



PERSONNEL COMMITTEE

This meeting will be recorded and the sound recording subsequently made available via the Council's website: charnwood.gov.uk/pages/committees

Please also note that under the Openness of Local Government Bodies Regulations 2014 that other people may film, record, tweet or blog from this meeting. The use of any images or sound recordings is not under the Council's control.

To: Councillors Morgan (Chair), Boldrin (Vice-Chair), Barkley, B. Gray, Poland, Shepherd and Snartt (For attention)

All other members of the Council
(For information)

You are requested to attend the meeting of the Personnel Committee to be held in Committee Room 1, at the Council Offices, Southfields, Loughborough on Tuesday, 20th December 2022 at 6.00 pm for the following business.

Chief Executive

Southfields
Loughborough

12th December 2022

AGENDA

1. APOLOGIES
2. MINUTES OF THE PREVIOUS MEETING 3 - 5

To confirm as a correct record the minutes of the meeting held on 21st November 2022

3. DISCLOSURES OF PECUNIARY INTERESTS, AND OTHER REGISTRABLE AND NON-REGISTRABLE INTERESTS

For information, disclosable pecuniary interests and registrable interests relate to entries that are included, or should be included, on a councillor's register of interest. Non-registrable interests relate to any other matters.

4. QUESTIONS UNDER COMMITTEE PROCEDURES 12.8

No questions were submitted.

5. APPRENTICESHIP REPORTING UPDATE - 1ST APRIL TO 31ST MARCH 2022 6 - 10

A report of the Director, Finance, Governance and Contracts.

6. VETERANS AND RESERVISTS - ARMED FORCES COVENANT POLICY DEVELOPMENT 11 - 65

A report of the Director, Finance, Governance and Contracts.

7. RECRUITMENT AND RETENTION POLICY 66 - 77

A report of the Director, Finance, Governance and Contracts.

8. PAY POLICY STATEMENT 2023/24 78 - 99

A report of the Director, Finance, Governance and Contracts.

FUTURE MEETING DATES

Please note further meetings of the Committee for 2022-23 are scheduled as follows:

28th March 2023

PERSONNEL COMMITTEE 21ST NOVEMBER 2022

PRESENT: The Chair (Councillor Morgan)
Councillors Barkley, A. Gray, B. Gray, Poland,
Shepherd and Snartt

Director Finance, Governance and Contracts
Head of Governance and Human Resources
Senior HR Advisor
Democratic Services Officer (NC)

APOLOGIES: Councillor Boldrin

The Chair stated that the meeting would be recorded and the sound recording subsequently made available via the Council's website. He also advised that, under the Openness of Local Government Bodies Regulations 2014, other people may film, record, tweet or blog from this meeting, and the use of any such images or sound recordings was not under the Council's control.

8. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 7th June 2022 was confirmed as a correct record and signed.

9. DISCLOSURES OF PECUNIARY INTERESTS, AND OTHER REGISTRABLE AND NON-REGISTRABLE INTERESTS

No disclosures were made.

10. QUESTIONS UNDER COMMITTEE PROCEDURES 12.8

No questions had been submitted.

11. ESSENTIAL CAR USER ALLOWANCE POLICY AND ASSOCIATED POLICIES

A report of the Director, Finance, Governance and Contracts was submitted to obtain approval by the Committee for the introduction of a revised Essential Car User Allowance Scheme and Policy (item 5 on the agenda filed with these minutes).

It was noted that the Trade Unions ballot (Annex I) had indicated acceptance of the final management proposal.

Members discussed the following:

- i. the proposed pool car scheme and how it would operate - it would be a pilot scheme with one hybrid car initially to determine the demand and that it would be available for all staff to access, irrespective of whether they were in receipt of ECU allowance.

- ii. how the reduction from the anticipated 200K savings to half that amount would impact the budget – it would impact this year’s budget but the revised figure would be included in future budgetary considerations and would follow the usual route for approval by Cabinet and Council.
- iii. the importance of promoting the green agenda and that as the scheme would be reviewed annually this could provide an opportunity to look at greener options such as the use of public transport and moving away from cash lump sums to a flat mileage rate to encourage the use of lower emission greener vehicles. Promoting the green agenda was key to the Council and moving to the HMRC mileage rate in future could incentivise the use of hybrid / electric vehicles.
- iv. that staff morale should be prioritised and the challenges of recruitment was recognised. It was noted that issues with recruiting was a national matter not just limited to the public sector and that policies to support retention and recruitment of staff would be considered separately to the ECU scheme at a future committee meeting.

Members welcomed the agreement of a fixed and variable, based on contractual hours, payment to part time employees.

RESOLVED that

1. The Personnel Committee agreed the proposed Essential Car User Allowance Policy and principles of the criteria set out for the scheme;
2. The Travel, Subsistence and Other Allowances Policy be amended to reflect a future HMRC change to mileage rates at that point in time, should this be agreed as part of the revised scheme;
3. The Appeals Policy and Procedure is also amended to reflect Essential Car user Allowance Policy Stage 2 appeals under the scope of that policy should the principles of the appeal be agreed.

Reasons

- 1-3 To gain agreement on the revised Essential Car User Scheme and proposed policy and associated policy amendments. A review of the scheme has been undertaken based on the business case reasons outlined within this report. This includes ensuring that the Council has a fair and transparent scheme with the parameters clearly set out, that the scheme is appropriate and cost effective alongside considering green issues as part of the review. A timeline of events has been attached in the background section of this report to highlight the extensive negotiation and consultation process that has been undertaken.

NOTES:

1. No reference may be made to these minutes at the next ordinary Council meeting unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on the fifth working day following publication of

these minutes.

2. These minutes are subject to confirmation as a correct record at the next meeting of the Personnel Committee.

PERSONNEL COMMITTEE – 20TH DECEMBER 2022

Report of the Director of Finance, Governance and Contracts

Part A

Apprenticeship Reporting Update – 1st April 2021 to 31st March 2022

Purpose of Report

The purpose of this report is to provide Personnel Committee with information relating to the apprenticeship scheme within the Council and the apprenticeship target reporting for the period 1st April 2021 to 31st March 2022.

Recommendation

That the findings of the apprenticeship reporting be noted by Personnel Committee.

Reason

The Public Sector Apprenticeship Targets Regulations 2017 came into force on 31st March 2017. The regulations have been updated to reflect amendments made to the Public Sector Apprenticeship Targets (Amendment) Regulations 2021, which came into force on 1st April 2021. All public bodies with 250 or more staff in England as of 31st March have a target to employ an average of at least 2.3% of their staff as new apprentice starts over the period of 1st April 2021 to 31st March 2022. Bodies in scope must have regard to the target and should therefore actively consider apprenticeships, either for new recruits or as part of career development for existing staff. Apprentices are only considered as “new apprentices” who will count towards the target, in the year in which they begin their apprenticeship.

Policy Justification and Previous Decisions

SLT were provided with details of this period’s apprenticeship reporting on 17th August 2022. The report was also discussed at the Joint Management Trade Union Meeting (JMTUM) on 12th October 2022.

This is the fifth report on the apprenticeship scheme covering the period 1st April 2021 to 31st March 2022.

Implementation Timetable including Future Decisions

The findings of the apprenticeship scheme reporting will be noted following agreement at Personnel Committee. The data has been published on the Council’s intranet prior to the Personnel Committee meeting, to ensure the publishing deadline of 30 September each year is met.

Report Implications

The following implications have been identified for this report.

Financial Implications

There are no financial implications arising from this decision.

Risk Management

There risks outlined within this report are highlighted in Part B below.

Background Papers: None

Officer to contact: Simon Jackson
Director of Finance, Governance and Contracts
Telephone: 01509-634699
Email: simon.jackson@charnwood.gov.uk

Part B

Background

1. The Government introduced the Apprenticeship Scheme with effect from 6th April 2017.
2. The regulations have been updated to reflect amendments made to the Public Sector Apprenticeship Targets (Amendment) Regulations 2021, which came into force on 1st April 2021. All public bodies with 250 or more staff in England as of 31st March have a target to employ an average of at least 2.3% of their staff as new apprentice starts over the period of 1st April 2021 to 31st March 2022. Bodies in scope must have regard to the target and should therefore actively consider apprenticeships, either for new recruits or as part of career development for existing staff. Apprentices are only considered as “new apprentices” who will count towards the target, in the year in which they begin their apprenticeship.
3. As required under that scheme, reports are due within six months of the end of each reporting period. This means that the information should be published by 30th September each year in an easily accessible location to the public. It is therefore considered that the appropriate place to publish the Return Section 1 - Data Publication is on the internal and external Council website. The Return Section 2 – Apprenticeship Activity return does not have to be published.
4. Apprenticeship starts can include both existing employees, who can take advantage of apprenticeship funding, as well as newly employed apprenticeship posts.
5. Work has continued each year to increase the amount of apprenticeship starts, to enable the Council to demonstrate its commitment to meeting the target, where possible. However, it should be noted that for the current and last reporting period, the coronavirus pandemic has impacted on our ability to demonstrate our commitment to meeting the apprenticeship target. The Council has not met its target for this reporting period, however it is anticipated that the next reporting period will show improvement in meeting the target.

Findings

6. Return Section 1 – Data Publication

The Data Publication includes several figures which will enable the Government and the public to understand each body’s headcount and the number of apprentices they employ, and then use that information to assess the progress a body has made towards meeting the target. The figures outlined in Section 1 will be published as outlined at paragraph 3.

Figure A: The number of employees whose employment in England by the body began in the reporting period in question.

50

Figure B: The number of apprentices who began to work for the body in that period and whose apprenticeship agreements also began in that period.

| |
|---|
| <ul style="list-style-type: none"> This includes employees who were already working for the body before beginning the apprenticeship, as well as new apprentice hires. |
| 1 |
| Figure C: The number of employees employed in England that the body has at the end of that period. |
| 441 |
| Figure D: The number of apprentices who work for the body at the end of that period. |
| 8 |
| Public bodies are also required to provide two percentages in order to give context to the other figures. These percentages do not reflect the progress a public body has made towards the target: |
| Figure E: Figure B expressed as a percentage of figure A. |
| 2% |
| Figure F: Figure D expressed as a percentage of figure C. |
| 1.81% |
| Figure G: The number of apprentices who worked for the body immediately before the period. |
| 12 |
| In addition, the Apprenticeship Activity Return (Return Section 2) requires public bodies to send the following figures, which will help identify their progress towards meeting the target, to the Department for Education. Public bodies could also consider providing these figures in the Data Protection. |
| Figure H: Headcount on the 31 March 2021 |
| 510 |
| Figure I: Figure B expressed as a percentage of figure H. |
| 0.20% |

7. Return Section 2 – Apprenticeship Activity Return

The Apprenticeship Activity Return includes both information on a body’s progress against the target and information to assess actions taken towards, and challenges faced in, meeting the targets.

The return includes quantitative and qualitative elements:

| |
|--|
| QUANTITATIVE |
| Headcount on the 31 March 2021 |
| 510 |
| Figure B in Return Section 1 (the number of apprentices who began to work for |

the body in the reporting period in question and whose apprenticeship agreements also began in that period), expressed as a percentage of headcount on 31 March 2021. This will enable the Government to assess the progress a body has made towards meeting the target.

0.20%

QUALITATIVE

Action that the body has taken to meet their apprenticeship target (i.e. how it has “had regard”)

- Promoted information on apprenticeship opportunities to managers.
- Due to covid restrictions there have been difficulties in promoting the apprenticeship scheme and managers supporting new apprentices.
- With the continued issues with Covid, CBC has focused on developing existing staff.

If the target has not been met, then specific further evidence may be required. This may include an explanation of why the target was not met, actions the body has taken to overcome the challenges it has faced and/or mitigating factors which demonstrate the body’s commitment to apprenticeships.

- The Covid pandemic continues to have a significant impact on our ability to recruit and support new apprentices. Feedback has suggested that staff shortages have also started to become a factor for existing staff finding the time to complete an apprentice. Due to service pressures, it has become harder to persuade managers to release staff for 20% of their time for learning.

Information about action the body proposes to take to meet their future apprenticeship targets: and

- CBC is proactively promoting apprenticeship opportunities with our managers and encouraging them to consider apprenticeship recruitment when they carry out reviews and re-structures. There are positive signs that recruitment of apprentice opportunities has already picked up in recent months. These have included areas such as Democratic Services and Food and Hygiene as well as existing staff undertaking a range of training opportunities across all levels.

If the body considers that a future target is not likely to be met, an explanation of why that is so.

- It is anticipated that the future target will continue to be impacted by the Covid-19 pandemic, but we have seen early signs of improvement for the next reporting period.

PERSONNEL COMMITTEE – 20TH DECEMBER 2022

Report of the Director of Finance, Governance and Contracts

Part A

Veterans and Reservists – Armed Forces Covenant Policy Development

Purpose of Report

The purpose of this report is to agree the proposal as set out below and the amendment to relevant policies, as appropriate.

Recommendation

That the amendments are made to the Guaranteed Interview Scheme, Leave Arrangements Policy (page 18/19) and the Recruitment and Selection Policy (page 7) to reflect the agreement to the proposal as set out in this report.

Reason

The Armed Forces Community Covenant Development Officer has raised new policy suggestions to further demonstrate the Council's commitment to the armed forces community. These further commitments include greater emphasis and provisions for reservists and spouses and civil partners of current service personnel and offering further unpaid leave for training/volunteering opportunities.

Policy Justification and Previous Decisions

The proposal and policy amendments were discussed at SLT on 23 February 2023 and at JMTUM on 27 June 2022. The policy amendments demonstrate further commitments that the Council would like to make to demonstrate its ongoing support to the armed forces community and its commitment to the armed forces covenant.

Implementation Timetable including Future Decisions

The amended reports will be uploaded to the intranet should agreement be given at Personnel Committee.

Report Implications

The following implications have been identified for this report.

Financial Implications

There are no financial implications arising from this decision.

Risk Management

There risks outlined within this report are highlighted in Part B below.

Background Papers: none

Annexes: Annex A - Guaranteed Interview Scheme
Annex B - Leave Arrangements Policy (page 18/19)
Annex C - Recruitment and Selection Policy (page 7)

Officer to contact: Simon Jackson
Director of Finance, Governance and Contracts
Telephone: 01509-634699
Email: simon.jackson@charnwood.gov.uk

Part B

Background

1. In 2013 Charnwood Borough Council signed the Armed Forces Covenant, created a Covenant Board and appointed an Armed Forces Champion.
2. The Council is one of over 1500 employers across the UK who have pledged their support to the Armed Forces community, which includes the promise to support the “employment of veterans, young and old” under the Employer Recognition Scheme. Every year the government gives gold, silver and bronze awards to those private and public sector organisations who are considered to have made contributions to the Armed Forces, which include the recruitment of ex-service personnel and commitments to support reservists. Charnwood received the Employer Recognition Scheme Gold Award in 2019, with the Leave Arrangements – Reserve Forces Policy and the Guaranteed Interview Scheme for Veterans Guidance contributing towards that.
3. The Armed Forces Community Covenant Development Officer has recently put forward some new policy suggestions to further demonstrate the Council’s commitment to the armed forces community. These include:
 - Including Reservists in the Guaranteed Interview Scheme
 - Including spouses and civil partners of current serving personnel in the Guaranteed Interview Scheme
 - Offering 5 days unpaid leave per annum to Adult Cadet Forces Leaders to attend training/volunteering opportunities
 - Posting jobs on the Forces Families Jobs website which is similar and in addition to the CTP who the Council currently use.
4. SLT and JMTUM confirmed their agreement to these principles following discussion at the meetings.

Guaranteed Interview Scheme - Veterans

Including Reservists in the Guaranteed Interview Scheme

5. The Council recognises that it has a role to play in helping those leaving the Armed Forces (Veterans) to fulfil their potential in civilian life. As such, in 2019, the Council introduced this scheme for applicants applying for roles within the Council, subject to meeting set criteria which included that the armed forces had to be the last long-term employer and the applicant had to meet the essential criteria of the role.
6. SLT and JMTUM agreed to including reservists in this scheme and also changing the policy name to reflect this. This would include adding additional criteria to reflect that alongside meeting the essential criteria of the role, eligibility will apply where an applicant is a member of the reserve forces (regular or voluntary).

Including spouses and civil partners of current serving personnel in the Guaranteed Interview Scheme

7. The Armed Forces Community Covenant Development Officer asked the Council to consider including spouses and civil partners of current serving personnel in the Guaranteed Interview Scheme. This would include reflecting this change within this scheme. Additional eligibility criteria would also be added to reflect that alongside meeting the essential criteria of the role eligibility will apply to an applicant who is the spouse or civil partner of current service personnel within the forces.

Leave Arrangement Policy

Offering 5 days unpaid leave per annum to Adult Cadet Forces Leaders to attend training/volunteering opportunities

8. The Leave Arrangements Policy currently sets out leave arrangements for adult instructors as outlined below:

Adult instructors receive payment for attendance at training courses and the annual training camp for which paid leave from their Council employment will not be granted. Requests from employees, who are adult instructors wishing to attend these activities should be considered as planned leave.

9. SLT agreed to broadening the criteria by offering 5 days unpaid leave per annum to adult instructors/adult cadet forces leaders to attend training/volunteering opportunities. This would be reflected within the Leave Arrangements policy.
10. JMTUM queried whether the Council were obliged to offer more than 5 days unpaid leave per annum to Adult Cadet Forces Leaders to attend training/volunteering opportunities. Clarification was sought from the East Midlands RFCA, Army reserve centre. The Regional Employer Engagement Director confirmed that there is no written required to offer paid leave for CFAVs in tandem with 10-day reservist pay and that as a gold holder the requirement was to offer 5 days unpaid leave. The trade unions accepted this response and noted the Council's position.

Recruitment Advertising

Posting jobs on the Forces Families Jobs website which is similar and in addition to the CTP who the Council currently use.

11. Advertising on the Force Families Jobs website would mean that posts would be advertised to:
- Spouses and partners of currently serving and reserve personnel, and adult children (aged 18 – 25)
 - Spouses and partners of service personnel who have left the Armed Forces within the last 12 months, and adult children (aged 18 – 25)
 - Bereaved spouses and partners for up to two years post service, and adult children (aged 18 – 25)

12. Advertising on the website is free as the Council is signed up to the armed forces covenant and will enable the Council to take a pro-active approach to targeting opportunities for people in this circumstance.

Guaranteed Interview Scheme – Veterans and Reservists

Introduction

Charnwood Borough Council has committed to being a Reserve Forces friendly employer. The Council recognises it has a role to play in helping reservists and those leaving the Armed Forces (veterans) to fulfil their potential in civilian life. To support veterans and reservists, the Council has introduced a Guaranteed Interview Scheme for Veterans and Reservists which also includes spouses or civil partners of current service personnel as one of a range of measures introduced through the Council's Armed Forces Operational Board.

Scope

The Guaranteed Interview Scheme for Veterans and Reservists will operate for all external recruitment. This scheme has no bearing on redeployment, redundancy selection or organisational reorganisations.

Purpose

This sScheme recognises that veterans and reservists can bring valuable transferable skills, qualities and benefits, including:

- Communication skills
- Organisational skills and commitment
- Problem solving and adaptability
- Leadership and management skills
- Health and safety / security awareness
- Team working skills

The Guaranteed Interview Scheme for Veterans and Reservists is a commitment that the Council has made to support the Armed Forces Community Covenant. This commitment is to guarantee an interview for any veterans that meet the essential criteria set out in the job profile for roles that are advertised externally.

The scheme does not guarantee a job for an applicant that meets the eligibility criteria veteran. The recruitment and selection procedures will ensure the most suitable candidate for the job is appointed, based on the selection criteria of the job profile.

Eligibility

The following applicants are eligible for the Guaranteed Interview Scheme where:

- ~~They Applicants that~~ meet the essential criteria set out in the job profile, and
- ~~If a veteran, where~~ the Armed Forces were their last long term substantive employer.
- The applicant is a member of the reserve forces (regular or voluntary).
- The applicant is the spouse or civil partner of current service personnel within the armed forces.

Recruitment and Selection

- Advertising – The Council has agreed to advertise relevant jobs on the Career Transition Partnership (CTP) website and the Forces Families Jobs website in addition to normal advertising processes.
- Shortlisting - The recruiting manager must check the application form to see if the applicant has declared that they are a veteran, reservist, spouse or civil partner of current service personnel. Any applicant who meets the eligibility criteria set out above, including the essential criteria for the role,~~veteran that meets the essential criteria for the role and the scheme eligibility~~ must be offered an interview alongside other applicants that meet the essential criteria.
- Interviewing – The Veterans Military Service Records pack should be checked by the Recruiting Manager at interview. This pack will outline the veteran's military service record, alongside their skills and experience.
- Feedback – An unsuccessful candidate will be provided with feedback from the Recruiting Manager, if requested.

Where a candidate has falsely claimed to be a veteran, reservist, spouse or civil partner as detailed in this policy,~~veteran~~ an offer of employment may be withdrawn.



**Leave Arrangements
(Annual, Public Holidays and Other Leave Entitlements) Policy**

Contents

Scope2

Principles.....2

Roles and Responsibilities2

Employees with more than one contract3

Annual Leave Entitlement - Full and Part Time Permanent and Fixed Term

Contract Employees3

Part Time Employees Annual Leave and Public Holidays4

Annual Leave Entitlement - Casual Workers5

Taking of Annual Leave.....6

Public Holidays6

Employees who are rostered to work on a Public Holiday.....7

Day off Coinciding with a Public Holiday7

Pay arrangements for employees who are called into work on a Public Holiday7

Requesting Leave8

Annual Leave Calculator (excluding casual workers and employees on annualised hour's contracts (including term time only)8

Carry Over of Annual Leave.....8

Request to bring forward annual leave from the next leave year8

Untaken Leave - At the End of the Leave Year9

Untaken Leave - Notice of Termination of Employment.....9

Accrual of Annual Leave during a Period of Unpaid Leave9

Planned Leave (pre-arranged appointments).....10

Medical Appointments.....11

Unplanned/Compassionate Leave.....12

Bereavement Leave.....12

Severe Weather Conditions14

Fertility Treatment.....15

Religious Observance15

Blood and Platelet Donors16

Examination Leave16

Job Interviews16

Lectures etc.....16

Professional Bodies – Attendance at Meetings17

Public Service Leave17

Jury Service and Court Attendance as a Witness.....18

Cadet Corps (Army, Air Force and Sea Cadets).....18

Employee Volunteering Provision19

Other Types of Leave23

Title: Leave Arrangements (Annual, Public Holidays and Other Leave Entitlements) Policy
Version: 2017 v 1
Date Agreed: 05.11.13
Last Date Amended: 30.03.21
Agreed At: Personnel Committee

Scope

This policy applies to all employees of Charnwood Borough Council employed under the following conditions of service:

- Joint Negotiating Committee for Local Government Services (JNC);
- National Joint Council for Local Government Services (NJC);
- Joint Negotiating Committee for Local Authority Craft and Associated Employees (Craft).

[Back to Contents](#)

Principles

- The Council is committed to ensuring the health and wellbeing of its employees and, in addition to promoting health and wellbeing initiatives, will ensure that employees use their leave entitlement to take regular breaks from work.
- The arrangements described below apply to employees who are contracted to work on any of the 7 days of the week, including those required to work on a public/extra statutory or concessionary day.
- Paid leave can only be granted subject to service demands.

[Back to Contents](#)

Roles and Responsibilities

| | |
|----------------------|---|
| Line managers | <ul style="list-style-type: none">• To ensure that all requests for leave are appropriately considered and dealt with fairly and managed accordingly.• To notify payroll when unpaid leave is taken to ensure that the appropriate amount is deducted from the employee's salary. |
| Employees | <ul style="list-style-type: none">• To make leave requests as soon as possible in advance to their line manager.• Liaising with their line manager about the requirement either to make up time lost or take annual or unpaid leave (i.e. severe weather).• To record leave requested and taken. Employees with access to Trent self service are required to use Trent to submit leave requests for agreement. Employees without access to Trent self service will have a designated annual leave administrator to input annual leave on to the Trent |

Title: Leave Arrangements (Annual, Public Holidays and Other Leave Entitlements) Policy
Version: 2017 v 1
Date Agreed: 05.11.13
Last Date Amended: 30.03.21
Agreed At: Personnel Committee

| | |
|-------------------------|--|
| | self service system. |
| HR Services | <ul style="list-style-type: none"> To advise and support managers in the application of the Policy and Procedure. |
| Payroll Services | <ul style="list-style-type: none"> To advise and support managers on any relevant payroll issues. |

[Back to Contents](#)

Employees with more than one contract

Where an employee has more than one part-time contract of employment, each contract stands alone and the employee will receive separate annual leave entitlement and public holiday entitlements under each contract.

[Back to Contents](#)

Annual Leave Entitlement - Full and Part Time Permanent and Fixed Term Contract Employees

The annual leave year for all NJC and JNC employees runs from 1st June to 31st May inclusive. Some groups of employees, including Craft and Associated Employees have different leave years outlined within their contracts which either fall from 1st April to 31st March or 1st January to 31st December.

If an employee commences employment part way through a leave year, pro-rata entitlement will be calculated on each day of completed service based on a full years' annual entitlement rounded down to the nearest half hour for part time employees.

For full time employees (those who work 37 hours per week) annual leave is calculated in days.

For part time employees and employees whose contracted hours are more than 37 hours per week annual leave entitlement is calculated in hours.

The number of days' annual leave entitlement is as follows:

| Grade | Below 5 years' service | *Above 5 years' service |
|--|-------------------------------|--------------------------------|
| Grades 1 to PO4 (including Skills Group 1 – 4) | 22 | 27 |
| JNC | 27 | 32 |

*Employees completing 5 years' service will receive their additional pro rata entitlement in the leave year in which they attain the requisite service.

Title: Leave Arrangements (Annual, Public Holidays and Other Leave Entitlements) Policy
Version: 2017 v 1
Date Agreed: 05.11.13
Last Date Amended: 30.03.21
Agreed At: Personnel Committee

Part-time employees are entitled to annual leave pro rata to hours worked.

Protected Annual Leave

Some employees who worked for Charnwood Borough Council prior to January 2000 have their annual leave entitlement protected at 28 days for NJC employees and 33 days for JNC employees as those employees will have over 5 years service. Part time employees who fall into this category will receive a pro rata entitlement based on the protected entitlement.

Employees on older contracts will continue to receive annual leave and public, extra statutory, and locally agreed days in accordance with their contracts, where entitlements specified are different to the current procedure.

Annualised Hours (including term-time working) only

For employees on annualised hours (including term-time) contracts, their holiday entitlement (public holidays and annual leave), is based on the contractual holiday entitlement for Council full time employees and is accrued throughout the contractual year. Further guidance is available on the intranet by following this link [click here](#).

Field Code Changed

The pattern of an employee's working and non-working periods will be agreed with the employee and then confirmed in writing by their line manager.

Annual leave for full and part time employees who wish to work annualised hours will be divided into hours, including annual leave and bank holiday entitlement, as detailed in the authority's leave policy. Actual working hours will be deducted on each working day for leave.

An employee may, from time to time, be required to work on any public holiday. If they are required to work on a public holiday, the employee will be reimbursed in accordance with the relevant conditions of service.

[Back to Contents](#)

Part Time Employees Annual Leave and Public Holidays

For part time employees the annual leave and bank holiday entitlements are added together to give a total leave entitlement (in hours) for the year. When employees take annual leave they must deduct from their entitlement the hours they would normally work on the day or days they are absent from work due to annual leave. If a public holiday, extra statutory or locally agreed day falls on a day when they should be at work then they must also deduct from their entitlement the hours they would have worked on that day.

Part time employees who work the same number of hours each day can convert their leave entitlement to days by dividing their number of hours leave entitlement by the number of hours per day that they work.

Title: Leave Arrangements (Annual, Public Holidays and Other Leave Entitlements) Policy
Version: 2017 v 1
Date Agreed: 05.11.13
Last Date Amended: 30.03.21
Agreed At: Personnel Committee

Employees whose contractual hours of work are at the beginning of the week may find that they have to utilise annual leave to cover time taken for bank holidays. In such cases employees may wish to negotiate with their manager to recover this time by working on a day they would not normally work. Both parties must mutually agree this agreement.

For example an employee who normally works on a Monday, Tuesday and Wednesday may agree to work on a Tuesday, Wednesday and Thursday where the Monday is a Bank Holiday, they would therefore not need to deduct any time from their leave entitlement.

Part time employees who receive their annual leave entitlement in hours may take any odd hours they have left after taking their annual leave in full or half days as they wish. To make any surplus hours left after taking full or half days, part time employees can add any accrued additional hours to the remaining annual leave hours.

[Back to Contents](#)

Annual Leave Entitlement - Casual Workers

Casual workers are entitled to statutory annual leave (28 days a year). Due to the nature of the work it is difficult for casual workers to take their leave so therefore casual workers automatically receive payment for this, by Trent enhancing the hours worked by 12.07%.

Casual workers' payslips identify the payment made for the hours worked and a separate amount showing holiday pay entitlement for those hours.

However, employment law gives casual workers the right to take leave during any period they have agreed to work. It is recognised that this usually isn't practical, but as this is a requirement of the law it is necessary to include this as an option in the contract for services. In reality it is anticipated that casual workers will only request to take leave on very rare occasions. On the rare occasion that a casual worker will request to take their leave, they may decline to work on a particular day or request not to work on a particular day and managers just need to ensure that the casual worker does not receive pay for the hours that they do not work.

During a period of an assignment, in agreement with their Manager, a casual worker will be entitled to take the annual leave accrued during that assignment. When a request is agreed for annual leave to be taken during an assignment, managers must ensure that the following is recorded on the employee's time sheet 'Leave taken – no hours worked'. Similarly when a casual worker is assigned to work during a period when a public holiday or the concessionary day falls and they are not required to work managers must ensure that no hours are recorded on that day(s).

Title: Leave Arrangements (Annual, Public Holidays and Other Leave Entitlements) Policy
Version: 2017 v 1
Date Agreed: 05.11.13
Last Date Amended: 30.03.21
Agreed At: Personnel Committee

[Back to Contents](#)

Taking of Annual Leave

Annual leave may be taken by mutual agreement between the manager and the employee, other than in those services where employees are required to take holidays at particular times. Annual leave must be taken in periods of not less than half a day.

All requests for annual leave must be approved in advance.

Employees must not present their manager with a 'fait accompli' by booking a holiday and then requesting leave as this may lead to disappointment if the leave cannot be granted.

Other team members may also wish to take leave at the same time or may already have approved leave arrangements. Managers must ensure fairness and be able to maintain adequate staffing cover (and appropriate skills) so it may not always be possible for managers to grant leave requests in line with an employees request.

It is appreciated that it may not always be possible to give advance notice in the case of short term, unexpected events, and managers need to be sensitive to individual circumstances. For further information, go to the Unplanned Leave section in this policy by [Unplanned Leave](#).

[Back to Contents](#)

Public Holidays

In addition to the 8 bank holidays, 2 extra statutory and 2 locally agreed days are granted each year, to be taken as follows:

| Christmas and New Year | |
|---|--------------------------------|
| Christmas Day | 25 December (Public Holiday) |
| Boxing Day | 26 December (Public Holiday) |
| New Year's Day | 1 January (Public Holiday) |
| One Extra Statutory and Two Locally Agreed Days to allow for closure of office between Christmas and New Year | Variable dates |
| Easter | |
| Good Friday | Variable date (Public Holiday) |
| Easter Monday | Variable date (Public Holiday) |

Title: Leave Arrangements (Annual, Public Holidays and Other Leave Entitlements) Policy
Version: 2017 v 1
Date Agreed: 05.11.13
Last Date Amended: 30.03.21
Agreed At: Personnel Committee

| | |
|--|--|
| <i>NB Easter Sunday is not a public holiday; it is classed as a normal working day</i> | |
| Other | |
| May Day | First Monday in May (Public Holiday) |
| Spring Bank Holiday | Last Monday in May (Public Holiday) |
| Summer Bank Holiday | Last Monday in August and Tuesday (Extra Statutory Day) after August Bank Holiday Monday |
| TOTAL NUMBER OF PUBLIC, EXTRA STATUTORY AND LOCALLY AGREED DAYS = 12 | |

The locally agreed days are to enable a week's closedown over the Christmas and New Year period. Employees required to work on these days will be paid at the appropriate rate and granted time off in lieu in full recompense.

The date of the Christmas extra statutory and two locally agreed days may vary each year according to how the Christmas dates fall. The date of the concessionary day is determined each year by the Chief Executive.

[Back to Contents](#)

Employees who are rostered to work on a Public Holiday

Employees required to work on a rota basis will be given an entitlement to annual leave and bank holiday allowance in hours.

If an employee is rostered to work on a public holiday, they will be paid in accordance with the relevant conditions of service.

[Back to Contents](#)

Day off Coinciding with a Public Holiday

Where seven-day working operates, during which the employee will work on a rota a public holiday may coincide with an employee's scheduled day off. In order to compensate for the public holiday the entitlement will have been given to the employee along with the annual leave entitlement.

[Back to Contents](#)

Pay arrangements for employees who are called into work on a Public Holiday

Pay arrangements for employees who are called into work on a public holiday are set out in the Pay Arrangements policy.

[Back to Contents](#)

Title: Leave Arrangements (Annual, Public Holidays and Other Leave Entitlements) Policy
Version: 2017 v 1
Date Agreed: 05.11.13
Last Date Amended: 30.03.21
Agreed At: Personnel Committee

Requesting Leave

Leave must not be taken without prior approval. Any alterations to leave arrangements must also be approved by the employee's line manager.

Employees who have access to Trent self service should use this for requesting and booking annual leave.

Employees without access to Trent will have a designated annual leave administrator to input leave on to the Trent self service system.

[Back to Contents](#)

Annual Leave Calculator (excluding casual workers and employees on annualised hour's contracts (including term time only))

Annual leave for employees commencing or leaving part way through the leave year should be apportioned.

Leave should not be granted in excess of an employee's entitlement, where it is known that the employee is leaving.

The [annual leave calculator](#) works out annual leave for part time staff for the full year, part time staff for part of the year, part time staff with a change of hours, full time staff for the full year and full time staff for part of the year.

[Back to Contents](#)

Carry Over of Annual Leave

Employees may carry forward up to a maximum of 5 working days* of their contracted weekly working hours from one leave year to the next.

In exceptional circumstances, the Head of Service may at their discretion approve a further 5 working days* paid leave to be carried over. *(Pro-rata for part time employees).

[Back to Contents](#)

Request to bring forward annual leave from the next leave year

A request may be made by an employee to use some of their leave entitlement from the next year's annual leave entitlement as they have insufficient leave remaining in the current leave year to accommodate a commitment they wish to fulfil e.g. extended holiday. Where a request is granted managers should ensure the employee will have an entitlement remaining in the following leave year that allows at least the entitlement to statutory leave.

Title: Leave Arrangements (Annual, Public Holidays and Other Leave Entitlements) Policy
Version: 2017 v 1
Date Agreed: 05.11.13
Last Date Amended: 30.03.21
Agreed At: Personnel Committee

There is no general entitlement to bring forward annual leave from the next leave year into the current leave year and other options should be explored in the first instance such as unpaid leave. Following advice from HR, managers and the Head of Service, may approve individual requests in exceptional circumstances.

[Back to Contents](#)

Untaken Leave - At the End of the Leave Year

There is no entitlement to be paid for any annual leave that remains untaken at the end of the leave year. Where such leave cannot be carried forward, as per previous section, an employee will lose the entitlement to that leave.

[Back to Contents](#)

Untaken Leave - Notice of Termination of Employment

Where notice is worked

The line manager will notify the employee of the proportionate amount of leave to which they are entitled up to the date of leaving. This amount will include any leave remaining from the previous leave year if applicable (up to 5 days) and any leave accrued up to the last day of employment, but not taken for the leave year in which the termination of employment takes place.

Employees are required to take any outstanding annual leave before leaving. If it is not possible to take the outstanding leave before leaving for operational reasons, or if the case is deemed one of special hardship by the Strategic Director, payment will be made for the amount of leave remaining.

Where Notice is Not Worked - Ill Health Retirement and Other Terminations of Employment

The line manager must inform HR Services of any annual leave adjustments via the [leavers' checklist e-form](#).

Field Code Changed

The amount of contractual leave accrued but not taken for the leave year in which employment terminates will be calculated and paid in lieu. This will include any annual leave which has been carried forward from a previous leave year.

Leave Taken in Excess of Entitlement

Employees who are leaving the service of the Council and have taken leave in excess of their entitlement will have the appropriate amount deducted from their final salary payment.

[Back to Contents](#)

Accrual of Annual Leave during a Period of Unpaid Leave

Title: Leave Arrangements (Annual, Public Holidays and Other Leave Entitlements) Policy
Version: 2017 v 1
Date Agreed: 05.11.13
Last Date Amended: 30.03.21
Agreed At: Personnel Committee

In accordance with the Working Time Regulations employees' should accrue 28 days annual leave (pro rata for part time employees) per leave year. Paid public holidays can be included as part of this statutory leave entitlement. The contractual leave entitlement given to an employee is in excess of the statutory leave entitlement.

An employee would not ordinarily accrue annual leave during a period of unpaid leave. However, where an employee will be having an extended period of unpaid leave, the manager will need to ensure the employee receives the minimum statutory leave entitlement for that leave year. Managers will need to take into account any leave already taken during the leave year as this will count towards the statutory leave entitlement. Where the employee is unable to take the minimum statutory leave entitlement, managers can arrange payment in lieu.

[Back to Contents](#)

Planned Leave (pre-arranged appointments)

With the exception of ante-natal and disability related appointments, employees should make every effort to book medical appointments and other absences for personal/domestic matters outside of their normal working arrangements.

There are separate provisions in the [Maternity Leave and Pay Policy and Procedure](#) and [Special Leave for Disability-Related Absence](#) documents.

Field Code Changed

Field Code Changed

However, it is recognised that this is not always practicable and employees may need time off from work to accommodate this. The employee should discuss this with their manager at the earliest opportunity so that agreement can be made on the best arrangements to be put in place to ensure service provision is not affected.

Should it not be possible to find an alternative arrangement that enables the employee to be absent then the absence may be taken as annual leave. If the employee has insufficient leave remaining, or prefers, the absence should be treated as unpaid leave.

Leave for Carers

Employees who need to attend a medical appointment of a person they are providing care support for, should request appropriate leave arrangements with their manager. This can include using; making up the hours at another time, swapping a working day with a colleague, taking annual leave or unpaid leave.

Unpaid Leave for Carers

Employees can request unpaid leave to undertake a caring responsibility for a period of up to one month. Any request for leave in excess of one month should be requested in line with the Career Breaks policy.

Title: Leave Arrangements (Annual, Public Holidays and Other Leave Entitlements) Policy
Version: 2017 v 1
Date Agreed: 05.11.13
Last Date Amended: 30.03.21
Agreed At: Personnel Committee

The cost of unpaid leave will be calculated as follows:

Hours taken as unpaid leave X hourly rate of pay

Example

A full time employee on Scale 6 - pay point 26 (£22221 per annum)

$\frac{£22221}{52/5} = £85.46p$ for the day's leave

Please Note that the employees' pension contribution will be deducted from the normal monthly salary.

Medical Appointments

It is expected that employees will take reasonable steps to ensure that absences for medical appointments of any kind are kept to a minimum, and that every effort is made to minimise service disruption. Employees may be asked to provide supporting evidence of their appointments.

Routine Appointments

Wherever possible, arrangements to attend appointments in connection with routine or minor medical matters should take place in the employee's own time. This includes, but is not limited to GP, dentist or opticians' appointments. Where appointments cannot be made outside the employee's normal working pattern, the Planned Leave provisions of the Leave Arrangements Policy will apply.

Specialist Appointments

Where an employee is required to attend a specialist medical appointment which cannot be made outside their normal working pattern, the employee will receive a reasonable amount of paid time off to attend the appointment. Managers and employees will agree the arrangements in advance, and this may incorporate elements of the Planned Leave provisions of the Leave Arrangements Policy, as appropriate. Where paid leave is granted, this should be submitted via iTrent.

Specialist medical appointments may take place at a hospital or other medical establishment or facility (e.g. GP Practice) as required, and may include:

- Provision of treatment or therapy;
- Surgical procedures;
- X-rays or scans;
- Medical tests;
- Other investigative procedures.

Title: Leave Arrangements (Annual, Public Holidays and Other Leave Entitlements) Policy
Version: 2017 v 1
Date Agreed: 05.11.13
Last Date Amended: 30.03.21
Agreed At: Personnel Committee

Unplanned/Compassionate Leave

Most employees are likely to experience an event or events when their immediate attention is required. The employee should discuss this with their manager at the earliest opportunity so that agreement can be made on the best arrangements to be put in place to ensure service provision is not affected. Where it is not practicable to accommodate all or part of the time taken in this way, the time lost must be taken as annual or unpaid leave. The exception to this is in relation to leave required to deal with bereavement leave and the emergency hospitalisation, emergency situation or the breakdown in care arrangements of a dependant.

Bereavement Leave, Emergency Hospitalisation, Emergency Situation or the Breakdown in Care of a Dependent

A maximum of 10 days' paid leave (pro-rata for part-time) may be granted in any 12 month rolling period for the purpose of dealing with bereavement and the emergency hospitalisation, emergency situation or the breakdown in care arrangements of a dependant. The provisions for each of these specific circumstances are set out below however when combined should not exceed a maximum of 10 days' paid leave (pro-rata for part-time) in any 12 month rolling period. This period commences on the first day when compassionate leave is granted. Ordinarily where an employee has already been granted the maximum number of days available managers should seek to accommodate requests using the provisions of the Planned Leave Section ([see above](#)). In exceptional circumstances a manager may agree a period in excess of 10 days' paid leave (pro-rata) in any 12 month rolling period.

Bereavement Leave

A maximum of 5 days' paid leave may be granted in the event of the death of a family member or close friend. The definition of a family member or close friend ([see below](#)) is not exhaustive as it is recognised that the nature of relationships is complex. Therefore, when determining the number of days to authorise, managers will need to consider the individual circumstances facing the employee including:

- Taking account of the circumstances surrounding the bereavement;
- Being sensitive to cultural and religious observances which may affect the obligations placed upon the employee within the family unit. The Religious Observance section within this policy gives further guidance ([click here](#));
- Taking account of whether the employee has responsibility for making arrangements for the funeral;
- Whether the employee has a practical role to play afterwards (e.g. executor to the estate).

In exceptional and unusual circumstances (e.g. if the child of an employee passes away) it may be appropriate to grant up to a further 5 days paid leave.

Title: Leave Arrangements (Annual, Public Holidays and Other Leave Entitlements) Policy
Version: 2017 v 1
Date Agreed: 05.11.13
Last Date Amended: 30.03.21
Agreed At: Personnel Committee

Definition of a family member or close friend

For the purpose of Bereavement Leave, a family member or close friend is defined as:

- Own child/step child;
- Partner (including same-sex partner);
- Parents/step parents;
- Siblings/siblings of partner;
- Grandparents or In-laws;
- Next-of-kin or nominated next-of-kin;
- Other family members living long term in the employee's household (not temporary visitors or lodgers, etc);
- Other dependents where an employee has provided care;
- Where an employee has a close personal relationship which may include having responsibility for making any necessary arrangements.

Managers must consider each case on its own basis. Approval for paid time off for bereavement under this scheme is subject to the closeness of the relative/dependent that has passed away. It is therefore necessary for the employee to indicate their relationship with the deceased, if they were the sole carer, the date of the death and the location of the funeral to ensure that the Manager is able to authorise leave as appropriate.

Sickness following bereavement

Where the employee is not well enough to attend work following the bereavement, or other difficult situation that has occurred, due to the effects of stress, anxiety, and reactive depression etc. normal sickness reporting and certification procedures will apply.

Emergency Hospitalisation, Emergency Situation or the Breakdown in Care of a Dependent In the event of the emergency hospitalisation of a dependent where an employee is required to provide care, or in circumstances where care arrangements for a dependent break down or an emergency situation occurs, up to 2 days' paid leave in any one (rolling) year may be granted to enable the employee to make alternative arrangements and manage immediate domestic affairs. It may be applicable in some circumstances (e.g. a life threatening condition) to allow up to a further five days' leave with pay. Ordinarily additional time off will be subject of the provision of the planned leave section above.

The Council interprets the term emergency to mean an unexpected and serious situation requiring immediate attention, affecting him/herself or a close relative or dependant. The time required to address the emergency will be for a finite period. Once the need for immediate action has been addressed, the emergency will be considered to be over.

Title: Leave Arrangements (Annual, Public Holidays and Other Leave Entitlements) Policy
Version: 2017 v 1
Date Agreed: 05.11.13
Last Date Amended: 30.03.21
Agreed At: Personnel Committee

Managers must consider each case on its own basis. Compassionate leave does not cover minor or common health problems within the family, for instance childhood ailments or planned surgery. In such cases appropriate arrangements should be discussed and agreed with the manager which may include making up the within a set timescale, using annual leave or unpaid leave until such time as arrangement for care can be made. Leave granted under these arrangements is not intended for long term family or domestic needs where other arrangements must be made by the employee. For example, a relative's routine medical appointment or arrangements related to domestic issues.

Requesting Compassionate Leave

To request compassionate leave employees' must apply to their line manager and complete the Application for Compassionate Leave e-form, which will then need to be authorised by their manager. It is accepted that for emergencies and unforeseen circumstances the form can be completed after the leave has been taken, provided that prior agreement to the leave has been received from the manager. In addition to completing the e-form, employees must also request the leave through i-Trent employee self service.

[Back to Contents](#)

Severe Weather Conditions

The Council recognises that adverse weather conditions will, from time to time, make travel to and from work difficult. However, employees are expected to make all reasonable efforts to reach their workplace to help fulfil the stated objectives. If it is not possible to reach the workplace, requests for working from home will be considered by the manager.

In circumstances where an employee fails to attend work, or where the employee arrives late and the manager is not satisfied that the arrival time is reasonable, the time lost will be made up by the employee making up the time taken within a set period of time. Where it is not practicable to accommodate all or part of the time taken in this way, the time lost must be taken as annual or unpaid leave. Casual employees who fail to attend work will not be paid for the day(s) in question.

Where employees arrive late and the Manager is satisfied that their arrival time is reasonable the employee will not lose pay and will be credited with their normal contracted hours for that day. The Manager must take account of the following factors when reaching their decision:

- The distance they live from their workplace, and
- The prevailing weather conditions.

Casual employees will be paid for the actual hours of attendance at work.

Title: Leave Arrangements (Annual, Public Holidays and Other Leave Entitlements) Policy
Version: 2017 v 1
Date Agreed: 05.11.13
Last Date Amended: 30.03.21
Agreed At: Personnel Committee

If weather conditions are particularly severe and employees request to leave work early, the Manager may allow those who are not required to provide essential cover to do so taking account of:

- The distance the employee(s) lives from their workplace; and
- The prevailing weather conditions.

Employees will generally continue working until their normal finishing time.

Permanent and temporary employees granted permission to leave early under managerial discretion will not lose pay and will be credited with their normal contracted hours for that day.

Where the Council is unable to provide employment at the employee's normal workplace, e.g. due to heating breakdown, full closure of an establishment etc, and/or a suitable alternative work location cannot be provided, including working at home, the employee will receive normal pay for any time lost up to a maximum of the employee's normal contracted hours for that day.

[Back to Contents](#)

Fertility Treatment

There is no statutory entitlement to time off for IVF treatment. However, the Council recognises the potential emotional pressure employees may experience during the process. By way of alleviating some of the associated anxiety the Council has agreed that time off to attend appointments and treatment will be subject to the planned leave provisions of this policy [click here](#). Time off due to any side effects of the treatment will be dealt with under the Attendance Management policy. Sickness absence associated with the treatment will not be classed as pregnancy related absence.

[Back to Contents](#)

Religious Observance

The Council recognises the diversity of its workforce. Any requests for time off for the purpose of religious observance including religious festivals should be granted unless there are exceptional circumstances which make it impossible for the employee to be released.

Employees may wish to offer prayers whilst at work in accordance with their religious customs. Where religious observance needs to take place during working hour's line management approval must be sought in advance and the time must be made up by the employee.

Leave requests may be:

Title: Leave Arrangements (Annual, Public Holidays and Other Leave Entitlements) Policy
Version: 2017 v 1
Date Agreed: 05.11.13
Last Date Amended: 30.03.21
Agreed At: Personnel Committee

- Met from the employee's annual leave or unpaid leave
- Accomodated through agile working arrangements where possible, or approved accrued additional hours

Further guidance on [Religion and Religious Beliefs](#) is available.

[Back to Contents](#)

Field Code Changed

Blood and Platelet Donors

Paid time off will normally be granted to employees who wish to donate blood or platelets. Employees donating blood are expected to visit the mobile transfusion unit when it is in their work locality. It is recognised that donation of platelets can only be done at a hospital and where it is not possible to arrange the appointment outside of working hours, reasonable time off may be allowed, with the agreement of the manager, to attend the appointment subject to service needs.

Examination Leave

For post entry training where financial assistance and paid release has been granted by the council, in accordance with the [scheme for financial support assistance policy](#), examination leave will be granted as paid leave (first attempt only). Sufficient notice of examinations must be given. Leave may also be granted for revision on the basis of ½ day per examination (final examinations only). Other revision time should be taken using annual leave or making up the hours within a set timescale, as agreed with the manager. When a course of study and/or examinations have been completed a copy of the results achieved should be sent to the Learning and Development Division.

[Back to Contents](#)

Field Code Changed

Job Interviews

For employees who are eligible for [redeployment](#), the provisions for time off are explained in the Council's [Organisational Change Policy](#).

Managers will grant paid leave to employees attending interviews for posts with other local authorities and public sector organisations only.

No paid leave for interviews at other employers will be allowed. Time of for an employee attending an interview, other than in the above circumstances, will be subject to the planned leave provisions of this policy [click here](#).

[Back to Contents](#)

Field Code Changed

Field Code Changed

Lectures etc

Title: Leave Arrangements (Annual, Public Holidays and Other Leave Entitlements) Policy
 Version: 2017 v 1
 Date Agreed: 05.11.13
 Last Date Amended: 30.03.21
 Agreed At: Personnel Committee

Employees who are invited to give lectures, presentations and radio talks etc as part of their normal duties may do so within their contractual hours, subject to prior line management approval.

Employees must ensure that any fees received from the organising body are paid directly to the Council.

Employees who participate in such activities outside their normal working hours will not be compensated by the Council for the time spent or any travel or subsistence attached to the event.

[Back to Contents](#)

Professional Bodies – Attendance at Meetings

Office Holders

Employees who serve on a committee or council of a professional body may be granted paid leave to attend such meetings in working hours, where operational needs permit at the discretion of the manager. Managers may approve travel and subsistence expenses where these are not met by the professional body concerned.

General

Where employees are not serving members of committees or councils of professional bodies, but it is considered of some benefit to the Council to attend meetings, managers may approve paid time to attend in addition to travel and subsistence, where appropriate.

[Back to Contents](#)

Public Service Leave

Subject to operational needs up to 15 days' leave with pay per year may be granted to employees who are members or officials of the public bodies listed below or to attend meetings concerned with National or Provincial Council affairs:

- local authority
- statutory tribunal (e.g. employment tribunal)
- police authority
- service authority for the National Criminal Intelligence Service
- service authority for the National Crime Squad
- board of prison visitors or prison visiting committee
- probation boards
- members of court boards
- relevant health authority
- relevant education body (i.e. school/college governors)
- Environment Agency
- Youth Offending Panels
- Justices of the Peace

Title: Leave Arrangements (Annual, Public Holidays and Other Leave Entitlements) Policy
Version: 2017 v 1
Date Agreed: 05.11.13
Last Date Amended: 30.03.21
Agreed At: Personnel Committee

- School/College Governors.

Where applicable, employees should claim the financial loss allowance directly and this will be deducted from full pay. An employee must provide evidence to their manager and payroll.

[Back to Contents](#)

Jury Service and Court Attendance as a Witness

Paid leave will be granted to employees undertaking jury service or required to attend Court, or a Tribunal, as a witness on behalf of the Crown, Police or Defence, or for either side in a civil case. Employees must claim the attendance allowance for loss of earnings paid by the Court. The amount received for such allowance will be deducted from the employee's pay. The employee must provide confirmation of the amount received to their manager and payroll.

[Back to Contents](#)

Cadet Corps (Army, Air Force and Sea Cadets)

Cadet level

Membership of the army, air force or sea cadets is purely voluntary and activities normally take place in the evenings and at weekends, i.e. in the employee's own time.

However, employees may be granted up to 5 days' paid leave from their Council employment to attend an annual training camp.

The maximum age limit for cadets is normally 18. They have an opportunity to participate in activities such as the Duke of Edinburgh Award Scheme or undertake a BTEC qualification and other activities designed to release and enhance their physical, intellectual and social potential. They often gain skills therefore that assist them in their day to day work activities.

Adult Instructors/Adult Cadet Forces Leaders

Once the maximum age limit for cadet level has been reached some may decide to continue as adult instructors.

Adult instructors/adult cadet forces leaders are also voluntary roles which are undertaken in the employee's own time. They normally participate in activities for a minimum of one or two evenings per week and attend approximately four weekend training events per year.

Adult instructors/adult cadet forces leaders receive payment for attendance at training courses and the annual training camp for which paid leave from their Council employment will not be granted. ~~Employees who are~~ Requests from employees, who are adult instructors/adult cadet forces leaders may request up to 5 days unpaid leave per annum to wishing to attend the training/voluntary opportunities. Any

Title: Leave Arrangements (Annual, Public Holidays and Other Leave Entitlements) Policy
Version: 2017 v 1
Date Agreed: 05.11.13
Last Date Amended: 30.03.21
Agreed At: Personnel Committee

request for time off in addition to this se-activities should be considered as planned leave.

Employee Volunteering Provision

Purpose

The Council recognises the positive contribution that volunteers can make to communities and is keen to encourage its employees to engage in voluntary service. Supporting employees to volunteer helps the Council to build stronger links between the authority, employees and the local community and contributes to meeting local community needs and the Council's corporate objectives.

Types of Volunteering Supported

For the purposes of this provision, four different categories of volunteering are recognised:

- A) Role specific development opportunities;
- B) Team volunteering;
- C) One-off corporate events and activities;
- D) General volunteering.

Activities relating to health, regeneration, education, conservation, environment, heritage, arts and media, animal welfare, people with protected characteristics, young or older people, refugees or tackling alcohol and substance misuse, social exclusion and homelessness are likely to be supported by the Council.

There is no automatic entitlement for employees to be granted time off to undertake voluntary work. All requests will be considered on a case-by-case basis, taking into account service needs.

Whilst undertaking voluntary work, employees are required to adhere to the standards of conduct set out in the [Code of Conduct](#).

A) Role specific development opportunities

An employee (or manager) may identify a one-off volunteering opportunity which supports the development requirements discussed during supervision/one-to-one meetings (e.g. improving presentation skills by delivering a talk to a local community initiative). As with other training and development opportunities, managers may grant employees paid time off, where necessary, to undertake the activity. A post volunteering discussion should take place, as part of the normal supervision/one-to-one process, to evaluate the success of the activity.

B) Team volunteering

Managers may wish to consider using a one-off volunteering project as a team building exercise. To identify an appropriate activity, managers could contact [Voluntary Action LeicesterShire](#). Activities should last for a maximum of one day

Title: Leave Arrangements (Annual, Public Holidays and Other Leave Entitlements) Policy
Version: 2017 v 1
Date Agreed: 05.11.13
Last Date Amended: 30.03.21
Agreed At: Personnel Committee

and must be suitable for all team members to participate in (e.g. employees with disabilities or medical conditions, etc.). As with other team building activities, paid time off during work time may be granted, where necessary.

C) One-off corporate events and activities

On occasion, the Council may invite employees to volunteer at local events (e.g. the annual fair, town twinning events etc.). In these circumstances, separate application processes will apply and employees may be granted paid leave or time off in lieu (TOIL).

D) General volunteering

An employee may request to undertake up to 2 days (pro rata for part time staff) paid leave per calendar year. This can be taken on an hourly basis or in daily blocks of time. The arrangement should be reviewed on an annual basis.

Agreement to this leave, or continuation of this leave, is entirely at management discretion, subject to the needs of the service.

Application Process

a), b), and c) above

Will be treated as a Learning and Development opportunity and employees will receive their normal terms and conditions of employment in line with attending any other training event.

d)

Employees who are interested in undertaking general volunteering, should discuss their request with their manager to ensure that the opportunity is appropriate, no conflict of interest exists and whether the service can support this additional leave. Following this discussion, employees should submit a short written submission on the form attached as Appendix A below.

Where possible, employees should match the paid time taken with an equal period of volunteering in their own time.

Employees must also follow the declaration process set out in the Appointments and Other Employment of the Code of Conduct, when applying to undertake any volunteering opportunity. The employee will need to confirm:

- Details of the host organisation;
- The nature of the activity that the employee will be undertaking;
- The times/dates that the employee is proposing to volunteer;
- Any risks related to the activity and details of any risk assessments that will be undertaken by the host organisation;
- Whether a change in their working pattern is being requested (and if so, the details of the change).

The employee's manager will use this information to assess whether the request can be accommodated and to ensure that no conflict of interest exists. Proof of the volunteering activity may be required.

Employees must obtain management approval to undertake voluntary work, irrespective of whether or not it is during their normal working hours, prior to committing to the volunteering activity.

Approval Process

Managers should only approve a volunteering activity where no conflict of interest exists. Any requests for time off during working hours will take into account the needs of the service. Managers should ensure that any lost working hours are recorded on I Trent.

Disclosure and Barring Service (DBS) Checks

Where a DBS check is required for a voluntary role, it is the responsibility of the host organisation to conduct this check.

Expenses

Any expenses incurred whilst volunteering are the responsibility of the host organisation. Employees are advised to confirm any reimbursement provisions with the host organisation prior to commencing a placement.

Health and Safety

The Council will not be liable for any damages or injuries that occur whilst volunteering for another organisation. Employees must abide by the health and safety procedures for that organisation.

Employees who are injured during the course of their volunteering duties and are therefore unable to attend their regular Council job will still be entitled to occupational sick pay. The Council may however wish to reclaim these payments from the host organisation where liabilities exist.

Appendix A - Application to take paid leave to undertake voluntary work

| | |
|---------------|--|
| Name | |
| Job Role | |
| Working Hours | |

| |
|--|
| Details of the voluntary role, including organisation, location, tasks, risks, skills required and any learning outcomes if applicable |
| |

| |
|---|
| Benefits that the volunteering activity will bring to the borough |
| |

| |
|--|
| Name role and contact details of the person/people managing the voluntary activity |
| |

| |
|--|
| Time and dates of paid leave requested |
| |

| |
|---|
| Time and dates when you will be volunteering in your own time |
| |

Employee signature:

Date:

Title: Leave Arrangements (Annual, Public Holidays and Other Leave Entitlements) Policy
Version: 2017 v 1
Date Agreed: 05.11.13
Last Date Amended: 30.03.21
Agreed At: Personnel Committee

Other Types of Leave

For Family Leave (including Maternity, Adoption and Shared Parental Leave) - [click here](#).

Field Code Changed

For Parental Leave [click here](#).

Field Code Changed

For Reserve Forces Leave [click here](#)

Field Code Changed

Title: Leave Arrangements (Annual, Public Holidays and Other Leave Entitlements) Policy
Version: 2017 v 1
Date Agreed: 05.11.13
Last Date Amended: 30.03.21
Agreed At: Personnel Committee

Manager's Guidance on the Recruitment and Selection of Charnwood Borough Council Employees

Contents

| | |
|--|----------------------|
| Purpose | 2 |
| Scope | 2 |
| Equalities | 2 |
| Preparing to Advertise a Vacancy | 4 |
| The Advertising Process | 5 |
| Planning the Selection Process | 6 |
| The Interview Panel | 6 |
| Determining the Selection Process | 6 |
| The Shortlisting Process | 7 |
| Shortlisting Candidates | 7 |
| Gaps in employment history or other issues/concerns | 78 |
| Declaration of Criminal Conviction(s) at application stage | 8 |
| Political Restrictions on Employment | 8 |
| Preparing for the interview | 8 |
| Reasonable Adjustment | 9 |
| Interview questions | 9 |
| Invitation to Interview | 10 |
| References | 1044 |
| References for Posts Designated as a 'regulated activity' | 11 |
| Other Posts | 12 |
| Requirements for References | 12 |
| The interview | 13 |
| Appointment Process | 1344 |
| Decision to appoint | 1344 |
| Pre-employment Checks | 15 |
| Criminal Convictions | 1647 |
| DBS Checks on individuals who have lived outside of the UK | 18 |
| DBS Application Process | 18 |
| Starting an employee prior to receiving their DBS Disclosure | 19 |
| Appendix A Recruitment Planner/Checklist | 20 |
| Appendix B - Types of Appointment | 2022 |
| Appendix C - Job Description and Person Specification | 2223 |
| Job description | 2223 |
| Person specification | |
| Weighting, essential and desirable criteria | |

| | |
|-------------------------------|------|
| Appendix D - Job Adverts..... | 2425 |
| Closing Date | 2526 |
| Job Information | 2526 |

Purpose

Charnwood Borough Council is committed to investing in its employees and seeks to recruit people who meet its requirements. The purpose of this guidance is to support recruiting managers to adopt a thorough and fair approach throughout the recruitment and selection process and to set out best practice, taking account of relevant legislation and the Council's commitment to [Equality and Diversity](#) and safer recruitment.

As all organisations employing adults to work with children, young people and vulnerable adults should have a consistent and thorough process of safer recruitment to ensure those recruited to undertake this work are suitable. It is the responsibility of the Council to have a range of safer recruitment and selection practices in place.

Safer recruitment is about recruiter managers properly examining the competency, experience, qualifications and attitudes of potential employees in relation to work with vulnerable groups.

This guidance is based on good practice and seeks to enable the recruitment of suitable employees to work with children, young people and vulnerable adults

[\(Back to Content\)](#)

Scope

This guidance applies to the recruitment and appointment of all employees of the Council, except the appointment to the posts of Chief Executive, Chief Officers and Statutory Officers for which there is a separate procedure contained within the Council's Constitution.

[\(Back to Content\)](#)

Equalities

Through its Equality & Diversity Strategy the Council has set out to promote equality and eliminate discrimination. All members, managers and employees have a part to play in achieving this.

The Council is committed to the principle of equal opportunity in employment and seeks the right mix of talent, skills and potential and welcomes applications from a wide range of candidates, including those with [criminal records](#).

A key aspect of the Council's commitment to equality and diversity is to seek to develop a work force that reflects the diversity of the Borough by taking steps to:

- Promote a working environment that values and respects the identity and culture of each individual by not tolerating any acts of discrimination or harassment, and by introducing standards of behaviour contained within the Code of Conduct for all our employees;
- Ensure that people from groups currently under represented in the work force are encouraged to seek employment with the Council;
- Guarantee that all applicants with a disability, recognised by the Equality Act 2010, receive an interview if they meet or come close to meeting the essential requirements of the job;
- Provision of reasonable adjustments to ensure that those with a disability are not disadvantaged during the recruitment process;

- Develop and promote work life balance policies and procedures for employees;
- Use of the “tie-break” provision under the Equality Act 2010, where following a competitive selection process, two or more candidates score equally by an objective and auditable scoring criteria (see Appendix E).

All recruiter managers should be aware of the requirement not to discriminate during the recruitment and selection process and mindful that an applicant can lodge a claim to an Employment Tribunal at any stage in relation to any aspect of the process. To minimize risk, recruiting managers should ensure all elements of the recruitment process are suitable for and accessible to all sectors of society. Consideration should be given to the following:

Language

The language used, orally or in writing, should:

- Be clear and unambiguous;
- Not contain any acronyms, abbreviations, etc.;
- Not single out or be perceived to single out specific groups e.g. specifying an advertisement that the candidate must be "mature";
- Not make reference to an individual's personal circumstances e.g. child care, family structure, as this could be discriminatory.

Reasonable adjustments

Reasonable adjustments should be put in place at all stages of the recruitment process for a candidate who has identified that they have a disability. Such adjustments may include ensuring the interviewing room has a wheelchair ramp or providing a skills test in large font.

When considering making reasonable adjustments, the candidate should be consulted and then advised well in advance of any adjustments made e.g. if additional time for test or the preparation of a presentation is to be provided, the candidate may be required to attend at an earlier time.

A candidate's disability **should not** be discussed as part of the formal interview but at the point where the job offer has been made and that the applicant has accepted the job offer. **This should be done sensitively, indicating a willingness to make adjustments to the job as long as they are “reasonable”.**

Detailed guidance is available on the intranet for managers on supporting disabled employees.

Exceptions

It is not illegal to discriminate positively in favour of a particular group where there is a "genuine occupational requirement" (GOR) i.e. the nature of the post requires an applicant from a particular gender, racial group, religion or belief or sexual orientation. If in exceptional circumstances a manager has an operational requirement to recruit from a particular group advice must be sought from HR Services.

Criminal convictions

Having a criminal record does not automatically bar a person from employment with the Council, and the Council undertakes not to treat any applicant unfairly on the basis of previous convictions. Whilst a criminal record cannot be disregarded, the Council seeks to ensure a fair and consistent

approach to the recruitment process. Further advice is available in the [Criminal Convictions Section](#) of this guidance.

[\(Back to Content\)](#)

Preparing to Advertise a Vacancy

- It is important at the start of the recruitment process that a realistic timetable is prepared; a [Recruitment Planner/Checklist](#) (with links to the relevant sections of this Guidance) is available to assist recruiters to plan and follow the process.
- Consider whether the post is still required and if the working hours, etc. are still appropriate.
- Consider what type of appointment is required (e.g. casual, fixed term, secondment, permanent, etc.). Further information is available by clicking [here](#).
- Recruiting managers should establish whether a post is politically restricted prior to advertising. ([Local Government \(Political Restrictions\) Regulations 1990.](#)). Posts that are politically restricted must be identified as such in the job advertisement;
- Recruiting managers **must** establish whether the post requires a Disclosure and Barring Service (DBS) check as this will need to be identified in the job description and advert. The Council currently has a [list of DBS posts](#) designated by the Senior Management Team as a “regulated activity”? Further information on regulated activity is outlined in the [Guidance for Managers on the DBS Process](#) policy. If it is a new post, the manager must determine if it requires a DBS check. Recruiting managers **must** only request a DBS check where it is a requirement of the post. Further advice can be sought from Human Resources.
- Prepare a job description and person specification using the standard template. Guidance on what this should include is available by clicking [here](#).
- If the job details relate to a new post or the original profile for the post has been amended (unless the changes are of a very superficial nature), it must be submitted to Human Resources for evaluation. The Council uses the Hay job evaluation scheme to determine the grading of posts. Recruiters must send the revised documentation to HR Services (email hr@charnwood.gov.uk). This link will take you to the [Job Evaluation pages on the intranet](#).
- Consider where the post will be advertised. Advice is available from Human Resources on placing adverts in external media if required.
- Prepare the job advert and agree the publication/closing date.
- Agree the interview date(s).
- Select the [interview panel](#) (including, if necessary, training the interview panel);
- Agree the [short-listing criteria](#) and selection method(s) based on the person specification, including the [weighting](#) of the person specification;
- Choose the interview venue ensuring that it has the appropriate facilities to accommodate disabled applicants.

[Back to Contents](#)

The Advertising Process

- Before recruiting to a post, managers must first seek permission from the Head of Service to recruit by completing and submitting the [Recruitment Approval Request Form](#).
- Managers must complete and submit the [Request to Recruit/Advertise E-Form](#) attaching the job description and person specification and the authorised [Recruitment Approval Request Form](#) to Human Resources.
- The [Request to Recruit/Advertise E-Form](#) is received by HR in a generic email box which generates a unique reference number. This number must be quoted in all subsequent enquiries to HR as to the progress of the vacancy.
- The advert request will be processed by Human Resources. The recruiting manager must allow at least 48 hours (working days) from receipt of the e-form for the advert to be processed.
- Once HR has processed the advert, applications can be viewed through self serve web recruitment via i-Trent.
- All vacancies will be advertised internally and on the Council's recruitment website for a period of two or three weeks (as specified by the recruiting manager on the e-form). It is normal practice to advertise on jobs go public and the Council's internet page. Adverts are not routinely placed in newspapers or journals, however, if any other media is required, Head of Service/Budget Holder approval is needed and the costs must be met by the relevant department. HR will require proof of approval.
- Recruiting managers are able to view all applications submitted for the post, including those from redeployees, via i-Trent.
- If an application is received from an eligible redeployee, the recruitment manager must consider this application in advance of those from other applicants without redeployment status. Further information regarding the process that the recruiting manager should follow is available in the [Redeployment Policy and Guidance](#).

[Back to Contents](#)

Planning the Selection Process

The Interview Panel

It is the responsibility of the recruiter to identify a suitable panel. The panel should be well-briefed on the post in question and the recruitment and selection process. All members of the panel must participate in every stage of the recruitment process.

The panel should comprise of at least two people, all of whom should have undertaken the Council's recruitment and selection training (it is recommended that the equalities aspect of the training must be refreshed every two years), which would normally include the line manager and, for technical posts, someone with the requisite technical knowledge for the job. For posts designated as a "regulated activity" panel members should also have received Safeguarding training. Further information on regulated activity is outlined in the [Guidance for Managers on the DBS Process](#).

Head of Service appointments must include the Chief Executive on the interview panel and may include a member of the Cabinet. Strategic Director and above are appointed by a Member Panel.

Determining the Selection Process

Although the interview is normally the main focus of the selection process, it will not normally provide all the information required in making an informed decision; alternative methods should also be considered to enable applicants to demonstrate their competencies fully.

The method used to test candidates suitability should be appropriate to the duties of the job and designed in such a way that the opportunity is available for the candidate to demonstrate the suitability of their knowledge, skills and ability to do the job (e.g. if an essential criteria of the post is "word processing skills", the most appropriate means of checking these is a practical test).

Where a candidate has requested a reasonable adjustment(s) the adjustments made must be relative to the applicant's disability e.g. it may be appropriate to allow a candidate with dyslexia additional time to complete a test, but this would not be appropriate adjustment for someone with mobility problems.

Examples of selection methods include:

- **Ability Tests** - These tests measure practical skills such as word processing or arithmetical skills. If a particular skill is required, the most accurate means to assess this would be through a test.
- **Knowledge Tests** - Selection methods such as presentations and writing reports are a way of identifying a candidate's knowledge base. However, the method used should be appropriate to the post (e.g. a candidate should not be asked to give a presentation if giving presentations is not a requirement of the job);
- **Group Exercises** - This type of exercise is relevant for roles which depend on team working and is intended to show what role an individual may assume in a group, measure their ability to express themselves and indicate their ability to lead and influence.

The selection method that will be used to assess the essential and desirable criteria for the post should be identified in the person specification. The recruiting manager should also establish how each element of the selection process will be scored. Scoring must be applied consistently to all candidates and the results carefully recorded to ensure that all candidates are assessed fairly and treated equally. Advice is available from Human Resources on designing an appropriate selection process.

[Back to Contents](#)

The Shortlisting Process

Shortlisting Candidates

Shortlisting a candidate is a key part of the recruitment process, ensuring that the most suitable people are interviewed for the vacancy. Prior to the shortlisting process the recruiter should have identified the [weightings](#) values of the desirable, and if necessary, the essential criteria for the post as detailed in the person specification.

After the application closing date, the recruiting manager will need to print off the [shortlisting grid](#), which will enable them to carry out the shortlisting exercise. Use of a [shortlisting grid](#) promotes fairness and consistency and provides an audit trail. All members of the interview panel must participate in the shortlisting process.

The Council has made a commitment that all applicants with a disability, recognised by the Equality Act 2010, will be guaranteed an interview if they meet or come close to meeting the essential requirements of the job.

The Council supports the Armed Forces Community Covenant and as such will guarantee an interview if an applicant meets the essential criteria for the role and the criteria outlined in the Guaranteed Interview Scheme [for Veterans and Reservists](#). [The eligibility criteria extends to spouses and civil partners of of current serving personnel](#).

When shortlisting, panel members must:

- Ensure that any [weightings](#) decided upon are applied consistently to every application;
- Check that all applications have been fully and properly completed, in accordance with safer recruitment requirements;
- Ensure consistency by not considering any CVs that may have been sent with the application.
- Ensure that internal candidates are considered on the same basis as an external candidate.

Gaps in employment history or other issues/concerns

At this stage the panel may identify gaps in employment history and/or issues that may be cause for concern. If any gaps or issues of concern are highlighted, these should be noted and taken up with the candidate - normally, this would be during the interview if the candidate is shortlisted, but in some cases, it may be necessary to contact the candidate prior to interview.

Alongside obvious gaps, such as omissions or incomplete details on the application, recruiters should be alert to other signs that may cause for concern (e.g. frequent changes of employment that do not show any clear career progression or a move from high paid permanent employment to temporary or casual work) and explore these with the candidate during their interview.

It is good practice to compare the information provided by the applicant with the information contained in the references. Any inconsistencies should be explored with the candidate at interview. A written record of these discussions should be attached to the application form.

The [shortlisting grid](#) should be completed and retained by the Chair of the panel. As the grid records the decisions made on each application, it will enable a clear explanation to be given if feedback is required.

Declaration of Criminal Conviction(s) at application stage

If an applicant declares at the application stage that they have a conviction, HR will retain this declaration until the end of the shortlisting process. If the applicant is shortlisted HR will then send the declaration to the recruiting manager. If the applicant is not shortlisted, HR will destroy the declaration.

Upon receipt of a declaration, the recruiter should inform the other panel members of the content. If the panel decide that the conviction(s) is relevant further information should be sought from the candidate as described below at the end of the interview.

If the Panel decides to offer the post to an applicant who has declared a relevant conviction, approval must be obtained from the appropriate Strategic Director before an offer of appointment is made.

Political Restrictions on Employment

Recruiters need to be mindful that they cannot appoint, as an employee, a Councillor who currently is or has been in the last 12 months a Member of the Authority. (Section 116 LGA 1972).

[Back to Contents](#)

Preparing for the interview

The panel needs to be fully prepared prior to the interviews commencing. It is also important to remember that the candidate will be assessing the Council and whether it is an organisation they wish to work for.

It is good practice for the panel to meet prior to the interviews to agree the format of interview process. The panel should also discuss how it will explore any gaps in employment history and any other concerns identified on the application form during the shortlisting process or from references.

Each panel member should have copies of the:

- Application forms;
- Job description and person specification;
- Scoring matrix.

Panel members should also have a copy of the interview questions which they should familiarise themselves with prior to the interview. The Chair should also have information about the terms and conditions of the job (e.g. salary details) in order to answer candidates' questions.

The Chair is responsible for ensuring that arrangements are made for the smooth running of the interview process:

- All the relevant documentation is prepared and distributed to panel members prior to interview;
- Suitability of the venue - taking into consideration any additional or special requirements such as access;
- Refreshments, car parking spaces, etc. are arranged.
- The interview timetable allows sufficient time between interviews for overruns, breaks and panel discussion.

Reasonable Adjustment

Applicants are asked to indicate on their application if they require any reasonable adjustments to be made for the selection process. If a need for an adjustment has been identified, the manager should contact the applicant in advance of the interview in order to ensure that appropriate adjustments are in place.

Where a candidate has requested a reasonable adjustment, the adjustment made must be relative to the applicant's disability (e.g. it may be appropriate to allow a candidate with dyslexia additional time to complete a test, but this would not be an appropriate adjustment for someone with mobility problems).

Further guidance about supporting disabled employees is available on the intranet by following this link [click here](#). Additionally further advice is available from Human Resources.

[\(Back to Content\)](#)

Interview questions

Interviews are a particularly helpful way of gaining information about a candidate's knowledge, skills, experience and abilities to ascertain their relevance, and how they can be transferred to the post in question. In addition, they can help identify whether the candidate meets the required weighting of a particular element which may not have been clear from their application or reference.

Interview questions should be agreed in advance by all the panel members and a decision made as to who will ask each question. Questions should focus on the candidate's actual experience and how it relates to the role applied for, with the answers being assessed against the criteria for the post. It may be necessary for the panel to have scenario questions available in case a candidate hasn't had previous experience.

The [interview question grid](#) can be used to act as a template to allow the recruiter to draft the interview questions and outline standard answers. Without preparing standard answers it will be difficult for panel members to evidence what criteria they have judged applicants against.

Whilst it is important that all candidates are asked the same questions around the criteria on the person specification, it is equally important that the panel is satisfied that it has gained enough

information to assess how well the candidate meets the criteria and to reach an objective decision about the candidate's suitability to do the job. If the panel is not satisfied that the question has been answered or thinks that the candidate has misunderstood the question, it is acceptable to probe further by asking supplementary questions. A detailed record of the candidate's responses should be kept.

Panel members must not lead candidates to give the correct answer or ask questions regarding the individual's personal circumstances (e.g. child care, family structure) as this could be discriminatory.

For posts designated as a '**regulated activity**'

At an interview for a post designated as a "regulated activity" whilst questions should be structured against the criteria for the post (as above), they should also include questions about a person's safeguarding knowledge, understanding, attitudes to and motives for working with children/vulnerable adults. The [Sample interview questions](#) also suggest positive and negative indicators. Recruiting managers may also find it useful to ask these questions for any post that involves working with children and/or adults, irrespective of whether the post requires a criminal records check.

[\(Back to Content\)](#)

Invitation to Interview

Once shortlisting is completed the recruiting manager must confirm those applicants due for shortlisting and those who have not been shortlisted on i-Trent. Following this the recruiter must complete the [Interview Selection E-Form](#). The [Interview Selection E-Form](#) will need to be completed and submitted to notify HR of who has been shortlisted, giving a minimum of 10 days for posts designated as regulated activity, and 7 days for all other posts. The E-Form will ask managers to provide details of the interview arrangements, such as date, times of interviews, location and any other information or documentation that candidates will require for the interview (i.e. presentation, test, etc.).

Managers must note that requests for HR assistance to conduct attitude and psychometric tests will incur an additional charge.

If a candidate is unable to attend for interview on the date specified, the recruiter has discretion as to whether to reschedule the interview, if it is agreed that the candidate can attend at a later date, the interview panel should remain the same.

[\(Back to Content\)](#)

References

References are an important part of any recruitment and selection process and even more so for posts designated as "regulated activity". Further information on regulated activity can be found in the [Guidance for Managers on the DBS Process](#). References should always be sought and obtained directly from the referee for the successful candidate. Recruiting managers must not rely on references or testimonials provided by the candidate or on open references and testimonials (e.g. addressed "To Whom it May Concern").

The purpose of a reference is to obtain objective factual information about a candidate and an informed opinion of their suitability for the job measured against the person specification.

References should be treated with caution and read very carefully. The following good practice principles should be followed:

- References should not be accepted from family member, relatives, close friends or colleagues;
- For applicants who have not worked in paid employment or on a voluntary basis, a character reference should be sought from someone who is able to confirm (as well as possible) the applicant's suitability. This may be someone in authority (e.g. Head Teacher, Lecturer, Community Leader). In the case of a school/college leaver, one of the referees must be the Head Teacher/Principal of the last educational establishment they attended;
- For applicants who have previously worked in paid employment or on a voluntary basis, character references should only be accepted as a supplement to an employer's reference.

All reference requests should include a copy of the job description, person specification and [standard reference request form](#) or [Reference request form for a Regulated Activity post](#).

References should be scrutinised against the information provided on the application form and any discrepancies checked. Any concerns about a reference should be taken up directly with the referee. It is the recruiting manager's responsibility to ensure that satisfactory written references have been received prior to the candidate commencing employment.

References for Posts Designated as a "regulated activity"

Written references must be obtained for the successful candidate. Human Resources will request references for "regulated activity" posts using the [Reference request form for a Regulated Activity post](#) and including a copy of the job description and person specification. Further information on "regulated activity" can be found in the [Guidance for Managers on the DBS Process](#). **The recruiting manager must also have contacted the referees to verify that the references received originated from them.**

A provisional offer of appointment letter will be issued by Human Resources following the manager submitting the [Selection Outcome E-Form](#). The provisional offer of employment letter confirms that satisfactory pre-employment checks must be received, including written references. The need to obtain a full written reference from the referee remains as verbal references are not acceptable.

The following requirements must be followed for posts designated as a "regulated activity".

- The individual's personal file should contain two relevant written references. For applicants who have never been in paid employment but have undertaken voluntary work, a reference should be sought from the voluntary organisation concerned;
- Where the applicant is not currently working with children and/or vulnerable adults but has provided details of previous work in this field, in either a paid or voluntary capacity, a reference must be sought from that employer/organisation, even if the applicant has not listed them as a referee;
- Any information about past disciplinary action or allegations must be considered, taking account of all the circumstances of the case. Cases are not likely to cause concern where an issue was resolved satisfactorily some time ago; an allegation was determined to be unfounded' no formal disciplinary sanctions were imposed and no further issues have been raised. More serious or recent concerns/issues that were not resolved satisfactorily, a history of repeated concerns or allegations are more likely to cause concern.

If an applicant refuses to give permission for contact to be made with a previous employer/organisation where they have worked with children or vulnerable adults, or is reluctant to do so, this should be cause for concern and must be investigated further.

[\(Back to Content\)](#)

References for Non Regulated Activity Posts

The recruiting manager will obtain references for the successful candidate for non-regulated activity posts. A provisional offer of appointment letter will be issued by Human Resources following the manager submitting the [Selection Outcome E-Form](#). The provisional offer of employment letter confirms that satisfactory pre-employment checks must be received, including written references.

It is the responsibility of the recruiter to ensure that satisfactory written references have been received prior to the candidate commencing employment, as verbal references are not acceptable.

This link will take you to the [Reference request form non-Regulated Activity post](#) on the intranet.

[\(Back to Content\)](#)

Requirements for References

For all new employees (including those from other Local Authorities) - two references should be taken, and one of these must be from the current or most recent employer.

For existing CBC employees voluntarily applying for a post, one reference should be obtained from the applicant's current line manager for both regulated and not regulated activity posts. If a current CBC employee is applying for a post designated as a "regulated activity", at least two **relevant** written references should be held on their personal file. Human Resources can confirm details of previous references. Where suitable references (i.e. which comment on their suitability for working with children/vulnerable adults and any issues around safeguarding/child protection) are not already on file, additional references must be obtained.

For CBC employees subject to redeployment - no references are required unless they are applying for a post designated as a "regulated activity", in which case at least two **relevant** written references should be held on their personal file, as outlined above.

[\(Back to Content\)](#)

Redeployment

For employees subject to redeployment - no references are required unless they are applying for a post requiring a "regulated activity", in which case at least two **relevant** written references must be held on their personal file. Human Resources can confirm details of previous references. Where suitable references are not already on file, additional references must be obtained. Further information on "regulated activity" can be found in the [Guidance for Managers on the DBS Process](#).

[Back to Contents](#)

The interview

The Chair of the panel, usually the recruiter, is responsible for ensuring that the interview is conducted fairly and all candidates are treated equally. They should also ensure that all panel members participate fully and their views are considered. Panel members should independently score each candidate and agree panel scores after each interview.

At the start of the interview, the Chair should:

- Welcome each candidate;
- Introduce the other panel members by name and job role;
- Give an overview of the interview process and questions that will be asked. For post designated as a “regulated activity” explain that the panel will explore their attitude towards children and/or adults). The panel may also find it useful to ask these questions for any post that involves working with children and/or adults, irrespective of whether the post requires a criminal records check;
- explain that notes will be taken during the interview;
- Advise the candidate of any relevant information on terms and conditions of employment (e.g. working hours, salary, etc.);

At the end of the interview, the Chair should:

- Give an opportunity for candidates to ask questions;
- Give an indication of timescales for decision and feedback;

A candidate's disability should not be discussed until a provisional job offer has been made and accepted.

Following the formal part of the interview:

- If a candidate has declared that they have a relevant criminal conviction or caution, they must be asked for further information, including details of the offence and when it was committed. To assess fairly how any declared conviction impacts on the individual's suitability to do the job, the Chair should complete a [Criminal Record Impact Assessment](#). The Criminal Record Impact Assessment Form must be retained on the successful candidate's personal file or for unsuccessful candidates, for a period of 6 months.

[\(Back to Content\)](#)

Appointment Process

Decision to appoint

This guidance applies to the recruitment and appointment of all employees of the Council, except the appointment to the posts of Chief Executive, Chief Officers and Statutory Officers for which there is a separate procedure contained within the Council's Constitution.

When making the decision to appoint, all aspects of the selection process should be considered. As all candidates should have met the essential criteria, the successful candidate will be the person receiving the highest aggregated score.

Guidance on the Recruitment and Selection of Council Employees

Version: 2019 v 2

Agreed at: Personnel Committee

Date agreed: 20/01/15

Amended: 12/03/2019

Interview Panels should always appoint the best person for the position. If one candidate has clearly scored higher than others **they must be selected**. Where more than one candidate achieves the same score, the panel may select in favour of one of the candidates if they are from a group that is under-represented within the service area being recruited to. This is known as the “tie-break” rule which is a positive action provision under the Equality Act 2010. It should only be used where it is considered that such action is the only way to address such under-representation.

Recruiters need to be mindful that they cannot appoint, as an employee, a Councillor who currently is or has been in the last 12 months a Member of the Authority (Section 116 LGA 1972).

Provisional Job Offer

Once the panel has come to a decision of who to appoint, the recruiting manager should contact the successful candidate as soon as possible to advise them of the outcome. The recruiting manager must make it clear to the successful candidate that the offer of appointment is subject to:

1. Confirmation of their right to work in the UK. The individual should be asked to provide original documents to evidence this entitlement. Further information regarding acceptable documents is available in the [Prevention of Illegal Working Guidance](#);
2. Receipt of a satisfactory medical report;
3. Confirmation of essential qualifications and/or professional registrations;
4. Receipt of satisfactory references;
5. Confirmation of receipt of a satisfactory DBS Disclosure Certificate (if applicable).

[\(Back to Content\)](#)

A provisional offer should be made to the successful candidate and not confirmed until all of the pre-employment checks are satisfactory completed.

Where the preferred candidate has identified that they have a disability, the recruiting manager should only discuss this with the individual after they have accepted the job offer. This should be done sensitively, indicating a willingness to make adjustments to the job as long as they are “reasonable”.

Once the successful candidate has confirmed that they wish to accept the post as offered, all the other candidates should be informed they have been unsuccessful and offered the opportunity of feedback. HR will write to unsuccessful candidates.

The recruiter is required to complete the [Selection Outcome E-Form](#) for the successful candidate so that HR can issue a provisional offer letter and arrange the pre-employment medical questionnaire (and a DBS check if required) to the preferred candidate.

The recruiter must ensure that the [New Appointees Checklist](#) is completed and that all the documentation required is sent to HR. Failure to do this will result in the successful candidate’s contract and payment of salary being withheld. The recruiting manager must complete the [New Starter Form](#) in order for HR to issue a contract of employment.

If an additional vacancy occurs and/or the preferred candidate withdraws from the post, the recruiter may appoint another individual who was interviewed for that post, provided this is within three months of the interview taking place. In this instance, it will be necessary for a [New Starter](#)

[Form](#), the interview notes and a copy of the [New Appointees Checklist](#) and the required documentation is provided to HR.

The recruiter must retain the interview notes for all unsuccessful candidates for a period of 6 months, in case they are required in connection with an Employment Tribunal claim or requested by a candidate under the Data Protection Act.

[\(Back to Content\)](#)

Pre-employment Checks

Pre-employment checks should be conducted on all newly appointed employees prior to commencement in post. As a minimum the following checks must be undertaken for all employees:

Personal File - Appointees Checklist

The [New Appointees Checklist](#) must be printed and completed prior to any documentation being sent to Human Resources.

Right to Work in the UK

It is a criminal offence to employ someone who does not have the right to work in the UK. Successful candidates cannot commence employment until satisfactory documentary evidence has been provided and photocopies taken. **If the successful candidate cannot fully demonstrate their right to work in the UK their appointment to the post cannot be continued.**

Once a provisional offer of employment has been made, the recruiting manager should make arrangements to check the successful candidate's right to work documents. The documents required depend on the nationality of the individual. Guidance on acceptable documents and the checks that the recruiting manager must undertake on them is available in the [Prevention of Illegal Working Guidance](#). The photocopied documents should be signed, verified and dated by the recruiting manager and forward to Human Resources along with the completed Personal File - Appointees Checklist.

Medical clearance

All appointments are subject to satisfactory medical clearance. Following completion of the [Selection Outcome E-Form](#), a provisional offer letter will be issued by Human Resources. All appointments are subject to satisfactory medical clearance. Where the successful candidate has access to email, HR will arrange for a link to be sent to the individual asking them to complete the pre-employment medical questionnaire online. Otherwise, a paper copy will be provided to the individual. The completed questionnaire is submitted directly to the Council's Occupational Health provider for clearance. In some instances the candidate may be required to attend Occupational Health for a medical examination. The recruiting manager will be advised by HR once satisfactory medical clearance has been obtained.

Qualifications/Professional Registration

Where a post requires essential qualifications and/or licence to practice (e.g. Solicitor, HGV licence), the original documentation must be seen and copied. This documentation should have been seen and copied at interview. If it was not obtained at that stage, it is the responsibility of the recruiting manager to obtain any outstanding documentation.

References

For posts that do not require a DBS check, it is the recruiting manager's responsibility to obtain references. Reference requests should include a copy of the job description, person specification and [standard reference request form](#).

Where a post does not require a criminal records check, recruiting managers are able to make a provisional offer of appointment subject to satisfactory references being received. It is the recruiting manager's responsibility to ensure that satisfactory written references have been received prior to the candidate commencing employment as verbal references are not acceptable.

DBS Checks

The Council is registered with the Disclosure and Barring Service (DBS) for the purposes of conducting checks regarding criminal records for posts [exempt from the provisions of the Rehabilitation of Offenders Act 1974](#) and complies fully with the [DBS Code of Practice](#) and undertakes to treat all applicants for positions fairly. The Council will not discriminate unfairly against any subject of a disclosure on the basis of a conviction or other information revealed. It also abides by the Code of Practice issued by the DBS concerning checking, handling and storage of the results of any criminal record checks that are made as part of its recruitment, selection and other processes.

As a "registered body", the Council has an obligation to only request DBS checks that are relevant. A criminal records check should only be undertaken if the post is identified, on the [list of DBS posts](#) designated by the Senior Management Team as a "regulated activity". Further information on "regulated activity" can be found in the [Guidance for Managers on the DBS Process](#). It is unlawful to seek a criminal records check for a post that does not meet the regulatory requirements. If the post you are recruiting to does not appear on the list you should contact Human Resources to seek clarification. The advert and job profile should clearly identify that a post is subject to a criminal records check.

It is the Council's duty to utilise robust procedures to prevent and deter people deemed unsuitable to provide personal/social care to adults or work with children from accessing the workforce providing services to these groups. Safer recruitment requires strict [pre-employment vetting](#) checks to assess the suitability of an individual.

The recruiting manager must ensure that the Personal File - Appointees Checklist is completed and that all the documentation required is sent to Human Resources. Failure to do this will result in the successful candidate's contract and payment of salary being withheld.

[\(Back to Content\)](#)

Criminal Convictions

Criminal Convictions

Some posts within the Council are exempt from the provisions of the Rehabilitation of Offenders Act 1974. The Council's [policy on the recruitment of ex-offenders](#) is made available at the outset of the recruitment process to all individuals applying for posts where a DBS Disclosure is required. Questions can only be asked about ['unspent' convictions as defined in the Rehabilitation of Offenders Act 1974](#).

In order to fairly assess how any declared convictions impact on the individual's ability to undertake the job, it is necessary for the recruiting manager to complete a [Criminal Record Impact Assessment](#). The Criminal Record Impact Assessment Form must be retained on the personal file for the successful candidate and for unsuccessful candidates, for a period of 6 months.

The Council must abide by relevant legislation including The Safeguarding of Vulnerable Groups Act 2006, The Protection of Children Act 1999, The Education Act 2002, The Criminal Justice and Court Services Act 2000 (amended 2003), The Care Standards Act 2000 and The Protection of Vulnerable Adults Act (July 2004), in respect of those it employs in areas where they have contact with or access to children and/or vulnerable adults. It is an offence for the Council to employ anyone who has been barred by the Independent Safeguarding Authority in posts classified as "regulated activity" in relation to working with children and/or vulnerable adults.

DBS Checks

East Midlands Shared Services, as a registered body with the Disclosure and Barring Service (DBS), previously the Criminal Records Bureau and the Independent Safeguarding Authority, acts as an Umbrella Body of the Disclosure and Barring Service (DBS) undertaking DBS Disclosure checks on behalf of the Borough Council.

The Council will not discriminate unfairly against any subject of a disclosure on the basis of a conviction or other information revealed. It also abides by the Code of Practice issued by the DBS concerning checking, handling and storage of the results of any criminal record checks that are made as part of its recruitment, selection and other processes.

The Council has an obligation to only request DBS checks that are relevant. A criminal records check should only be undertaken if the post is identified, on the [list of DBS Posts](#). It is unlawful to seek a criminal records check for a post that does not meet the regulatory requirements. If the post you are recruiting to does not appear on the list you should contact Human Resources to seek clarification. The advert and job profile should clearly identify that a post is subject to a criminal records check.

It is the Council's duty to utilise robust procedures to prevent and deter people deemed unsuitable to provide personal/social care to adults or work with children from accessing the workforce providing services to these groups. Safer recruitment requires strict [pre-employment vetting](#) checks to assess the suitability of an individual.

For further information please refer to the [Guidance for Managers on the DBS Process](#).

The recruiting manager must ensure that the New Starters Appointees Checklist is completed and that all the documentation required is sent to Human Resources. Failure to do this will result in the successful candidate's contract and payment of salary being withheld.

DBS checks on individuals who have lived outside of the UK

Please refer to the Guidance for Managers on the DBS Process.

DBS Application Process

Please refer to the section on How to Make an Application for an Online DBS Application within the [Guidance for Managers on the DBS Process](#).

Starting an employee prior to them receiving their DBS Disclosure Certificate

It is advised that employees do not commence in the post until a satisfactory DBS Disclosure Certificate has been obtained. In exceptional circumstances, a Strategic Director can be asked to give authorisation for an employee to commence work prior to a satisfactory DBS Disclosure Certificate being obtained. In these circumstances, a risk assessment must be undertaken to assess the risk of placing the person in the job prior to them receiving their DBS Disclosure Certificate and consideration must be given to putting additional safeguarding measures in place.

As a prerequisite to these additional measures:

- The application must have been completed and submitted to the DBS; and
- All other pre-employment checks must have been undertaken.

The following additional safeguarding measures must be undertaken:

- If the employee is required to work in a position delivering personal care to adults and they need to start immediately, a [DBS Adult First check](#) can be undertaken where appropriate (see below);
- Restricting the employee's access to or involvement with children and/or adults and occupying their time with training/induction and other job-related activities;
- Ensuring that the employee does not have unsupervised access to children and/or adults during the period preceding receipt of the DBS Disclosure Certificate. Supervision arrangements should be clearly documented in the risk assessment and the arrangements reviewed on a fortnightly basis. Employees subject to additional supervision arrangements must be informed that they will be under supervision and the reason and nature of the supervision should be specified;
- The role of the supervisor must be clearly spelt out and that individual must understand what is required of them.

When the risk assessment has been completed, permission must be obtained from the appropriate Strategic Director before the employee can start work.

What is DBS Adult First?

Requests for a DBS Adult First check carries strict criteria and are permissible only where it is necessary to take such action because of a real danger that staffing levels will fall below statutory obligations. Further information is available by following this [link](#).

[Back to Contents](#)

| | TARGET DATE | COMPLETED DATE |
|--|-------------|----------------|
| <u>PLANNING THE RECRUITMENT PROCESS</u> | | |
| Identify funding for the post and consider the type of appointment needed. | | |
| Establish whether the post is Politically Restricted . | | |
| Establish whether the post requires a criminal records check . | | |
| Prepare / review the job description and person specification including the weightings of the person specification criteria. | | |
| If required, arrange for the job profile to be evaluated / re-evaluated . | | |
| Gain authorisation from the Head of Service or Strategic Director to recruit by completing and submitting the Recruitment Approval Request Form . | | |
| <u>PREPARING A RECRUITMENT PLAN</u> | | |
| Complete the Request to Recruit/Advertise E-Form . | | |
| Review the job description and person specification including the weightings of the person specification and to ensure that it meets the future demands of the organisation. Review the wording and remove requirements that are no longer appropriate i.e. Good attendance record, smart appearance, a specified number of years' experience. | | |
| Ensure the job description and person specification is in the current CBC format. | | |
| Prepare the job advert and agree the publication/closing date. | | |
| Agree interview dates | | |
| <u>PLANNING THE SELECTION PROCESS</u> | | |
| Select Interview Panel and ensure their availability for the proposed interview dates. | | |
| Agree the shortlisting criteria and selection methods based on the person specification. | | |
| Make arrangements for interview – <i>consider appropriate access for disabled applicants.</i> | | |
| Compile the Interview Questions. | | |
| <u>THE SHORTLISTING PROCESS</u> | | |
| Meet with panel members to undertake the Shortlisting Process and complete the shortlisting grid. | | |
| Inviting candidates to interview (ask about special | | |

| | | |
|--|--|--|
| arrangements/notify applicants of tests or presentations if relevant/include recruitment pack). | | |
| <u>INTERVIEW PREPARATION</u> | | |
| Meet with panel members in advance of the interview date to formulate the interview questions and other arrangements for the Interview. | | |
| Ensure that all documents are made available to Panel Members prior to the interview. | | |
| <u>THE INTERVIEW</u> | | |
| Question the candidate on any gaps in employment history, declared criminal convictions, or any other issues/concerns. | | |
| <u>THE APPOINTMENT PROCESS</u> | | |
| Ensure that references have been requested | | |
| Take the decision to appoint and make a provisional offer of appointment to the successful candidate. | | |
| Make arrangements for the successful candidate's documents to be checked and photocopied (i.e. proof of identity, qualification and registration certificates, documents required for DBS checks). | | |
| If the candidate is disabled, discuss any reasonable adjustments that may be required. | | |
| Complete the Selection Outcome E-Form for the successful candidate so that HR can issue a provisional offer letter and pre-employment medical questionnaire, and also a DBS Disclosure Application form if required) to the preferred candidate. | | |
| The recruiter must complete the Personal File – Appointees Checklist. | | |
| The recruiting manager must complete the New Starter Form in order for HR to issue a contract of employment. | | |

Appendix B - Types of Appointment

Consideration should be given to the type of appointment that is required.

Additional options to consider include:

Permanent

This type of contract should be used where there is no end date as to when the work will cease.

Casual Work

Casual workers should only be used when there is a need to cover ad hoc periods or a one-off absence/event of up to one month. If it is necessary for the post to continue after one month, this

should be on a temporary basis. Guidance on filling a temporary vacancy is available on the intranet by [following this link](#).

Further guidance on the use and appointment of casual workers is available on the intranet [by following this link](#).

Secondment

Comprehensive guidance on the use of secondments is available on the intranet under [Secondment Policy and Procedure](#).

Fixed Term

Comprehensive guidance on the use of fixed term contracts is available on the intranet by [following this link](#).

Agency Workers

The Council has appointed Commensura to act as a Neutral Vendor Managed Service for the provision of all temporary agency workers and interim staff. Commensura should be used when engaging an agency worker.

Recruitment of any agency worker must take place in accordance with the good practice requirements set out in this guidance, and all necessary legal obligations must be observed.

Detailed guidance on the rights of [Agency Workers](#) is available on the intranet.

[Back to Contents](#)

Appendix C - Job Description and Person Specification

A well-constructed job profile forms the basis for the whole recruitment and selection process and is the key to ensuring that the right person with the right mix of skills is appointed. It is used to determine the selection criteria, help formulate interview questions, assist in devising selection techniques (e.g. designing assessment activities) and enables decisions to be made about competing candidates. Its use also minimises the extent to which subjective judgements can creep into the selection process. Following appointment, it can also be used to communicate expectations about performance to the new job holder.

The Council's standard [CBC job description and person specification template](#) consists of a job description and person specification. Before recruiting to a new or existing position, it is important to invest time in gathering information about the nature of the job. The role should be reviewed and analysed to see whether changes are needed to the job description and/or person specification to meet both the current and future demands of the role and the organisation.

Before recruiting to a new or existing position, it is important to invest time in gathering information about the nature of the job and establish whether the post is designated as a "regulated activity" or on the list of posts [exempt from the provisions of the Rehabilitation of Offenders Act 1974](#). If the post requires a DBS Disclosure, this must be identified in the job description.

Job descriptions and person specifications must be submitted for all vacancies in the standard Council template.

[\(Back to Content\)](#)

Job Description

The job description sets out the purpose of the job and the key responsibilities of the job holder.

Person Specification

The person specification is the key document for use in the shortlisting and selection process. Recruiting managers should avoid overstating requirements or including unnecessary ones, as this can unreasonably exclude some sectors of the population from applying and make it more difficult to recruit to the post by excluding potentially suitable applicants.

In general, person specifications should include details of:

- Qualifications, skills, abilities/competencies, knowledge and experience required;
- Personal qualities relevant to the job, such as the ability to work as part of a team.

The "How Identified" column explains how each of the criteria will be assessed (e.g. from the application form, sight of certificates, a practical test, assessment centre, or the interview itself).

Person specifications must not include any reference to years of experience, attendance record and appearance or any other requirement that could be perceived as discriminatory.

Weighting, essential and desirable criteria

The use of essential and desirable criteria in the person specification is a form of weighting system. All of the criteria must be measurable as they will play a key role in the interview process.

Essential criteria are attributes which set the minimum standards expected for satisfactory performance in the job. These must be relevant to the post and justifiable. The list of essential criteria should be realistic (it is recommended that no more than 3 in each section, or

approximately 12 items in total within the person specification are deemed essential) as all candidates selected for interview must (with the exception of a candidate with a disability) meet them all. If there are too many essential criteria, there is a risk that too few, if any, candidates will be able to be interviewed.

Desirable criteria are attributes which would enable the applicant to perform the job more effectively. If a candidate meets the desirable criteria it may be more likely that they will “hit the ground running” and have a less steep learning curve.

Desirable criteria can be used to distinguish between candidates at the shortlisting stage and during the selection process. Assigning weightings from 5 (most important) to 1 (least important) to the desirable criteria can help panels judge applicants in an objective manner.

The recruiting manager should identify the importance rating for desirable criteria at this stage as it will be used during shortlisting. Care must be taken to apply the weightings in relation to the needs of the job; they should not be influenced by the recruiting manager’s view of different applicants.

If the profile relates to a new post or the original profile for the post has been amended, it must be submitted to Human Resources for evaluation before being advertised.

[Back to Contents](#)

Appendix D - Job Adverts

The advertisement should be drafted using the job description and person specification; the advert should enable potential applicants to decide whether they are interested in the job and whether they could do it successfully. Where possible, adverts should include key information about the job however they must also be cost effective so it may be that adverts refer to another source where further information can be found e.g. the Council's website.

There are number of key pieces of information which should be included in your advert (listed below). However where this is prohibitive in terms of the cost of advertising, you may choose to include just the vital information or that which may not be obvious to potential candidates.

- The job title
- Any key essential requirements of the job
- Any particular person requirement (as taken from the person specification)
- The salary scale/grade of the post.
- The application/response details, including the closing date for applications, the telephone and email contact details.
- The Equal Opportunities statement.
- Advertisements must relate clearly to the person specification and not ask for requirements that are not included in the person specification.

However, where this is prohibitive in terms of the cost of advertising, you may choose to include just the vital information or that which may not be obvious to potential candidates. Adverts must relate clearly to the person specification and not ask for requirements that are not included in it.

The following information should be included in the advert, where applicable:

- The post is Politically Restricted;
- The post requires a criminal records check. Depending on the type of check required the following wording must be included in the advert, either:
 - This post is the subject of a DBS enhanced check for a regulated activity; or
 - This post is the subject of an enhanced DBS check.

A Politically Restricted Post ;

Designated as a "regulated activity", in which case, the following wording must be included in the advertisement – 'As a 'Regulated Activity' an Enhanced DBS Disclosure is essential.' In addition within the recruitment material it must be made clear that reference will be sought prior to interview.

Closing Date

The advertising process is undertaken in 2 stages, as set out below. The first stage is to advertise to redeployees. For internal and external advertising, the recommended closing date is a minimum of two weeks from the first appearance of the advertisement.

Job Information

It is good practice when recruiting to provide prospective applicants with relevant information about the Team, the Service and the Council as this helps them to gain a better understanding of the aims and ethos of the organisation and the service they are being recruited into.

The job information should also give guidance for the completion of the application form, application form guidance, the job description and person specification.

The information gathered by the application form is crucial to safer recruitment procedures and it is also the basis for short-listing. The application form gives the applicant an opportunity to provide in a sealed envelope (which should remain sealed until after the shortlisting process) any information on previous criminal convictions, cautions and reprimands. This does not remove the need to conduct robust pre-employment checks including, if required, a DBS Disclosure.

Finally, if the job is designated as a “regulated activity” and the [references](#) are required prior to interview it is essential that the information sent to candidates makes it clear that they will be sought in advance of the interview.

[\(Back to Content\)](#)

PERSONNEL COMMITTEE – 20TH DECEMBER 2022

Report of the Director of Finance, Governance and Contracts

Part A

Recruitment and Retention Policy

Purpose of Report

The purpose of this report is to present the proposed Recruitment and Retention Incentives Policy to Personnel Committee for agreement, and that the current Market Premia Policy be deleted, and the relevant principles included into this new Policy.

Recommendation

That the Recruitment and Retention Incentives Policy is agreed, and the Market Premia Policy is deleted.

Reason

To provide a formal mechanism for the Council to offer incentives to recruit staff with the required skillset to meet the business needs. There are increasingly more challenges for the Council to attract and retain employees, therefore the need to consider the use of Recruitment and Retention Incentives for certain hard-to-fill posts has become a necessity.

Policy Justification and Previous Decisions

The Recruitment and Incentives Policy was first discussed at SLT on 22nd September 2021 and again on 13th October of that year. It was discussed at JMTUM on 20th January 2022 and then at subsequent JMTUM meetings thereafter. The trade unions raised many points in relation to the principles of this policy and after agreement was reached on amendments to the policy, confirmed their acceptance of it in June 2022.

Implementation Timetable including Future Decisions

The report will be uploaded to the intranet should agreement be given at Personnel Committee and the Market Premia Policy will be deleted.

Report Implications

The following implications have been identified for this report.

Financial Implications

There are financial implications arising from this decision should recruitment and retention incentives be used. The Council consider these in line with the current principles of Market Premia Payments and are necessary to recruit and retain staff in certain area.

Risk Management

There risks outlined within this report are highlighted in Part B below.

Background Papers: none

Annexes: Annex A - Recruitment and Retention Incentives Policy

Officer to contact: Simon Jackson
Director of Finance, Governance and Contracts
Telephone: 01509-634699
Email: simon.jackson@charnwood.gov.uk

Part B

Background

1. It is becoming increasingly more challenging for the Council to attract and retain employees, therefore the need to consider the use of Recruitment and Retention Incentives for certain hard-to-fill posts has become a necessity.
2. The Council currently has a Market Premia Policy; however this does not cover the concept of a Golden Hello Payment, which are both incentives to recruit staff with the required skillset to meet the business needs.
3. Certain Heads of Service have experienced difficulties in filling some posts which require specific skills and experience. Sometimes having offered the candidate the post but they then decline, having received a higher incentive from elsewhere.
4. It is anticipated that Recruitment and Retention Incentives will only be granted in very exceptional circumstances, where it can be evidenced that the effects of not filling the post in question, or retaining an employee in post, could have a significant impact upon the service of the Council.
5. The incentives are defined as a payment or an allowance that is applied to an identified post or posts for an agreed period of time where it can be demonstrated that the substantive salary level of the post is having an adverse impact on the Council's ability to attract, recruit and retain the appropriate calibre of employee into a particular job role.
6. The Council is an equal opportunities employer and therefore committed to the principles of equal pay for work of equal value. The Council must ensure that in meeting its obligations in relation to equal pay that any incentives can be objectively justified.
7. This policy provides a framework under which managers may request such an incentive so that only those that can be objectively justified will be approved. It includes a set of clear criteria which should be met, a process for approval and timescales for payments to be in place.
8. Trade Unions were very actively involved in discussions on the Recruitment and Retention Policy and provided useful feedback, some of which was incorporated into the final version of the policy. This included greater emphasis on non-monetary issues for recruitment and retention and those suggestions were accepted alongside changes to wording and clarification in certain areas.
9. In more general feedback the trade unions expressed ongoing concerns that poor pay, adverse changes to terms and conditions and possibly the working culture in some areas are significant factors behind recruitment and retention difficulties. It was also fed back that job evaluation should be used in a more regular, structured and planned way to support difficulties with recruitment and retention and to avoid relying on ad hoc recruitment and retention payments. The Council continues to review and look at ways in which we can address those concerns where possible.

Recruitment and Retention Incentives Policy for Hard-to-Fill Posts

| | |
|---|---|
| Recruitment and Retention Incentives Policy | 1 |
| for Hard-to-Fill Posts | 1 |
| Purpose | 1 |
| Scope | 2 |
| Examples of Recruitment and Retention Incentives | 2 |
| Golden Hello Payment | 2 |
| Market Premia | 4 |
| Other factors relating to Recruitment and Retention Incentives | 5 |
| Eligibility Criteria | 6 |
| Approval Process | 7 |
| Appendix A | 8 |
| Recruitment and Retention Incentives Form | 8 |

Purpose

As it becomes increasingly more challenging for the Council to attract and retain employees, the need to consider the use of recruitment and retention incentives for certain hard-to-fill posts has become a necessity.

It is anticipated that recruitment and retention incentives will only be granted in very exceptional circumstances, where it can be evidenced that the effects of not filling the post in question, or retaining an employee in post, could have a significant impact upon the service of the Council.

The incentives are defined as a payment or an allowance that is applied to an identified post or posts for an agreed period of time where it can be demonstrated that the substantive salary level of the post is having an adverse impact on the Council's ability to attract, recruit and retain the appropriate calibre of employee into a particular job role.

The Council is an equal opportunities employer and is committed to the principles of equal pay for work of equal value. The Council must, therefore, ensure that in meeting its obligations in relation to equal pay that any incentives can be objectively justified.

This policy provides a framework under which managers may request such an incentive so that only those that can be objectively justified will be approved. Requests of this nature must be approved by the Senior Leadership Team in accordance with the normal SLT agreement process.

[Back to Content](#)

Scope

This policy and procedure will apply to hard-to-fill posts within the Council.

Hard to fill posts are those where it has not been possible to attract or recruit candidates with the necessary competencies despite various recruitment activities being undertaken. This may be due to a number of reasons including:

- A local and/or national skills shortage.
- Comparator organisations offering a higher salary and/or a more attractive benefits package.

The policy will also apply where it has been agreed, prior to advertising, that a recruitment and retention incentive should be applied as market benchmarking indicates that the post will be difficult to recruit to.

Approval for the use of these incentives will be needed from SLT prior to any advertising taking place.

The Chief Executive has authority to agree payments in accordance with this policy.

There may also be exceptional circumstances where a market premia payment will be applied as a retention incentive in accordance with criteria set out within this policy.

This policy and procedure applies to employees of Charnwood Borough Council employed under the conditions of service of the following bodies:

- National Joint Council for Local Government Services.
- Joint Negotiating Committee for Chief Officers of Local Authorities.
- Joint Negotiating Committee for Local Authority Craft and Associated Employees.

[Back to Contents](#)

Examples of Recruitment and Retention Incentives

The following are the Council's agreed recruitment and retention incentives that managers may wish to consider for hard-to-fill posts:

- Non-monetary initiatives (see Eligibility Criteria section)
- Golden Hello payments.
- Market Premia payments.

Whilst currently the Council pays professional fees, this can also be used as part of the incentives package offered.

[Back to Contents](#)

Golden Hello Payment

- A Golden Hello payment is a one-off lump sum paid to a new starter on their appointment with the Council.

- The maximum amount payable is 10% of the employee's salary for the post being offered. This will be paid on a pro-rata basis for part time employees.
- Existing employees or those who have returned to the Council within 12 months of their leaving date are not eligible to receive a Golden Hello payment.
- Agency workers appointed to permanent or fixed-term posts are eligible for the payment unless an introductory fee is payable to the agency.
- Managers are responsible for including details of applicable Golden Hello payments within job adverts.
- The payment will be made as part of the employee's first salary. The manager is responsible for requesting, as part of the appointment process, that the payment is made.
- The payment will be subject to tax, national insurance and pension deductions.
- The cost of the payment must be met by the employing department unless agreed otherwise with SLT.
- The employee will be required to remain in the Council's employment for a period of up to 3 years otherwise they will be required to repay either all or a proportion of the Golden Hello amount. The manager is responsible for advising the HR Administration team, as part of the leaver process, of the amount to be reclaimed. This is on the following basis, should the employee choose to leave:

First 6 months = 100% of Golden Hello payment.

Year 1 = 75% of Golden Hello amount if less than one year is completed.

Year 2 = 50% of Golden Hello amount if less than two years' service is completed.

Year 3 = 25% of Golden Hello amount if less than three years' service is completed.

The repayment arrangements will be specified in the contract of employment to ensure the employee is aware of this obligation.

The above repayment arrangements also apply from the date that the employee is dismissed from the Council's employment for conduct or performance related matters within the three-year period.

Should an employee be made compulsory redundant they will not be subject to the above repayment requirements.

[Back to Contents](#)

Market Premia

Market Premia is sometimes referred to as Market Supplement – they both have the same meaning. A Market Premia payment is a monthly amount paid to the employee in addition to their substantive salary.

- A Market Premia payment is a monthly payment paid for an agreed period of time (up to a maximum of 3 years).
- Market Premia payments should be calculated using comparator salary data from other organisations for comparable roles. This payment will ordinarily not exceed 10% of the salary of the post being offered. In exceptional circumstances, evidence may determine that the 10% limit is insufficient. In this circumstance, a business case, including clear evidence, will need to be put to SLT to decide if a higher percentage can be granted (see Eligibility Criteria section for types of evidence).
- There may also be exceptional circumstances where a market premia payment will be applied as a retention incentive. This would apply where it can be evidenced that it would be difficult to retain valued employees in post due to market factors such as salary market benchmarking that would demonstrate a lack of parity with comparable positions. Comparator pay rates may not be used as the sole justification for requesting a market premia payment. This evidence may only be used in conjunction with additional evidence of retention difficulties such as:
 - Information to evidence the extent of the potential impact upon service delivery if the retention issue is not resolved.
 - Information showing that there is a national and/or local shortage of skills associated with the post.
- All market premia payments will be paid on a pro-rata basis for part time employees.
- The payment will be subject to tax, national insurance and pension deductions.
- The cost of the payment must be met by the employing department unless agreed otherwise with SLT.
- The award of a market premia payment does not change the evaluated grade for the post, it is a fixed amount paid in addition to the employee's basis salary.
- If a market premia payment is agreed for a particular post, it will be automatically applied to all identical posts across the Council.
- Where the payment of a market premia falls within the relevant qualifying pay period, this payment will be taken into account when calculating the amount owed to an employee for absences due to sickness, annual leave, maternity or adoption leave, when working additional hours or when calculating a redundancy payment.

- Where a post is in receipt of a market premia payment and is downgraded as part of the job evaluation process, the market premia payment will remain in place for the agreed period. If a post is upgraded, the market premia amount will reduce, in proportion to the increase in salary, but will remain in force for the agreed period.
- For new starters, the manager is responsible for advising the HR Administration team, as part of the appointment process, that the market premia payment should be made and referenced accordingly in the contract of employment.
- The employee will not be required to repay any of the market premia payments if they subsequently leave the Council's employment.

Other factors relating to Recruitment and Retention Incentives

Impact of National Pay Award and Annual Increments

Recruitment, retention and incentive payments will not be increased in line with annual pay awards.

Pension Implications

Recruitment, retention and incentive payments are pensionable.

Overtime Payment

Any overtime payments shall be paid at the substantive grade of the post.

Redundancy

Should an employee be made redundant following a restructure, the redundancy payment they receive will be calculated based on the total amount of earnings received prior to being made redundant. Therefore, if the employee is in receipt of a market premia payment, this will be taken into account and included.

Advertising

Where the Council has identified the need to pay a golden hello or market premia and the job subsequently becomes vacant, the information provided to applicants through the advertising process must specify the details of the incentive. The basis of the payment should be included, with a note to state that this payment is at the discretion of the Council and will be subject to a maximum duration and amount.

Job Evaluation

A golden hello or market premia payment does not change the evaluated grade for the post but is a fixed amount, which is paid in addition to the salary of the post.

Should a job in receipt of a market premia payment be downgraded following a grading review, the market premia will remain in force for the agreed period.

If a job in receipt of a market premia payment is upgraded, the payment will reduce, in proportion to the agreed salary, but will remain in force for the agreed period.

Professional Fees

The Council will pay the annual fee for membership of a professional body if it is considered an essential requirement of the employee's post. The cost of the payment must be met by the employing department unless agreed otherwise with SLT.. The

employee will be required to pay the professional fees and then submit a claim, via expenses, for their reimbursement.

The employee will not be required to repay the professional fees payment if they subsequently leave the Council's employment or move to another role with the Council that does not require the registration.

[Back to Content](#)

Eligibility Criteria

The application of a recruitment or retention incentive will only be considered where there is evidence to demonstrate that there are recruitment and/or retention difficulties relating to the post. Managers will be required as part of the approval process to provide evidence to support their request. This may include, but is not limited to, the following:

- Evidence that non-monetary initiatives have been considered where appropriate these may include:
 - Amendments to agile working arrangements
 - Job Share
 - Part time/ condensed hours
 - Professional development opportunities, training or mentoring
 - Changes to the organisation or role responsibilities
- Recruitment statistics which demonstrate poor response rates to adverts despite the post being advertised using relevant channels.
- At least one unsuccessful attempt to recruit to a post must be made for a Golden Hello to be applied to a post.
- Shortlisting and interview scores which demonstrate the poor calibre of candidates that the post has attracted.
- Employee turnover figures for the last 12 months along with feedback from one-to-one/supervision meetings and leaver questionnaires regarding the reasons why employees are leaving or seeking alternative employment.
- Pay data from public and private sector comparator organisations which indicate that the post's salary and/or benefits package is considerably lower than the market equivalents. This will usually be limited to organisations within surrounding counties however for some posts it may be relevant to provide an indication of national pay rates. It is recommended that information is obtained from at least 3 comparator organisations.
- Information to evidence the extent of the potential impact upon service delivery if the recruitment or retention issue is not resolved.
- Information showing that there is a national and/or local shortage of skills associated with the post.

Further advice on potential sources of evidence is available from Human Resources.

Pay comparisons should be made on the basis of factors such as the type and size of the organisation, regional pay differences, duties of the post as specified in the Job Profile and qualifications listed in the Person Specification along with the experience and skills required.

Comparator pay rates as a form of evidence may not be used as the sole justification for requesting a market premia payment. These rates may only be used in conjunction with additional evidence of recruitment and/or retention difficulties.

[Back to Contents](#)

Approval Process

Where a manager has identified the need for a recruitment or retention incentive, they should complete the Recruitment and Retention Incentive Request Form. The request must include a business case which includes the following:

- Details of the incentive that is being requested and the consequences if the request is not approved.
- Evidence to demonstrate the recruitment and/or retention difficulties relating to the post.
- Details of attempts already made to resolve the issue (e.g. the redesign or re-evaluation of the post, targeted advertising campaigns).

Advice on completing the form may be sought from Human Resources.

Before approving payment, the Head of Service must consult the Strategic Director who will discuss the business case with SLT. SLT must be satisfied that there is a sound business case for awarding the payment to an individual employee or group of employees **and** that this is supported by sufficient and justifiable evidence, before they will give authorisation to approve the request.

The Line Manager requesting this will also need to complete a Delegated Decision for approval by the Strategic Director/Head of Paid Service in order for the decision to be formally recorded and so that the appropriate financing arrangements can be secured. The completed Recruitment and Retention Incentives Form outlining the business case and evidence should be attached to the Delegated Decision application.

If the request is approved, the form must be emailed to the HR Administration Team (hr@charnwood.gov.uk) who will then arrange for any additional approvals to be completed.

There is no appeal against the decision not to support the award of an Incentive payment.

Human Resources will retain a record of the outcome of all requests.

Appendix A Recruitment and Retention Incentives Form

Please read in conjunction with the Recruitment and Retention Incentives Policy. Full and detailed information must be provided in order that the request can be properly considered. Failure to provide all information may result in the request being refused.

Can the recruitment or retention issues be addressed in any other way? E.g. opportunities for development of more junior staff, extra support, facilities, flexible working practices, possible secondment of staff across the organisation etc.

Has consideration been given to job re-design? Please add comments:

Please present evidence, within the previous 12 months, of a failure to recruit or of recent retention problems that exist. This can be turnover figures, exit information, interview data and unsuccessful recruitment campaigns in terms of unsuitable candidates. Any unsuccessful recruitment campaigns must be shown to be rigorous. You must include dates alongside each item of evidence.

State what the risks are/ impact to the Council, if unable to recruit or retain employees with key skills required for the specific role?

What level and type of payment is to be given? Please evidence the extent to which the Council is not competitive with other comparable organisations. This should include information on comparable pay data and also reference the complete benefits package where possible.

| |
|---|
| |
| Type and Duration of Payment to be made and anticipated dates for payment to commence and cease (if known): |
| |
| Justification for Duration of the Payment: |
| |
| Calculation of Payment (State amount requested showing calculation use separate sheet or spreadsheet if necessary) |
| |
| <p>I authorise the proposal to pay a recruitment and retention incentive:</p> <p>Head of Service Signature..... Date.....</p> <p>Date Approved by SLT.....</p> |
| Comments: |
| |

PERSONNEL COMMITTEE – 20TH DECEMBER 2022

Report of the Director of Finance, Governance and Contracts

Part A

PAY POLICY STATEMENT 2023/24

Purpose of Report

To gain Personnel Committee approval on the Council's Pay Policy Statement covering the period 1st April 2023 to 31st March 2024.

Recommendation

That the Personnel Committee approves the Pay Policy Statement for 2023/24, attached at Annex A, to proceed to Full Council for formal approval and adoption.

Reason

To ensure that the Council meets its obligations under Section 38 of the Localism Act 2011.

Policy Justification and Previous Decisions

Under Section 38 of the Localism Act 2011, local authorities in England and Wales are required to produce an annual Pay Policy Statement, which must be approved by Full Council and published on the Council's website before the commencement of each financial year.

Implementation Timetable including Future Decisions

The Pay Policy Statement will be submitted for consideration by Full Council at their next meeting following this Personnel Committee. If approved, the statement will be published on the Council's website either on or before 1 April 2023.

Report Implications

The following implications have been identified for this report

Financial Implications

There are no immediate financial implications arising from this decision.

Risk Management

There are no specific risks associated with this decision.

Background Papers: None

Annexes: Annex A – Pay Policy Statement 2023 - 24

Officer to Contact: Simon Jackson
Director of Finance, Governance and Contracts
Telephone: 01509 634699
Email: simon.jackson@charnwood.gov.uk

Part B

Background

1. On 15th November 2011 the Localism Act received Royal Assent. Under Section 38 of the Act, local authorities in England and Wales are required to produce a Pay Policy Statement for each financial year, which must be approved by Full Council.
2. The statement must set out the Council's policies in relation to:
 - i. The remuneration of its chief officers;
 - ii. The remuneration of its lowest-paid employees; and
 - iii. The relationship between the remuneration of its chief officers and the remuneration of its employees who are not chief officers.
3. For the purposes of this statement, remuneration includes basic salary, bonuses and other allowances or entitlements related to employment.
4. This is the twelfth Pay Policy Statement published by Charnwood Borough Council since the Localism Act was implemented. The Pay Policy Statement for 2023/24 has been presented to SLT and JMTUM before Personnel Committee and then Full Council for final approval.
5. The Pay Policy Statement for 2023/24 has been updated to provide a comprehensive and as up to date account as possible of the Council's approach to the remuneration of its workforce.
6. The Council is required to publish the Pay Policy Statement for 2023/24 on or before 1st April 2023.

Key Points

7. The proposed Pay Policy Statement attached sets out:
 - The Council's approach to job evaluation and grading of posts;
 - Additional payments that employees are eligible to receive, such as overtime, enhancements etc.
 - The Council's pay multiple (the ratio between the highest paid employee and the median average salary of the Council's workforce), is 5.86.
 - The Council's approach to pay progression, honorariums, market supplements, salary protection and the re-engagement of employees;
 - That there is no distinction between chief officers and other employees in relation to pension benefits and severance payments.
 - Pension Scheme Discretionary Arrangements – Regulation 60 of the LGPS Regulations 2013 (as amended) require each

scheme employer to publish and keep under review five policies explaining how it will apply certain discretions. The pension discretions have been published in accordance with pension requirements.

- Amendments to Severance payments relating to the Statutory Guidance on special severance payments by Local Authorities.

Pay Policy Statement 2023/24

Contents

| | |
|--|----|
| Purpose | 1 |
| Scope | 2 |
| Definitions | 2 |
| Pay and Grading Structure | 3 |
| Remuneration on Appointment | 4 |
| Market Premia | 4 |
| Incremental Progression | 5 |
| Enhancements | 5 |
| Overtime Payments | 5 |
| Other Allowances | 6 |
| Bonus Payments | 7 |
| Pension Benefits | 7 |
| Honoraria | 7 |
| Salary Protection | 8 |
| Severance Payments | 8 |
| Re-Engagement of Employees | 9 |
| Election Duties | 9 |
| Publication and Access to Information | 9 |
| Appendix A - Charnwood Borough Council’s Chief Officers | 10 |
| Appendix B - Pay and Grading Structure | 11 |
| Appendix C - Pension Scheme Discretionary Arrangements | 14 |

Purpose

As a responsible employer Charnwood Borough Council is committed to delivering a fair, equitable and transparent policy covering pay and other employee benefits which improves flexibility in delivering services and provides value for money.

Within the framework of its terms and conditions of employment, the Council aims to develop and maintain appropriate pay systems and benefit packages to attract and retain motivated, flexible people who take responsibility, work as a team, improve performance and acquire new skills.

This Pay Policy Statement sets out the Council’s policies relating to the pay of its workforce for the period from 1 April 2023 to 31 March 2024, in particular the:

- Remuneration of Chief Officers;
- Remuneration of the lowest paid employees;
- Relationship between the remuneration of chief officers and employees who are not chief officers.

The statement meets the Council's obligations under the Localism Act 2011 and will enable the elected members of the Council to make decisions on pay.

The Council's Pay Policy Statement will be agreed by Full Council before the beginning of each financial year and will then be published on Charnwood Borough Council's website. The statement may also be amended by Full Council during the course of the year if necessary.

Scope

This statement applies to all employees of Charnwood Borough Council employed under the conditions of service of the following bodies:

- National Joint Council for Local Government Services (Green Book);
- Joint Negotiating Committee for Chief Officers of Local Authorities;
- Joint Negotiating Committee for Local Authority Chief Executives;
- Joint Negotiating Committee for Local Authority Craft and Associated Employees (Red Book) for craftworker apprentices only.

Employees who have TUPE transferred across from other organisations will remain on their existing terms and conditions unless agreed otherwise.

Definitions

For the purposes of this Pay Policy Statement the following definitions will apply:

Remuneration

This includes three elements:

- Basic salary;
- Pension;
- Any other allowances arising from employment.

Chief Officers

Under the Localism Act 2011 a Chief Officer is defined as:

- The head of the Council's paid service designated under section 4(1) of the Local Government and Housing Act 1989;
- Its monitoring officer designated under section 5(1) of that Act;
- A statutory chief officer mentioned in section 2(6) of that Act;
- A non-statutory chief officer mentioned in section 2(7) of that Act;
- A deputy chief officer mentioned in section 2(8) of that Act.

In Charnwood Borough Council this definition would apply to the posts set out in [Appendix A](#).

Lowest Paid Employees

The Council currently employ apprentices who are paid at the applicable apprenticeship rate. Additionally, Joint Negotiating Committee for Craft and Associated Employees (Red Book) apprentices are paid in accordance with the requirements of that agreement.

For all other posts, this refers to employees on Grade A, Pay Point 1. This definition has been adopted as it is the lowest level of remuneration attached to a post within the Council, other than apprenticeship posts.

On 1 April 2013 the Council adopted the Living Wage rate applicable at that time. It was agreed that all pay awards after this date for all spinal column points within the Council, would be in line with the applicable percentage increase of the national pay agreement for local government.

Pay and Grading Structure

The Chief Executive's salary scale has been updated with effect from 1st August 2019 in line with recommendations from the Personnel Committee following a benchmarking exercise conducted by the East Midlands Council. This post sits at the highest level within the officer salary grade and does not have a comparator. As such it is for the Council to determine the salary arrangements for the post without needing to go through a specific job evaluation process.

The grading of all other posts within Charnwood Borough Council is determined using the nationally recognised Hay Job Evaluation Scheme. This is in order to ensure that all posts are graded and therefore rewarded financially through a fair and non-discriminatory process, that there is consistency in treatment between posts and that the Council complies with equal pay legislation. The scheme is an analytical one that takes into consideration three key elements of a post:

- Know How - the levels of knowledge, skill and experience (gained through work experience, education and training) which are required to perform the job successfully;
- Problem Solving - the complexity of thinking required to perform the job when applying Know How;
- Accountability - the impact the job has on the organisation and the constraints the job holder has on acting independently.

The Council follows the NJC national agreement on pay and conditions of service (the Green Book) which includes the use of national pay scales. Advice was taken from Hay during the implementation of the job evaluation scheme in order to determine the relationship between the scoring of posts under the scheme and the relevant pay grade.

However a small number of staff employed under the Joint Negotiating Committee for Local Authority Craft and Associated Employees (Red Book) are paid on a different pay scale, a copy of which is attached at [Appendix B](#).

Basic pay is paid in accordance with the evaluated grade of the post. Each grade comprises a range of scale points. A copy of the Council's pay and grading structure is attached at [Appendix B](#).

Agreement has been reached for the national pay awards from 1 April 2022 to 31 March 2023 for Chief Executives and Chief Officers and National Joint Council for Local Government Services Employees (those on Green Book conditions) and Craftworkers (apprentices).

Employees in post when a pay award is due but who subsequently leave the Council before it is implemented are entitled to receive the difference in pay. To claim the backdating from their date of leaving they must contact the Payroll Section.

A copy of the Council's organisation chart, showing grades of posts, can be found on the [Council's website](#).

Details of senior management remuneration are published annually in the [Council's Statement of Accounts](#) which are available on the website.

The 'pay multiple' - the ratio between the highest paid salary (Chief Exec scale - points CEX 1 to CEX 4) and the median average salary of the Council's workforce is 5.86.

Remuneration on Appointment

All employees are usually appointed to the minimum scale point applicable to the grade of the post. Managers have discretion in some circumstances to appoint to a higher scale point, subject to the maximum of the grade.

Full Council will be given the opportunity to consider remuneration packages over £100,000 per annum (including salary, any bonuses, fees or allowances routinely payable to the appointee and any benefits in kind to which the officer is entitled as a result of their employment) before new posts are established and advertised.

Market Premia

There is provision for the award of a market premium (i.e. a temporary additional payment) where it can be shown that the salary level of a job is having an adverse impact on the Council's ability to recruit and retain the appropriate calibre of employee into a post. The award of a market premium is subject to the agreement of the relevant Strategic Director. If approved, market premia are awarded for a maximum period of three years. It is anticipated that market premia will be awarded on very limited occasions. Details of the scheme can be found in the Council's Market Premia Policy and Procedure.

Incremental Progression

Chief Officers

Progression through the pay grade for Chief Officers is dependent on them achieving set criteria and objectives which are agreed at the officer's annual Performance Development Review. Progression through the Chief Executive's grades will be dependent on an annual performance review if not appointed at the top grade, as with other chief officers.

Other Employees

Subject to satisfactory service, employees covered by the conditions of service of the National Joint Council for Local Government Services and the Joint Negotiating Committee for Local Authority Craft and Associated Employees are eligible to receive annual increments on 1st April each year until they reach the maximum scale point for the grade of their job. If the employee's start date is between 1st October and 31st March then their first increment will be paid after completing 6 months in post. Any subsequent increments, until the maximum of the grade is reached, will be paid on 1st April thereafter.

The Joint Negotiating Committee for Local Authority Craft and Associated Employees operates a system of progression through the grade, which is subject to performance related criteria.

Enhancements

From 1 January 2014 the Council agreed a change in rate of enhancement for evening, weekend and bank holiday working for employees at Grade E and below. Employees required to work on Saturdays, Sundays and Bank Holidays as part of their normal working week will be recompensed at time and a quarter for evenings and Saturdays, and time and a half for Sundays and Bank Holidays.

Overtime Payments

'Overtime' is defined as hours worked in excess of 37 per week. However, part-time employees are entitled to the additional hours enhancements in circumstances in which full-time employees in the establishment would qualify. Employees in posts graded up to Grade E who work additional hours are eligible to receive payment at double time rate for hours worked on Sundays, bank holidays or extra statutory days and time and a half for hours worked at any other time.

Employees in posts graded SO1 and above, who work additional hours are not eligible for enhanced payment.

Heads of Service are also authorised to make payments, within existing budgets, for overtime to employees graded SO1 to PO4 for time limited projects of a non-repetitive nature as follows:

- (a) Plain time up to an agreed maximum number of hours for a particular project and over a certain number of weeks/months; or
- (b) A lump sum to cover completion of a particular project by an agreed deadline.

Where the payment of a lump sum is agreed in accordance with (b) above, it should not be made in full unless the project is completed by the due date and that provision for claw back considered for inclusion in the scheme. Payments for overtime cannot be authorised retrospectively.

Overtime and Additional Hours Holiday Pay

Claims for overtime or additional hours (for part time employees) will receive an appropriate uplift rate for the hours worked. This increase is calculated on the relevant hourly flat rate.

Example – if you work for 2 hours overtime @ time plus ½ you will receive 3 hours pay. The appropriate uplift rate will be added to 2 hours of that pay only as the flat rate element of pay.

Additional hours which have been agreed on a temporary basis as a variation to contract will not attract this uplift. The annual leave entitlement will be increased for the period that an employee works these additional hours.

Other Allowances

All Chief Officers receive allowances as detailed in the Conditions of Service of the Joint Negotiating Committee for Chief Officers of Local Authorities and the Joint Negotiating Committee for Local Authority Chief Executives. However, where these conditions are silent or do not cover an allowance or process, the Chief Officer / Chief Executive will receive the same as those employees covered by the National Joint Council for Local Government Services.

Copies of the conditions of service for all employees covered by this statement can be requested from the [Local Government Employers website](#).

Essential Car User

Posts that are designated as essential car user, including those of Chief Officers, receive a monthly allowance and are eligible to claim mileage allowances as per the NJC Conditions of Service.

Professional Fees

The Council will pay the annual fee for membership of a professional body if it is considered an essential requirement of the employee's post.

First Aid Allowances

Employees who are classified as a 'designated first-aider' are eligible to receive an allowance.

Standby and Call-Out Payments

Employees who are required to provide out of hours responsibilities or work for essential services that they undertake are eligible to receive a standby and call out, standby and advisory or emergency contact scheme payment. Employees graded at PO1 or above will not normally receive payment, unless there is a requirement for them to participate in a formal regular Standby and Call Out or Standby and Advisory Scheme arrangement. Those graded at JNC A or above are expected to respond as part of their role and will not receive any additional payments. Details of the scheme can be found in the Council's Policy for Standby and Call-Out, Standby and Advisory, and Emergency Contact Scheme Policy and Procedure.

Emergency Planning

Employees who volunteer to respond in emergency situations are eligible to receive a payment.

Subsistence

Employees who are eligible to claim subsistence do so in accordance with the rate agreed locally for subsistence.

Bonus Payments

The Council does not pay any group of employees a bonus.

Pension Benefits

All employees under the age of 75 are eligible to join the Local Government Pension Scheme. The scheme is a statutory scheme with contributions from employees and employers. Details of the scheme can be found on www.leics.gov.uk/pensions.

The scheme allows for the exercise of discretion by employers. A copy of the Council's approach to these discretionary regulations can be found at [Appendix C](#). The Council will consider each case on its merits, but has determined that its usual policy is not to enhance benefits for any of its employees.

The scheme provides for flexible retirement. To be eligible to request flexible retirement, the Council normally requires that an employee either reduce their working hours by a minimum of 40% and/or be appointed to a post on a lower grade. In applying this provision no distinction is made between employees.

Under the Local Government Pension Scheme there is no abatement (i.e. reduction or suspension) of pensions for employees who return to work after drawing their pensions except in the circumstance where they have previously been awarded "added years".

Honoraria

Subject to certain conditions, employees who are temporarily required to undertake some or all of the duties of a higher graded post are eligible to be paid an honorarium. Details of the scheme can be found in the Council's Honoraria and Acting-Up Policy and Procedure.

Salary Protection

Employees are eligible to receive salary protection for a period of up to three years if they are redeployed into a lower-graded post. Details of the provisions can be found in the Council's Organisational Change Policy and Procedure.

Severance Payments

Early Retirement (Efficiency of Service)

The Council has discretionary provisions for employees to seek early retirement on the grounds of efficiency of service. Details of the scheme can be found in the Council's Retirement Policy and Procedure.

Redundancy

The Council has a single redundancy scheme which applies to all employees. Redundancy payments are calculated in accordance with the Employment Rights Act 1996 and the 2006 Discretionary Compensation Regulations and are based on the employee's age, length of continuous local government service and salary. The payment mirrors the statutory table but provides a multiplier of 2. Details of the redundancy scheme can be found in the Council's Organisational Change Policy and Procedure.

Employees have the option of using their redundancy payment, in excess of the statutory redundancy payment, to purchase a period of membership in the Local Government Pension Scheme. The amount of membership purchased by the cash sum will vary depending on the age of the employee and the number of years' service.

The Council does not provide any further payment to employees leaving the Council's employment other than in respect of accrued annual leave.

Employees who have TUPE transferred into the Council on redundancy terms which are more favourable than those details above will retain these provisions as per TUPE legislation.

Severance Packages

Full Council have the opportunity to vote on severance packages over £100,000 before they are approved. The information presented will clearly set out the components of the severance package (e.g. salary paid in lieu, redundancy compensations, pension entitlements, holiday pay and any bonuses, fees or allowances paid).

Special Severance Payments

Special severance payments (additional, discretionary sums paid on top of statutory, contractual or other requirements) of £100,000 and above must be approved by a vote of full council.

Special severance payments of £20,000 and above, but below £100,000, must be personally approved and signed off by the Head of Paid Service, with a clear record of the Leader's approval and that of any others who have signed off the payment.

Special severance payments below £20,000 must be approved according to the Council's scheme of delegation as detailed in the Council's Special Severance Payments Policy.

Re-Engagement of Employees

Employees who have been made redundant are eligible to apply for vacancies which may arise after they have left the Council's employment. Any such applications will be considered together with those from other candidates and the best person appointed to the post. Any necessary adjustments to pension would be made in accordance with the scheme regulations.

Employees who are offered another post with the Council, or another employer covered by the Redundancy Modifications Order, prior to their redundancy leaving date and commence this post within 4 weeks of that date are not eligible to receive their redundancy payment.

Election Duties

The Chief Executive receives additional payments as the Returning Officer (or equivalent) for elections taking place within the Borough, to which role he has been appointed by the Council. These payments are funded by the organisation responsible for each election, which can include the Borough Council, County Council, Parish and Town Councils, and the Government.

Election fees and expenses for Borough, Town and Parish Council elections are agreed annually by Full Council. For other elections, the scale of fees and expenses is specified by the relevant organisation.

The Chief Executive may also, on appropriate occasions, require officers, which may include Chief Officers, to undertake Deputy Returning Officer roles and other election duties. They will be remunerated for undertaking these roles.

Publication and Access to Information

This Pay Policy Statement will be published on the Council's website, together with the Council's pay and grading structure and information relating to senior management remuneration.

Appendix A - Charnwood Borough Council's Chief Officers

| <u>POST TITLE</u> |
|---|
| Chief Executive |
| Finance, Governance and Contracts |
| Director – Finance, Governance and Contracts (S151) |
| Head of Finance |
| Head of Governance and Human Resources |
| Head of Contracts: Leisure, Waste and Environment |
| Housing and Wellbeing |
| Director – Housing and Wellbeing |
| Head of Strategic Housing |
| Customer Experience |
| Director – Customer Experience |
| Head of Regulatory and Community Safety |
| Head of Planning and Growth |
| Commercial and Economic Development |
| Director – Commercial and Economic Development |
| Head of Economic Development and Regeneration |
| Head of Assets and Property |

[Back to Contents](#)

Appendix B - Pay and Grading Structure

Annual Salaries from 1 April 2021

| Grade | SCP | Annual Salary |
|-------|-----|---------------|
| A | 1 | 20258 |
| | 2 | 20441 |
| | 3 | 20812 |
| B | 4 | 21189 |
| | 5 | 21575 |
| | 6 | 21968 |
| | 7 | 22369 |
| C | 8 | 22777 |
| | 9 | 23194 |
| | 10 | 23620 |
| | 11 | 24054 |
| D | 12 | 24496 |
| | 13 | 24948 |
| | 14 | 25409 |
| | 15 | 25878 |
| | 16 | 26357 |
| E | 17 | 26845 |
| | 18 | 27344 |
| | 19 | 27852 |
| | 20 | 28371 |
| | 21 | 28900 |
| SO1 | 22 | 29439 |
| | 23 | 30151 |
| | 24 | 31099 |
| | 25 | 32020 |
| SO2 | 26 | 32909 |
| | 27 | 33820 |
| | 28 | 34723 |
| PO1 | 29 | 35411 |
| | 30 | 36298 |
| | 31 | 37261 |
| | 32 | 38296 |
| PO2 | 33 | 39493 |
| | 34 | 40478 |
| | 35 | 41496 |

| Grade | SCP | Annual Salary |
|-----------------|------|---------------|
| JNC A | 50 | 51578 |
| | 51 | 52856 |
| | 52 | 54121 |
| | 53 | 55400 |
| JNC B | 54 | 56676 |
| | 55 | 57942 |
| | 56 | 59345 |
| | 57 | 60738 |
| JNC C | 58 | 63062 |
| | 59 | 64442 |
| | 60 | 65839 |
| | 61 | 67221 |
| JNC D | 62 | 72141 |
| | 63 | 73892 |
| | 64 | 75649 |
| | 65 | 77405 |
| JNC E | 66 | 79155 |
| | 67 | 80933 |
| | 68 | 82231 |
| | 69 | 84491 |
| Chief Executive | CEX1 | 132290 |
| | CEX2 | 137504 |
| | CEX3 | 142719 |
| | CEX4 | 147933 |
| Skills Group 1 | 17 | 26845 |
| | 20 | 28371 |
| | 25 | 32020 |
| Skills Group 2 | 17 | 26845 |
| | 19 | 27852 |
| | 22 | 29439 |
| Skills Group 3 | 14 | 25409 |
| | 15 | 25878 |
| | 20 | 28371 |

| | | |
|-----|----|-------|
| | 36 | 42503 |
| PO3 | 37 | 43516 |
| | 38 | 44539 |
| | 39 | 45495 |
| | 40 | 46549 |
| PO4 | 41 | 47573 |
| | 42 | 48587 |
| | 43 | 49590 |

| | | |
|-------------------|---|-------|
| | | |
| Skills Group 4 | 7 | 22369 |
| | 8 | 22777 |
| | 9 | 23194 |

| Levels of Apprenticeship | NJC Salary | |
|--------------------------|--------------------------------|--|
| Intermediate | Year 1 Year 2 to completion | NMW Rate for 18 – 20 year olds Appropriate NMW age rate for those aged 21 and above |
| Advanced | Year 1 Year 2 to completion | NMW Rate for 18 – 20 year olds Appropriate NMW age rate for those aged 21 and above |
| Higher | Year 1 Year 2 to completion | NMW Rate for 18 – 20 year olds Spinal column points 1 – 4 (Grade A scp 1 – 3 and Grade B scp 4) with annual incremental progression |
| Degree | Year 1 Year 2 to completion | NMW Rate for 18 – 20 year olds Spinal Column points 4 – 7 (Grade B) with annual incremental progression |

The rates for Apprentices appointed under the Joint Negotiating Committee for Local Authority Craft and Associated Employees (Red Book) are in accordance with that agreement.

Local Government Pension Scheme (LGPS) Regulations Policy Statement on all Eligible Employees

Under Regulation 60 of the LGPS Regulations 2013, (as amended), each scheme employer must publish and keep under review a Statement of Policy to explain how it will apply certain discretions allowed under the Pension Regulations.

This statement is applicable to all employees of Charnwood Borough Council who are eligible to be members of the LGPS.

The Council is required to publish the following five policies.

LGPS Regulations – Regulation 31: Power of employer to award additional pension

Explanation and Employer's Policy

An employer may resolve to award a member additional pension of not more than £6,500 (figure as at 1 April 2014) a year within 6 months of leaving to a member whose employment was terminated on the grounds of redundancy or business efficiency.

The Council will not normally agree to award an additional pension under this regulation

LGPS Regulations 2013 – Regulation 16(2)(e) and 16(4)(d) : Funding of additional pension contributions (shared cost)

Explanation and Employer's Policy

An active member in the main section of the scheme who is paying contributions may enter into arrangements to pay additional pension contributions (APCs) by regular contributions of a lump sum.

Such costs may be funded in whole or in part by the member's Scheme employer.

The employer will need to determine a policy on whether it will make a contribution towards the purchase of extra pension.

This does not relate to cases where a member has a period of authorised unpaid leave of absence and elects within 30 days of return to work to pay a shared cost APC to cover the amount of pension "lost" during that period of absence. In these cases the employer MUST contribute 2/3rds of the cost (Regulation 15(5) of the LGPS Regulations 2013.

The Council has not adopted this discretion.

LGPS Regulations 2013 – Regulation 30 (6):Flexible Retirement

Explanation and Employer's Policy

An active member who has attained the age of 55 or over who reduces working hours or grade of an employment may, with the Scheme employer's consent, elect to receive

immediate payment of all or part of the retirement pension to which that member would be entitled in respect of that employment if that member were not an employee in local government service on the date of the reduction in hours or grade, adjusted by the amount shown as appropriate in actuarial guidance issued by the Secretary of State.

The Council has agreed to release pension where there is no costs and not to waive any reduction.

Members must reduce their hours by a minimum of 40% and/or reduce their grade.

The Council may however allow the release of pension where there is a cost or waive reduction in a potential redundancy situation, where a reduction may occur through redeployment, or in other exceptional circumstances supported by a business case.

LGPS Regulations 2013 – Regulation (paragraph 1(1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014): Switching on rule of 85

Explanation and Employer's Policy

A member who has not attained normal pension age but who has attained the age of 55 or over, may elect to receive immediate payment of a retirement pension in relation to an employment if that member is not an employee in local government service in that employment, reduced by the amount shown as appropriate in actuarial guidance issued by the Secretary of State.

In these circumstances (other than flexible retirement) the 85 year rule does not automatically apply to members who would otherwise be subject to it who choose to voluntarily draw their benefits on or after age 55 and before NPA.

The employer has the discretion to "switch on" the 85 year rule for such member (paragraph 1 (1)(c) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014.

If the employer does agree to switch back on the rule of 85, the cost of any strain on the fund resulting from the payment of benefits before age NPA would have to be met by the employer.

The Council will not apply either discretion.

LGPS Regulations 2013 – Regulation (paragraph 2(1) of Schedule 2 to the LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014): Waiving of actuarial reduction

An employer has the discretion, under a number of retirement scenarios, to waive actuarial reductions on compassionate grounds. The cost of which would fall upon the employer. "Compassionate grounds" is not defined in the regulations.

The Council will not apply this discretion, unless there are exceptional circumstances.

The Personnel Committee and the Director involved will consider any cases and will decide whether the actuarial reductions should be waived. In all cases the financial

position of the Charnwood Borough Council must be considered.

Under Regulation 66 of the LGPS Administration Regulations 2008, (as amended), each scheme employer must publish and keep under review a statement of Policy to explain how it will apply certain discretions allowed under the Pension Regulations.

LGPS Benefits Regulations - Regulation 30: Early payment of retirement benefits at the member, or former members request

Explanation & Employer's Policy

A scheme member or former member can request that the Employer grant early retirement between 55 & 60 years old.

It is possible that, where a member's pension is introduced early, these benefits will be reduced. The reduction is calculated in accordance with guidance issued by the Government Actuary. As an employer you may determine not to apply any reduction.

The Council will not consider the premature retirement of an employee except on compassionate grounds. To qualify for consideration, an employee must be entitled to a pension under the LGPS. The Council will not consent to a request for early retirement where capital costs are applicable unless there are exceptional circumstances. The Council will, in principle, consider a request for early retirement as an application of early retirement arising from redundancy where the request would result in the same cost, a lower cost, or nil cost to the Council. In all cases, early retirement will only be considered when supported by a justifiable business case.

LGPS Benefits Regulations - Regulation 18: Requirements as to time of payment (Flexible Retirement)

Explanation & Employer's Policy

A member who is 55 or over, and with their employer's consent, reduces their hours and/or grade can, but only with the agreement of the employer, make an election to the administering authority for payment of their accrued benefits without having retired from employment. It is possible that, where a member's pension is introduced early, these benefits may be reduced. The reduction is calculated in accordance with guidance issued by the Government Actuary. As an employer you may determine not to apply any reduction.

Whilst a request which result in a cost to the Council will generally not be approved there may be instances where granting flexible retirement will enable departments to review their requirements, e.g. succession planning, managerial or specialist skills development, or ultimately achieve other efficiency savings through staff movement/structure changes etc. That is to say, there must be a significant organisational benefit to the Council.

In considering any request for flexible retirement the following business reasons are to be taken into account:

- Cost to the Council in releasing the scheme member's pension
- Requirement/ability to recruit to the vacated hours or grade
- Additional costs as a result of recruitment/training to the vacated hours or grade

- Capacity to re-allocate work amongst co-workers
- Impact on service delivery and work performance
- Suitability of individual's proposed working arrangements, i.e. days, hours etc.

This scheme will not apply where there are formal conduct or performance issues and the appropriate procedures should be invoked in those circumstances.

LGPS Administration Regulations – Regulation 25 (3) and LGPS Benefits Regulations – Regulation 15 (3): Shared Cost Additional Contribution Facility

Explanation & Employer's Policy

This discretion allows the Employer to maintain and contribute to an employee's Additional Voluntary Contribution Scheme.

The Council has not adopted this discretion. This will not have any effect on the existing AVC facility available where the employee only is able to make such contributions.

LGPS Benefits Regulations - Regulation 12: Augmentation (increase of scheme membership)

Explanation & Employer's Policy

An employer may resolve to increase the total membership of an active member.

The Council has not adopted this discretion. This decision does not affect the discretion available to the employer to allow a scheme member to convert a lump sum discretionary payment using the augmentation factors. (See Early Termination of Employment Discretionary Compensation).

LGPS Benefits Regulations - Regulation 13: Power of employer to award additional pension

Explanation & Employer's Policy

An employer may resolve to award a member additional pension of not more than £5000 a year payable from the same date as his pension payable under any other provisions of these Regulations. Additional pension may be paid in addition to any increase of total membership resolved to be made under regulation 12.

The Council has not adopted this discretion.

The Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006

New provisions provide local government employers with the powers to consider making a one off lump sum payment to an employee which must not exceed 104 week's pay. The regulations no longer provide for the award of compensatory added years.

This statement is applicable to all employees of Charnwood Borough Council who are eligible to be members of the LGPS.

Regulation 5: Power to increase statutory redundancy payments

Explanation & Employer's Policy

The Employer may decide to calculate a redundancy payment entitlement as if there had been no limit on the amount of a week's pay used in the calculation.

The Council has decided to adopt this discretion and base redundancy payment calculations on an unrestricted week's pay.

Regulation 6: Discretionary Compensation

Explanation & Employer's Policy

A "one off" lump sum compensation payment may be awarded to an employee up to a maximum value of 104 weeks' pay, inclusive of any redundancy payment made. If the above Regulation is adopted, employees who are members of the LGPS can be given the option of converting compensation payments, (less the statutory redundancy payment), into additional pensionable service, in accordance with the augmentation factors provided by the authority. An employer should specify whether they intend to provide this option.

Employees who have been continually employed for two years or more by members of the modification order will receive a redundancy payment. The payment is based on the statutory formula with a multiplier X 2 applied. The maximum number of weeks an individual can receive is 60 weeks. Employees have the option of using their redundancy payment, in excess of the statutory redundancy payment, to purchase a period of membership in the LGPS.