

Public Document Pack



TRAFFORD COUNCIL

Tuesday, 21 March 2017

Trafford Town Hall
Talbot Road
Stretford
M32 0TH

Dear Councillor,

Your attendance is requested at a meeting of the Council of the Borough of Trafford on **WEDNESDAY, 29 MARCH 2017, at 7.00 P.M.** in the **COUNCIL CHAMBER, TRAFFORD TOWN HALL, TALBOT ROAD, STRETFORD**, for the transaction of the business set out below:

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|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| 1. Minutes | |
| To approve as a correct record the Minutes of the Meeting of the Council held on 22 February 2017 for signature by the Mayor as Chairman. | 1 - 10 |
| 2. Announcements | |
| To receive any announcements from the Mayor, Leader of the Council, Members of the Executive, Chairmen of Scrutiny Committees and the Head of Paid Service. | |
| 3. Questions By Members | |
| This is an opportunity for Members of Council to ask the Mayor, Members of the Executive or the Chairman of any Committee or Sub-Committee a question on notice under Procedure Rule 10.2. | |
| 4. Membership of Council | |
| To note that, due to an on-going illness, Councillor Dagnall resigned, with effect from 15 March 2017, from her role as Ward Councillor for Broadheath and that a by-election has been called for 4 May 2017. | |
| 5. Trafford Council's Pay Policy Statement for 2017/18 | |
| To consider a report of the Acting Director of Human Resources, referred from Employment Committee on 6 March 2017. | 11 - 18 |

6. Report of the Independent Remuneration Panel

To consider a report of the Chief Executive.

19 - 22

7. Motions

To consider the following motions submitted in accordance with Procedure Rule 11:

(a) Motion Submitted by the Labour Group - Dubs Amendment

This Council notes the recent decision of the Conservative Government to end the Dubs Scheme which sought to bring 3000 unaccompanied child refugees displaced in Europe to the UK. Council recognises that last year alone, more than 30,000 unaccompanied children landed in mainland Europe in the midst of a huge humanitarian crisis. These children are in considerable danger, with no familial support whatsoever, and at risk of people trafficking, sexual exploitation and abuse.

Trafford Council places on record its continuing willingness to support refugees, and makes clear its explicit commitment to supporting unaccompanied refugee children in Europe. Council notes the specialist expertise of a number of Trafford foster families in managing the specific needs of refugee children and thanks them for the work that they do.

Council therefore agrees to:

- Write to the Home Secretary and the Immigration Minister making clear Trafford's readiness to accept unaccompanied children displaced in Europe under the terms of the Dubs Scheme.
- State in this letter Trafford's disappointment at the abolition of the programme, and call for the reinstatement of the Dubs Scheme at the earliest opportunity.

(b) Motion Submitted by the Labour Group - Green Bin Collection Service

This Council notes the concern of local residents at plans to commence charging for the collection of green garden waste. It is clear that there are a number of practical issues with this scheme including the potential for neighbour disputes around the fall of leaves, and the practicalities of the collection process. Council also recognises the injustice of imposing an additional 14% charge on residents choosing to register for the scheme by telephone rather than online.

Continued ...

In light of these issues Council agrees to abandon proposals to charge for green waste collection, recognising that to introduce this charge at the same time as increasing Council Tax by 4.99% would represent a financial double-whammy for residents at a time of continue sluggish wage growth.

(c) Motion Submitted by the Labour Group - Outsourcing of Education, Health and Care Plans (EHCPs)

Council notes the many questions that have been raised in this chamber with the Executive Member for Children's Services with regard to Education, Health and Care Plans, surrounding their timeliness and accuracy.

Council notes the very detailed responses given by the Executive Member and the reassurances given that service failings are being addressed.

Clearly there have been historical difficulties in addressing service delivery in this key area and the information provided of the changes that have and are being made to improve the delivery of accurate and timely EHCPs is very welcome.

That said never once has the Executive Member admitted that it was the common practice of this Council from 2008 to 2016 to outsource the writing of Statements of Educational Need and latterly Education and HealthCare Plans for our Special Needs Children to a private company IndDepenDent Business Services latterly known as Enhance EHC Services and that this practice was pursued by the CFW Directorate without the consent of the parents and carers of our Special Needs Children being sought and without any formal Data Protection Protocols being put in place in respect of the data being shared with this company.

In light of this Council requires the parents and carers of our Special Needs Children, whose Statements and EHCPs were outsourced without their knowledge, to receive a public apology from the Executive Member on behalf of the Children, Families and Wellbeing Directorate and a specific undertaking that appropriate governance and data protection protocols will be approved and followed if in the future the need to outsource such work ever arises again.

Yours sincerely,



THERESA GRANT
Chief Executive

Membership of the Council

Councillors J. Lloyd (Mayor), J. Coupe (Deputy Mayor), D. Acton, S. Adshead, S.B. Anstee, S.K. Anstee, Dr. K. Barclay, J. Baugh, J. Bennett, Miss L. Blackburn, R. Bowker, C. Boyes, Mrs. A. Bruer-Morris, Mrs. J.E. Brophy, B. Brotherton, D. Bunting, D. Butt, K. Carter, M. Cawdrey, R. Chilton, M. Cordingley, M. Cornes, Mrs. P. Dixon, A. Duffield, Mrs. L. Evans, N. Evans, T. Fishwick, M. Freeman, P. Gratrix, Mrs. D.L. Haddad, J. Harding, J. Holden, D. Hopps, M. Hyman, C. Hynes, D. Jarman, P. Lally, J. Lamb, E. Malik, A. Mitchell, P. Myers, D. O'Sullivan, K. Procter, J.R. Reilly, Mrs. J. Reilly, B. Rigby, T. Ross, M. Sephton, B. Sharp, B. Shaw, J. Smith, E.W. Stennett, S. Taylor, L. Walsh, Mrs. V. Ward, A. Western, D. Western, M. Whetton, A. Williams, J.A. Wright, M. Young and Mrs. P. Young

Further Information

For help, advice and information about this meeting please contact:

Ian Cockill, Democratic Services Officer

Tel: 0161 912 1387

Email: ian.cockill@trafford.gov.uk

This Summons was issued on **Tuesday, 21 March 2017** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall, Talbot Road, Stretford M32 0TH

Any person wishing to photograph, film or audio-record a public meeting is requested to inform Democratic Services in order that necessary arrangements can be made for the meeting.

Please contact the Democratic Services Officer 48 hours in advance of the meeting if you intend to do this or have any queries.

TRAFFORD BOROUGH COUNCIL

22 FEBRUARY 2017

PRESENT

The Worshipful the Mayor (Councillor Mrs. Judith Ann Lloyd), in the Chair.

J. Coupe (Deputy Mayor)	M. Cornes	D. O'Sullivan
D. Acton	Mrs. P. Dixon	K. Procter
S. Adshead	A. Duffield	J.R. Reilly
S.B. Anstee	Mrs. L. Evans	B. Rigby
S.K. Anstee	N. Evans	T. Ross
Dr. K. Barclay	T. Fishwick	B. Sharp
J. Baugh	M. Freeman	B. Shaw
Miss L. Blackburn	J. Harding	J. Smith
R. Bowker	J. Holden	E.W. Stennett
C. Boyes	D. Hopps	S. Taylor
Mrs. A. Bruer-Morris	M. Hyman	L. Walsh
Mrs. J.E. Brophy	C. Hynes	A. Western
B. Brotherton	D. Jarman	D. Western
D. Bunting	P. Lally	M. Whetton
D. Butt	J. Lamb	A. Williams
M. Cawdrey	E. Malik	J.A. Wright
R. Chilton	A. Mitchell	M. Young
M. Cordingley	P. Myers	Mrs. P. Young

In attendance

Chief Executive	Ms. T. Grant
Deputy Chief Executive and Corporate Director Economic Growth, Environment and Infrastructure	Mrs. H. Jones
Corporate Director Transformation and Resources	Ms. J. Hyde
Interim Corporate Director Children, Families and Wellbeing	Ms. J. Colbert
Director of Legal and Democratic Services	Ms. J. Le Fevre
Interim Director of Human Resources	Ms. D. Lucas
Chief Finance Officer	Ms. N. Bishop
Head of Financial Management	Mr. G. Bentley
Head of Governance	Mr. P. Forrester
Public Relations Manager	Mrs. K. Dooley
Interim Senior Solicitor	Ms. D. Adcock
Special Assistant to the Chief Executive	Mrs. D. Geary
Senior Democratic and Scrutiny Officer	Mr. I. Cockill

APOLOGIES

Apologies for absence were received from Councillors J. Bennett, K. Carter, L. Dagnall, P. Gratrix, Mrs. D.L. Haddad, Mrs. J. Reilly, M. Sephton and Mrs. V. Ward.

**Meeting of the Council
22 February 2017**

61. MINUTES

That the Minutes of the Meeting of the Council held on 25 January 2017, be approved as a correct record and signed by the Chairman.

62. ANNOUNCEMENTS

The Mayor announced that she had recently held two receptions for local Faith Leaders and for the recent recipients of Her Majesty the Queen's Honours, as recognition for their community work and achievements.

63. QUESTIONS BY MEMBERS

The Mayor reported that no questions had been received under Procedure Rule 10.2.

64. PROCUREMENT OF THE EXTERNAL AUDITOR

The Chief Finance Officer submitted a report recommending a process for the appointment of the external auditor, to commence for an agreed period from the audit year 2018/19. The report detailed the options available and provided the recommendation from the Accounts and Audit Committee held on 7 February 2017, in terms of the proposed way forward.

RESOLVED: That, further to the recommendation made by the Accounts and Audit Committee, the Council approves the option of opting in to the national arrangement for appointing the External Auditor, managed by Public Sector Appointments Limited.

**65. APPOINTMENT OF RETURNING OFFICER AT COMBINED AUTHORITY
MAYORAL ELECTIONS**

The Director of Legal and Democratic Services submitted a report requesting the appointment of an officer of the Council to be the Local Returning Officer for the election of a Combined Authority Mayor, as required by the Combined Authority (Mayoral Elections) Order 2017.

RESOLVED: That the Chief Executive be appointed as the Returning Officer for the Trafford Council area at Combined Authority Mayoral elections.

66. BUDGET 2017/18

(Note: PROCEDURAL ARRANGEMENTS - In respect of the main item of business on the agenda, the Mayor announced that the Leader of the Council (or his nominee) would have a maximum of 15 minutes to make the initial speech and a further maximum of 15 minutes to summarise the debate. The Leaders of the Labour and Liberal Democrat Groups (or their respective nominees) would each have a maximum of 15 minutes to make their initial speeches and a further maximum of 5 minutes to summarise on behalf of their respective Groups. The Mayor also outlined the approach for dealing with amendments. Members were

**Meeting of the Council
22 February 2017**

instructed that, should an amendment be made to the main motion, the mover of that amendment would have a maximum of 5 minutes to make their speech. The Mayor further confirmed that, the time for all other speeches would be restricted to a maximum of 3 minutes.)

The Executive Member for Finance presented a number of reports setting out the proposed budget for the forthcoming year, together with the recommendations from the Executive meeting held earlier that evening.

It was moved and seconded that the Executive's recommendations for the budget, circulated to Members at the meeting, be approved.

Councillors Ross and Bowker responded to the Motion on behalf of the Labour and Liberal Democrat Groups respectively, after which the budget proposals were then debated by the Council.

In accordance with procedures agreed at the outset of the debate, the Political Group Leaders summarised the essential views of their respective group and responded to some of the issues that had arisen from the debate.

The Motion was then put to a recorded vote, in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014. The result was as follows:

Those in favour of the Motion: Councillors S.A. Anstee, S.K. Anstee, Dr. Barclay, Miss Blackburn, Boyes, Mrs. Bruer-Morris, Bunting, Butt, Cawdrey, Chilton, Cornes, Coupe, Mrs. Dixon, Mrs. Evans, N. Evans, Holden, Hopps, Hyman, Lally, Lamb, Mitchell, Myers, J.R. Reilly, Rigby, Sharp, Shaw, Smith, Whetton, Williams, M. Young and Mrs. Young.

Those against the Motion: Councillors Acton, Adshead, Baugh, Bowker, Mrs. Brophy, Brotherton, Cordingley, Duffield, Fishwick, Freeman, Harding, Hynes, Jarman, Malik, O'Sullivan, Procter, Ross, Stennett, Taylor, Walsh, A. Western, D. Western and Wright.

With the result of the vote being 31 in favour and 23 against, with the Mayor not voting, the Motion was declared carried.

RESOLVED –

- (A) That the Council approves:
- (1) The net Revenue Budget for 2017/18 at £160.83 million.
 - (2) The 2018/19 to 2019/20 Medium Term Financial Strategy (MTFS) including the income and savings proposals.
 - (3) The calculation of the Council Tax Requirement as detailed in Section 9.1 of the budget report and summarised in the Appendix A of the Executive's recommendations circulated at the meeting.

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- (4) The formal Council Tax Resolution, as required under statute and set out in (D) below.
 - (5) A Council Tax increased by 4.99%:
 - 1.99% general increase in the 'relevant basic amount' in each of the three years 2017/18 to 2019/20, and
 - 3.0% for the 'Adult Social Care' precept in each of the two years 2017/18 and 2018/19.
 - (6) The Fees and Charges for 2017/18, as set out in the booklet available on the Council's web site.
 - (7) The delegation of authority to each Corporate Director, in consultation with the Chief Finance Officer, to amend fees and charges during 2017/18 in the event of any change in the rate of VAT, as appropriate.
 - (8) The minimum level of General Reserve for 2017/18 being retained at £6.0 million, the same as in 2016/17, Section 7.2 of the budget report.
 - (9) The overall Capital Investment Programme level of £109.16 million (as detailed in the Capital Investment Programme and Prudential Indicators report) of which £65.73 million relates to 2017/18.
 - (10) The Prudential Borrowing Indicators, as set out in Appendix 3, of both the Treasury Management Strategy and Capital Programme and Prudential Indicators reports.
 - (11) The distribution of Dedicated Schools Grant, as recommended by the School Funding Forum and Executive, as summarised in Section 8 and detailed in Annex H of the budget report.
 - (12) The publication of the Council's updated Efficiency Plan in Annex I of the budget report.
 - (13) Due to the late publication of the Final 2017/18 Local Government Finance Settlement, the delegation of authority to the Chief Finance Officer to vary the level of Budget Support Reserve needed to balance the 2017/18 revenue budget in the event of any change at final settlement (as long as this does not impact on the level of general risk reserve retained).
- (B) That, in approving the above, it is noted that the Council has taken into consideration:
- (1) The objective assessment by the Chief Finance Officer of the robustness of budget estimates and adequacy of the financial reserves (Section 7.3 and Annex G of the budget report).

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- (2) The Executive's response to the Scrutiny Committee's recommendations to the budget proposals, submitted to the Executive meeting held on 22 February 2017.
 - (3) The 'Budget 2017/18 – Consultation Process and Feedback' report, submitted to the Executive meeting held on 22 February 2017.
 - (4) The Equality Impact Assessments in relation to the budget proposals and the Public Sector Equality duty.
- (C) That in addition, the Council notes the following:
- (1) The approval on 18 January 2017 under delegated powers by the Chief Finance Officer of the Council Tax Base for 2017/18 at 74,883 Band D equivalents.
 - (2) The calculation of the estimated Council Tax surplus, sufficient to release £(1.3) million to support the Council's 2017/2018 revenue budget and a distribution of £(181) thousand and £(68) thousand representing the respective shares of the Greater Manchester Police and Crime Commissioner and Greater Manchester Fire and Rescue Authority.
 - (3) The base budget assumptions set out in the Medium Term Financial Strategy, as detailed in Annex A of the budget report.
 - (4) The budget gap for the two years 2018/19 £13.19 million and 2019/20 of £6.05 million.
 - (5) That the Capital Investment Programme for 2017/18, 2018/19 and 2019/20 is to be set at an indicative £65.73 million, £25.51 million and £17.92 million respectively.
 - (6) The use of capital receipts to fund a number of transformational savings and income generating projects, as detailed in Annex I of the budget report.
 - (7) That the Council Tax figures included in the report for the Greater Manchester Fire and Rescue and Police Authorities are the recommended provisional amounts pending their formal approval.
 - (8) The Treasury Management Strategy 2017-20.
 - (9) That the final decision with regard to school crossing patrols will not be taken until the results of the second phase of consultation are concluded and a report to the Executive will then be presented at the appropriate time.
 - (10) That a 'Budget 2017/18 - Consultation Process and Feedback' report on the outcomes of the public consultation was included on the agenda for the Executive budget meeting held on 22 February 2017.

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(D) That, as referred to in A4 above, the Council calculates the formal Council Tax Resolution as follows:

1. It be noted that on 18 January 2017 the Council calculated:
 - (a) the Council Tax Base 2017/18 for the whole Council area as 74,883 [Item T in the formula in Section 31B(3) of the Local Government Finance Act 1992, as amended (the "Act")] and;
 - (i) 1,517 for dwellings in the Parish of **Partington**;
 - (ii) 228 for dwellings in the Parish of **Dunham Massey**;
 - (iii) 162 for dwellings in the Parish of **Warburton**,

to which Parish Precepts relate.

2. That the Council approves the Council Tax Requirement for the Council's own purposes for 2017/18 (excluding Parish precepts) as £88,630,021.

3. That the Council agrees the calculation of the Aggregate Amounts for the year 2017/18 in accordance with Sections 31 to 36 of the Act:
 - (a) £436,707,466 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
 - (b) £347,993,472 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
 - (c) £88,713,994 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31A(4) of the Act).
 - (d) £1,184.70 being the amount at 3(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B(1) of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
 - (e) £83,973 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act, as detailed below:

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PARISH COUNCIL PRECEPTS

Parish/Town Council	2016/17			2017/18			Council Tax Increase
	Tax Base	Precepts £	Council Band D (£)	Tax Base	Precepts £	Council Tax Band D (£)	
Partington	1,555	66,088	42.50	1,517	64,473	42.50	0.0%
Dunham Massey	n/a	n/a		228	11,400	50.00	n/a
Warburton	n/a	n/a		162	8,100	50.00	n/a
TOTAL / AVERAGE	1,555	66,088	42.50	1,907	83,973	44.03	n/a

(f) £1,183.58 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.

(g) £1,226.08 **(i) Parish of Partington**
being the amounts given by adding to the amount at 3(f) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned at 3(e) above divided by the amount at 1(b) above, calculated by the Council, in accordance with section 34(3) of the Act, as the basic amounts of its council tax for the year for dwellings in those parts of its area to which one or more special items relate.

£1,233.58 **(ii) Parish of Dunham Massey**
being the amounts given by adding to the amount at 3(f) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned at 3(e) above divided by the amount at 1(b) above, calculated by the Council, in accordance with section 34(3) of the Act, as the basic amounts of its council tax for the year for dwellings in those parts of its area to which one or more special items relate.

£1,233.58 **(iii) Parish of Warburton**
being the amounts given by adding to the amount at 3(f) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned at 3(e) above divided by the amount at 1(b) above, calculated by the Council, in accordance with section 34(3) of the Act, as the basic amounts of its council tax for the year for dwellings in those parts of its area to which one or more special items relate.

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4. That the Council Tax set by Trafford Council includes a 3.0% increase to be spent exclusively on supporting the delivery of adult social care services.
5. That it be noted that for the year 2017/18 the Office of the Police and Crime Commissioner for Greater Manchester and Greater Manchester Fire and Rescue Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each category of dwellings in the Council's area as indicated in the table below.
6. That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate shown in the tables below as the amounts of Council Tax for 2017/18 for each part of its area and for each of the categories of dwellings.

Valuation Bands

Council Tax Schedule 2017/18	Band A £	Band B £	Band C £	Band D £	Band E £	Band F £	Band G £	Band H £
Trafford Council (including Adult Social Care Precept)	789.05	920.56	1,052.07	1,183.58	1,446.60	1,709.62	1,972.63	2,367.16
Office of Police and Crime Commissioner for GM	108.20	126.23	144.27	162.30	198.37	234.43	270.50	324.60
GM Fire & Rescue Authority	39.96	46.62	53.28	59.95	73.27	86.59	99.91	119.90
Sub total	937.21	1,093.41	1,249.62	1,405.83	1,718.24	2,030.64	2,343.04	2,811.66

Partington	Band A £	Band B £	Band C £	Band D £	Band E £	Band F £	Band G £	Band H £
Parish only	28.33	33.06	37.78	42.50	51.94	61.39	70.83	85.00
Parish & District only	817.38	953.62	1,089.85	1,226.08	1,498.54	1,771.01	2,043.46	2,452.16
Aggregate of Council Tax requirements (incl. Police & Fire)	965.54	1,126.47	1,287.40	1,448.33	1,770.18	2,092.03	2,413.87	2,896.66

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Dunham Massey	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
	£	£	£	£	£	£	£	£
Parish only	33.33	38.89	44.44	50.00	61.11	72.22	83.33	100.00
Parish & District only	822.38	959.45	1,096.51	1,233.58	1,507.71	1,781.84	2,055.96	2,467.16
Aggregate of Council Tax requirements (incl. Police & Fire)	970.54	1,132.30	1,294.06	1,455.83	1,779.35	2,102.86	2,426.37	2,911.66

Warburton	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
	£	£	£	£	£	£	£	£
Parish only	33.33	38.89	44.44	50.00	61.11	72.22	83.33	100.00
Parish & District only	822.38	959.45	1,096.51	1,233.58	1,507.71	1,781.84	2,055.96	2,467.16
Aggregate of Council Tax requirements (incl. Police & Fire)	970.54	1,132.30	1,294.06	1,455.83	1,779.35	2,102.86	2,426.37	2,911.66

The meeting commenced at 7.00 p.m. and finished at 9.02 p.m.

67. INFORMAL MEETING OF THE COUNCIL

(Note: At the conclusion of the formal meeting of the Council, an informal meeting was held to extend an invitation to:

Councillor Jonathan Coupe to be the Mayor of the Borough of Trafford for 2017/18;

and

Councillor Tom Ross to be the Deputy Mayor of the Borough of Trafford for 2017/18.

The informal meeting concluded at 9.09 p.m.)

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TRAFFORD COUNCIL

Report to: Employment Committee
Date: 6th March 2017
Report for: Approval
Report of: Acting Director of Human Resources

Report Title

Trafford Council's Pay Policy Statement for 2017/18

Summary

This paper provides Council with information relating to Trafford's pay policy for 2017/18 in line with the requirements for the Localism Act 2011.

Recommendation(s)

To note and approve the 2017/18 Pay Policy statement as set out in the attached report and recommend any amendments for approval at full Council on 29th March 2017.

Contact person for access to background papers and further information:

Name: Angela Beadsworth
Extension: 1291

Background Papers:

The Code of Recommended Practice for Local Authorities - Department for Communities and Local Government.

Openness and accountability in local pay: Guidance under section 40 of the Localism Act 2011 - Department for Communities and Local Government.

Local Authorities (data transparency) code 2013

Relationship to Policy Framework/Corporate Priorities	The information provided within the report aligns with the Council's corporate priority of 'Low Council Tax and Value for Money'
Financial	The report information ensures that we comply with financial regulations in respect of data transparency and accounts and audit regulations.
Legal Implications:	Compliance with all relevant employment legislation is a critical and a key component of this strategy to ensure that our legal governance structure is robust and can defend employment claims should the need arise.
Equality/Diversity Implications	The pay policy will ensure that we remunerate our

	employees fairly and with due respect to all equality policies and strategies.
Sustainability Implications	Not applicable
Staffing/E-Government/Asset Management Implications	Not applicable
Risk Management Implications	Not applicable
Health & Wellbeing Implications	Not applicable
Health and Safety Implications	Not applicable

1.0 Background

The Pay Policy Statement sets out the Council's approach to pay policy in accordance with the requirements of Section 38 of the Localism Act 2011. The purpose of the Pay Policy Statement is to increase accountability in relation to payments made to senior employees in the public sector, in particular those in local authorities, by enabling public scrutiny.

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

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

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

In summary, the Pay Policy Statement identifies:

- ❖ The method by which salaries and severance payment are determined;
- ❖ The detail and level of remuneration of the Council's most senior managers i.e. Chief Executive, Corporate Management Team, Service Directors;
- ❖ The committee responsible for ensuring that the Pay Policy Statement is applied consistently, the Employment Committee, which has delegated powers in relation to senior manager employment;
- ❖ The detail and level of remuneration for the lowest level of post/employee;
- ❖ The ratio of pay of the top earner and that of the median earner.

2.0 Recommendation

Employment Committee is recommended to note and approve the 2017/18 Pay Policy statement as set out in the attached report and recommend any amendments for approval at full Council on 29th March 2017.

TRAFFORD PAY POLICY STATEMENT 2017/18

1. Introduction

1.1 Under section 112 of the Local Government Act 1972, the Council has the “power to appoint officers on such reasonable terms and conditions as the authority thinks fit”. This Pay Policy Statement (the ‘statement’) sets out the Council’s approach to pay in accordance with the requirements of Section 38 of the Localism Act 2011. From 2012 onwards local authorities are required to publish an annual statement of their policy for the relevant financial year.

1.2 The purpose of the statement is to provide transparency with regard to the Council’s approach to setting the pay of its employees (excluding teaching staff and employees working in local authority schools), by identifying;

- The methods by which salaries of all employees are determined;
- The detail and level of remuneration of its most senior staff i.e. Head of Paid Service, ‘Chief Officers’, the Monitoring Officer, and Deputy Chief Officers as defined by the relevant legislation;
- The remuneration of its lowest paid employees;
- The relationship between the remuneration levels of the most senior employees and that of other employees;
- The Committee responsible for ensuring the provisions set out in this statement are applied consistently throughout the Council and making recommendations on any amendments to Full Council.

1.3 Once approved by Full Council, this policy statement will come into immediate effect and will be subject to review as a minimum on an annual basis.

2. Legislation Relevant to Pay and Remuneration

2.1 In determining the pay and remuneration of all of its employees, the Council will comply with all relevant employment legislation. This includes legislation such as the National Minimum Wage (Amendment) Regulations 2016, Equality Act 2010, Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000 and where relevant, the Transfer of Undertakings (Protection of Earnings) Regulations.

2.2 The Council ensures there is no pay discrimination within its pay structures and that all pay differentials can be objectively justified through the use of NJC and Hay job evaluation mechanisms, which directly establish the relative levels of posts in grades according to the requirements, demands and responsibilities of the role.

3. Accountability and Decision Making

3.1 In accordance with the Constitution of the Council, the Employment Committee is responsible for decision making in relation to the recruitment, pay, terms and conditions and severance arrangements in relation to employees of the Council.

3.2 Decisions relating to salary packages for new posts above £100k are subject to full Council approval. In addition, any severance arrangements agreed in line with the relevant policies that exceed £100k are subject to full Council approval.

4. Pay Structure

4.1 The Council's pay strategy must be one of balance between securing and retaining high-quality employees whilst maintaining pay equality and avoiding excessive pay rates.

4.2 The Council uses the nationally negotiated pay spine(s) (i.e. a defined list of salary points) as the basis for its local pay structure, which determines the salaries of the large majority of its (non-teaching) workforce together with the use of locally determined rates where these do not apply.

4.3 All other pay-related allowances are the subject of either nationally or locally negotiated rates, having been determined from time to time in accordance with collective bargaining machinery.

4.4. In determining its grading structure and setting remuneration levels for any posts, which fall outside its scope, the Council takes account of the need to ensure value for money in respect of the use of public expenditure, balanced against the need to recruit and retain employees who are able to meet the requirements of providing high quality services to the community, delivered effectively and efficiently and at times at which those services are required.

4.5 New appointments will normally be made at the minimum of the relevant pay scale for the grade, although from time to time it may be necessary to take account of the external pay levels in the labour market in order to attract and retain employees with particular experience, skills and capacity. Where necessary, the Council will ensure the requirement for such is objectively justified by reference to clear and transparent evidence of relevant market comparators, using data sources available from within the local government sector and outside, as appropriate.

4.6 To meet specific operational requirements, it may be necessary for an individual to temporarily take on additional duties to their identified role. The Council's arrangements for authorising any additional remuneration relating to temporary additional duties are set out in the Act-up and Honoraria Payments Policy.

4.7 Any temporary supplement to the salary scale for the grade is approved in accordance with the Council's Market Rates Supplement Policy.

4.8 An organisation chart covering staff in the top three levels of the organisation provides information on the senior salary pay structure for the Council.

5. Senior Management Pay Arrangements

5.1 For the purposes of this statement, senior management means 'Chief Officers' as defined within the Localism Act. The posts falling within the statutory definition are set out in the data published for the Code of Recommended Practice for Local Authorities on Data Transparency and Accounts and Audit (England) Regulations.

5.2 The Chief Executive and Chief Officers receive minimal additions to salary. These include Returning Officer fees for local and other elections as they arise from time to time.

5.3 The Chief Officer car allowance scheme was deleted as part of the 2014/15 budget proposals along with the general essential car user scheme and replaced by a critical car user scheme. The Chief Executive or any Chief Officer does not qualify to access the revised arrangements.

5.4 We will continue to consider how we can introduce more transparent performance arrangements at a senior management level. Salary progression within the range is linked to attainment of pre-determined objectives and targets as set out in the Performance Development Review process.

6. Recruitment of Chief Officers

6.1 The Council's policy and procedures with regard to recruitment of Chief Officers is set out within the Council constitution Part 4 Officer Employment procedure rules.

6.2 When recruiting to all posts, the Council will take full and proper account of all provisions of relevant employment law and its own Equality, Recruitment and Redeployment Policies as approved by Council.

6.3 The determination of the remuneration to be offered to any newly appointed Chief Officer will be in accordance with relevant job evaluation methodology, market factors and recruitment policies in place at the time. For new posts, with recommended salary packages in excess of £100k, approval of Full Council is required.

6.4 Where the Council is unable to recruit Chief Officer posts, or there is a need for interim support to provide cover for a substantive Chief Officer post, the Council will, where necessary, consider engaging individuals under a 'contract for service'. These will be sourced through a relevant procurement process ensuring the council is able to demonstrate the maximum value for money benefits, from competition, in securing the relevant service.

6.5 In assessing such, it should be noted that in respect of such engagements, the Council is not required to make either pension or national insurance contributions for such individuals.

6.6 The Council has had 3 interim appointments in place at Chief Officer level during 2016/17. Two of the interim appointments were due to restructuring activities across the Children Families and Well-Being Directorate following significant transformation of services and the need for specialist expertise to support our integration with Health. The third interim appointment has brought in specialist ICT leadership and technical skills to support the re-design of its infrastructure and options for a new delivery model.

6.7 Due to the specialist nature of the skills set needed in these roles and linked to the time-limited development of the council's new organisational model, we have engaged individuals on an interim basis through the procurement process described in paragraph 6.4 above.

7. Pension Contributions

7.1 Where employees have exercised their statutory right to become members of the Local Government Pension Scheme, the Council is required to make a contribution to the scheme representing a percentage of the pensionable remuneration due under the contract of employment of that employee.

7.2 The rate of contribution is set by Actuaries advising the Greater Manchester Pension Fund and reviewed on a triennial basis in order to ensure the scheme is appropriately funded. The current rate is set at 20.9%.

8. Payments on Termination

8.1 The Council's approach to statutory and discretionary payments on termination of employment of Chief Officers, prior to reaching normal retirement age, is set out within its policy statement in accordance with Regulations 5 and 6 of the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006 [and if appropriate] Regulation 12 of the Local Government Pension Scheme (Benefits, Membership and Contribution) Regulations 2007.

8.2 Any current payments falling outside of these provisions or the relevant periods of notice within the contract of employment shall be subject to a formal decision made by the Employment Committee. Payments on termination in relation to the policy set out above that exceed £100k are subject to approval of Full Council.

9. Re-employment / Re-engagement of former Chief Officers

9.1 The Organisational Change Framework sets out the arrangements and restrictions by which Chief Officers are re-employed or re-engaged on a contract for services following termination of employment.

9.2 The Repayment of Public Sector Exit Payments Regulations 2015 and Public Sector Exit Payment Regulations 2016, as set out in 8.2, will determine our revised approach to the re-engagement of Chief Officers.

10. Lowest Paid Employees

10.1 The lowest paid employees employed under a contract of employment with the Council are employed on full time [36.25 hours] equivalent salaries in accordance with the minimum spinal column point (scp) currently in use within the Council's grading structure.

10.2 As at 1st April 2016, the lowest entry level spinal column point is equivalent to £14,514 per annum. We track the current national and local initiatives regarding low paid staff, benchmarking with our regional counterparts to ensure pay parity.

10.3 The Council employs Apprentices who are employed on the National Minimum Wage for Apprentices according to their age in line with current national entitlements from April 2017.

10.4 The relationship between the rate of pay for the lowest paid and Chief Officers is determined by the processes used for determining pay and grading structures as set out earlier in this policy statement.

10.5 The current pay levels within the Council define the multiple between the median (average) full time equivalent earnings and the Chief Executive as 1:7:59 and; between the lowest paid employee and average Chief Officer as 1:6:52.

10.6 As part of its overall and ongoing monitoring of alignment with external pay markets, both within and outside the sector, the Council will use available benchmarking information as appropriate. In addition, upon the annual review of this statement, it will also monitor any changes in the relevant 'pay multiples' and benchmark against other comparable Local Authorities.

11. Future Legislation

11.1 Proposed and upcoming legislation that will impact on our pay policy in relation to payments on termination includes:

1. The Repayment of Public Sector Exit Payments Regulations 2015. This will enforce the repayment of public sector exit payments in certain circumstances where an individual returns to the public sector within a 12 month period and is likely to come into force around July 2017;

2. The Public Sector Exit Payment Regulations 2016, that aims to cap the value of public sector exit payments. This cap is currently proposed at £95,000 on the total value of exit payments made and applies to all types of arrangements and forms of exit payment, such as redundancy payments, compensatory payments and lump sums awarded under a settlement agreement or a COT3, for example. This is likely to come into force around July 2017 and once the final detail is known, our policy will be adjusted to take this into account.

A third piece of legislation relates to public sector reporting on the gender pay gap.

3. Gender Pay Gap reporting for the public sector. The Equality Act 2010 (GPG Information) Regulations will require the Council to publish its 2017 gender pay gap data by April 2018. The detailed technical requirements and reporting methods are to be advised. An early assessment shows an indicative gender pay gap for the Council (an average hourly earnings calculation only at this stage) as 12.56% difference in favour of men (excluding schools). The gap is likely to be attributable to the Council retaining an in-house Catering and Cleaning Service, which employs predominantly women in entry level occupations. As we undertake further analysis in line with the new legislation, this figure may be refined and we remain committed to ensure that we have a diverse and skilled representative workforce through robust recruitment approaches and equality monitoring.

4. Additionally, the 2016 Autumn Statement confirmed the IR35 tax changes will be introduced from 6th April 2017 and we are currently developing an approach for dealing with the pending legislative changes. IR35 impacts Public Sector organisations that use contractors providing their services via a Personal Service Company (PSC). Our approach aims to reduce the risk of either increased costs to retain key workers balanced with the prospect of losing resources on critical projects which will impact on delivery.

12. Trade Unions

12.1 The Council recognises two trade unions, UNISON and GMB, for collective bargaining purposes for NJC staff and there are currently two full time equivalent UNISON officials in employment; these officials represent both core Council and

school support staff. In addition, in relation to its teaching workforce, for the purposes of collective bargaining, the Council recognises the NUT, NASUWT and NAHT.

13. Publication

13.1 Upon approval by the Full Council, this statement will be published on the Council's Website.

TRAFFORD COUNCIL

Report to: Council
Date: 29 March 2017
Report for: Decision
Report of: Chief Executive

Report Title

Report of the Independent Remuneration Panel

Summary

<p>In accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003 the Panel was convened to make recommendations to the Council in relation to amendments to the Scheme of Members' allowances.</p>

<p>The recommendations of the Panel are appended at appendix 1 to this report for consideration by the Council.</p>

Recommendation(s)

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| <ol style="list-style-type: none"> 1. The Council is asked to consider the recommendations of the Panel as set out in the report at Appendix 1.
 2. That the Director of Legal and Democratic Services be authorised to make any revisions to Part 6 of the Constitution (Members Allowances Scheme) as a consequence of the decisions of the Council. |
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Implications

Relationship to Policy Framework/Corporate Priorities	N/A
Financial	<p>The report recommends the Members' Allowances annual indexation link to staff pay is continued.</p> <p>The Council's approved budget includes provision for this.</p>
Legal Implications:	<p>The Council is required to request an Independent Remuneration Panel to make recommendations about allowances for Members. The Council is required to give notice of a receipt of a report from a Panel and that it is about to make or amend a scheme. Notice of the receipt of a report was given on 16 March 2017.</p>
Equality/Diversity Implications	None
Sustainability Implications	None
Staffing/E-Government/Asset	None

Management Implications	
Risk Management Implications	None
Health and Safety Implications	None

Contact person for access to background papers and further information:

Name: Peter Forrester
 Extension: 1815

Background Papers:

Email to IRP Members – 17th January 2017
 Responses to email

Report

In accordance with the Local Authorities (Members’ Allowances) (England) Regulations 2003 the Panel was convened to make recommendations to the Council in relation to amendments to the Scheme of Members’ allowances.

The independent panel comprised:

- Lesley Davies, Trafford College
- Mr Chris Fletcher, Greater Manchester Chamber of Commerce
- Mr. Ralph Rudden, Voluntary Sector

The Panel were informed that the Members’ Allowances Scheme allows an alignment of adjustments to Members’ Allowances to any annual adjustment to staff pay.

The regulations for Members’ Allowances state that Councils can rely on this annual adjustment of allowances for no longer than a period of four years before seeking a further recommendation from the IRP. The adjustment clause was last agreed by the IRP in 2013 and expires this year. Therefore, the Panel were asked to consider the inclusion of a new clause for the next four years.

The Panel agreed that the arrangement should continue and recommend that the Council agree to their recommendation to update the scheme to allow for an annual adjustment for this year and for the period up to 2020/21. The report of the Panel is contained at Appendix A.

REPORT OF INDEPENDENT REMUNERATION PANEL TO THE CHIEF EXECUTIVE OF TRAFFORD COUNCIL

RECOMMENDATIONS IN RELATION TO AMENDMENTS TO THE MEMBERS' ALLOWANCES SCHEME

1 Introduction

In accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003 the Panel was convened in April 2013 to make recommendations to the Council in relation to amendments to the Scheme of Members' allowances.

The independent panel comprised:

- Lesley Davies, Trafford College; and
- Mr Chris Fletcher, Greater Manchester Chamber of Commerce
- Mr. Ralph Rudden, Voluntary Sector

The Panel were informed that the Members' Allowances Scheme was updated in 2013 to include a recommendation from the Independent Remuneration Panel that the scheme include an alignment of adjustments to Members' Allowances to any annual adjustment to staff pay.

The regulations for Members' Allowances state that Councils can rely on this annual adjustment of allowances for no longer than a period of four years before seeking a further recommendation from the IRP.

Given that the mechanism expires this year, the IRP was asked to review the matter and make recommendations to Council. The Panel agreed that the annual adjustment should continue in its present form and that it be included in the scheme for a four-year period.

2. Recommendations

The Panel makes the following recommendations to amend the existing Scheme of Members' Allowances for Trafford Metropolitan Borough Council.

Paragraph 1 be amended to read

1 This Scheme may be cited as the Trafford Metropolitan Borough Council Members' Allowances Scheme and shall take effect on 1st April 2017.

And that paragraph 10 be amended to read

Annual Adjustment

10 (1) The Members' Allowance scheme, including the Dependants' Carers' Allowance, will be adjusted annually before the start of each year and the allowances (excluding travelling and subsistence allowance) will be increased by

the amount of the annual pay award by the National Joint Council for Local Government Service

(2) The annual adjustment in 10(1) shall take place for the years commencing 1st April 2017, 2018, 2019 and 2020.

**Ralph Rudden
Chris Taylor
Lesley Davies**

Panel Members – January 2017