

**To: Members of the Special Sub-Group**

**Councillors Clews, Chapman, Farrow, Jenns, Ririe and Watson**

**For the information of the other Members of the Council**

For general enquiries please contact Democratic Services on 01827 719237 or via email – [democraticservices@northwarks.gov.uk](mailto:democraticservices@northwarks.gov.uk)

For enquiries about specific reports please contact the officer named in the reports.

This document can be made available in large print and electronic accessible formats if requested.

## **SPECIAL SUB-GROUP**

**15 AUGUST 2023**

The Special Sub-Group will meet on Tuesday, 15 August 2023 at 6.30pm in the Council Chamber at The Council House, South Street, Atherstone, Warwickshire.

The Meeting can also be viewed on the Council's YouTube channel at: [NorthWarks - YouTube](#)

### **AGENDA**

- 1 **Evacuation Procedure**
- 2 **Apologies for Absence / Members away on official Council Business.**
- 3 **Disclosable Pecuniary and Non-Pecuniary Interests**

#### 4 **Public Participation**

Up to twenty minutes will be set aside for members of the public to put questions to elected Members. Questions should be submitted by 9.30am two working days prior to the meeting. A period of five minutes will be allowed for each question to be answered.

Members of the public wishing to address the Board must register their intention to do so by 9:30am two working days prior to the meeting. Participants are restricted to five minutes each.

If you wish to put a question to the meeting, please register by email to [democraticservices@northwarks.gov.uk](mailto:democraticservices@northwarks.gov.uk) or telephone 01827 719221/719226/719237.

Once registered to speak, the person asking the question has the option to either:

- (a) attend the meeting in person at the Council Chamber.
- (b) attend remotely via Teams; or
- (c) request that the Chair reads out their written question.

The Council Chamber has level access via a lift to assist those with limited mobility who attend in person however, it may be more convenient to attend remotely.

If attending remotely an invitation will be sent to join the Teams video conferencing for this meeting. Those registered to speak should dial the telephone number and ID number (provided on their invitation) when joining the meeting to ask their question. However, whilst waiting they will be able to hear what is being said at the meeting. They will also be able to view the meeting using the YouTube link provided (if so, they made need to mute the sound on YouTube when they speak on the phone to prevent feedback).

#### 5 **Market Supplement Procedure - Report of the Corporate Director (Resources)**

##### **Summary**

This report advises members of the background to the revised procedure on Market Supplements and recommends the adoption of the revised procedure. The trade unions have been consulted on the revised policy.

The Contact Officer for this report is Kerry Drakeley (719300).

6 **Exclusion of the Public and Press**

**To consider, in accordance with Section 100A(4) of the Local Government Act 1972, whether it is in the public interest that the public and press be excluded from the meeting for the following item of business, on the grounds that it involves the likely disclosure of exempt information as defined by Schedule 12A to the Act.**

7 **Staffing Matter** – Report of the Head of Development Control

The Contact Officer for this report is Jeff Brown (719310).

STEVE MAXEY  
Chief Executive

## **Agenda Item No 5**

### **Special Sub-Group**

**15 August 2023**

#### **Report of the Corporate Director (Resources)**

#### **Market Supplement Procedure**

### **1 Summary**

- 1.1 This report advises members of the background to the revised procedure on Market Supplements and recommends the adoption of the revised procedure. The trade unions have been consulted on the revised procedure.

#### **Recommendation to the Special Sub Group**

**To adopt the revised Market Supplement procedure .**

### **2 Introduction**

- 2.1 North Warwickshire Borough Council has an existing local procedure on recruitment and retention premiums (Market Supplements), which was originally agreed in 2003 following the Single Status Agreement.
- 2.2 The Council ensures that all staff receive equal pay for doing jobs rated the same under a job evaluation scheme. Market supplements are a way of tackling recruitment and retention issues by temporarily increasing the pay awarded to a post, without altering the job evaluation determined grade for that post.

### **3 Policy Revision**

- 3.1 The original procedure has been amended to ensure that it is fit for purpose and that the Council can respond promptly and efficiently to any recruitment and retention issues it may face. The procedure is an important part of our recruitment and retention strategy, something particularly important in the current 'tight' labour market. The revised procedure is detailed at Appendix A.

...

- 3.2 Amendments include the approval of market supplements by the Council's Chief Executive and Management Team, up to a limit of 10% of the annual salary, to expedite some cases where possible. In addition, the original procedure had no specific details on the process to follow for the review of supplements, therefore, this has been detailed in the revised procedure.

## **4 Report Implications**

### **4.1 Finance and Value for Money Implications**

4.1.1 No direct financial implications arising from the report.

### **4.2 Human Resources Implications**

4.2.1 As detailed in the report.

### **4.3 Equality Implications**

4.3.1 As detailed in the report.

### **4.4 Legal Implications**

4.4.1 The Council must, as a matter of law, ensure that its employees receive equal pay for equal work, that is for like work, work rated as equivalent or work of equal value. A Statutory Code of Practice on Equal Pay has been issued under the Equality Act 2010 which the Council must consider in its approach to pay.

4.4.2 Differences in pay are only allowed in certain circumstances, one of which being because it is necessary to recruit someone with specific qualifications or experience which are crucial to the job and therefore make it difficult to recruit a suitable candidate. In such a case the Council will need provide evidence of actual difficulties in recruitment, not just perceived difficulties, and must continue to monitor any discrepancies in pay to show that they remain justified.

4.4.3 Each case must therefore be considered on its own facts to determine whether:

- (a) there is evidence that a market supplement is actually justified in relation to that job at that time; and
- (b) once a market supplement is found to be justified that it remains to be the case – this is likely to vary from case to case and active steps should be taken to demonstrate the continued need to apply that supplement.

### **4.5 Links to Council's Priorities**

4.5.1 Effective management of the workforce contributes to the Council's priority of making the best use of our resources.

The Contact Officer for this report is Kerry Drakeley (719300).

## Background Papers

Local Government Act 1972 Section 100D

<b>Background Paper No</b>	<b>Author</b>	<b>Nature of Background Paper</b>	<b>Date</b>
1.	NATIONAL JOINT COUNCIL for LOCAL GOVERNMENT SERVICES	NATIONAL JOINT COUNCIL for LOCAL GOVERNMENT SERVICES NATIONAL AGREEMENT on PAY AND CONDITIONS OF SERVICE. Part 4.9 (para. 25) Guidance on market supplements	25 April 2022

## **North Warwickshire Borough Council**

### **Market Supplement (Recruitment and Retention Premium) Procedure**

Market supplements are a way of tackling recruitment and retention issues by temporarily increasing the pay awarded to a post, without altering the job evaluation determined grade for that post.

The situation could develop quickly that the Council needs to decide whether to attach a market supplement to a particular post or posts to be able to ensure the retention or recruitment of staff to maintain a service. Therefore, a scheme is needed which can provide a quick decision, and which can cover a range of possible circumstances without having to work through a rigid process or set of criteria. With these considerations in mind the following principles for the Market Supplement Procedure are:

- a) Any proposal must be supported with evidence to demonstrate that the salary for a post is significantly uncompetitive within the local sub-region, and that the Council is unlikely to be able to recruit or retain suitable staff on the evaluated salary grade.
- b) The decision whether to attach a market supplement to a post or group of similar posts is formally delegated to the Council's Chief Executive, who can use delegated powers to commit sufficient budget. Any proposal for a market supplement will be made only by or with the support of the Management Team.
- c) The maximum amount of market supplement that the Chief Executive can authorise is up to 10% of the post's annual salary, any market supplement above this amount would require approval by the Council's Special Sub Group / Executive Board.

Normally, a market supplement will only be payable where at least two of the following circumstances applies:

- The post has been externally advertised at the evaluated salary grade, and no or unsuitable candidates have been attracted
- Comparative pay information indicates that the local market rate for the class of job is materially higher than the evaluated salary grade
- Information from comparator authorities indicates that there is a shortage of qualified staff in that field of work
- Turnover is high and exit information indicates that pay is the principal cause for departure
- Risk of losing specialist expertise within the Council

Where a market supplement is approved in relation to a situation with a particular post, it will apply also to any identical post.

All market supplements will be time limited, for a (suggested) period of three/four years, but reviewed bi-annually against current market conditions and, if they remain seriously unfavourable, rolled forward for a further year.

The suggested scheme has been kept simple intentionally, without detailed elaboration of the criteria which may impair the necessary flexibility to react to circumstances. The overriding principle is that a market supplement will not be agreed except in genuinely exceptional circumstances.

## **Procedure and Approval**

The need for a market supplement can be proposed by the relevant Director / Head of Service:

1. The Director / Head of Service will put forward their case for applying a market supplement using the criteria outlined in this document, to the Human Resources Manager. Where necessary, market data may need to be collated from external agencies to provide evidence and support for both the need for a market supplement and the proposed amount of that supplement.
2. The Council's Management Team will consider the proposal and then decide the outcome of the proposal. If required, the proposal will be considered by the Council's Special Sub Group / Executive Board.
3. Once agreed, the individual(s) concerned will be required to sign an amendment to their Contract of Employment.

## **Review of Market Supplements**

The Human Resources Manager will maintain a database of all market supplements that are approved and will ensure that these are reviewed bi-annually by the Council's Management Team.

A review will also be carried out when an individual leaves a post that has attracted a market supplement, to assess the need to advertise the vacancy with a market supplement in the current labour market. Where such a review leads to a decision to withdraw the market supplement, this will apply with immediate effect to vacant posts. Existing employees still in receipt of a market supplement will continue to be paid until the end of the agreed period and thereafter, it will be withdrawn.

Further reviews will be carried out whenever a post is re-evaluated through the job evaluation process.

If a review results in a decision that the market supplement is no longer justified, it will be withdrawn. In these circumstances, three months' written notice will be given that the market supplement is being withdrawn.

**Agenda Item No 6**

**Special Sub Group**

**15 August 2023**

**Report of the  
Chief Executive**

**Exclusion of the Public and Press**

**Recommendation to the Board**

**To consider, in accordance with Section 100A(4) of the Local Government Act 1972, whether it is in the public interest that the public and press be excluded from the meeting for the following item of business, on the grounds that it involves the likely disclosure of exempt information as defined by Schedule 12A to the Act.**

**Agenda Item No 7**

**Staffing Matter** – Report of the Head of Development Control

Paragraph 1 – Information relating to an individual.

In relation to the item listed above members should only exclude the public if the public interest in doing so outweighs the public interest in disclosing the information, giving their reasons as to why that is the case.

The Contact Officer for this report is Julie Holland (719237).