
GENERAL PURPOSES COMMITTEE

Meeting to be held in Civic Hall, Leeds, LS1 1UR on
Wednesday, 12th December, 2018 at 3.00 pm

MEMBERSHIP

Councillors

D Blackburn	-	Farnley and Wortley;
J Blake (Chair)	-	Middleton Park;
Amanda Carter	-	Calverley and Farsley;
R Charlwood	-	Moortown;
D Cohen	-	Alwoodley;
D Coupar	-	Temple Newsam;
M Dobson	-	Garforth and Swillington;
J Dowson	-	Chapel Allerton;
S Golton	-	Rothwell;
H Hayden	-	Temple Newsam;
W Kidger	-	Morley South;
J Lewis	-	Kippax and Methley;
A Lowe	-	Armley;
J Pryor	-	Headingley and Hyde Park;
A Smart	-	Armley;

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A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Procedure Rules (in the event of an appeal the press and public will be excluded). (*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)	
2			EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC 1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report. 2 To consider whether or not to accept the officers recommendation in respect of the above information. 3 If so, to formally pass the following resolution:- RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
3			LATE ITEMS To identify items which have been admitted to the agenda by the Chair for consideration (The special circumstances shall be specified in the minutes)	
4			DECLARATION OF DISCLOSABLE PECUNIARY AND OTHER INTERESTS To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2000 and paragraphs 13-18 of the Members' Code of Conduct. Also to declare any other significant interests which the Member wishes to declare in the public interest, in accordance with paragraphs 19-20 of the Members' Code of Conduct.	
5			APOLOGIES FOR ABSENCE To receive any apologies for absence from the meeting.	
6			MINUTES OF THE LAST MEETING To receive and approve the minutes of the meeting held on 1st October 2018.	1 - 2
7			REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS To consider the report of the Chief Officer, Elections and Regulatory that sets out the initial proposals to be published on 13 December 2018 for the second consultation period of the review.	3 - 28

Item No	Ward/Equal Opportunities	Item Not Open		Page No
8			PROCEDURE FOR SHORT NOTICE PUBLICATION OF OFFICER KEY DECISION REPORTS To consider the report of the City Solicitor that sets out the conclusions of Corporate Governance and Audit Committee's consideration of the issues raised with them and recommends to General Purposes Committee amendments to the Constitution a method to regularise the process for the late publication of reports supporting an officer Key decision.	29 - 56
9			IMPLEMENTATION OF THE NJC PAY SPINE To consider the report of the Director of Resources and Housing seeking Members approval of the implementation of the 2019 NJC Pay Spine. THIRD PARTY RECORDING Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda. Use of Recordings by Third Parties– code of practice a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title. b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.	57 - 90

GENERAL PURPOSES COMMITTEE

MONDAY, 1ST OCTOBER, 2018

PRESENT: Councillor J Blake in the Chair

Councillors B Anderson, D Blackburn,
Amanda Carter, R Charlwood, D Coupar,
S Golton, M Harland, H Hayden, J Pryor
and A Smart

1 Appeals against refusal of inspection of documents

There were no appeals against the refusal of inspection of documents.

2 Exempt Information - possible exclusion of the press and public

There were no resolutions to exclude the public.

3 Late items

There were no late items.

4 Declaration of Disclosable Pecuniary and Other Interests

There were no declarations of interest.

5 Apologies for absence

Apologies for absence were received from Councillors Lowe, Dobson, Cohen, Kidger and J Lewis. Notification was received that Councillor B Anderson would be present as substitute for Councillor Cohen, and Councillor Harland would be present as substitute for Councillor J Lewis.

6 Minutes of the last meeting

RESOLVED – That the minutes of the meeting held on 18th May 2018 be approved as a correct record.

7 Review of polling districts, polling places and polling stations

The Chief Officer for Elections and Regulatory submitted a report which sought Members approval of the process and timetable for the review of polling districts, places and stations due to commence 2nd October 2018.

The following information was appended to the report:

- Review of polling districts, polling places and polling stations 2018/19 timetable

Draft minutes to be approved at the meeting
to be held on Wednesday, 12th December, 2018

The following were in attendance:

- John Mulcahy, Chief Officer for Elections and Regulatory
- Sue Wolfe, Deputy Electoral Service Manager

Members were informed that undertaking the review was a statutory requirement, and that the review will follow the same format as successfully used previously.

RESOLVED –

- a) That the process for the review be agreed.
- b) That the timetable for the review as set out at Appendix A to the report be agreed.
- c) That the use of the Electoral Working Group as a forum to discuss the results of any representations received in response to the consultation exercises, and to provide recommendations for the Committee's consideration, be agreed.



Report author: Susanna Benton
Tel: 0113 3784771

Report of: Chief Officer Elections and Regulatory

Report to: General Purposes Committee

Date: Monday 12 December 2018

Subject: Review of polling districts, polling places and polling stations

Are specific electoral wards affected?	☒ Yes ☐ No
If yes, name(s) of ward(s): Armley, Ardsley & Robin Hood, Beeston & Holbeck, Bramley & Stanningley, Middleton Park, Pudsey, Temple Newsam, Weetwood.	
Are there implications for equality and diversity and cohesion and integration?	☒ Yes ☐ No
Is the decision eligible for call-in?	☐ Yes ☒ No
Does the report contain confidential or exempt information?	☐ Yes ☒ No
If relevant, access to information procedure rule number: N/A	
Appendix number: N/A	

Summary of main issues

1. A review of polling districts, polling places and polling stations commenced in Leeds on 2 October 2018. A full review timetable can be found at Appendix A.
2. The first consultation period ended on 6 November 2018.
3. A meeting of Electoral Working Group (EWG) was held on 20 November 2018 to discuss representations made during the first consultation stage.
4. This report details EWG's recommendations for the Council's Initial Proposals.

Recommendations

1. Members are asked to:
 - (a) note that the summary of representations set out in Appendix B have cross party support and resolved whether in each case to confirm or revise as an initial proposal;

- (b) Consider the summary of representations set out in Appendix C which have been rejected by all parties, and resolve whether in each case to confirm or revise as an initial proposal
- (c) Note that the initial proposals agreed today will be published for further consultation from 13 December 2018 to 31 January 2019.

1 Purpose of this report

- 1.1 To consider initial proposals for the polling district review.
- 1.2 To agree the initial proposals to be published on 13 December 2018 for the second consultation period of the review.

2 Background information

- 2.1 The Electoral Registration and Administration Act 2013 introduced a change to the timing of compulsory reviews of UK Parliamentary polling districts, places and stations meaning the next compulsory review must take place between 1 October 2018 and 31 January 2020.
- 2.2 Officers therefore reported their intention to carry out a review of polling districts, places and stations at the meeting of General Purposes Committee on 1 October 2018. Members approved the review which commenced on 2 October 2018 marking the start of the first consultation period.
- 2.3 The consultation period ended on 6 November 2018. Consideration of representations made took place at a meeting of Electoral Working Group on 20 November 2018.

3 The review process

- 3.1 Guidance for the conduct of such a review has been published by the Electoral Commission¹. Officers recommend the following stages: -
 - 3.1.1 Stage 1 - When notice is given of the review and advises that representations would be welcome, particularly (with regard to polling stations) from those with expertise in access for persons with any type of disability. It also sets out the reference documents which should be made available. This would be the first public consultation period and will last 6 weeks.
 - 3.1.2 Stage 2 - When the Council considers representations received and forms its Initial Proposals. The Returning Officer must comment, at this stage, on all existing polling stations used and any new polling stations which would probably be chosen if the new proposals were accepted by the authority. The Guidance suggests that the polling district review by the authority (of districts and places) should be conducted jointly with the Returning Officer's review (of polling stations).
 - 3.1.3 Stage 3 - To receive representations and comments on the authority's Initial Proposals. This would be the second consultation period and will last 7 weeks. This needs to be in two parts: -

¹ Electoral Commission's Guidance - Reviews of polling districts, polling places and polling stations

- i. a compulsory submission from the Returning Officer of the parliamentary constituency with regard to the suitability of the designated polling stations; and
- ii. submissions from other persons and bodies which can be referenced to the Returning Officer's proposed polling stations as well as the authority's Initial Proposals.

3.1.4 Stage 4 - When the authority must produce Final Proposals, taking into consideration any further representations made.

3.1.5 Stage 5 - General Purposes Committee will decide the Final Proposals of the review and the decision and background material will be published.

3.2 Although the final decision is that of the Authority, there is a right of appeal to the Electoral Commission in respect of the outcome of the review.

3.3 General Purposes Committee approved the timetable for the review at their meeting on 1 October 2018. To allow more time for consultation at Stage 3 the timetable was subsequently revised (copy at Appendix A).

3.4 The final review notice is due to be published in February 2019. Any revisions to the electoral register as a consequence of the review will be made on 1 March 2019 and will be used for the Local Government elections and Parish/Town Council elections to be held on 2 May 2019.

3.5 Stage 1 is now complete, and this report sets out the results of the public consultation and representations received so that General Purposes Committee can agree the authority's Initial Proposals for further public consultation during Stage 3.

4 The Review

4.1 A reasonable methodology must be demonstrated if a successful appeal (with its consequential reputational damage) is to be avoided. The Guidance stresses the need for all decisions made to have been consulted upon and to be measured and practical: **'The whole process should be as transparent and open as possible to avoid possible conflict.'** The Initial Proposals document set out the considerations taken into account in drawing up the proposals and such an approach reduces the suggestion that decisions may have been politically motivated.

4.2 The primary considerations for every review are a requirement of Electoral law, and are: -

- i. The Council must seek to ensure that all electors have such reasonable facilities for voting as are practicable in the circumstances; and
- ii. The Council must seek to ensure that so far as is reasonable and practicable every polling place is accessible to electors who are disabled.

4.3 There is no scientific formula or set of rules for the division of a constituency into polling districts, nor for the selection of polling places or polling stations. The

choice will often be a balance between a number of competing considerations, for example between the quality (access, facilities, etc) of a building and the distances between the residents and that building, compared to other options for polling places. Judgment needs to be exercised, e.g. when comparing the potential disturbance to voters as against other factors. However, in carrying out the balancing exercise, the approach should be **voter-centred**.

4.4 Officers proposed that the same criteria used for the last polling district review was used again for this review: -

- i. Disparities between polling districts to make them more comparable in terms of number of polling places and number of electors per polling place;
- ii. Current levels of satisfaction / dissatisfaction as expressed by or on behalf of electors;
- iii. The cost / elector ratio of providing a polling place, so there is broad comparability between districts;
- iv. The availability of postal votes on demand;
- v. Disturbance to electors which would be caused by alteration of polling places which have been used for a long period of time;
- vi. A polling place should be in its own polling district, unless it is not possible to find a suitable place in the district;
- vii. There should not be major barriers between the voters and their polling place. Major roads, rivers and the like can therefore be considered as starting points for polling district boundaries unless there is good quality, accessible crossing points;
- viii. The polling place should not be difficult to locate and should be close to where most of the electors in the polling district live;
- ix. The topography of the area should be taken into account including availability of public transport for electors having to travel distances to the polling place;
- x. Facilities for polling staff, who will be on duty for at least 16 hours and cannot leave the polling place;
- xi. That each parish should be a separate polling district save in exceptional circumstances;
- xii. If there appears to be a need in all or particular elections (considering, for example, UK Parliamentary elections may have a higher turnout than local government elections) for multiple polling stations in a polling place, it will need to be considered if the polling place can accommodate them; and
- xiii. Capability of the polling place to cope with peaks of electors allocated to it.

4.5 It should be noted that the considerations are not weighted, as proposals need to be voter-centred and the exercise of judgment and the balancing exercise needs

to have this at the forefront of consideration. Each proposal/representation will have circumstances peculiar to it and the differing considerations relating to those circumstances must be balanced to allow the outcome to be voter centred.

5 Results of Stage 1

5.1 16 representations were received in response to the authority's Notice of Review published on 2 October 2018. The closing date for receipt of representations was 6 November 2018.

5.2 EWG considered the criteria at section 4 when reviewing all representations made during the preliminary stage.

The representations can be grouped into:

- a) Representations with all party agreement (Appendix B)
- b) Representations rejected by all parties that expressed a view (Appendix C)

6 Returning Officers Comments

6.1 The Returning Officer is required to make a submission on the initial proposals with regard to the location of polling stations and polling places and has said:

"At this stage, I am content with the representations, but reserve the right to revise and/or add to my views on the basis of officer inspections or expressions of support or objection received in response to further consultation during the proposal stage".

7 Equality and Diversity / Cohesion and Integration

7.1 The notice of review invited representations from stakeholders and in particular from those with expertise in access for persons with any type of disability. According to law, the authority must seek to ensure that so far as is reasonable and practicable every polling place is accessible to electors who are disabled. We have been careful to ensure the review process meets that requirement.

7.2 An equality and cohesion screening document has been completed for this review and has concluded that the consultation arrangements will help ensure all people affected by the review are given an opportunity to comment which will address any equality, diversity, cohesion or integration issues raised.

7.3 The equality and cohesion documents can be found at Appendix D.

8 Council Policies and City Priorities

8.1 The process for conducting a review of polling districts and places is set out in legislation.

8.2 The review does not affect the Council's budget and policy framework, although ensuring electors have accessible polling stations does support the Council's aims to be the best city for communities, and in particular the four year priority to increase a sense of belonging that builds cohesive and harmonious communities.

9 Resources and Value for Money

- 9.1 There is no separate budget for provision for the costs of carrying out a review of polling districts, places and stations. The costs of carrying out the consultation process will be met from within the existing budget for Electoral Services.
- 9.2 Staff resources will be available to conduct this review in accordance with the timetable.

10 Legal Implications, Access to Information and Call In

- 10.1 Under the Constitution, the Council has delegated authority to the Chief Executive to discharge the following Council (non-executive) functions namely: -
- “ ...
(c) to divide a constituency into polling districts
(d) to divide electoral divisions into polling districts at local government elections”
- 10.2 If the Chief Executive chooses not to exercise that delegated authority, he may refer the matter to General Purposes Committee, who have authority: -
- “to consider and determine Council (non-executive) functions delegated to a Director where the Director has decided not to exercise the delegated authority and has referred the matter to the committee.”
- 10.3 There is no provision similar to that regarding executive functions that allows the relevant Executive Member to require the “Director” to not exercise the delegated authority but to take a matter to Executive Board.
- 10.4 However, the Chief Executive has the opportunity to consult with the relevant Member(s), before deciding whether to exercise his delegated authority or alternatively himself choose to refer the matter to General Purposes Committee.
- 10.5 The Chief Executive has chosen to refer the need to undertake a review of polling districts and polling places to General Purposes Committee.

11 Risk Management

- 11.1 On conclusion of any polling district review, the Electoral Commission can consider representations that the review process has not been conducted correctly. There are only two grounds on which a representation may state that a local authority has failed to conduct a proper review, namely: -
- the local authority has failed to meet the reasonable requirements of the electors in the constituency; or
 - the local authority has failed to take sufficient account of accessibility to disabled persons of the polling place.
- 11.2 If the appeal is upheld, the Commission can, ultimately, make alterations to the polling places.

12 Conclusions

- 12.1 The process being followed by officers meets the statutory requirements for a review of polling districts, places and stations.

13 Recommendations

- 13.1 Members are asked to: –

- (a) note that the summary of representations set out in Appendix B have cross party support and resolved whether in each case to confirm or revise as an initial proposal;
- (b) Consider the summary of representations set out in Appendix C which have been rejected by all parties, and resolve whether in each case to confirm or revise as an initial proposal
- (c) Note that the initial proposals agreed today will be published for further consultation from 13 December 2018 to 31 January 2019.

14 Background documents

- (a) Full details for all representations.

14 Appendices

- (a) Appendix A – review timetable
- (b) Appendix B – representations with all party agreement
- (c) Appendix C – representations rejected by all parties
- (d) Appendix D - equality and cohesion documents

Review of polling districts, polling places and polling stations 2018/19

Appendix A



Timetable

Revised 21 November 2018

Explanatory notes - Stage 1

At this stage notice is given of the review advising that representations would be welcome, particularly (with regard to polling stations) from those with expertise in access for persons with any type of disability.

This is the first public consultation period and lasts 6 weeks. The Council considers representations received as a result of this consultation and forms Initial Proposals for further consultation.

Task	Date	Notes
Report to General Purposes Committee (GPC) outlining how the review is to be conducted	1 October 2018	Purpose of this report is for GPC to agree methodology and role of Electoral Working Group (EWG).
Publication of notice of review	2 October 2018	This is published in local press and online.
Representation period	2 October to 6 November 2018	6 week consultation period. All representations received are logged by Electoral Services.
Inspection of changes proposed in representations	7 November to 16 November 2018	Inspections on suitability and availability of any changes proposed in representations received, including disabled access requirements.

Explanatory notes – Stage 2

At this stage the Council considers representations received and forms its Initial Proposals. This is initially undertaken by EWG and then finalised at GPC.

The Returning Officer must comment, at this stage, on all existing polling stations used and any new polling stations which would probably be chosen if the new proposals were accepted by the authority.

Task	Date	Notes
EWG to consider representations received in Stage 1 and details of any inspections	19 November to 23 November 2018	EWG make recommendations for Initial Proposals. Officers to draft Initial Proposals.
Initial proposals go to GPC for approval	12 December 2018	
Initial proposals published after approval by GPC	13 December 2018	Further Notice published in local press and online also detailing Stage 3 consultation period.

Explanatory notes – Stage 3

At this stage the Council will receive representations and comments on the Council's Initial

Proposals. This is the second consultation period and will last 7 weeks (a week longer than the initial consultation period as it falls over the Christmas and New Year period. This stage will be in two parts:-

A compulsory submission from the Returning Officer of the parliamentary constituencies with regard to the suitability of the designated polling stations; and

Submissions from other persons and bodies which can be referenced to the Returning Officer's proposed polling stations as well as the authority's Initial Proposals.

Task	Date	Notes
Consultation commences	13 December 2018	7 week consultation period.
Returning Officers comments/recommendations published	By 13 December 2018	RO's comments must be published within 30 days of receipt of proposals, unless already published as part of Initial proposals.
Consultation ends	31 January 2019	All representations received are logged.
Inspection of any further changes proposed in representations received	Not later than 1 February 2019	Inspections on suitability and availability of any changes proposed in representations received, including disabled access requirements.

Explanatory notes – Stage 4

At this stage the authority must produce Final Proposals, taking into consideration any further representations made.

Task	Date	Notes
EWG consider further representations received during Stage 3	During week commencing 4 February 2019	EWG make recommendations for Final Proposals. Officers to draft Final Proposals.

Explanatory notes – Stage 5

GPC will decide the Final Proposals of the Review of Polling Districts, Places and Stations.

Task	Date	Notes
Final Proposals go to GPC to agree	February 2019	GPC agrees Final Proposals for Review of Polling Districts, Places and Stations
Final Notice of Review is published	February 2019	Details of whereabouts of Review Documentation for public inspection is given.

All changes will be implemented in time for the Local and Parish/Town Council Elections on Thursday 2 May 2019, and any other elections or referendums which should take place on that date.

Polling district review 2018/19

Representations considered at Electoral Working Group with cross party support

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Representations with cross party support

Rep no.	Ward	Summary of detail	Reason for approval (at EWG)
AR2	Ardsley & Robin Hood Ward	Review boundary of ARE and ARD polling districts. The existing boundary cuts through a number of properties on the Scampston Drive estate, splitting the community inappropriately between ARE and ARD polling stations. ARE polling station is a further distance than ARD to this area and there are no public transport links between the two areas, meaning voters who do not have access to their own transport would be unable to get to the polling station as it is much further than a reasonable walking distance. A more appropriate boundary may be for it to run along the M62 carriageway, so all properties in the Scampston Drive estate are within the ARD polling district. This proposal would place 1,3 & 5 Scampston Drive, along with Brodsworth Court and Rudstone Court flats on Ripley Close in to ARD from ARE.	Members agreed this representation made sense as the current arrangement sees a boundary cut through several streets, most likely a historic boundary before these streets were created.
AR3	Ardsley & Robin Hood Ward	ARG / ARM boundaries - would make more sense for the boundary to include all the properties on Thorpe Lane that are currently in ARM into ARG. This would require moving the boundary for ARG to run along Bradford Road and Thorpe Lane rather than down the Spink Well Lane dirt track as currently.	Although the area in question is not currently residential, there is potential for houses to be built on this land in future and the change of polling district would provide the most convenient polling arrangements for potential electors.
AR4	Ardsley & Robin Hood Ward	ARG / ARH boundaries - a number of properties on Westerton Road are currently in ARH polling district which necessitates travel to a different village for those people to vote. A proposed boundary of ARG being brought to include the section of Westerton Road in ARH would make more sense and would mean these residents who live in Tingley can vote in Tingley rather than being sent to the village of West Ardsley. This would place 178, 273-297, 299, 301-9, 311-19, 319A, 319B, 319C, 319D and 321-47 Westerton Road to ARG from ARH.	Members agreed this would provide more convenient polling arrangements for those electors on Westerton Road currently voting in ARH.

Rep no.	Ward	Summary of detail	Reason for approval (at EWG)
AR5	Ardsley & Robin Hood Ward	ARH / ARJ boundaries - it would make more sense for the ARH boundary to be run along Batley Road entirely rather than splitting Batley Road across two polling districts. For those on the ARJ section of the road, travelling to ARH polling station would be much more convenient as involves using a main road, with public transport links, that gives easy to access the ARH polling station rather than having to travel to a different village, with no public transport links between the two. This proposal would place all Batley Road properties currently in ARJ in to ARH.	Members agreed it was sensible to make the suggested boundary amendment to ensure electors had better public transport links to their polling station.
AR6	Ardsley & Robin Hood Ward	ARA / ARL - The current boundary cuts through the Hopefield estate in Robin Hood meaning there are streets where part of the street votes in ARA and part in ARL. Could this be moved so all vote at one polling station? Either to put the entire estate into ARA where the bulk is, or to put the boundary to run so that all voters on Hopefield Crescent, Green, Walk and Way vote at ARL. Splitting streets across two polling districts causes confusion for residents as to where to vote.	Members agreed this was a sensible amendment.
AR7	Ardsley & Robin Hood Ward	Propose to move boundary to run along Longthorpe Lane to the junction with Leeds Road so that Longthorpe Lane continues to vote in ARB but that the properties currently listed in ARB polling district on Castle Head Close, Co-operative Street, Ledger Lane, Westgate Court, Westgate Lane and Leeds Road (south of the junction with Longthorpe Lane) can vote in the ARF polling station which is closer to where they live – ARF polling station being almost directly opposite the one entry/exit junction to these listed roads - causing confusion amongst residents as to which is their polling station as they have to travel away from the one over the road from their street to go to ARB.	Members agreed with this representation with a slight amendment to also include properties off Long Thorpe Lane at the junction with Leeds Road.
AR8	Ardsley & Robin Hood Ward	Orchard Court and properties on Leeds Road north of the Leeds Road/Jumbles Lane/Long Thorpe Lane crossroads would be more appropriate to move from ARF to ARB, their closest polling station.	Members agreed this would provide more convenient polling arrangements for electors.
AR9	Ardsley & Robin Hood Ward	ARK/ARJ – propose to move boundary to behind northside properties on Lawns Terrace so that entirety of small amount of properties on Lawns Terrace lie within ARJ.	Members agreed this was a sensible amendment.

Rep no.	Ward	Summary of detail	Reason for approval (at EWG)
BH1	Beeston & Holbeck Ward	(a) I am a Councillor for Beeston & Holbeck ward. Last year we gain a new box. Near the city centre they were assigned the holbeck WMC as there polling station. The turn out for that area was very low as there is no easy way or connection between the two areas. Could I request that you look for a more central polling station near to there location. (b) In the 2018 local elections the Beeston and Holbeck ward enlarged to encompass some city centre areas, such as the flats of Bridgewater house and the surrounding areas. There flats were asked to vote at the Holbeck Working Mens clubs. From my observations at the count, turnout for the flats was very poor and therefore I think we need a polling station closer to the city centre for these flats	EWG agreed a solution could be to split polling district BHB to create a new BHK which would vote at Mill Hill Chapel at the bottom of Park Row in Leeds City Centre. BHB would continue to vote at Holbeck WMC. This would be very similar to polling arrangements prior to the electoral review.
BS1	Bramley & Stanningley Ward	Whitecote Primary School has been used as a polling station for many years, but the use of the school buildings has changed over time. The polling station was formerly in the community room which was in our portacabin. About 4 years ago, we were asked by LCC to develop a facility for 2-year-olds in this portacabin, so our school house was adapted for used as teaching space to compensate for the loss of this. The house has been used as a polling station since then. However, due to the increasing needs of our children, the main room used as the polling station has been refurnished and set up as a Nurture Room. We have a number of children with complex needs who have daily sessions in this room. In addition to this, due to the house having direct access to the rest of the school grounds, we have had a security person on duty for the last two polling days and security fencing for the last one. Therefore, we are requesting that the use of the school as a polling station is re-examined. I understand that LCC prefers to use LCC property where available, but the Moorside Community Centre is just down the road and could mean reduced costs for security and no disruption to the school. We would be grateful if you could give this matter your serious consideration.	Members agreed that although it was preferable to remain in schools for polling wherever possible on this occasion the circumstances meant the option to relocate to Moorside Community Centre should be given consideration and have agreed that polling should transfer to this location for future elections. The Community Centre is in very close proximity to the school so there will be no inconvenience caused to the electorate.
WE1	Weetwood Ward	The polling station at the YMCA is much less convenient for West Park residents than the old arrangement of Lawnswood School. It would be better if it could go back to that or be nearer West Park	Members agreed that the location of this polling station was not in an ideal location for electors to the south of the

Rep no.	Ward	Summary of detail	Reason for approval (at EWG)
			polling district. Officers to make arrangements for polling to return to Lawnswood School.

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Polling district review 2018/19

Representations rejected by all parties

Representations rejected by all parties

Rep no.	Ward	Summary of detail	Reason for rejection (at EWG)
AM1	Armley Ward	I don't believe that Armley have enough polling stations given the hilly nature of my ward. Can we have more? I would be reluctant to have any reduction.	EWG noted that each polling district in Armley ward (13 in total) is served by its own polling station and that the average electorate per station of 1,500 is well below the Electoral Commission recommended limit of 2,500. Members did not agree more polling stations were needed in this ward.
AR1	Ardsley & Robin Hood Ward	The polling station located at Thorpe Social Centre is not centrally located and difficult to find for the electorate in the northern part of the polling district. Recommended the Falconers Rest Public House or St Georges Centre be considered as an alternative.	Falconers Rest Public House and St Georges Centre not suitable for polling. Members agreed to an improved polling station address on poll cards and for additional signage to be placed on the main road to direct electors.
PS1	Pudsey Ward	I identified that the polling station at Southroyd School has no parking on site for disabled or elderly constituents, then thinking about it, parking is very limited at all polling stations sited in schools due to parking restriction, Comparing to the polling stations sited in temporary units just for the day, which can be put in large open spaces.	Officers confirmed the arrangements in place with the school relating to parking for disabled and elderly electors. Members were happy for polling to remain at the school but asked that a note be added to poll cards for this polling station to inform the electors of these arrangements.
TN1	Temple Newsam Ward	I wish to register my objection to the use of the small room (the Benson room) at Halton Library, Temple Newsam Ward, as a polling station for the Leeds City Council elections in May 2018. 1. Access: The polling station room is adjacent to the main library but was entered by a separate door. The entrance was via a relatively narrow footpath and doorway, both of which appeared to cause difficulties for a wheelchair user or for people arriving and leaving the building at the same time. 2. Health and safety: voters There was a	Officers explained some teething problems experienced when using Halton Library for polling for the first time in 2017. Members were satisfied that arrangements for future elections at this polling station will be satisfactory for the electorate voting there.

Rep no.	Ward	Summary of detail	Reason for rejection (at EWG)
		temporary metal ramp to provide access over a threshold, but it seemed to create a further obstacle rather than smooth the entrance. I tripped over this item and managed to avoid crashing into the door frame. 3. Health and safety: polling station staff The room has little natural light and seemed to have very little natural ventilation, and thus did not seem a suitable environment for the polling station officers positioned there for a very long day. 4. Two polling districts: The polling station covers two polling districts with a total electorate of over 3000. Even given that numbers of voters in each polling district will have postal votes, the use of this small room for a large electorate does appear to be an unsatisfactory arrangement, especially when compared with several polling stations in the ward which have fewer than 1000 electorate. (4 out of 11).	

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Equality, Diversity, Cohesion and Integration Screening

As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality, diversity, cohesion and integration.

A **screening** process can help judge relevance and provides a record of both the **process** and **decision**. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions.

Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality, diversity, cohesion and integration.
- whether or not equality, diversity, cohesion and integration is being/has already been considered, and
- whether or not it is necessary to carry out an impact assessment.

Directorate: Communities and Environment	Service area: Electoral Services
Lead person: Susanna Benton	Contact number: 3784771

1. Title: Polling District Review

Is this a:

☐

Strategy / Policy

☒

Service / Function

☐

Other

If other, please specify

2. Please provide a brief description of what you are screening

The Electoral Registration and Administration Act 2013 introduced the timing of compulsory reviews of polling districts, places and stations.

A polling district is a small electoral area with a clearly defined boundary. A polling place is a building, plot of land or area within a polling district which is designated as the location for polling to take place. A polling station is a room within the designated building, or, for example, a portable building on a designated plot of land.

This review involves public consultation where interested parties can make representations about an electoral area, or polling station. Examples of this could be a proposal to include a newly built housing state in an existing polling district, which would allow electors easier access to polling.

3. Relevance to equality, diversity, cohesion and integration

All the council's strategies/policies, services/functions affect service users, employees or the wider community – city wide or more local. These will also have a greater/lesser relevance to equality, diversity, cohesion and integration.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, carers, disability, gender reassignment, race, religion or belief, sex, sexual orientation. Also those areas that impact on or relate to equality: tackling poverty and improving health and well-being.

Questions	Yes	No
Is there an existing or likely differential impact for the different equality characteristics?	✓	
Have there been or likely to be any public concerns about the policy or proposal?	✓	
Could the proposal affect how our services, commissioning or procurement activities are organised, provided, located and by whom?	✓	
Could the proposal affect our workforce or employment practices?		✓
Does the proposal involve or will it have an impact on • Eliminating unlawful discrimination, victimisation and harassment • Advancing equality of opportunity • Fostering good relations	✓	

If you have answered **no** to the questions above please complete **sections 6 and 7**

If you have answered **yes** to any of the above and;

- Believe you have already considered the impact on equality, diversity, cohesion and integration within your proposal please go to **section 4**.
- Are not already considering the impact on equality, diversity, cohesion and integration within your proposal please go to **section 5**.

4. Considering the impact on equality, diversity, cohesion and integration

If you can demonstrate you have considered how your proposals impact on equality, diversity, cohesion and integration you have carried out an impact assessment. Please provide specific details for all three areas below (use the prompts for guidance).

- **How have you considered equality, diversity, cohesion and integration?** (think about the scope of the proposal, who is likely to be affected, equality related information, gaps in information and plans to address, consultation and engagement activities (taken place or planned) with those likely to be affected)

The review will affect all eligible electors in Leeds (all those people registered to vote who are aged 18 or over).

Specifically, the element of the review which relates to equality is the location of polling stations and the accessibility of the premises designated for polling.

The primary considerations for a review of this type are a requirement of electoral law, and are:

- The Council must seek to ensure that all electors have such reasonable facilities for voting as are practicable in the circumstances; and
- The Council must seek to ensure that so far as is reasonable and practicable every polling place is accessible to electors who are disabled

It is also important that we ensure access to the consultation process is available to everyone, and that assistance is provided to those who require it.

The current polling station arrangements have been designated over a number of years, as the result of previous reviews, and local decisions made by consulting the Returning Officer and Ward Councillors.

At each major election, the Returning Officer employs Polling Station Inspectors (PSI's) to visit each polling station. Part of the PSI's duties is to inspect each polling station and provide feedback to the Returning Officer in relation to access for the disabled.

We will also be considering complaints/comments received from electors in relation to their polling station which have been made as a result of elections in 2018.

We will be publishing a notice of the review which will inform all interested parties of how and when to make representations, and what will happen at each step of the process.

The notice will be published in Council Buildings, on the LCC website and will also be supplied to all Councillors, Leeds MPs Parish and Town Council Clerks.

Representations will be accepted by email, by post or by hand delivery to the Electoral Services Office.

- **Key findings** (think about any potential positive and negative impact on different equality characteristics, potential to promote strong and positive relationships between groups, potential to bring groups/communities into increased contact with each other, perception that the proposal could benefit one group at the expense of another)

We will be taking into account the following key points:

- The comments/feedback from polling station inspectors
- Comments/complaints from electors following the 2018 elections
- The representations submitted at both stages of the consultation process

- **Actions**

(**think about** how you will promote positive impact and remove/ reduce negative impact)

The information above will inform the review, and assist us in identifying areas of particular concern.

The Returning Officer will continue to monitor all polling stations annually through the inspections carried out by PSI's.

5. If you are *not* already considering the impact on equality, diversity, cohesion and integration you *will need to carry out an impact assessment*.

Date to scope and plan your impact assessment:	
Date to complete your impact assessment	
Lead person for your impact assessment (Include name and job title)	

6. Governance, ownership and approval

Please state here who has approved the actions and outcomes of the screening

Name	Job title	Date
John Mulcahy	Head of Elections, Licensing and Registration	
Date screening completed		27 November 2018

7. Publishing

Though **all** key decisions are required to give due regard to equality the council **only** publishes those related to **Executive Board, Full Council, Key Delegated Decisions** or a **Significant Operational Decision**.

A copy of this equality screening should be attached as an appendix to the decision making report:

- Governance Services will publish those relating to Executive Board and Full Council.

- The appropriate directorate will publish those relating to Delegated Decisions and Significant Operational Decisions.
- A copy of all other equality screenings that are not to be published should be sent to equalityteam@leeds.gov.uk for record.

Complete the appropriate section below with the date the report and attached screening was sent:

For Executive Board or Full Council – sent to Governance Services	Date sent: N/A
For Delegated Decisions or Significant Operational Decisions – sent to appropriate Directorate	Date sent: N/a
All other decisions – sent to equalityteam@leeds.gov.uk	Date sent:

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Report of City Solicitor

Report to General Purposes Committee

Date: 12th December 2018

Subject: Procedure for Short Notice Publication of Officer Key Decision Reports

Are specific electoral wards affected? If yes, name(s) of ward(s):	☐ Yes ☒ No
Are there implications for equality and diversity and cohesion and integration?	☐ Yes ☒ No
Is the decision eligible for call-in?	☐ Yes ☒ No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: Appendix number:	☐ Yes ☒ No

Summary of main issues

1. The Scrutiny Board (Children and Families) requested that Corporate Governance and Audit Committee review the Council's processes and procedures for officers taking key executive decisions at short notice.
2. Following Corporate Governance and Audit Committee's consideration of this in November, this report sets out recommendations for this committee's consideration in relation to the procedure that officers must follow when taking a Key Decision.

Recommendations

General Purposes Committee is requested to consider the proposals set out and recommend to Full Council that the Executive and Decision Making Procedure Rules be amended as set out at Appendix 2.

1. Purpose of this report

- 1.1 At its meeting of 26th September the Scrutiny Board (Children and Families) considered the use of the Special Urgency provision (provided for in the Constitution) when taking a decision to extend a Framework Agreement.
- 1.2 It was noted that there is a gap in the Council's constitutional arrangements for officers taking key executive decisions where it is necessary to give short notice of the report on which the relevant decision will be based.
- 1.3 The Scrutiny Board recommended that Corporate Governance and Audit Committee considered the identified gap in the Council's Constitutional arrangements and made any recommendations that were felt necessary.
- 1.4 This report sets out the conclusions of Corporate Governance and Audit Committee's consideration of the issues raised with them and recommends to General Purposes Committee amendments to the Constitution to regularise the process for the late publication of reports supporting an officer Key decision.

2. Background information

The Decision Making Process for Key Decisions

- 2.1 Regulations require that certain prior publicity be given for Key Decisions. In addition the Leeds City Council Constitution includes a step requiring that the report upon which a Key Decision will be taken must be published for a period of five days prior to the decision being taken. These publicity requirements are summarised in the table at Appendix 1, whilst legislative details are set out at paragraph 4.5 below.

Responsibility for Taking Key Decisions

- 2.2 The Officer Delegation Scheme (Executive Functions) set out in the constitution provides that officers are authorised to discharge all functions within their remit "save where the Leader or relevant portfolio holder has directed or the Director considers that the matter should be referred to Executive Board for consideration."

Review of Decision Making Framework

- 2.3 At its meeting of 26th September the Scrutiny Board (Children and Families) considered the use of the Special Urgency provision in the circumstances set out above. The Board noted that there is no specific provision in the Constitution to provide for late notice reports and requested that:

"a review be undertaken of the Executive and Decision Making Procedure Rules to ensure that any future circumstances where a decision is required can be done so through a tailored and regularised process"
- 2.4 Corporate Governance and Audit Committee considered these matters at their meeting on the 23rd November.

3. Main issues

Review of Decision Making Framework

- 3.1 Through the constitutional arrangements in place at Leeds City Council (which are summarised at Appendix 1) the authority complies fully with all statutory provisions.
- 3.2 Members will note that, in addition to compliance with statutory requirements, the Council has adopted, as part of its Constitution, an additional requirement that reports to be considered by a decision taker be placed in the public domain 5 clear working days ahead of that decision being taken.
- 3.3 It was this aspect of the Council's decision making arrangements which gave rise to the discussion at the Scrutiny Board (Children and Families). The decision taker, having complied with the statutory duties, was not in a position to comply with the additional Constitutional requirement to publish the report five clear days in advance of the decision needing to be taken.
- 3.4 Should Executive Board or a Committee be presented with similar circumstances statutory provisions exist for either a meeting to be called at short notice, or if an agenda has already been published, a late item to be admitted to the Agenda by the Chair of the meeting.
- 3.5 Corporate Governance and Audit Committee were advised that no such arrangements exist for Officer Decisions and that, in the circumstances considered by the Children and Families Scrutiny Board, Officers could have satisfied the statutory provisions by simply publishing the report – however this would have been at odds with the local constitutional requirement to publish a report five days prior.
- 3.6 Having considered the circumstances, Corporate Governance and Audit Committee recommend that the following additions be made to the Executive and Decision Making Procedure Rules which would enable appropriate political and governance oversight should a similar situation arise in relation to an officer decision in the future:-
 - Where a decision maker has ensured the appropriate 28 day notification of a decision, but is not in a position to publish a report 5 clear days in advance of the decision needing to be taken, then that decision may only proceed with the agreement of the relevant Executive Member that the decision is urgent and cannot reasonably be delayed until the full five days' notice have been given. Responsibility for the substantive decision will remain with the decision making officer unless, in accordance with the officer delegation scheme the Executive Member requests or the relevant Director decides that the matter should be referred to Executive Board.
 - If the relevant Executive Member is not available the decision maker may ask the Leader to provide this agreement and if the Leader is also unavailable may seek the agreement of the Deputy Leader;
 - That the circumstances as to why it has not been possible to comply with the requirement for 5 days' notice be set out in the decision report;
 - That the relevant Scrutiny Chair be advised of the circumstances;
- 3.7 These amendments are set out at Appendix 2 and General Purposes Committee are asked to recommend these proposals to Full Council for approval.

- 3.8 In addition to these measures the Corporate Governance and Audit Committee have also undertaken to monitor the instances of these provisions being used by way of the annual assurance report to the committee on decision making. This will include an analysis of the reasons for each decision made without the 5 day notice required by the constitution.

4. Corporate considerations

4.1 Consultation and engagement

- 4.1.1 The Executive Member, Chief Executive, and City Solicitor have been consulted and are content with the proposals set out in this report.
- 4.1.2 Prior to consideration of the proposals by the Corporate Governance and Audit Committee, the Chair of the Children and Families Scrutiny Board was consulted and commented that in addition to the proposals set out, further safeguards be considered by way of any use of the provisions proposed being reported back to the next meeting of the Executive Board. The Committee did not support this additional proposal.

4.2 Equality and diversity / cohesion and integration

- 4.2.1 There are no implications for this report.

4.3 Council policies and best council plan

- 4.3.1 The considerations set out in this report seek to ensure that the Council is fulfilling its value of being open, honest and trusted.

4.4 Resources and value for money

- 4.4.1 There are no implications for this report.

4.5 Legal implications, access to information, and call-in

- 4.5.1 The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 require local authorities to specify a threshold above which a decision will be considered a Key decision. No amendments are proposed in this report relating to the Council's arrangements which comply with this requirement.

List of Forthcoming Key Decisions

- 4.5.2 Regulation 9 of the 2012 Regulations requires that at least 28 clear calendar days in advance of a key decision being taken, notice must be given of the intention to take the decision; who will take the decision; the date or period in which the decision will be taken; and the documents on which the decision will be based. No amendments are proposed in this report to the Council's arrangements which comply with these arrangements.
- 4.5.3 The Regulations permit key decisions to be taken with less notice under a provision titled 'the General Exception' where the 28 day period is impracticable. To do so the relevant Scrutiny Chair must be notified, and five days' notice given of the intention to use the provision.

- 4.5.4 In cases where the decision is so urgent that it cannot be delayed the Regulations provide for 'Special Urgency'. Such decisions require the approval of the relevant Scrutiny Chair that the making of the decision is urgent and cannot reasonably be deferred. The responsibility for taking the substantive decision remains with the decision maker.

Publication of Report

- 4.5.5 Under previous regulations (2000/3272) which were revoked by the 2012 Regulations there was an additional requirement that where an officer received a report which they intended to take into consideration in making a key decision, that report would be published for a period of three days prior to the decision being taken. Case law subsequently extended this period to five working days.
- 4.5.6 The 2012 Regulations repealed and did not replace this provision. However, in the interests of openness and transparency the requirement remains as part of the local framework for the governance of executive decision making.
- 4.5.7 This local requirement is met by the publication of a delegated decision notice together with the supporting report. These documents are published five clear working days in advance of the decision being taken; they are available to the public on the Council's web-site and the link to each decision is emailed to all Members of Council and to any member of the public who has set up a relevant subscription.
- 4.5.8 This report proposes an amendment to these local arrangements to establish a new provision within the Constitution for shortening this five day notification period (other than the Special Urgency procedure which enables short notice decision making where it is not possible to include an item on the List of Forthcoming Key Decisions).

Call In

- 4.5.9 Section 9F of the Local Government Act 2000 requires that the executive arrangements of a local authority must include provision for the appointment of one more overview and scrutiny committees, to have functions which must include power to review or scrutinise decisions made but not yet implemented and to recommend that the decision is reconsidered.
- 4.5.10 This power is known as 'Call In' and the provisions for call in in Leeds are set out at Rule 5 of the Executive and Decision Making Procedure Rules. Rule 5.1.3 provides that the decision maker may exempt the decision from call in "if the decision taker considers that the decision is urgent (i.e. that any delay would seriously prejudice the Council's or the public's interest.)"

4.6 Risk management

- 4.6.1 There are no implications for this report.

5. Conclusions

- 5.1 The existing processes for executive decision making comply with statutory requirements, and provide for a number of local procedures. However there is a gap in relation to decisions to be taken where, although included in the List of Forthcoming Key Decisions, the relevant report has not been published sufficiently far in advance of the decision.

- 5.2 Additional amendments to the decision making framework as set out in Appendix 2 attached stipulate Executive Member (or in their absence the Deputy Leader or Leader) approval must be sought prior to such decisions being taken under delegated powers, whilst also enabling appropriate non- Executive oversight by Scrutiny Boards and the Corporate Governance and Audit Committee.

6. Recommendations

- 6.1 General Purposes Committee is requested to consider the proposals set out and recommend to Full Council that the Executive and Decision Making Procedure Rules be amended as set out at Appendix 2;

7. Background documents¹

- 7.1 None

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

Appendix 1

Summary of Key Decision Notification Steps

Step	Committee Decisions	Officer Decisions
28 Clear Calendar Days' notice of intention to take decision (Statutory requirement)	All Key decisions added to List of Forthcoming Key Decisions at least 28 days before Executive Board meeting. - If 28 days not practicable, then decision taken under General Exception with five working days' notice and Scrutiny Chair advised. - If urgent, then taken under Special Urgency with approval of relevant Scrutiny Chair.	All Key decisions added to List of Forthcoming Key Decisions at least 28 days before decision taken. - If 28 days not practicable, then decision taken under General Exception with five working days' notice and Scrutiny Chair advised. - If urgent, then taken under Special Urgency with approval of relevant Scrutiny Chair.
5 clear working days' notice of report upon which decision will be based (Statutory requirement for committee meetings, local requirement for officer decisions)	Meeting agenda published five clear working days before meeting. - Meetings convened at less than five days' notice published when convened - Items added after agenda published are published as soon as added to agenda. (Late agendas and reports published only with agreement of Chair)	Report and delegated decision notice published (and link circulated) five clear working days before key decision taken. <i>NO CURRENT PROVISION FOR LATE PUBLICATION OF REPORT</i>
Recording of Decision (Statutory requirement)	Minutes Published (Local target) 10 days from date of meeting, 2 days from date of Executive Board meeting.	Status of published report and delegated decision notification amended to show decision has been taken.
Decision open to Call In (Local arrangements)	All Executive Board decisions open to call in unless Executive Board exempts on the grounds of urgency.	All Key decisions open to call in unless decision maker exempts on the grounds of urgency.

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EXECUTIVE AND DECISION MAKING PROCEDURE RULES

1. RESPONSIBILITY FOR EXECUTIVE FUNCTIONS

1.1 Who may make executive decisions

The Leader may discharge any functions which are the responsibility of the Executive¹; or may provide for executive functions to be discharged collectively by all Executive Members meeting as the Executive Board ; or by

- an individual Executive Member²;
- a committee of the Executive;
- a Community Committee;
- the Health and Wellbeing Board;
- joint arrangements;
- another local authority; or
- an officer.

1.2 Appointment of Executive Members

The Leader will appoint a Deputy Leader and up to 8 additional Members of the Executive Board³. In addition the Leader may appoint Deputy Executive Members and Support Executive Members.

At the annual meeting of the Council, the Leader will present to the Council the names, addresses and wards of the Executive Members, and the names of any Members appointed as Deputy Executive Members and Support Executive Members⁴.

Subject to Article 7, the Leader may appoint Executive Members (and where a vacancy in office arises must appoint a Deputy Leader), Deputy Executive Members or Support Executive Members or remove them from this office at any time⁵. The Leader will report any such appointment or removal to the next ordinary meeting of the Council. The appointment or removal will take effect upon publication of the decision notice.

1.3 Delegation of Executive Functions

At the annual meeting, the Leader will present to the Council a written record of executive delegations made by him/her for inclusion in the Council's scheme of delegation at Part 3 to this Constitution. The document presented by the Leader

¹ Subject to any provisions made under Local Government Act 2000 in relation to the discharge of functions by area committees, another local authority or jointly).

² This does not currently take place in Leeds

³ 'Executive Members'

⁴ As detailed in Part 3 Section 3A of the Constitution.

⁵ This decision will be recorded in accordance with Rule 4.2 but shall not be subject to Call In in accordance with Rule 5.1.2 of these rules.

will contain the following information about executive functions in relation to the coming year:

- the extent of authority of the Executive Board;
- the extent of any authority delegated to individual Executive Members, including details of any limitation on their authority;
- the terms of reference and constitution of such executive committees as the Leader appoints and the names of Executive Members appointed to them;
- the nature and extent of any delegation of executive functions to Community Committees, the Health and Wellbeing Board, any other authority or any joint arrangements and the names of those Executive Members appointed to any joint committee for the coming year; and
- the nature and extent of any delegation to officers with details of any limitation on that delegation, and the title of the officer to whom the delegation is made.

The Leader may amend the scheme of delegation relating to executive functions at any time during the year⁶. The decision notice must set out the extent of the amendment to the scheme of delegation, and whether it entails the withdrawal of delegation from any person, body, committee or the Executive Board. The amendments will take effect upon publication of the decision notice unless otherwise stated thereon. The Leader will present a report to the next ordinary meeting of the Council setting out the changes made by the Leader.

1.4 Sub-delegation of executive functions

Subject to any statutory provisions about the discharge of functions by community committees⁷, by another local authority, or the joint exercise of functions:

- if the Leader delegates functions to the Executive Board, then unless he/she directs otherwise, the Executive Board may delegate further to a committee of the executive or to an officer;
- if the Leader delegates functions to an Executive Member, then unless the Leader otherwise directs, that Executive Member may delegate further to an officer.
- if the Leader delegates functions to a committee of the executive, then unless he/she directs otherwise, the committee may delegate further to an officer.

Where executive functions have been delegated, that fact does not prevent the discharge of delegated functions by the person or body who delegated them.

⁶ This decision will be recorded in accordance with Rule 4.2 but shall not be subject to Call In in accordance with Rule 5.1.2 of these rules

⁷ This shall include provisions about the discharge of functions by area committees.

2. PROCEDURE BEFORE TAKING A DECISION

2.1 Executive Meetings – when and where

The Executive Board will meet at a frequency, location and time agreed by the Leader.

2.2 Notice of Public Meetings⁸

The Head of Governance and Scrutiny Support will arrange to give notice of the time and place of a public meeting by publishing the agenda, together with every report, for that meeting on the Council's website at least five clear working days before the meeting.

Where the meeting is convened less than five clear working days before the meeting, notice will be given by publishing the agenda, together with every report, for that meeting on the Council's website at the time the meeting is convened.

Where an item is added to the agenda for a meeting after publication of that agenda, copies of the revised agenda and any report relating to that item, will be published on the Council's website when the item is added to the agenda.

Nothing in this rule requires a copy of an agenda, item or report to be available for inspection by the public until a copy is available to members of the decision making body concerned.

2.3 Notice Of Meetings At Which Exempt Or Confidential Information Is To Be Considered⁹

2.3.1 Where the whole or part of any report is not available for inspection by the public because it contains confidential¹⁰ or exempt¹¹ information every copy of that report or part of that report must be marked "not for publication" and must state that it contains confidential information or, by reference to Schedule 12A Local Government Act 1972 the description of exempt information which it contains.

2.3.2 28 Days' Notice

At least 28 clear calendar days before a meeting at which exempt or confidential information is to be considered, the Head of Governance and Scrutiny Support will arrange for a notice to publish on the Council's website a notice of the intention to hold a meeting, or part of a meeting of the Executive Board¹² in private.

The notice will include a statement of the reasons why it is intended that the meeting, or part of the meeting, should be held in private.

⁸ Regulations 6 & 7, Executive Arrangement Regulations 2012

⁹ Regulation 5, Executive Arrangement Regulations 2012

¹⁰ As defined at Rule 9.2 Access to Information Procedure Rules.

¹¹ As defined at Rule 10.4 Access to Information Procedure Rules.

¹² Or a Committee fulfilling executive functions

2.3.3 5 Days Notice

At least five clear working days before a meeting at which exempt or confidential information is to be considered, the Head of Governance and Scrutiny Support will publish further notice of the Executive's intention to hold the meeting in private.

This will be done by including in an open report to the meeting:-

- A statement of the reasons for the meeting to be held in private;
- Details of any representations received about why the meeting should be open to the public; and
- A statement of response to any such representations

2.3.4 Urgent Meetings At Which Exempt Or Confidential Information Is To Be Considered

Where the date a meeting must be held makes compliance with rules 2.3.2 and 2.3.3 impracticable then the meeting may only consider exempt or confidential items in private with the agreement of the chair of the relevant Scrutiny Board¹³. In considering the matter the Scrutiny Board Chair must be satisfied that the meeting is urgent and cannot reasonably be deferred.

As soon as reasonably practicable after obtaining the Scrutiny Chair's agreement the Head of Governance and Scrutiny Support will publish on the Council's website notice of the intention to hold the meeting at which exempt or confidential information is to be considered. This will be done by including in an open report to the meeting:-

- The reason why the meeting is urgent and cannot reasonably be deferred
- Confirmation of the agreement of the chair of the relevant Scrutiny Board.

2.4 Publicity in connection with Key Decisions¹⁴

2.4.1 List of Forthcoming Key Decisions

The Head of Governance and Scrutiny Support will maintain a List of Forthcoming Key Decisions which will be published on the Council's website.

If it is intended to take a Key Decision in the course of the discharge of an Executive function, the decision taker¹⁵ will arrange for details of the matter, as set out below, to be included in the List of Forthcoming Key Decisions, not less than 28 clear calendar days in advance of the date of the proposed decision¹⁶.

¹³ Or in their absence the Lord Mayor, or in the absence of the Lord Mayor, the vice chair of the authority.

¹⁴ Regulation 9, Executive Arrangement Regulations 2012

¹⁵ If the decision is to be taken by a Committee then the officer whose report will be placed before the committee for consideration in relation to the matter is responsible for ensuring that appropriate details are included within the List of Forthcoming Key Decisions.

¹⁶ A link to the relevant matter will be forwarded to every Member of the authority on publication to the Council's website.

The List of Forthcoming Key Decisions will give the following information in so far as it is available or might reasonably be obtained:

- the matter in respect of which a decision is to be made;
- where the decision taker is an individual, his/her name and title, if any and where the decision taker is a body, its name and a list of its Members;
- the date on which, or the period within which, the decision will be taken;
- a list of the documents submitted to the decision taker for consideration in relation to the matter;
- the address from which, subject to any prohibition or restriction on their disclosure, copies of, or extracts from, any documents listed are available;
- that other documents relevant to those matters may be submitted to the decision taker; and
- the procedure for requesting details of those documents (if any) as they become available.

Particulars of Key Decisions included in the List of Forthcoming Decisions need not include exempt information and may not include confidential information.

2.5 **General Exception**¹⁷

If a matter which is likely to be a Key Decision has not been included in the List of Forthcoming Key Decisions for 28 clear calendar days before the decision is planned to be taken and the decision must be taken by such a date that it is impracticable to defer the decision until the decision has been included in the List of Forthcoming Decisions for 28 clear calendar days, the decision may still be taken if:

- A copy of the agenda for the meeting or the delegated decision notice has been forwarded to the chair of the relevant Scrutiny Board¹⁸; and
- A copy of that agenda or delegated decision notice has been published on the Council's website; and
- at least 5 clear working days have elapsed since compliance with these requirements.

Any report in relation to a decision taken in accordance with this rule and any delegated decision notice published in accordance with this rule will state why it is impracticable to include the decision in the List of Forthcoming Key Decisions for a period of 28 clear calendar days prior to taking the decision.

¹⁷ Regulation 10, Executive Arrangement Regulations 2012

¹⁸ This will be deemed to happen when all Members are forwarded a link to the decision on publication of the DDN and report.

2.6 Special Urgency¹⁹

2.6.1 Use of Special Urgency

If by virtue of the date by which a decision must be taken Rule 2.4 (Publicity in connection with Key Decisions) and Rule 2.5 (General Exception) cannot be followed, then the decision can only be taken if the relevant Director obtains the agreement of the chair of a relevant Scrutiny Board²⁰ that the decision is urgent and that taking the decision cannot be reasonably deferred.

As soon as reasonably practicable after obtaining the relevant agreement the following information will be published on the Council's website²¹:-

- the agenda for the meeting at which the decision is to be taken or the delegated decision notice;
- the report in relation to the urgent item; and
- the record of the Scrutiny Chair's agreement that the matter is urgent.

Any report in relation to a decision taken in accordance with this rule and any delegated decision notice published in accordance with this rule will state why the decision is urgent and cannot reasonably be deferred.

Details of any decision taken in accordance with this rule will be included in the Leader's report to Corporate Governance and Audit Committee made in accordance with Rule 2.6.2 below.

2.6.2 Annual Reports On Special Urgency Decisions²²

The Corporate Governance and Audit Committee will receive on behalf of the Council, annual reports from the Leader on the executive decisions taken in the circumstances set out in Rule 4.2 (special urgency) in the preceding year.

The report will include details of

- the number of decisions so taken,
- each decision made, and
- a summary of the matters in respect of which each decision was made.

¹⁹ Regulation 11, Executive Arrangement Regulations 2012

²⁰ If there is no chair of a relevant Scrutiny Board, or if the chair of the relevant Scrutiny Board is unable to act, then the agreement of the Lord Mayor or in the absence of the Lord Mayor the vice chair of the Council will suffice.

²¹ The Head of Governance and Scrutiny Support will make the necessary arrangements to publish a committee agenda and the Director will arrange for publication of a delegated decision notice.

²² Regulation 19, Executive Arrangement Regulations 2012

3. TAKING EXECUTIVE DECISIONS

3.1 Delegated Decisions Taken By Directors

3.1.1 Where a Director²³ receives a report which he/she intends to take into account in making any Key Decision, then he/she will not make the decision until the report has been available for public inspection for at least 5 clear working days.

3.1.2 The decision taker will arrange for the publication of a delegated decision notice, stating his/her intention to make the decision, together with a copy of the report upon which the decision is to be based on the Council's website²⁴.

3.1.3 If, for any reason, the Director has complied with Rule 2.4.1 but is not able to comply with 3.1.1 and 3.1.2 above they shall seek the agreement of the relevant Executive Member²⁵ to proceed with taking the Key Decision without complying with the requirement to publish the report and delegated decision notice 5 clear working days in advance of the decision being taken.

Any report in relation to a decision taken in accordance with this rule and any delegated decision notice published in accordance with this rule will state why it is not possible to give 5 clear working days' notice of the report prior to taking the decision and confirm that the Executive Member consents to the decision being taken.

The Director will advise the relevant Scrutiny Chair of the circumstances and details of the decision as soon as practicable after the decision is taken.

3.1.4 The Head of Governance and Scrutiny Support will report annually to Corporate Governance and Audit Committee giving details of any Key decisions taken in accordance with Rule 3.1.3.

3.2 Decisions Taken At Executive Meetings

Save for those decisions delegated to a Community Committee, which are to be taken in accordance with the Community Committee Procedure Rules, where executive decisions are delegated to a committee of the Executive, the rules applying to executive decisions taken by them shall be the same as those applying to those taken by the Executive Board.

²³ Or other officer taking a decision in accordance with the Director's sub-delegation scheme

²⁴ A link to the relevant matter will be forwarded to every Member of the authority on publication to the Council's website.

²⁵ The Executive member with portfolio oversight of the relevant function, or in their absence the Leader of Council or in the absence of both the Executive Member and the Leader, the Deputy Leader of Council

3.2.1 Exclusion of the Public from Meetings of the Executive Board²⁶

All meetings of the Executive Board will be in public²⁷. However the public²⁸ must be excluded from the part or parts of a meeting whenever:-

- Confidential information is likely to be disclosed during an item of business;
- The meeting passes a resolution, identifying the relevant part of the meeting to which it applies, that the public should be excluded because exempt information, described with reference to Rule 10.4 of the Access to Information Procedure Rules, is likely to be disclosed during an item of business; or
- A lawful power is used to exclude a member or members of the public in order to maintain orderly conduct or prevent misbehaviour at the meeting.

The public may only be excluded from that part or parts of the meeting to which the circumstances set out above relate, and where, if required, notice has been given in accordance with Rule 2.3 above.

3.2.2 Statutory Officers Attendance at Meetings

The Head of Paid Service, the Chief Finance Officer and the Monitoring Officer, and their nominees are entitled to attend any meeting of the Executive and its committees.

3.2.3 Quorum

The quorum for a meeting of the Executive Board shall be four. The quorum for a meeting of a committee of the Executive shall be three.

3.2.4 How decisions are to be taken by the Executive Board

Executive decisions which are the responsibility of the Executive Board will be taken at a meeting convened in accordance with Rules 2.1 to 2.3 set out above.

3.2.5 Who presides

The Leader and in his/her absence, the Deputy Leader will preside at any meeting of the Executive Board or its committees at which he/she is present. In the absence of both, the Leader may appoint another person to do so. If no such appointment is made, those present at the meeting shall decide by majority who should preside.

²⁶ Regulation 3, Executive Arrangement Regulations 2012

²⁷ The Recording Protocol: Third Party Recording of Committees, Boards and Panels, set out in the Access to Information Procedure Rules applies.

²⁸ Members of the Council and officers attending the meeting in the course of their employment shall not be considered to be members of the Public.

3.2.6 Membership

The Executive Board shall comprise those Members listed at Part 3, Section 3A of the Constitution.

In the absence of an Executive Board Member, the Executive Board may invite any Member it considers appropriate to attend its meetings and to speak on behalf of the absent Member. However that Member will not be considered a co-opted member of the Executive Board and will not be able to vote on business being transacted.

3.2.7 What business?

At each meeting of the Executive Board the following business will be conducted:

- consideration of the minutes of the last meeting;
- declarations of interest, if any;
- matters referred to the Executive Board (whether by a Scrutiny Board or by the Council) for reconsideration by the Executive Board in accordance with the provisions contained in these or other relevant Procedure Rules set out in Part 4 of this Constitution;
- consideration of reports from Scrutiny Boards; and
- matters set out in the agenda for the meeting (which shall indicate which are Key Decisions and which are not).

3.2.8 Who can put items on the Executive agenda?

The Leader will decide upon the schedule for the meetings of the Executive. He/she may put on the agenda of any Executive meeting any matter which he/ she wishes, whether or not authority has been delegated to the Executive Board, a committee of it or any officer in respect of that matter.

The Head of Governance and Scrutiny Support will make sure that an item is placed on the agenda of the next available meeting of the Executive Board where a relevant Scrutiny Board or the full Council have resolved that an item be considered by the Executive.

In exceptional circumstances the Council's statutory officers may require that a matter be considered by the Executive Board²⁹.

²⁹ The Monitoring Officer and/or the Chief Finance Officer may include an item for consideration on the agenda of an Executive Board meeting and may require the Head of Governance and Scrutiny Support to call such a meeting in pursuance of their statutory duties. In other circumstances where any two of the Head of Paid Service, Chief Finance Officer and Monitoring Officer are of the opinion that a meeting of the Executive Board needs to be called to consider a matter that requires a decision, they may jointly include an item on the agenda of an Executive Board meeting. If there is no meeting of the Executive Board soon enough to deal with the issue in question, then the person(s) entitled to include an item on the agenda may also require that a meeting be convened at which the matter will be considered.

3.3 Compliance With The Budget And Policy Framework

The Budget and Policy Framework Procedure Rules contained within part 4 of this constitution set out the procedure to be followed to adopt or amend the Budget and Policy Framework.

Subject to paragraphs 3.2.1 to 3.2.3 below, all decisions in relation to Executive Functions must be taken in line with the Budget and Policy Framework³⁰.

3.3.1 Taking Advice

If it is intended to make an Executive Decision, which might be considered to fall outside the Budget or Policy Framework the decision taker shall take advice from the Monitoring Officer and/or the Chief Finance Officer as to whether the decision they want to make would be contrary to the budget and policy framework.

Where a Scrutiny Board is of the opinion that an Executive Decision is, or if made would be, contrary to the budget and policy framework, then it shall seek advice from the Monitoring Officer and/or Chief Finance Officer.

In the event that the Monitoring Officer or the Chief Finance Officer concludes that the decision would not be a departure from the budget and policy framework they shall prepare a report to the relevant Scrutiny Board, with a copy to the Executive Board.

3.3.2 Referral to Council

If a decision has yet to be made, or has been made but not yet implemented, and the Monitoring Officer and/or the Chief Finance Officer are of the view that the proposed decision would be contrary to the budget and policy framework, and the decision taker still intends to make or to implement the decision;

- the Monitoring Officer and/or the Chief Finance Officer shall report to the Executive Board, with a copy to the relevant Scrutiny Board and to every Member of the Council;
- the Executive Board shall meet to consider the report of the Monitoring Officer and/or the Chief Finance Officer and shall prepare a report to Council; and
- the decision taker shall refer the decision to the Council for decision or ratification as appropriate,

In such cases, no further action will be taken in respect of the decision or its implementation until the Council has met and considered the matter.

³⁰ Local Authorities (Functions and Responsibilities) (England) Regulations 2000, Schedule 4

Executive and Decision Making Procedure Rules

The Council shall meet within 28 days of the referral by the decision taker. At the meeting it will receive the Executive Board's report of the decision or proposals and the advice of the Monitoring Officer and/or the Chief Finance Officer.

If Council decides that the decision is not contrary to the budget and policy framework it shall endorse the decision as falling within the existing Budget and Policy Framework.

If Council decides that the decision is contrary to the budget and policy framework it may either:

- approve or ratify the decision outside the budget and policy framework;
- amend the Council's budget and policy framework as necessary to encompass the decision and approve or ratify the decision with immediate effect; or
- require the Executive to reconsider the matter in accordance with the advice of either the Monitoring Officer/Chief Finance Officer.

3.3.3 Urgent Decisions Outside The Budget Or Policy Framework³¹

Any decision which is contrary to the policy framework³², or not wholly in accordance with the budget³³ approved by full Council, may only be taken by the Council, unless:

- the decision is urgent and it is not practical to convene a quorate meeting of the full Council;
- the decision taker has briefed the chair of a relevant Scrutiny Board³⁴ about why it is not practical to convene a quorate meeting of full Council, and
- the chair agrees that the decision is urgent.

The reasons why it is not practical to convene a quorate meeting of full Council and the consent of the chair of the relevant Scrutiny Board³⁵ to the decision being taken as a matter of urgency must be noted on the record of the decision, together with the reasons for the Chair's consent.

The decision taker will provide a full report to the next available Council meeting after the decision is taken explaining:

- the decision,
- the reasons for it; and

³¹ Local Authorities (Functions and Responsibilities) (England) Regulations 2000, Regulation 5(2)

³² Or amendments which may be made to the policy framework in accordance with the provisions for in year changes to policy framework set out in the Budget and Policy procedure Rules.

³³ Or virements made in accordance with the Budget and Policy Procedure Rules.

³⁴ or in the absence of the chair of the relevant Scrutiny Board the consent of the Lord Mayor, and in the absence of both, the Deputy Lord Mayor

³⁵ Or Lord Mayor or Deputy Lord Mayor as appropriate

- why the decision was treated as a matter of urgency.

3.4 Decision Making by Community Committees

3.4.1 Where a Community Committee or a relevant Director is of the opinion that a proposal, decision or omission in relation to an executive function would result in:

- minimum service standards specified by the Executive Board not being achieved; or
- an adverse impact on service delivery or the achievement of targets; or
- delivery of any service in that area or the area of another Community Committee being adversely affected

the Chair of that Community Committee or that Director shall report that opinion³⁶ to the appropriate Executive Member, who may direct that the relevant delegated authority should not be exercised and the matter should be referred to the Executive Board for consideration.

3.4.2 Where the Monitoring Officer or Chief Finance Officer is of the opinion that a proposal, decision or omission of a Community Committee is or if made would be

- a) outside its terms of reference; or
- b) outside any relevant strategy or plan approved by the Executive Board; or
- c) outside the Budget and Policy Framework; or
- d) not in accordance with any relevant procedure rules

the Monitoring Officer or Chief Finance Officer shall refer the matter to the Executive Board and/or Council as appropriate for consideration at the next available meeting.

3.4.3 Where a matter has been referred to the Executive Board or the Council under 3.3.1 or 3.3.2 above, the implementation of the proposal or decision shall be suspended until the matter is considered by the Executive Board and/or the Council.

3.4.4 Where a matter has been referred to the Executive Board under 3.3.1, or paragraphs (a) or (b) of 3.3.2, above, the Executive Board may:

- decide the matter itself; or
- endorse any decision already made; or
- refer the matter back to the Community Committee for determination; and/or
- make any other decision it considers appropriate.

³⁶ where that opinion is in relation to a decision taken by a Community Committee, the report to the Executive Member must be made within 5 working days of the relevant decision notice being published

3.4.5 Where a matter has been referred to the Executive Board under 3.3.2 (c) or (d) then the Executive Board may;

- refer the matter to the Council for consideration³⁷; or
- decide the matter within the Budget and Policy Framework / in accordance with the procedure rules; or
- refer the matter back to the Community Committee for determination within the budget and policy framework / in accordance with the procedure rules.

3.4.6 Before deciding any matter in accordance with Rule 3.3.4 or 3.3.5, the Executive Board will consider a report from a Statutory Officer or Director detailing as appropriate:-

- whether minimum service standards for a relevant Community Committee Function are being achieved;
- how any delegated budget for the executive function is being utilised;
- whether a proposal decision or omission by a Community Committee or a Director would result in
 - minimum service standards specified by the Executive Board not being achieved; or
 - an adverse impact on service delivery or the achievement of targets; or
 - delivery of any service in that area or the area of another Community Committee being adversely affected;
- whether a proposal, decision or omission by a Community Committee
 - is outside its terms of reference; or
 - is outside any relevant strategy or plan approved by the Executive Board; or
 - is outside the Budget and Policy Framework; or
 - is not in accordance with any relevant procedure rules.

4. PROCEDURE AFTER TAKING A DECISION

4.1 Recording Of Executive Decisions Taken At Meetings³⁸

As soon as reasonably practicable, and in any event within 2 working days, after any meeting of the Executive or within 10 working days of any of its committees, the Head of Governance and Scrutiny Support or, where no officer was present, the person presiding at the meeting, will produce a minute of every decision taken at that meeting and publish it on the Council's website together with the report in relation to the decision made. The minute will include;

- A record of the decision including the date it was made,
- a statement of the reasons for each decision,
- details of any alternative options considered and rejected at that meeting and

³⁷ The Council's options are as set out in Budget and Policy Framework Rules

³⁸ Regulation 12, Executive Arrangement Regulations 2012

- a record of any interest declared by any Member together with a note of any dispensation granted in respect of that interest .

4.2 Recording Of Executive Decisions Taken by the Leader³⁹

As soon as reasonably practicable after a decision has been taken in relation to executive arrangements⁴⁰ by the Leader, the Head of Governance and Scrutiny Support will prepare a record of the decision and publish it on the Council's website together with the report in relation to the decision made. The record will include;

- A record of the decision including the date it was made,
- a statement of the reasons for it,
- details of any alternative options considered and rejected by the Member at the time of making the decision, and
- a record of any interest declared by any Executive Member consulted by the Member who made the decision together with a note of any dispensation granted in respect of that interest .

4.3 Recording Of Executive Decisions Taken by Officers⁴¹

4.3.1 Key decisions and Significant Operational decisions

As soon as reasonably practicable after a Key or Significant Operational Decision has been taken by an officer he/she will prepare a record of the decision and arrange for its publication on the Council's website together with the report in relation to the decision made⁴². The record will include;

- A record of the decision including the date it was made,
- a statement of the reasons for it,
- details of any alternative options considered and rejected by the officer at the time of making the decision, and
- a record of any interest declared by any Executive Member consulted by the officer who made the decision together with a note of any dispensation granted in respect of that interest .

4.3.2 Administrative decisions

There is no formal requirement to record Administrative Decisions for the purpose of Council or Public Access, however officers are responsible for retaining a record of administrative decisions, and the reasons for them, which is sufficient for audit

³⁹ Regulation 13, Executive Arrangement Regulations 2012

⁴⁰ The Leader may take decisions in relation to the Executive Portfolios and executive delegations to officers as set out in Part 3 Section 3 of the Constitution.

⁴¹ Regulation 13, Executive Arrangement Regulations 2012

⁴² Key decisions will be published in accordance with Rules 2.4 to 2.6 above, and will therefore, subject to the provisions in respect of urgency, be published no less than 5 clear working days in advance of the decision being taken. The Council's web site will in these circumstances contain details of the dates upon which the decision will be taken and the Call In period will expire.

and evidential purposes, and for ensuring that all those who need to know are informed promptly of the decision.

5. IMPLEMENTATION OF EXECUTIVE DECISIONS

5.1 Implementation of Decisions Which are Subject to Call-In⁴³

5.1.1 Decisions which are subject to the Call In procedure set out in rules 5.1.2 to 5.1.5 below should not be implemented until the Call In procedure is exhausted in relation to those decisions⁴⁴.

5.1.2 Decisions Eligible for Call In

Subject to the exceptions set out below, the following may be called in to be reviewed and scrutinised by the relevant Scrutiny Board⁴⁵:

- all decisions of the Executive Board;
- Executive decisions taken by the Health and Wellbeing Board⁴⁶; and
- Key Decisions taken by Officers.

The power to call in decisions does not extend to;

- Decisions which have been the subject of a previous Call In;
- Decisions made in accordance with the Budget and Policy Framework Procedure Rules;
- Decisions made by the Leader in relation to the executive arrangements
- Decisions made by Community Committees;
- Decisions made under regulatory arrangements;
- Decisions made by Joint Committees; or
- Decisions not taken by the authority.

⁴³ The Local Government Act 2000 requires that Overview and Scrutiny Committees *be given the power to recommend that a decision made but not implemented, be reconsidered*. The Act gives local authorities considerable discretion over the detailed operation of such a "Call In" mechanism.

⁴⁴ The Call In procedure will be exhausted when:-

- the Call In period expires if the decision is not called in (Steps should not be taken to implement any decision subject to Call In until after 12 noon on the sixth working day after publication, to ensure that the Scrutiny Officer has had opportunity to advise them of any request for call in received before the expiry of the call in period);
- at the end of the call in meeting if the decision is released for implementation; or
- when the decision has been confirmed or amended in accordance with these rules if the decision is subject to a recommendation that it be reconsidered.

⁴⁵ Where a decision falls within the terms of reference of more than one Scrutiny Board, the Scrutiny Officer will determine the relevant Scrutiny Board, after consultation with Scrutiny Chairs.

⁴⁶ That is functions delegated to the Health and Wellbeing Board by the Leader

5.1.3 Exemption from Call In

The decision taker may declare a decision as being exempt from Call In if the decision taker considers that the decision is urgent (i.e. that any delay would seriously prejudice the Council's or the public's interests).

Records of decisions taken will indicate where a decision has been declared exempt from Call In and will indicate:-

- what the implications would be if the decision were to be delayed by the operation of the Call In mechanism; and
- why the decision could not have been taken earlier so as to have been eligible for Call In.

There will be no appeal mechanism against a decision to exempt a decision from Call In.

5.1.4 Operation of Call In

5.1.4.1 Initiation of Call In

To initiate a Call In, a request must be submitted to the Scrutiny Officer⁴⁷ by 5 p.m. of the fifth working day after a decision has been published.

The request must be made on the approved pro forma and contain the original signatures of those calling in the decision⁴⁸.

If a Member withdraws their signature from the Call In request prior to the expiry of the Call In period, the decision may still be called in provided sufficient Members add their signatures to the call in request.

The decision may be called in by either;

- two non executive elected Members (who are not from the same political group); or
- five non executive elected Members

one of whom shall be the nominated signatory.

5.1.4.2 Grounds for Calling in a decision

All requests must detail on the pro forma why in the opinion of the signatories the decision was not taken in accordance with the principles set out in Article 13 - Decision Making, Paragraph 13.8 - Principles of Decision Making, or where relevant issues do not appear to have been taken into consideration.

⁴⁷ This Officer is the Head of Governance and Scrutiny Support.

⁴⁸ An Elected Member who is not a member of a political group may be a signatory but co-opted members may not sign a Call In request.

Prior to submitting a Call In, the nominated signatory must contact the relevant officer or Executive Member to discuss their concerns and their reasons for wanting to call in the decision. The nominated signatory must also ascertain the financial consequences to the authority of having the decision Called In. The outcome of this contact must be detailed on the Call In request proforma.

5.1.4.3 Convening a Meeting

Upon receipt of the request, the Scrutiny Officer will, in consultation with the Chair of the relevant Scrutiny Board, convene a special meeting of the relevant Scrutiny Board, to take place within seven clear working days of the Call In request being received⁴⁹.

5.1.4.4 Adjourning a Call In Meeting

In exceptional circumstances, the Scrutiny Board may resolve to adjourn the meeting to consider information regarded as essential for the Board to come to a conclusion. The maximum time allowed for an adjournment is 5 working days.

5.1.4.5 Outcome of a Call In Meeting

At the meeting the Scrutiny Board will consider the notification and review the background papers. The Scrutiny Board will invite signatories to the notification⁵⁰ to explain the reasons for the Call In⁵¹. The relevant member of the Executive Board, Health and Wellbeing Board or officer (as appropriate) shall be required to attend the Meeting and shall be given the opportunity to respond to the reasons given for the Call-In. The Scrutiny Board shall make such further enquiries as it considers necessary and appropriate. The Scrutiny Board may also extend the invitation to other relevant witnesses, as considered appropriate, in order to specifically assist the Board in its deliberations over the called in decision. The Scrutiny Board shall then either;

- release the decision for implementation; or
- recommend to the decision-maker that the decision should be reconsidered.

If the Scrutiny Board resolves that a decision is to be referred back for reconsideration, the Scrutiny Officer will prepare a report⁵² within three working days of the Scrutiny Board meeting. Where the decision was taken by the Executive Board the report will be submitted to the next meeting of the Executive

⁴⁹ Where an ordinary meeting of the relevant Scrutiny Board is scheduled within 10 working days of the Call In request being received the Scrutiny Officer may exercise discretion as to whether the Call In request can be dealt with at that meeting, or whether it is necessary to convene an additional meeting.

⁵⁰ or their nominees

⁵¹ The signatories should specify which of the principles of decision making (set out in Article 13.4 of the constitution) has not been followed. The signatories may also provide further written evidence provided this supports the stated reasons for calling in the decision.

⁵² the provisions relating to a minority report do not apply to any decision of the Committee in relation to a matter which has been called in.

Board. Where the decision was taken by the Health and Wellbeing Board the report will be submitted to the next meeting of the Health and Wellbeing Board. Where the decision was taken by an officer the report will be submitted to the relevant Director.

5.1.5 Reconsideration of Decisions

5.1.5.1 Confirmation of Decisions

If the Decision Taker wishes to confirm the original decision, that decision shall be submitted to the next Executive Board meeting.

If the original decision was taken by the Health and Wellbeing Board or an officer, and the relevant Director is of the view that the original decision should be confirmed, but that urgency prevents them from submitting the decision to Executive Board;

- The Director shall obtain the approval of the relevant Executive Board Member before implementation;
- Details of the Executive Member approval, together with reasons of urgency will be included in the new delegated decision form; and
- The Director and relevant Executive Board Member will also be required to attend and give their reasoning to the next available meeting of the relevant Scrutiny Board

5.1.5.2 Variation of Decisions

If it is intended to vary the decision in line with the recommendations of the Scrutiny Board then the amended decision is not defined as a Key decision, regardless of the financial or impact thresholds⁵³. It will not therefore be necessary to include the proposed variation of decision in the List of Forthcoming Key Decisions or to give notice of the proposed decision.

If it is intended to vary the decision in any way that is not in line with the recommendations of the Scrutiny Board then the amended decision may be a Key decision if it meets the thresholds set out in Article 13, and if so is subject to rule 2.7 above.

If the original decision was taken by the Executive Board the Executive Board may vary the decision.

If the original decision was taken by the Health and Wellbeing Board or by or on behalf of a Director, the Health and Wellbeing Board, or the relevant Director may vary the decision.

Where the Director agrees with the views of Scrutiny a new delegated decision form will be submitted for recording in accordance with Rule 5.1 above.

⁵³ Article 13.4(b)

5.1.5.3 Record of Revised decision

In all instances a revised record of the decision, indicating the outcome of decision taker's further deliberations, must be published in accordance with Rule 4.1 or 4.3 above.

5.2 **Implementation of Decisions Which are Not Subject to Call In**

Decisions which are not subject to Call In under Rule 5.1.2 above or are exempted from Call In under Rule 5.1.3 above should be implemented as follows:-

5.2.1 **Key Decisions**

Key Decisions should be recorded in accordance with Rules 4.1 to 4.3 above as appropriate but may be implemented as soon as they have been taken.

5.2.2 **Significant Operational Decisions**

Significant Operational Decisions should be recorded in accordance with Rules 4.1 to 4.3 above but may be implemented as soon as they have been taken.

5.2.3 **Administrative Decisions**

Administrative decisions may be implemented as soon as they have been taken.

6. **SCRUTINY OF THE MAKING OF KEY DECISIONS**

6.1 **Decisions Which Appear to Have Been Wrongly Treated⁵⁴**

Where an executive decision has been made and

- was not treated as a Key Decision, and
- a relevant Scrutiny Board thinks that it should have been treated as a Key Decision

that Scrutiny Board may require, by resolution passed at a meeting of that Scrutiny Board, the Decision Taker to submit a report to the Council within such reasonable time as the Scrutiny Board specifies.

The relevant Director will prepare a report for submission to the next available meeting of the Council⁵⁵ following the end of the period specified by the Scrutiny Board.

⁵⁴ Regulation 18, Executive Arrangement Regulations 2012

⁵⁵ Allowing 5 clear working days to prepare the report prior to dispatch of the summons.

The report to Council will set out particulars of;

- The decision,
- The reasons for the decision,
- The individual or body making the decision, and
- if the Leader is of the opinion that it was not a key decision, the reasons for that opinion.

7. PUBLIC ACCESS TO DOCUMENTS

7.1 Access to agendas, minutes, reports and background papers.

Rules 5 to 7 and 15.2 of the Access to Information Procedure Rules apply to documents and records of meetings and decisions published in accordance with these rules.

7.2 Confidential and Exempt Information

Rules 8, 9 and 10 of the Access to Information Procedure Rules apply to information contained within documents and records relating to executive decision making

7.3 Freedom of Information

FOI requests will be dealt with in accordance with Rule 11 and Rule 15.1 of the Access to Information Procedure Rules.

8. MEMBERS ACCESS TO INFORMATION

Rules 12-15 of the Access to Information Procedure Rules apply to information held by the Executive.



Report author: Rachael Hollings
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Report of Chief Officer (HR)

Report to General Purposes Committee

Date: 28th November 2019

Subject: Implementation of the NJC Pay Spine

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	☐ Yes	☒ No
Are there implications for equality and diversity and cohesion and integration?	☐ Yes	☒ No
Is the decision eligible for Call-In?	☐ Yes	☒ No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	☒ Yes	☐ No

1 Purpose of this report

- 1.1 To update the General Purpose Committee on implementation of the National Joint Council (NJC) new pay spine and seek approval of the assimilation option.

2 Background information

- 2.1 Following the National Employers pay negotiation on pay scales and allowances an agreement was reached between National Employers and the NJC Trade Unions on rates of pay applicable from 1st April 2018 and 1st April 2019. The outcome includes a nationally agreed pay agreement which, in essence, directs local authorities to assimilate the old NJC pay spine into a new pay spine from 1st April 2019. This is anticipated to give clarity and in effect have less spinal points across the NJC pay range.
- 2.2 The new pay spine attached in appendix I (NJC Nationally Agreed Collective Agreement) is to be introduced with effect from the 1st April 2019. It replaces the existing NJC pay spine of SCP (spinal column point) 6 to 49 and replaces it with SCP 1-43.
- 2.3 These are the principles of the agreed pay deal:

- A bottom rate of £9.00 per hour (£17,364) on a new Spinal column point (SCP) 1 which is equivalent to old SCP's 6&7.

- 'Pairing off' old SCP's 6-17 incl. to create new SCP's 1-6 inclusive.
- Equal steps of 2.0% between each new SCP's 1 to 22 incl. (equivalent to old SCP's 6-28 incl)
- By creating equal steps between these pay points, new SCP's 10, 13, 16 and 21 are generated to which no old SCP's will assimilate.
- On new SCP 23 and above (equivalent to old SCP's 29 and above), 2.0% increase on 2018 rate.

3 Main issues

- 3.4 This is a national collective agreement which will be incorporated into our employee contracts of employment. The changes to the pay spine are effective from the 1st April 2019 with staff being assimilated from that date.
- 3.5 This means that the new bottom rate of £9.00 (SCP1) is higher than our Leeds minimum rate of £8.75. As we no longer use SCP6 (old NJC pay spine) for basic pay we should consider using SCP1 although none of our existing employees would assimilate across to SCP1 it would mean that all new employees joining the council could be placed on SCP1.
- 3.6 Existing employees are currently employed on SCP8 and will assimilate to SCP2 in line with the national agreement guidance. While SCP1 is within the scope of the new pay spine there is not a requirement to use all SCP's.
- 3.7 Currently we pay shift allowance at 10% of SCP6 (old pay spine) by using SCP1 (new pay spine) we then pay shift allowance based on the same percentage.
- 3.8 The new pay spine has an impact on our A1-C3 grades changing the range of spinal column points included in a grade. The spinal column point changes have no impact on SCP 29-49 which has corresponding grades of S01-P06 and will assimilate straight across. All staff at all levels benefit financially from the introduction of the new pay spine.
- 3.9 The biggest challenge to assimilation is the implementation date of the 1st April 2019 as this is also our date for awarding incremental progression. The NJC agreement is silent on the approach to be taken with regard to the chronology of assimilation and increments when moving to the new pay spine on 1st April 2019 but provides the two options.
- 3.10 Option A: to assimilate first and then award the increment.
- 3.11 Option B: increment first and then assimilate.
- 3.12 There are 11 current spinal column points where there is no difference to 01/04/19 salary using either method.
- 3.13 There are 5 current spinal column points where Option A would give the employee a higher 01/04/19 salary, all in the A and B salary ranges which is a total of 1275 staff of which benefits our lowest paid and also our female workers.

- 3.14 There are 5 current spinal column points where Option B would give the employee a higher 01/04/19 salary, all in the B3 and C salary ranges which is a total of 770.
- 3.15 It is not possible to blend the two options outlined above as the guidance is clear in that while either approach is acceptable it is important to use the same approach for the entire workforce covered by the agreement.
- 3.16 Working with Trade Unions an Equality Impact Assessment has been completed for both Option A and Option B. Appendix II (Option A Equality Impact Assessment including data and costing) and Appendix III (Option B Equality Impact Assessment including data and costing).
- 3.17 Option A is the recommended option for General Purposes Committee to agree as it benefits our lowest paid employees.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 Consultation on the implementation of the nationally agreed new NJC Pay Spine commenced with our Trade Unions in August 2018 under the title of April 19 Pay Working Group. The following comments were received from the Trade Unions on the 22nd November and they have requested that these comments are include verbatim.
- 4.1.2 **Unite:** are not in a position to comment on the work of the Working Group meetings or any proposals at this point, as we are not in receipt of all the relevant information required, to enable an appropriate statement to be made.
- 4.1.3 **GMB:** are not in a position to comment on the work of the Working Group meetings or any proposals at this point, as we haven't been in receipt of all the relevant information required, to enable an appropriate statement to be made.
- 4.1.4 **Unison:** Unfortunately UNISON is not in a position to provide a comprehensive commentary for the draft GPC report by the required deadline of 10am today (22nd Nov). This is because we have not been in receipt, as of yesterday's EIA meeting, of the information on the costing & gender breakdown for both LCC & maintained schools. This along with other information requested by Unison Regional Office, being required to assist us in forming a position on the adoption of either Option A or Option B. In addition to this, there is a lack of clarity on the way forward in addressing other issues relating to the existing grading structure and the impact on the adoption of either option A or B. These include multiple incremental points within each band (our advice suggests that there should be a maximum of five increments within a band), significant overlapping of grades, pay compression and therefore the differential between some posts being further eroded as raised early on in the process. Management have also failed to provide evidence that the gender pay gap is being reduced as a consequence of year 2 of the pay award In addition to the above we need to make you aware that the issue of BSC needing to have the required information available to start the process of configuring SAP by the 10th December has meant that the whole process of dealing with the year two assimilation has been rushed. This has put an unnecessary pressure on both the unions and management and has resulted in the current impasse whereby UNISON is unable to make a decision on option A or B and is therefore not in a

position to be able to sign off the required collective agreement. On this basis we are seeking a postponement of decision to adopt Option A or Option B, until such time as we have been supplied with sufficient information to consult with members and to make a determination as to which option delivers the best outcome for UNISON members. For the avoidance of doubt it is UNISON's expectation that the pay rise is implemented from 1 April 19 with further discussions taking place on the implementation of either option A or B prior to the next scheduled GPC meeting. We should hopefully then be in a position to decide on which option is most appropriate and then sign off the collective agreement. Also to avoid any misunderstanding or non communication of UNISON's position I need to make you aware that the Leeds Local Govt branch are required to provide certain information and be able to evidence the fact that all of the above concerns have been dealt with prior to the required collective agreement being signed off by our Regional Head of Local Govt Karen Loughlin. As we are unable to reach agreement and are at odds with the Council's position on the requirement to have a collective agreement, they maintain the National award constitutes the collective agreement I have asked the Regional Head of Local Government to seek the assistance of the Regional Employers side joint Secretary to intervene to try and gain some clarification on whether ours or the Council officers understanding/advice is correct. Until such time as this happens we will not be in a position to progress matters.

Unison: Unison will not ballot it's members but will be communicating with them using a range of methods including newsletters and workplace meetings. It will take some time to do this.

- 4.1.5 GPC are asked to note that since the Trade Unions provided their comments as above they have been sent the further information they requested which related to the Equality Impact Assessment which is contained with Appendix II (Option A Equality Impact Assessment including data and costing) and Appendix III (Option B Equality Impact Assessment including data and costing).
- 4.2 Advice has been received from Yorkshire and Humberside Regional Employers to confirm that the implementation of the new pay spine is contained within the national collective agreement reached with trade unions, and is contractually binding. Whilst local trade unions may not be able to commit at this stage to option A or B implementation needs to proceed as planned to enable the national agreement to take effect.
- 4.3 The trade unions comments are noted however option A is the recommended option as it benefits more employees at the lower end of the pay scales.
- 4.4 **Equality and Diversity / Cohesion and Integration**
- 4.4.6 As set out in Appendix II (Option A Equality Impact Assessment including data and costing) and Appendix III (Option B Equality Impact Assessment including data and costing).
- 4.5 **Resources and value for money**
- 4.5.7 The estimated cost of implementing Option A is £2,539,534

4.5.8 The estimated cost of implementing Option B is £2,471,765

4.6 **Legal Implications, Access to Information and Call In**

4.6.1 This decision applies the National Pay Agreement therefore is not subject to call-in nor does this report contain any exempt information.

5 **Recommendations**

5.1 General Purposes Committee are asked to note the implementation of the NJC nationally agreed collective agreement which introduces a new pay spine effective from 1st April 2019 and approve option A for assimilation.

5.2 To note that Director of Resources and Housing is responsible for implementation.

6 **Background documents¹**

- Appendix I - NJC Nationally Agreed Collective Agreement.
- Appendix II relates to Equality Impact Assessment for Option A form and data breakdown including costing information
- Appendix III relates to Equality Impact Assessment for Option B form and data breakdown including costing information

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

National Joint Council for Local Government Services

Employers' Secretary:
Simon Pannell

Trade Union Secretaries
Rehana Azam, GMB
Jim Kennedy, Unite
Heather Wakefield, UNISON

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localgovernment@unison.co.uk

**To: Chief Executives in England, Wales and N Ireland
(copies for the Finance Director and HR Director)
Members of the National Joint Council**

10 April 2018

Dear Chief Executive,

2018 and 2019 PAYSCALES & ALLOWANCES

Agreement has been reached between the National Employers and the NJC Trade Union Side on rates of pay applicable from **1 April 2018** and **1 April 2019**.

UNISON and GMB both voted to accept whilst Unite voted to reject. However, in line with the Constitution of the NJC, Unite accepts the collective majority decision of the other unions that the pay award should now be implemented.

The new pay rates are attached at **Annex 1**.

The new rates for allowances up-rated by two per cent in each year are set out at **Annex 2**.

Yours sincerely

*Simon
Pannell*

Simon Pannell

*Rehana
Azam*

Rehana Azam

*Jim
Kennedy*

Jim Kennedy

Heather Wakefield

Heather Wakefield

Joint Secretaries

ANNEX 1

SCP	1 April 2017		1 April 2018		1 April 2019			Old SCP[s]
	£ per annum	£ per hour*	£ per annum	£ per hour*	New SCP	£ per annum	£ per hour*	
6	£15,014	£7.78	£16,394	£8.50	1	£17,364	£9.00	6/7
7	£15,115	£7.83	£16,495	£8.55				
8	£15,246	£7.90	£16,626	£8.62	2	£17,711	£9.18	8/9
9	£15,375	£7.97	£16,755	£8.68				
10	£15,613	£8.09	£16,863	£8.74	3	£18,065	£9.36	10/11
11	£15,807	£8.19	£17,007	£8.82				
12	£16,123	£8.36	£17,173	£8.90	4	£18,426	£9.55	12/13
13	£16,491	£8.55	£17,391	£9.01				
14	£16,781	£8.70	£17,681	£9.16	5	£18,795	£9.74	14/15
15	£17,072	£8.85	£17,972	£9.32				
16	£17,419	£9.03	£18,319	£9.50	6	£19,171	£9.94	16/17
17	£17,772	£9.21	£18,672	£9.68				
18	£18,070	£9.37	£18,870	£9.78	7	£19,554	£10.14	18
19	£18,746	£9.72	£19,446	£10.08	8	£19,945	£10.34	19
20	£19,430	£10.07	£19,819	£10.27	9	£20,344	£10.54	20
					10	£20,751	£10.76	
21	£20,138	£10.44	£20,541	£10.65	11	£21,166	£10.97	21
22	£20,661	£10.71	£21,074	£10.92	12	£21,589	£11.19	22
					13	£22,021	£11.41	
23	£21,268	£11.02	£21,693	£11.24	14	£22,462	£11.64	23
24	£21,962	£11.38	£22,401	£11.61	15	£22,911	£11.88	24
					16	£23,369	£12.11	
25	£22,658	£11.74	£23,111	£11.98	17	£23,836	£12.35	25
					18	£24,313	£12.60	
26	£23,398	£12.13	£23,866	£12.37	19	£24,799	£12.85	26
27	£24,174	£12.53	£24,657	£12.78	20	£25,295	£13.11	27
					21	£25,801	£13.37	
28	£24,964	£12.94	£25,463	£13.20	22	£26,317	£13.64	28
29	£25,951	£13.45	£26,470	£13.72	23	£26,999	£13.99	29
30	£26,822	£13.90	£27,358	£14.18	24	£27,905	£14.46	30
31	£27,668	£14.34	£28,221	£14.63	25	£28,785	£14.92	31
32	£28,485	£14.76	£29,055	£15.06	26	£29,636	£15.36	32
33	£29,323	£15.20	£29,909	£15.50	27	£30,507	£15.81	33
34	£30,153	£15.63	£30,756	£15.94	28	£31,371	£16.26	34
35	£30,785	£15.96	£31,401	£16.28	29	£32,029	£16.60	35
36	£31,601	£16.38	£32,233	£16.71	30	£32,878	£17.04	36

SCP	1 April 2017		1 April 2018		1 April 2019			Old SCP[s]
	<i>£ per annum</i>	<i>£ per hour</i>	£ per annum	£ per hour	New SCP	£ per annum	£ per hour	
37	<i>£32,486</i>	<i>£16.84</i>	£33,136	£17.18	31	£33,799	£17.52	37
38	<i>£33,437</i>	<i>£17.33</i>	£34,106	£17.68	32	£34,788	£18.03	38
39	<i>£34,538</i>	<i>£17.90</i>	£35,229	£18.26	33	£35,934	£18.63	39
40	<i>£35,444</i>	<i>£18.37</i>	£36,153	£18.74	34	£36,876	£19.11	40
41	<i>£36,379</i>	<i>£18.86</i>	£37,107	£19.23	35	£37,849	£19.62	41
42	<i>£37,306</i>	<i>£19.34</i>	£38,052	£19.72	36	£38,813	£20.12	42
43	<i>£38,237</i>	<i>£19.82</i>	£39,002	£20.22	37	£39,782	£20.62	43
44	<i>£39,177</i>	<i>£20.31</i>	£39,961	£20.71	38	£40,760	£21.13	44
45	<i>£40,057</i>	<i>£20.76</i>	£40,858	£21.18	39	£41,675	£21.60	45
46	<i>£41,025</i>	<i>£21.26</i>	£41,846	£21.69	40	£42,683	£22.12	46
47	<i>£41,967</i>	<i>£21.75</i>	£42,806	£22.19	41	£43,662	£22.63	47
48	<i>£42,899</i>	<i>£22.24</i>	£43,757	£22.68	42	£44,632	£23.13	48
49	<i>£43,821</i>	<i>£22.71</i>	£44,697	£23.17	43	£45,591	£23.63	49

*hourly rate calculated by dividing annual salary by 52.143 weeks (which is 365 days divided by 7) and then divided by 37 hours (the standard working week in the National Agreement 'Green Book')

Part 3 Paragraph 2.6(e) Sleeping-in Duty Payment:

1 April 2018
£35.37

1 April 2019
£36.08

**RATES OF PROTECTED ALLOWANCES AT 1 APRIL 2018 and 1 APRIL 2019
(FORMER APT&C AGREEMENT (PURPLE BOOK))**

Paragraph 28(3) Nursery Staffs in Educational Establishments - Special Educational Needs Allowance

1 April 2018
£1,264

1 April 2019
£1,289

Paragraph 28(14) Laboratory / Workshop Technicians

City and Guilds Science Laboratory Technician's Certificate Allowance:

1 April 2018
£205

1 April 2019
£209

City and Guilds Laboratory Technician's Advanced Certificate Allowance:

1 April 2018
£149

1 April 2019
£152

Paragraph 32 London Weighting and Fringe Area Allowances £ Per Annum

Inner Fringe Area:

1 April 2018
£857

1 April 2019
£874

Outer Fringe Area:

1 April 2018
£597

1 April 2019
£609

Paragraph 35 Standby Duty Allowance - Social Workers (1)(a)(i) Allowance - Per Session

1 April 2018
£28.46

1 April 2019
£29.03

FORMER MANUAL WORKER AGREEMENT (WHITE BOOK)

Section 1 Paragraph 3 London and Fringe Area Allowances £ Per Annum

Inner Fringe Area:

1 April 2018
£857

1 April 2019
£874

Outer Fringe Area:

1 April 2018
£597

1 April 2019
£609



Equality, diversity, cohesion and integration screening – organisational change impacting on the workforce

As a public authority we need to ensure that all organisational change arrangements impacting on the workforce have given proper consideration to equality, diversity, cohesion and integration.

Equality and diversity will always have relevancy to organisational changes which impact on a diverse workforce. If you can demonstrate you have considered how your proposals impact on equality, diversity, cohesion and integration then you have already carried out an impact assessment.

A **screening** process is a short, sharp exercise, which completed at the earliest opportunity will help to determine:

- whether or not equality, diversity, cohesion and integration is being or has already been considered, and therefore
- whether or not it is necessary to carry out an impact assessment.

Directorate: Resources and Housing	Service area: Human Resources
Lead person: Rachel Chadwick-Taylor	Contact number: 0113 3789260

1. Please provide a brief description of the organisational change arrangements that you are screening

Following the National Employers pay negotiation on pay scales and allowances an agreement was reached between National Employers and the NJC Trade Unions on rates of pay applicable from 1st April 2018 and 1st April 2019. The outcome includes a nationally agreed pay agreement which, directs local authorities to assimilate the old NJC pay spine into a new pay spine.

The new pay spine is to be introduced from the 1st April 2019. It replaces the existing NJC pay spine of SCP (salary scale point) 6 to 49 and replaces it with SCP 1-43.

The NJC has given two options in terms of the sequence of implementation and assimilation when moving to the new pay spine. These are Option A: to assimilate first and then award the increment, if one is due or option B: to increment first, if one is due, and then assimilate. Currently the local authority favours option A as this will be more beneficial to the lowest paid within the authority.

The purpose of this Equality Impact Assessment is to look at the impact of the implementation of Option A.

A Separate assessment has been completed for Option B

2. Consideration of equality, diversity, cohesion and integration checklist		
Questions	Yes	No
Have you already considered equality and diversity within your current and future planning?	x	
Where you have made consideration does this relate to the range of equality characteristics	x	
Have you considered positive and negative impacts for different equality characteristics	x	
Have you considered any potential barriers for different groups	X	
Have you used equality information and consultation where appropriate to develop your proposals	X	
Is there a clear plan of how equality areas identified for improvement will be addressed	X	

If you've answered **no** to the questions above, there may be gaps in your equality and diversity considerations and you should complete an equality and diversity, cohesion and integration impact assessment (organisational change). Please go to **section 4**.

If you've answered **yes** to the questions above and believe you've already considered the impact on equality, diversity, cohesion and integration within your proposal please go to **section 3**.

3. Considering the impact on equality, diversity, cohesion and integration

If you can demonstrate that you've considered how your proposals impact on equality, diversity, cohesion and integration you have carried out an impact assessment.

Please provide specific details for all three areas below (use the prompts for guidance).

How have you considered equality, diversity, cohesion and integration?

(think about the scope of the proposal, who is likely to be affected, equality related information, gaps in information and plans to address, consultation and engagement activities (taken place or planned) with those likely to be affected.

- The implementation of the new pay spine applies to all employees within Leeds City Council and maintained schools who the National Joint Committee is currently the negotiating body for.
- Option A would assimilate the current pay spine over to the new pay spine on the 1st April and then award an increment if one is due according the employees current grade and salary scale point.
- A working group has been set up to consider the two options for implementing the Pay Spine. This comprises of officers from within Human Resources working as part of a Pay Squad and Trade Union representatives from Unison, GMB and UNITE. In addition, specific meetings have been arranged to undertake the equality impact assessments for both options.
- Appendix A is the data that has been provided and scrutinised in terms of head count for those employees affected and the protected characteristics if option A is implemented. This breakdown has been anonymised and taken from data run off SAP by the councils Digital Information Service.
- The data provided is based on all employees on NJC pay broken down into gender, carer, disability, ethnicity, LGBT and religion. The working group has then looked at the breakdown for implementing both options and compared to see which would be the most beneficial for all characteristics.
- Consultation for decisions such as this is undertaken through the formally agreed arrangements with the Trade Unions. Trade Unions have the option to consult with their members on both options. The decision as to which option to use is being taken to General Purposes Committee with a report to support from the April 19 Working Group who consists of employees currently working on the implementation as well as NJC trade unions.

Key findings

(think about any potential positive and negative impact on different equality characteristics, potential to promote strong and positive relationships between groups, potential to bring groups/communities into increased contact with each other, perception that the proposal could benefit one group at the expense of another).

- The data provided for implementing option A indicates that by assimilating employees on to the new pay spine and then incrementing (if an increment is due) would benefit Leeds City Council's lowest paid workers who are predominantly female.
- The above is evident with all of the characteristics we have provided data for. As part of Appendix A is the breakdown of staff who will receive an increment and therefore benefit more, of this 1,275 would benefit, 372 of which are on the lowest scale point (8) of which 311 are female.
- The same applies to all of the protected characteristics for those on the lower grades, Option A. This can be seen in the data from the higher number of employees on the lower grades, who have declared, moving up the pay spine quicker than if Option B was implemented.
- Option A is of greater benefit to those on the lower end of the pay scale for example employees on current SCP 8-20 as opposed to B which would be of more benefit to employees currently at SCP 21 to 28. This is due to employees at the lower end of the pay scale moving up the pay spine quicker. There are more than double the number of employees on the lower scales.
- Option A will be of a greater financial cost (approximately 68k more to implement option A than option B) to the authority to implement but is preferable to the authority due a greater number of employees benefiting at the bottom of the pay spine, the majority of which are women (of those who benefit 82% are female)
- As part of April 19 Working Group and those involved in the EIA Trade Unions have raised various pay related issues these include salary differentials, overlapping grades and length of incremental progression.

Actions

(think about how you'll promote positive impact and remove or reduce negative impact)

- The positive impact of implementing option A would be that a higher number of the lowest paid workers, who are predominantly female, would financially benefit due to a greater wage increase as opposed to Option B was implemented. This will in turn help to reduce the gender pay gap within the authority.
- All staff will receive an increase in salary due to the 2% pay award. No employee loses out by implementing either option but there is a greater benefit to the lowest paid workers by implementing Option A.
- All issues raised by Trade Unions that are related to pay are being recorded on an issues log which is a working document to ensure that each issue is addressed by the appropriate working group. The log is being regularly assessed and will continue to be going forward as part of HR Pay Matters meetings.

4. If you're not already considering the impact on equality, diversity, cohesion and integration you'll need to carry out an impact assessment	
Date to scope and plan your impact assessment:	
Date to complete your impact assessment	
Lead person for your impact assessment (Include name and job title)	

5. Governance, ownership and approval Please state here who approved the actions and outcomes of the screening		
Name	Job title	Date
Date screening completed		

6. Publishing	
Though all key decisions are required to give due regard to equality the council only publishes those related to executive board, full council, key delegated decisions or a significant operational decision. A copy of this equality screening should be attached as an appendix to the decision making report: • governance services will publish those relating to executive board and full council • the appropriate directorate will publish those relating to delegated decisions and significant operational decisions • a copy of all other equality screenings that are not to be published should be sent to equalityteam@leeds.gov.uk for record Complete the appropriate section below with the date the report and attached screening was sent	
For executive board or full council – sent to governance services	Date sent:
For delegated decisions or significant operational decisions – sent to appropriate directorate	Date sent:
All other decisions – sent to the equality team	Date sent:

Gender Breakdown Option A Breakdown

SCP 1 April 2019	Male	Female	Total
1	0	0	0
2	509	3861	4370
3	319	712	1031
4	179	862	1041
5	78	644	722
6	849	2940	3789
7	13	25	38
8	99	307	406
9	99	246	345
10	63	141	204
11	510	1292	1802
12	1	0	1
13	60	175	235
14	0	0	0
15	80	228	308
16	56	123	179
17	376	1145	1521
18	6	23	29
19	13	6	19
20	37	88	125
21	48	103	151
22	336	639	975
Total	3731	13560	17291

Option A Numbers	
Male	3731
Female	13560
Total	17291

This data shows the headcount for employees within LCC and maintained schools who the National Joint Committee is currently the negotiating body for. From SCP 28 on the existing pay spine this is more straightforward effectively the new pay spine merely re-numbers existing pay points. See the Equality Impact Assessment form for Option A for further detail.

Carer Breakdown Option A Breakdown

SCP 1 April 2019	Carer	Not a Carer	Not disc.	Total
1	0	0	0	0
2	126	1261	2983	4370
3	37	372	622	1031
4	19	185	837	1041
5	4	106	612	722
6	180	965	2644	3789
7	3	9	26	38
8	22	171	213	406
9	8	137	200	345
10	1	58	145	204
11	80	366	1356	1802
12	0	0	1	1
13	3	84	148	235
14	0	0	0	0
15	11	134	163	308
16	4	53	122	179
17	95	331	1095	1521
18	1	5	23	29
19	2	5	12	19
20	2	56	67	125
21	10	69	72	151
22	75	272	628	975
Total	683	4639	11969	17291

Option A Numbers	
Carer	683
Not a Carer	4639
Not Disclosed	11969
Total	17291

This data shows the headcount for employees within LCC and maintained schools who the National Joint Committee is currently the negotiating body for. From SCP 28 on the existing pay spine this is more straightforward effectively the new pay spine merely re-numbers existing pay points. See the Equality Impact Assessment form for Option A for further detail.

Disability Breakdown Option A Breakdown

SCP 1 April 2019	Disabled	Not Disabled	Not disc.	Total
1	0	0	0	0
2	84	3336	950	4370
3	24	826	181	1031
4	28	819	194	1041
5	11	549	162	722
6	118	3094	577	3789
7	1	31	6	38
8	22	323	61	406
9	5	294	46	345
10	3	164	37	204
11	87	1509	206	1802
12	0	1	0	1
13	8	189	38	235
14	0	0	0	0
15	9	261	38	308
16	6	145	28	179
17	80	1286	155	1521
18	2	21	6	29
19	1	17	1	19
20	6	104	15	125
21	3	130	18	151
22	57	831	87	975
Total	555	13930	2806	17291

Option A Numbers	
Disabled	555
Not Disabled	13930
Not Disclosed	2806
Total	17291

This data shows the headcount for employees within LCC and maintained schools who the National Joint Committee is currently the negotiating body for. From SCP 28 on the existing pay spine this is more straightforward effectively the new pay spine merely re-numbers existing pay points. See the Equality Impact Assessment form for Option A for further detail.

Ethnicity Breakdown Option A Breakdown

SCP 1 April 2019	BAME	Not BAME	Not disc.	Total
1	0	0	0	0
2	573	2906	891	4370
3	88	838	105	1031
4	115	837	89	1041
5	103	560	59	722
6	366	3030	393	3789
7	8	27	3	38
8	53	305	48	406
9	42	255	48	345
10	18	165	21	204
11	195	1499	108	1802
12	0	1	0	1
13	23	193	19	235
14	0	0	0	0
15	41	236	31	308
16	23	141	15	179
17	211	1211	99	1521
18	5	22	2	29
19	1	18	0	19
20	18	97	10	125
21	22	115	14	151
22	119	796	60	975
Total	2024	13252	2015	17291

Option A Numbers	
Non BAME	2024
BAME	13252
Not Disclosed	2015
Total	17291

This data shows the headcount for employees within LCC and maintained schools who the National Joint Committee is currently the negotiating body for. From SCP 28 on the existing pay spine this is more straightforward effectively the new pay spine merely re-numbers existing pay points. See the Equality Impact Assessment form for Option A for further detail.

LGBT Breakdown Option A Breakdown

SCP 1 April 2019	Heterosexual	LGBT Other	Not disc.	Total
1	0	0	0	0
2	878	9	3483	4370
3	328	8	695	1031
4	186	7	848	1041
5	91	5	626	722
6	1152	30	2607	3789
7	12	0	26	38
8	179	18	209	406
9	131	6	208	345
10	61	1	142	204
11	614	10	1178	1802
12	0	0	1	1
13	87	8	140	235
14	0	0	0	0
15	130	11	167	308
16	65	3	111	179
17	539	22	960	1521
18	8	0	21	29
19	8	1	10	19
20	57	6	62	125
21	77	5	69	151
22	444	15	516	975
Total	5047	165	12079	17291

Option A Numbers	
Heterosexual	5047
LGBT Other	165
Not Disclosed	12079
Total	17291

This data shows the headcount for employees within LCC and maintained schools who the National Joint Committee is currently the negotiating body for. From SCP 28 on the existing pay spine this is more straightforward effectively the new pay spine merely re-numbers existing pay points. See the Equality Impact Assessment form for Option A for further detail.

Religion Breakdown Option A Breakdown

SCP 1 April 2019	Christian	No Religion	Other	Not disc.	Total
1	0	0	0	0	0
2	1048	618	333	2371	4370
3	350	207	61	413	1031
4	323	192	66	460	1041
5	230	174	58	260	722
6	1115	573	221	1880	3789
7	13	7	4	14	38
8	131	107	38	130	406
9	98	93	29	125	345
10	62	33	12	97	204
11	575	265	100	862	1802
12	0	0	0	1	1
13	76	78	7	74	235
14	0	0	0	0	0
15	104	74	22	108	308
16	56	38	15	70	179
17	470	211	97	743	1521
18	8	6	2	13	29
19	5	2	1	11	19
20	25	46	16	38	125
21	62	37	10	42	151
22	337	178	70	390	975
Total	5088	2939	1162	8102	17291
Option A Numbers					
Christian	5088				
No Religion	2939				
Other	1162				
Not Disclosed	8102				
Total	17291				

This data shows the headcount for employees within LCC and maintained schools who the National Joint Committee is currently the negotiating body for. From SCP 28 on the existing pay spine this is more straightforward effectively the new pay spine merely re-numbers existing pay points. See the Equality Impact Assessment form for Option A for further detail.

Assimilation and Increment Information including costing and Gender Breakdown

Current SCP 31/03/19		Approach A ASS / INC employees benefiting under this approach	Approach A SCP 01/04/19		Approach B SCP 01/04/19	Approach B INC / ASS employees benefiting under this approach		cost of implementing for each SCP	Approach	Approach
									A	B
8		372	3		of which				£385,043	£269,896
9			3	neutral	3					
10		122	4		3				£159,409	£122,155
11			4	neutral	4					
12		79	5		4				£116,214	£89,775
13			5	neutral	5					
14		693	6		5				£1,040,243	£777,739
15			6	neutral	6					
16		9	7		6				£11,981	£8,265
17			7	neutral	7					
18			8	neutral	8					
19			9	neutral	9					
20			10		11	209			£195,747	£281,746
21			12	neutral	12					
22			13		14	182			£178,974	£262,320
23			15	neutral	15					
24			16		17	192			£200,482	£297,202
25			18		19	34			£46,806	£65,731
26			20	neutral	20					
27			21		22	153			£204,635	£296,936
28			23	neutral	23					
		1,275				770			£2,539,534	£2,471,765
									£67,769	

Increment and Assimilation Options

The table shows:-

- All staff who would be due an increment at 01/04/19
- The staff are grouped according to the scale point they are currently on
- eg there are 372 staff currently on scp8 who are due an increment on 01/04/19
- For each of these 372 their basic salary on their actual fte working hours was calculated (including on costs)
- For each of the 372 their basic fte salary with on costs was calculated as at 01/04/19 firstly using the scp they would move to under Approach A
- Their basic fte salary with on costs was then also calculated as at 01/04/19 using the scp they would move to under Approach B
- The increase in salary (including on costs) was then calculated for each of the 372 staff under both options
- the total increased cost for the 372 staff under both options is shown in the final 2 columns (ie at SCP 8 £385,043 under Option A and £269,896 under Option B)
- the same process was completed for staff currently on scp's 10, 12, 14, 16, 20, 22, 24, 25 and 27 who are due an increment on 01/04/19

Analysis of Option A or Option B on assimilation by Gender Breakdown

Spinal column points where employees benefit under Approach A

		Female		Male		Total
SCP8		311		61		372
SCP10		105		17		122
SCP12		73		6		79
SCP14		553		140		693
SCP16		4		5		9
TOTAL		1,046		229		1,275
		82.0%		18.0%		

Spinal column points where employees benefit under Approach B

		Female		Male		Total
SCP20		143		66		209
SCP22		131		51		182
SCP24		128		64		192
SCP25		25		9		34
SCP27		104		49		153
TOTAL		531		239		770
		69.0%		31.0%		



Equality, diversity, cohesion and integration screening – organisational change impacting on the workforce

As a public authority we need to ensure that all organisational change arrangements impacting on the workforce have given proper consideration to equality, diversity, cohesion and integration.

Equality and diversity will always have relevancy to organisational changes which impact on a diverse workforce. If you can demonstrate you have considered how your proposals impact on equality, diversity, cohesion and integration then you have already carried out an impact assessment.

A **screening** process is a short, sharp exercise, which completed at the earliest opportunity will help to determine:

- whether or not equality, diversity, cohesion and integration is being or has already been considered, and therefore
- whether or not it is necessary to carry out an impact assessment.

Directorate: Resources and Housing	Service area: Human Resources
Lead person: Rachel Chadwick-Taylor	Contact number: 0113 3789260

1. Please provide a brief description of the organisational change arrangements that you are screening

Following the National Employers pay negotiation on pay scales and allowances an agreement was reached between National Employers and the NJC Trade Unions on rates of pay applicable from 1st April 2018 and 1st April 2019. The outcome includes a nationally agreed pay agreement which, directs local authorities to assimilate the old NJC pay spine into a new pay spine.

The new pay spine is to be introduced from the 1st April 2019. It replaces the existing NJC pay spine of SCP (salary scale point) 6 to 49 and replaces it with SCP 1-43.

The NJC has given two options in terms of the sequence of implementation and assimilation when moving to the new pay spine. These are Option A: to assimilate first and then award the increment, if one is due or option B: to increment first, if one is due, and then assimilate. Currently the local authority favours option A as this will be more beneficial to the lowest paid within the authority, but due consideration is being made to both options.

The purpose of this Equality Impact Assessment is to look at the impact of the implementation of Option B.

A separate assessment has also been completed for Option A.

2. Consideration of equality, diversity, cohesion and integration checklist		
Questions	Yes	No
Have you already considered equality and diversity within your current and future planning?	x	
Where you have made consideration does this relate to the range of equality characteristics	x	
Have you considered positive and negative impacts for different equality characteristics	x	
Have you considered any potential barriers for different groups	x	
Have you used equality information and consultation where appropriate to develop your proposals	x	
Is there a clear plan of how equality areas identified for improvement will be addressed	x	

If you've answered **no** to the questions above, there may be gaps in your equality and diversity considerations and you should complete an equality and diversity, cohesion and integration impact assessment (organisational change). Please go to **section 4**.

If you've answered **yes** to the questions above and believe you've already considered the impact on equality, diversity, cohesion and integration within your proposal please go to **section 3**.

3. Considering the impact on equality, diversity, cohesion and integration

If you can demonstrate that you've considered how your proposals impact on equality, diversity, cohesion and integration you have carried out an impact assessment.

Please provide specific details for all three areas below (use the prompts for guidance).

How have you considered equality, diversity, cohesion and integration?

(think about the scope of the proposal, who is likely to be affected, equality related information, gaps in information and plans to address, consultation and engagement activities (taken place or planned) with those likely to be affected.

- The implementation of the new pay spine applies to all employees within Leeds City Council and maintained schools who the National Joint Committee is currently the negotiating body for.
- Option B would be to award an increment, if one is due, according to the employee's current grade and scale point, they would then assimilate onto the new pay spine.
- A working group has been set up to consider the two options for implementing the Pay Spine. This comprises of officers from within Human Resources working as part of a Pay Squad and Trade Union representatives from Unison, GMB and UNITE- In addition, specific meetings have been arranged to undertake the equality impact assessments for both options.
- Appendix A is the data that has been provided for the working group and scrutinised in terms of head count for those employees affected and the protected characteristics if option B is implemented. This breakdown has been anonymised and taken from data run off SAP by the councils Digital Information Service.
- The data provided is based on all employees on NJC pay broken down into gender, carer, disability, ethnicity, LGBT and religion. The working group has then looked at the breakdown for implementing both options and compared to see which would be the most beneficial for all characteristics.
- Consultation for decisions such as this is undertaken through the formally agreed arrangements with the Trade Unions. Trade Unions have the option to consult with their members on both options. The decision as to which option to use is being taken to General Purposes Committee with a report to support from the April 19 Working Group who consists of employees currently working on the implementation as well as NJC trade unions.

Key findings

(think about any potential positive and negative impact on different equality characteristics, potential to promote strong and positive relationships between groups, potential to bring groups/communities into increased contact with each other, perception that the proposal could benefit one group at the expense of another).

- The data provided for implementing option B indicates that by incrementing (if one is due) on the current pay spine and then assimilating on to the new pay spine would be of a greater benefit to employees on the top end of the lower half of the pay spine so those between new SCP 11 and 22, the top of grade B3 and the C grades.
- The data provided for implementing option B indicates that by giving employees an increment and then assimilating onto the new pay spine would benefit those on SCP 20 and above of which 69% are female.
- Option B will cost the authority less to implement than Option A, a saving of just over 68k. This is due to less than half the employees (770 benefiting under approach B) at the higher end of the payscale benefiting than at the lower end (1275 employees benefiting under approach A). Of those that benefit using approach B there is 69% female.
- As part of April 19 Working Group and those involved in the EIA Trade Unions have raised various pay related issues these include salary differentials, overlapping grades and length of incremental progression.

Actions

(think about how you'll promote positive impact and remove or reduce negative impact)

- The positive impact of implementing option B would be that a number of staff on the new pay spine between SCP's 11 and 22 would financially benefit more than those on the lowest SCPs. This is due to the merging of scale points at the bottom of the spine.
- All staff will receive an increase in salary due to the 2% pay award. No employee loses out by implementing either option but there is a greater benefit to the lowest paid workers by implementing Option A.
- All issues raised by Trade Unions that are related to pay are being recorded on an issues log which is a working document to ensure that each issue is addressed by the appropriate working group. The log is being regularly assessed and will continue to be going forward as part of the HR Pay Matters meetings.

4. If you're *not* already considering the impact on equality, diversity, cohesion and integration *you'll need to carry out an impact assessment*

Date to scope and plan your impact assessment:	
Date to complete your impact assessment	

Lead person for your impact assessment (Include name and job title)	

5. Governance, ownership and approval Please state here who approved the actions and outcomes of the screening		
Name	Job title	Date
Date screening completed		

6. Publishing Though all key decisions are required to give due regard to equality the council only publishes those related to executive board, full council, key delegated decisions or a significant operational decision . A copy of this equality screening should be attached as an appendix to the decision making report: • governance services will publish those relating to executive board and full council • the appropriate directorate will publish those relating to delegated decisions and significant operational decisions • a copy of all other equality screenings that are not to be published should be sent to equalityteam@leeds.gov.uk for record Complete the appropriate section below with the date the report and attached screening was sent	
For executive board or full council – sent to governance services	Date sent:
For delegated decisions or significant operational decisions – sent to appropriate directorate	Date sent:
All other decisions – sent to the equality team	Date sent:

Gender Breakdown Option B Breakdown

SCP 1 April 2019	Male	Female	Total
1	0	0	0
2	615	4166	4781
3	224	516	740
4	175	829	1006
5	183	1090	1273
6	738	2420	3158
7	10	23	33
8	99	307	406
9	99	246	345
10	0	0	0
11	573	1433	2006
12	1	0	1
13	0	0	0
14	60	175	235
15	80	228	308
16	0	0	0
17	432	1268	1700
18	0	0	0
19	19	29	48
20	37	88	125
21	0	0	0
22	384	742	1126
Total	3731	13560	17291

Option B Numbers	
Male	3731
Female	13560
Total	17291

This data shows the headcount for employees within LCC and maintained schools who the National Joint Committee is currently the negotiating body for. From SCP 28 on the existing pay spine this is more straightforward effectively the new pay spine merely re-numbers existing pay points. See the Equality Impact Assessment form for Option B for further detail.

Carer Breakdown Option B Breakdown

SCP 1 April 2019	Carer	Not a Carer	Not disc.	Total
1	0	0	0	0
2	129	1399	3253	4781
3	36	253	451	740
4	18	172	816	1006
5	21	379	873	1273
6	162	688	2308	3158
7	3	7	23	33
8	22	171	213	406
9	8	137	200	345
10	0	0	0	0
11	81	424	1501	2006
12	0	0	1	1
13	0	0	0	0
14	3	84	148	235
15	11	134	163	308
16	0	0	0	0
17	99	384	1217	1700
18	0	0	0	0
19	3	10	35	48
20	2	56	67	125
21	0	0	0	0
22	85	341	700	1126
Total	683	4639	11969	17291

Option B Numbers	
Carer	683
Not a Carer	4639
Not Disclosed	11969
Total	17291

This data shows the headcount for employees within LCC and maintained schools who the National Joint Committee is currently the negotiating body for. From SCP 28 on the existing pay spine this is more straightforward effectively the new pay spine merely re-numbers existing pay points. See the Equality Impact Assessment form for Option B for further detail

Disability Breakdown Option B Breakdown

SCP 1 April 2019	Disabled	Not Disabled	Not disc.	Total
1	0	0	0	0
2	93	3658	1030	4781
3	15	605	120	740
4	29	793	184	1006
5	21	985	267	1273
6	107	2588	463	3158
7	1	26	6	33
8	22	323	61	406
9	5	294	46	345
10	0	0	0	0
11	90	1673	243	2006
12	0	1	0	1
13	0	0	0	0
14	8	189	38	235
15	9	261	38	308
16	0	0	0	0
17	86	1431	183	1700
18	0	0	0	0
19	3	38	7	48
20	6	104	15	125
21	0	0	0	0
22	60	961	105	1126
Total	555	13930	2806	17291

Option B Numbers	
Disabled	555
Not Disabled	13930
Not Disclosed	2806
Total	17291

This data shows the headcount for employees within LCC and maintained schools who the National Joint Committee is currently the negotiating body for. From SCP 28 on the existing pay spine this is more straightforward effectively the new pay spine merely re-numbers existing pay points. See the Equality Impact Assessment form for Option B for further detail.

Ethnicity Breakdown Option B Breakdown

SCP 1 April 2019	BAME	Not BAME	Not disc.	Total
1	0	0	0	0
2	620	3243	918	4781
3	55	592	93	470
4	112	818	76	1006
5	182	930	161	1273
6	276	2592	290	3158
7	8	23	2	33
8	53	305	48	406
9	42	255	48	345
10	0	0	0	0
11	213	1664	129	2006
12	0	1	0	1
13	0	0	0	0
14	23	193	19	235
15	41	236	31	308
16	0	0	0	0
17	234	1352	114	1700
18	0	0	0	0
19	6	40	2	48
20	18	97	10	125
21	0	0	0	0
22	141	911	74	1126
Total	2024	13252	2015	17291

Option B Numbers	
BAME	2024
Not BAME	13252
Not Disclosed	2015
Total	17291

This data shows the headcount for employees within LCC and maintained schools who the National Joint Committee is currently the negotiating body for. From SCP 28 on the existing pay spine this is more straightforward effectively the new pay spine merely re-numbers existing pay points. See the Equality Impact Assessment form for Option B for further detail

LGBT Breakdown Option B Breakdown

SCP 1 April 2019	Heterosexual	LGBT Other	Not disc.	Total
1	0	0	0	0
2	997	15	3769	4781
3	223	2	515	740
4	177	7	822	1006
5	315	16	942	1273
6	925	19	2214	3158
7	10	0	23	33
8	179	18	209	406
9	131	6	208	345
10	0	0	0	0
11	675	11	1320	2006
12	0	0	1	1
13	0	0	0	0
14	87	8	140	235
15	130	11	167	308
16	0	0	0	0
17	604	25	1071	1700
18	0	0	0	0
19	16	1	31	48
20	57	6	62	125
21	0	0	0	0
22	521	20	585	1126
Total	5047	165	12079	17291

Option B Numbers	
Heterosexual	5047
LGBT Other	165
Not Disclosed	12079
Total	17291

This data shows the headcount for employees within LCC and maintained schools who the National Joint Committee is currently the negotiating body for. From SCP 28 on the existing pay spine this is more straightforward effectively the new pay spine merely re-numbers existing pay points. See the Equality Impact Assessment form for Option B for further detail.

Religion Breakdown Option B Breakdown

SCP 1 April 2019	Christian	No Religion	Other	Not disc.	Total
1	0	0	0	0	0
2	1191	743	358	2489	4781
3	240	110	45	345	740
4	321	189	63	433	1006
5	360	297	112	504	1273
6	956	425	161	1616	3158
7	11	7	4	11	33
8	131	107	38	130	406
9	98	93	29	125	345
10	0	0	0	0	0
11	637	298	112	959	2006
12	0	0	0	1	1
13	0	0	0	0	0
14	76	78	7	74	235
15	104	74	22	108	308
16	0	0	0	0	0
17	526	249	112	813	1700
18	0	0	0	0	0
19	13	8	3	24	48
20	25	46	16	38	125
21	0	0	0	0	0
22	399	215	80	432	1126
Total	5088	2939	1162	8102	17291
Option B Numbers					
Christian	5088				
No Religion	2939				
Other	1162				
Not Disclosed	8102				
Total	17291				

This data shows the headcount for employees within LCC and maintained schools who the National Joint Committee is currently the negotiating body for. From SCP 28 on the existing pay spine this is more straightforward effectively the new pay spine merely re-numbers existing pay points. See the Equality Impact Assessment form for Option B for further detail

Assimilation and Increment Information including costing and Gender Breakdown

Current SCP 31/03/19		Approach A ASS / INC employees benefiting under this approach	Approach A SCP 01/04/19		Approach B SCP 01/04/19	Approach B INC / ASS employees benefiting under this approach		Approach	Approach
								A	B
								cost of implementing for each SCP	
8		372	3		of which			£385,043	£269,896
9			3	neutral	3				
10		122	4		3			£159,409	£122,155
11			4	neutral	4				
12		79	5		4			£116,214	£89,775
13			5	neutral	5				
14		693	6		5			£1,040,243	£777,739
15			6	neutral	6				
16		9	7		6			£11,981	£8,265
17			7	neutral	7				
18			8	neutral	8				
19			9	neutral	9				
20			10		11	209		£195,747	£281,746
21			12	neutral	12				
22			13		14	182		£178,974	£262,320
23			15	neutral	15				
24			16		17	192		£200,482	£297,202
25			18		19	34		£46,806	£65,731
26			20	neutral	20				
27			21		22	153		£204,635	£296,936
28			23	neutral	23				
		1,275				770		£2,539,534	£2,471,765
								£67,769	

Increment and Assimilation Options

The table shows:-

- All staff who would be due an increment at 01/04/19
- The staff are grouped according to the scale point they are currently on
- eg there are 372 staff currently on scp8 who are due an increment on 01/04/19
- For each of these 372 their basic salary on their actual fte working hours was calculated (including on costs)
- For each of the 372 their basic fte salary with on costs was calculated as at 01/04/19 firstly using the scp they would move to under Approach A
- Their basic fte salary with on costs was then also calculated as at 01/04/19 using the scp they would move to under Approach B
- The increase in salary (including on costs) was then calculated for each of the 372 staff under both options
- the total increased cost for the 372 staff under both options is shown in the final 2 columns (ie at SCP 8 £385,043 under Option A and £269,896 under Option B)
- the same process was completed for staff currently on scp's 10, 12, 14, 16, 20, 22, 24, 25 and 27 who are due an increment on 01/04/19

Analysis of Option A or Option B on assimilation by Gender Breakdown

Spinal column points where employees benefit under Approach A

		Female		Male		Total
SCP8		311		61		372
SCP10		105		17		122
SCP12		73		6		79
SCP14		553		140		693
SCP16		4		5		9
TOTAL		1,046		229		1,275
		82.0%		18.0%		

Spinal column points where employees benefit under Approach B

		Female		Male		Total
SCP20		143		66		209
SCP22		131		51		182
SCP24		128		64		192
SCP25		25		9		34
SCP27		104		49		153
TOTAL		531		239		770
		69.0%		31.0%		