reduced to parental leave pay or sick pay) at the point of the data snapshot as at 31 March 2021.

Mean gender pay gap

8. The mean is defined as the average of the figures and is calculated by adding up all the figures and dividing by the number there are.

Median gender pay gap

9. The median is defined as the salary that lies at the midpoint and is calculated by ordering all salaries from highest to lowest and the median is the central figure.

Quartile pay bands

10. The quartile information is calculated by listing all salaries from highest to lowest and then splitting that information into four equal quarters to determine the percentage of male/female employees in each quartile.

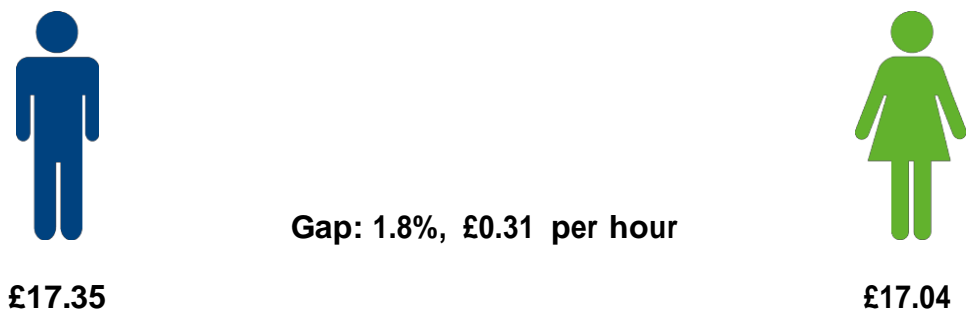
Workforce profile

11. On 31 March 2021, OCC had 5,085 relevant employees of which 34.1% (1,733 employees) were men and 65.9% (3,352 employees) were women.



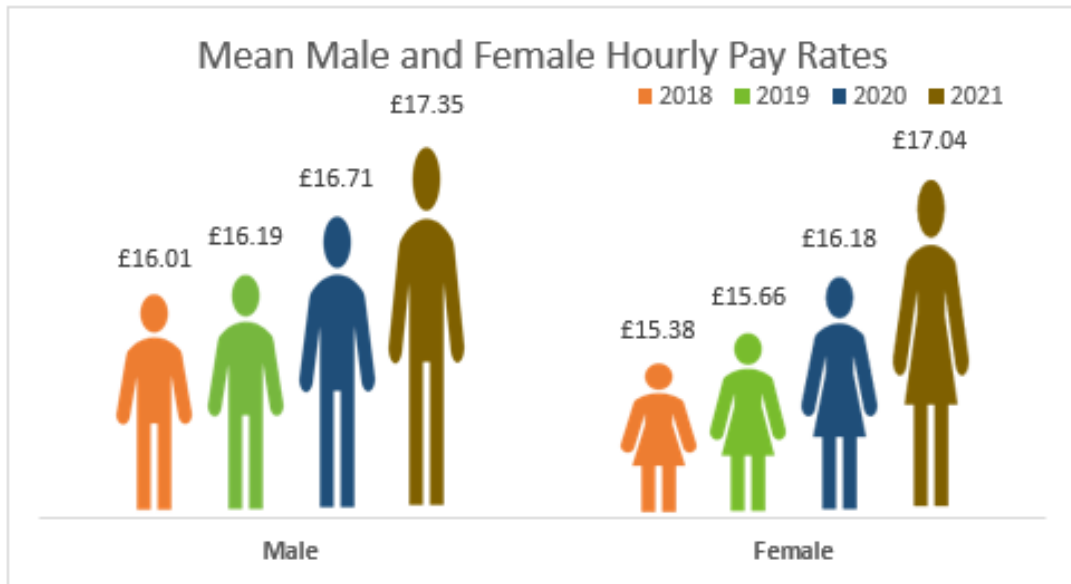
Gender pay gap as at 31 March 2021

Mean: percentage difference and average hourly rate of pay

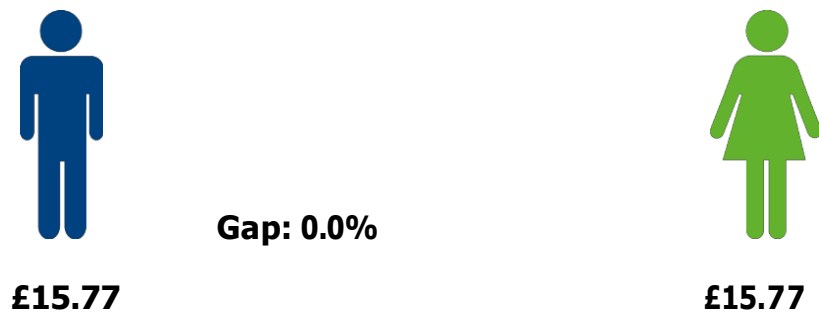


12. The mean difference recorded at Oxfordshire County Council has reduced from 3.18% in March 2020 (£0.53p per hour) and is considerably less than the national public sector mean pay gap which is 14.5% (Office for National Statistics – ASHE).

13. As at 31 March 2021 the mean hourly rate for men was £17.35 per hour and for women it was £17.04 per hour. This means that men earned an average of 31 pence per hour more than women, which equates to a mean difference of 1.8%. The figures for 2018, 2019, 2020 and 2021 are as follows, showing a slightly steeper increase for females of 1.66p per hour over four years than the increase for males of 1.34p per hour.

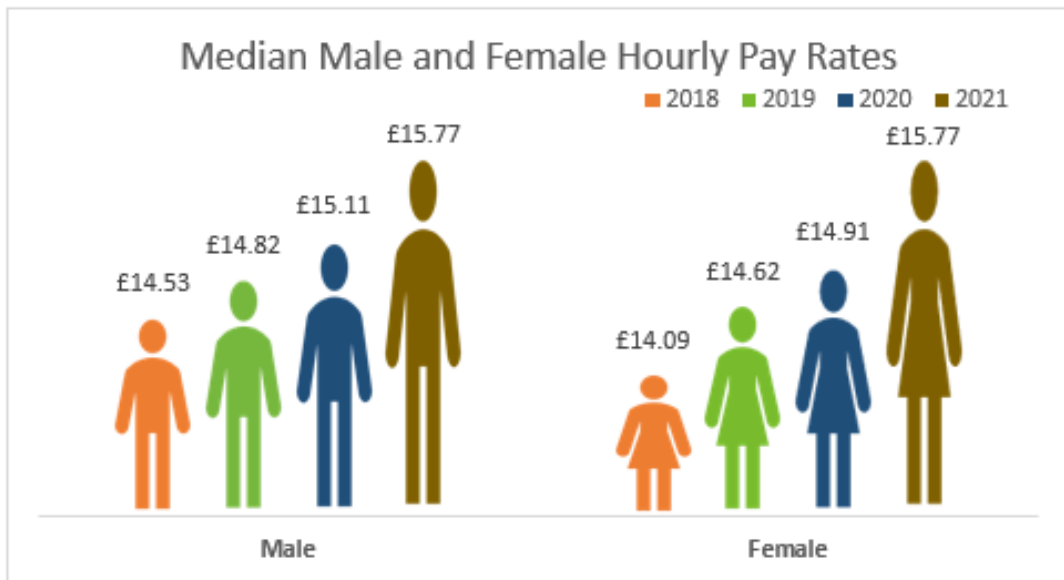


Median percentage difference and hourly rate of pay



14. As at 31 March 2021 the median hourly rate of pay for men was the same as for women at £15.77 per hour. This is considerably less than the national public sector median pay gap which is 15.8% (Office for National Statistics – ASHE).

15. The figures for 2018, 2019, 2020 and 2021 are as follows, showing a slightly steeper increase for females of 1.68p per hour over four years than the increase for males of 1.24p per hour.

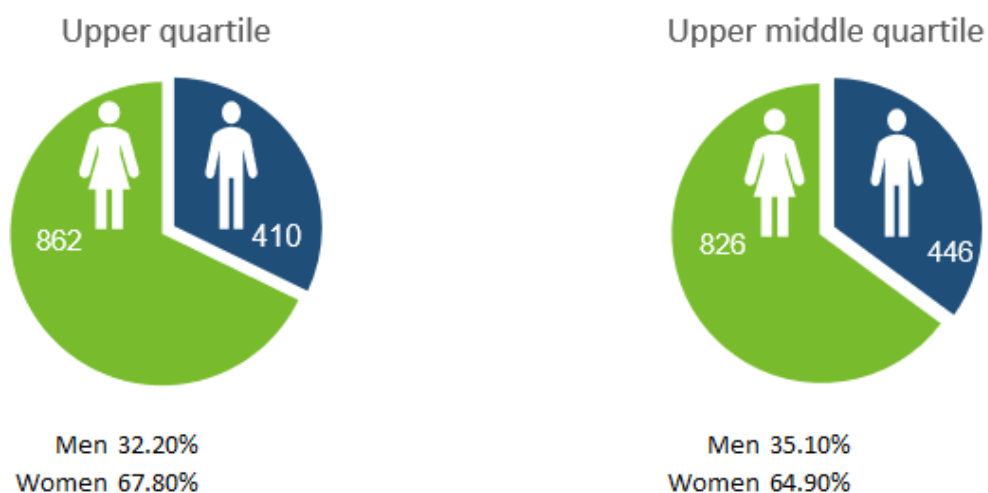


Proportion of men and women receiving bonuses

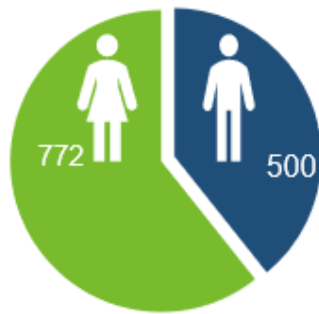
16. OCC does not operate any performance related pay or bonus schemes and therefore has no bonus gender pay gap.

Pay quartiles

17. OCC employed 5,085 relevant employees¹ as at 31 March 2021 which means there are 1272 employees per pay quartile. The gender split per quartile as at 31 March 2021 is detailed below and serves as a useful benchmark to determine progression through the pay scales.

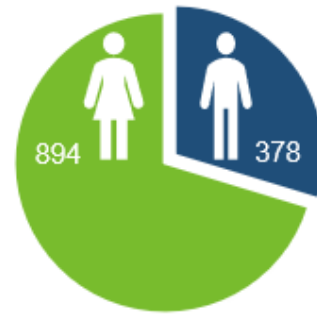


Lower middle quartile



Men 39.30%
Women 60.70%

Lower quartile



Men 29.70%
Women 70.30%

18. The hourly rates that represent each quartile are as follows:

- Upper - relates to the hourly rates of £20.09 and above
- Upper middle - relates to the hourly rates of £15.77 – £20.00
- Lower middle - relates to the hourly rates of £11.95 - £15.77
- Lower - relates to the hourly rates up to £11.95

19. The proportion of males to females remains constant in the four quartiles with about one third male to two thirds female. However, the proportion of males to females in the lower quartile – 29.7% male to 70.3% female does not reflect the proportion of the total workforce which is 34.1% male to 65.9% female, suggesting an imbalance of a larger number of females in the lower paid jobs. However, the gap narrows as one progresses up the quartiles, and the percentage of women in the upper quartile has increased from 65.90% in 2020 to 67.8% in 2021.

20. In the lower quartile the roles occupied by females are mainly cleaning, administration, school crossing patrol, catering and customer service. For some of these functions there is no obvious career progression route to higher earning levels. However, the council is progressing plans to promote opportunities for staff to undertake apprenticeships whilst in employment with the Council.

21. In the upper quartile at senior management level, 50.00% of the Extended Leadership Team (directors, deputy directors and assistant directors) are women and 50.00% are men. Although this is an even balance, it does not reflect the two thirds of the total workforce who are women.

Commitment

22. We are committed to the principles of equality, diversity, fairness and inclusion and our approach to people management should not put any group at a disadvantage. Regardless of identity or background, everyone deserves to be able to develop their skills and talents to meet their full potential, work in a safe, supportive and inclusive

environment, be fairly rewarded and recognised for the work they do and have the opportunity to have their say on matters that affect them. We are also committed to achieving a diverse workforce that fully reflects our community.

23. We will continue to advance our inclusion initiatives, particularly where there are any barriers for women to progress into higher paid roles, or roles where they are under-represented.

24. Flexible and agile working and family friendly policies will assist Oxfordshire County Council to attract and retain staff in a competitive job market and in a geographical area with low unemployment.

Summary

25. The gender pay gap within OCC is relatively small, however while we understand that publishing the data will not in itself remove the gap, continuing to do so is the first step towards that aim and we are committed to learning from best practice as part of our journey. The gender pay gap data will be analysed on an annual basis, a comparison of figures will be completed year on year and the Senior Management Team will continue to review and monitor this data. We will ensure that job grades continue to be determined through objective analysis and job evaluation to maintain the integrity of the pay and grading system.

December 2021

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Divisions Affected - All

COUNCIL

8 February 2022

Appointment of interim Chief Executive and Head of Paid Service Report by Director of Law and Governance and Director of Human Resources

This report is public

RECOMMENDATION

1. **Council is RECOMMENDED to:**
 - a) **Agree the recommendation of the Remuneration Committee to appoint Stephen Chandler as interim Chief Executive and Head of Paid Service with effect from 9 February 2022.**
 - b) **To delegate authority to the Director of Human Resources to take any further action**
 - c) **To delegate authority to the Monitoring Officer to make any consequential changes to the Constitution in light of appointment of the interim Chief Executive.**

Executive Summary

2. This report applies in the event that Cherwell District Council at their Extraordinary Full Council meeting on 7 February 2022 and this Council, at agenda item 7 of this meeting agenda, each resolve to mutually serve notice to end the formal S113 Agreement between Oxfordshire County Council (OCC) and Cherwell District Council (CDC).
3. In light of the agreement to mutually serve notice to end the formal S113 Agreement between the two councils, the current joint Chief Executive will return to her substantive role as Chief Executive of Cherwell District Council with effect from 9 February 2022.
4. It is therefore necessary for the Council to appoint an interim Chief Executive and Head of Paid Service pending recruitment to a permanent Chief Executive

Detail

5. The Constitution (Part 2, Article 13, Paragraph 1(d)) designates the Chief Executive to perform the statutory prescribed role of Head of Paid Service. The functions of the statutory post of Head of Paid Service are set out at Part 2, Article 13, Paragraph 2 of the Council's Constitution.
6. Expressions of interest were invited from interested persons from within the senior leadership team. The Remuneration Committee met on 2 February 2022 to interview prospective candidates.

7. The Remuneration Committee resolved to recommend that Stephen Chandler, currently, Director of Adult Services, is appointed as Interim Chief Executive and Head of Paid Service at Oxfordshire County Council.
8. In accordance with the Local Authorities' (Standing Orders) (England) Regulations 2001 as set out in the Council's Constitution (Part 8.4, Officer Employment Procedure Rules) the name of the person to be offered the appointment was sent to all Cabinet Members asking for any justified objections to the making of an offer to be submitted by 4.00 p.m. on 4 February 2022. No objections were received.

Financial Implications

9. The existing budget only includes the provision for the Chief Executive's salary based on prior shared arrangements under the s113 agreement. The full financial impact of the changes arising from the termination of the s113 agreement cannot be quantified until permanent structures are put in place during 2022/23. It is proposed therefore, that any additional costs that may be incurred as the result of new structures are met from the contingency budget in 2022/23 and addressed on a permanent basis as part of the Budget & Business Planning process for 2023/24.

Legal Implications

10. The Chief Executive is the Head of Paid Service under Part 2, Article 13, Paragraph 1(d) of the Constitution.
11. The Remuneration Committee is responsible for undertaking the recruitment process of the designated Head of Paid Service (Chief Executive) and recommending the appointment to Council (Constitution Part 8.4)
12. The Local Authorities (Standing Orders) (England) (Regulations) 2001 (as amended set out the requirements for appointing a Head of Paid Service (Chief Executive). These requirements are also set out in Part 8.4 of the Council's Constitution. A proposed appointment of a Head of Paid Service must be notified to Cabinet Members, who will have the opportunity to raise any objections. The appointment must be approved by full Council.
13. In accordance with Section 7 of the Local Government and Housing Act 1989 when appointing a person to a paid office or employment within the Council the appointment shall be on merit.

Anita Bradley
Director of Law and Governance

Annex: None

Background papers: None

Contact Officer: Karen Edwards
Director of Human Resources

February 2022

Divisions Affected - All

COUNCIL

8 February 2022

Appointment of County Returning Officer

Report by Corporate Director Commercial Development, Assets, and Investment

RECOMMENDATION

1. **Council is RECOMMENDED to:**
 - a) **Appoint Anita Bradley as the council's Returning Officer with effect from 9 February 2022 in accordance with Section 35 of the Representation of the People Act 1983.**

Executive Summary

2. Section 35(1) of the Representation of the People Act 1983 requires Oxfordshire County Council to appoint a County Returning Officer. The Returning Officer is responsible for the arrangement of elections to the County Council.
3. The Returning Officer is an officer of the council but the role of the Returning Officer is a personal appointment, independent and separate from their duties as an employee of the council. The Returning Officer may appoint one or more persons to discharge all or any of his/her functions.
4. Subject to the decision to serve notice to end the formal partnership arrangements between Oxfordshire County Council and Cherwell District Council the current joint Chief Executive, who is also the council's Returning Officer, will return to her substantive role as Chief Executive of Cherwell District Council and no longer be an officer at the disposal of the county council. It is therefore necessary for Oxfordshire County Council to appoint a new Returning Officer.
5. Whilst the Council's Constitution (part 7.1, Para 6.3(e)) sets out that the Chief Executive is authorised to undertake "the powers and duties of County Returning Officer for the purpose of Section 35 of the Representation of the People Act 1983", the Act does not require that the Chief Executive of a local authority be appointed Returning Officer. The law states that a council must appoint "one of its officers" to the role of Returning Officer and it is imperative that the officer appointed has the necessary skills and experience.
6. A Returning Officer must have a working knowledge of the relevant legislation governing the conduct of elections. A County Returning Officer is personally responsible for the administration of the authority's county council elections and

for ensuring that the experience of voters and those standing for elections is a positive one.

7. Anita Bradley is currently one of the council's Deputy Returning Officers and it is recommended that Anita be appointed as Returning Officer. Anita would bring considerable knowledge and experience to the role having been a Deputy Returning Officer with full powers in all her local government roles since she started her local government career in 2001.
8. Additionally, Anita was Returning Officer at Oxford City Council from November 2017 to January 2021 responsible for city and parish elections. Anita has been Acting Returning Officer for parliamentary elections and the local Returning Officer for European and Police and Crime Commissioner elections. Anita also has significant experience as Counting Officer delivering polls and referenda.
9. Anita was also the Electoral Registration Officer for Oxford City Council from November 2017 to January 2021. Whilst the County Council does not need to appoint an Electoral Registration Officer as this function, overseeing the compiling of the electoral register, is the responsibility of district and unitary authorities. However, the experience and knowledge gained from the statutory role is very valuable in the conduct of elections.
10. Whilst Council has delegated the functions relating to elections specified in Section D of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, which includes the appointment of Returning Officer, to the Audit and Governance Committee, to ensure ongoing compliance with the statutory requirement for the council to have a Returning Officer, and given the short timeframe for a decision, this report is submitted to Council for decision under the provisions of Part 2, Article 9(2) of the council's Constitution which sets out the "Discharge of Functions" arrangements as follows:
 - (a) *Where a committee is specified in the table, the function may be alternatively discharged by the Council.*
11. The Chair of the Audit and Governance Committee and the Chair of Council have been consulted and, having regard to the urgency for the council to have a Returning Officer in place from 9 February 2022 are supportive of this approach.
12. For the reasons set out in the report, Council is recommended to appoint Anita Bradley as the County Returning Officer with effect from 9 February 2022.

Financial Implications

13. There are no additional financial implications arising directly from this report.
14. The position of Returning Officer carries with it fees which are determined from time to time in accordance with the Returning Officers Fees Order set by Parliament. The payment of the fees for county elections is met by the Council. The cost of other national elections is met by the Government Department concerned.

Legal Implications

15. The Council has a statutory duty to appoint a Returning Officer.

Annex: None

Background papers: None

Contact Officer: Natasha Clark
Governance and Elections Manager

February 2022

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