

Members are reminded that they must declare all relevant pecuniary and non-pecuniary interests relating to any items of business to be discussed at this meeting

BIRMINGHAM CITY COUNCIL

COUNCIL BUSINESS MANAGEMENT COMMITTEE

TUESDAY, 13 DECEMBER 2016 AT 14:00 HOURS
IN COMMITTEE ROOM 2, COUNCIL HOUSE, VICTORIA SQUARE,
BIRMINGHAM, B1 1BB

A G E N D A

1 NOTICE OF RECORDING/WEBCAST

The Chairman to advise the meeting to note that this meeting will be webcast for live and subsequent broadcast via the Council's Internet site (www.birminghamnewsroom.com) and that members of the press/public may record and take photographs. The whole of the meeting will be filmed except where there are confidential or exempt items.

2 APOLOGIES

To receive any apologies.

3 - 4

3 MINUTES

To confirm and sign the minutes of the last meeting.

5 - 28

4 PAY AND GRADING FRAMEWORK FOR CHIEF OFFICERS

Report of the Chief Executive.

29 - 40

5 FUTURE COUNCIL WORKFORCE SAVINGS - JNC SAVING

Report of the Chief Executive.

41 - 44

6 HONORARY FREEDOM OF THE CITY

Report of the Acting City Solicitor.

45 - 46

7 **DISPENSATION FOR NON-ATTENDANCE OF A COUNCILLOR AT COUNCIL MEETINGS**

Report of the Acting City Solicitor.

47 - 50

8 **COUNCIL AGENDA FOR THE NEXT MEETING**

To consider the Council agenda for the next meeting.

For information the order of Notices of Motion at this meeting will be Labour, Conservative and Liberal Democrat.

9 **OTHER URGENT BUSINESS**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chairman are matters of urgency.

10 **AUTHORITY TO CHAIRMAN AND OFFICERS**

Chairman to move:-

'In an urgent situation between meetings, the Chair jointly with the relevant Chief Officer has authority to act on behalf of the Committee'.

BIRMINGHAM CITY COUNCIL

COUNCIL BUSINESS MANAGEMENT COMMITTEE 22 NOVEMBER 2016

**MINUTES OF A MEETING OF THE COUNCIL BUSINESS MANAGEMENT
COMMITTEE HELD ON TUESDAY 22 NOVEMBER 2016 AT 1400 HOURS,
IN COMMITTEE ROOM 2, THE COUNCIL HOUSE, BIRMINGHAM**

PRESENT:

Councillor John Clancy in the Chair;

Councillors Robert Alden, Gareth Moore, Sharon Thompson, Ian Ward and Mike Ward.

NOTICE OF RECORDING

- 2550 The Chair advised the meeting to note that members of the press/public may record and take photographs except where there are confidential or exempt items.
-

APOLOGIES

- 2551 An apology was received from Councillor Mohammed Idrees.
-

MINUTES

- 2552 The Minutes of the last meeting held on 18 October 2016 were confirmed and signed by the Chair.
-

THE LORD MAYORALTY FORMULA

The following report of the Acting City Solicitor was submitted:-

(See document No 1)

- 2553 **RESOLVED:-**

That it be noted that, in accordance with the formula set out in the Appendix to the report, the Conservative Group is entitled to put forward one of its members to be the Lord Mayor for 2017/18.

COUNCIL AS TRUSTEE AGENDA AND COUNCIL AGENDA FOR THE NEXT MEETING

The following draft Council as Trustee agenda and Council were submitted:-

(See document No 2)

During the discussion relating to the timing for the City Council meeting it was agreed to reduce the time for the Mayoral Order item to 15 minutes, reduce the time for the Overview and Scrutiny Report item to 45 minutes and reduce the time Motions for Debate from Individual Members item to 75 minutes. Whilst it was acknowledged that the meeting was still timed to extend 30 minutes beyond the normal finishing time Members did not wish to recommend extending the time at this stage.

2554

RESOLVED:-

That, subject to the above, the draft Council as Trustee and Council agenda be noted.

OTHER URGENT BUSINESS

Freedom of the City

2555

In response to a comment from Councillor Mike Ward, the Committee was advised that a report on conferring a Freedom of the City would be submitted to the next meeting

AUTHORITY TO CHAIR AND OFFICERS

2556

RESOLVED:-

That in an urgent situation between meetings the Chair, jointly with the relevant Chief Officer, has authority to act on behalf of the Committee.

The meeting ended at 1408 hours.

.....
CHAIR

Report to:	Council Business Management
Report of:	Chief Executive
Date of Decision:	13th December 2016
SUBJECT:	PAY AND GRADING FRAMEWORK FOR CHIEF OFFICERS
Wards affected:	None

1. Purpose of report:

1.1. This report highlights the need to review the current pay and grading framework for JNC Officers. It outlines the design principles that have been applied to inform the new proposals and makes recommendations regarding the best fit.

2. Decision(s) recommended:

It is recommended that Council Business Management Committee:

- 2.1. Note the adoption of the Local Government Employers (LGE) job evaluation scheme as the mechanism for assessing the rank of JNC roles from 1st July 2017
- 2.2. Agree the adoption of a new four grade model for JNC officers as outlined in paragraph 3.5 of this report
- 2.3. Delegate authority to the Chief Executive to implement the new pay and grading framework on 1st July 2017. Applying a process of voluntary offer and then consideration of dismissal and reengagement if necessary

3 Report

3.1. The current JNC grading structure dates back to 2008 with the method of evaluation to align roles to a grade not being associated with any nationally recognised benchmarked scheme. The pay framework is locally designed with 10 overlapping grades, with no clear relationship between pay grades and job titles. The Council now needs to ensure it has a modern pay and reward framework for the JNC cadre going forward.

3.2. A review was undertaken to deliver a new grade structure that is aligned with our vision for our future leaders and provides the flexibility to both attract and retain the capabilities to deliver the vision of the of the future Council. The design principles to achieve this were defined as follows.

- Reduces the number of grades from 10 to be aligned with the future senior role profiles.
- Progression within the framework will be clearly linked to delivering on the Council priorities, values and the behavioral standards.
- Salary ranges with no set spinal points that will allow flexibility in the level of compensation, enabling the Council to relate reward in consolidated pay to actual performance and the ability pay.

- Contractual flexibility to allow growth within the role to reflect the changing organisational objectives
- It will support the notion of one Council with the expectations of corporate leadership and role flexibility
- Cost neutral on current budget spend for JNC consolidated pay
- Minimise equal pay risk in the new structure
- Transparent, clear and easy to understand

3.3. There has been an exploration of the efficacy of a number of different job evaluation schemes. It was identified that the Local Government Employers (LGE) job evaluation scheme was the best fit for supporting the design principles. Subsequently all of the JNC officer roles were evaluated under the scheme to establish the rank order of roles. The rank order has then been used to model the proposed new grading framework.

3.4. In order to reach a proposed grading structure a pay modeling process was developed working through multiple models on differing numbers of grades that were possible options. The models were then appraised and eliminated until they had the desired components. In addition to meeting the agreed design principles the chosen proposed model needed to meet the following criteria after the various options were appraised;

- There to be clear gaps between grades - this reduces the risk of equal pay issues where an employee in a lower grade can be paid higher than an employee scoring higher that is within the next grade.
- There to be logic in the structure design – this is where salary spans and gaps between grades follow logic rather than being random that could be interpreted as manipulation to achieve a desired outcome.
- The structure achieves the desired number of grades first time and doesn't use a phased approach to get to that number.

3.5. The number of grades within the models appraised varied and ranged from as high as seven down to four. For each of the models several variations were produced with differing logic for the spans and gaps before the model was discounted. The proposal for the new grading structure looked to reduce from ten grades down to four in order to align to senior role profiles of Assistant Director, Service Director, Strategic Director and Chief Executive.

The table below illustrates the main components of the recommended structure.

Role	Grade Label	Min Score	Min £	Max £	Span £	Span %	Gap £	Gap %
Chief Executive	B04	1900	172,272	211,033	38,761	22.5%		
Strategic Director	B03	1490	128,802	157,782	28,980	22.5%	14,490	50%
Service Director	B02	1170	96,300	117,968	21,668	22.5%	10,834	50%
Assistant Director	B01	—	72,000	88,200	16,200	22.5%	8,100	50%

3.6. Meaningful consultation with the JNC cadre and their trade union representatives has been undertaken over the last 6 months regarding the options and proposals. A detailed business case was used to inform the consultation which incorporated wider proposals in relation to securing workforce savings. A copy of the business case can be found in appendix A of this report. Affected employees were predominantly in support of the adoption of a new proven, national job evaluation scheme and of a clear four grade pay framework.

3.7. An Equality Impact Assessment of the implications of the proposals has been undertaken and can be found in appendix B of this report.

Contact Officer:	Claire Ward Assistant Director Workforce Strategy
Telephone No:	07500882952
E-mail Address:	claire.ward.birmingham.gov.uk

Signature:

Chief Officer(s):

Dated:

List of Appendices:

Appendix A – Business Case for Consultation
Appendix B – Equality Impact Assessment
Appendix C – Consultation Feedback

JNC Grade Structure Review:

BUSINESS CASE FOR CONSULTATION

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1. BACKGROUND

The Council is currently faced with exceptional changes that will see the workforce both reshaped and resized to meet the unprecedented challenges that the budget reductions will bring over the next three years.

In addition to budgetary pressure there have been concerns regarding senior leadership capacity and capability that were identified in the reports of Lord Warner and Sir Bob Kerslake.

In response to these challenges the Future Council Programme was established in 2015 with reshaping and resizing the workforce forming part of the Forward sub programme. Part of the scope of the sub programme is to create new workforce design principles and a framework to reshape the 'Future Council' that will look to review roles, structure and the employment offer.

The original decision to undertake this review was taken in 2015, with a number of discussions at CLT. The decision to adopt the LGE JNC evaluation scheme was made in the summer of 2015 and all roles were then subsequently evaluated under the scheme. This review was then temporarily put on hold whilst there was an initial exploration of the impact of the workforce savings proposals that were launched in December 2015, on this work. It is noted that there have been a number of changes to JNC membership since then so this paper outlines, background, context and details of the review undertaken.

In line with the programme the JNC grade framework is being reviewed to make sure that it is fit for purpose for the future needs of the Council. The current grading structure dates back to 2008 with the method of evaluation to align roles to a grade not being associated with any nationally recognised benchmarked scheme.

The Council now needs to ensure it has modern pay and reward framework for the JNC cadre going forward. In light of this we are undertaking the following steps to achieve that;

- Job Evaluation – this has involved evaluating all JNC roles utilising the Local Government Employers evaluation scheme to establish a rank order for the council that could be used as a basis to review the grading structure.
- Pay modelling – this has now been undertaken to establish a grade structure model for this consultation and further information can be seen in section 5.
- Performance and development framework – This will be reviewed to establish a framework for the JNC cadre to enhance performance and to develop the senior leadership capacity and capability going forward.

Additionally there are a basket of proposals that have been developed to reduce the cost of employment as part of the workforce savings proposals that could impact on the terms and conditions of JNC officers. These are as follows:

- Freeze the payment of performance related rewards for three years

- Removal of subsistence allowance where working away from home
- Review of JNC pay – potential for a 5% reduction
- Keep contractual hours the same, but work out the salary based on an FTE of 37 hours per week for both full and part time employees. This would mean a reduction of 1.35% for both full and part time employees.
- Removal of retirement gifts and testimonials

2. SCOPE

The review will cover all officers on JNC terms and conditions that are aligned to the current 10 grade structure. In addition to this cohort, a small number of equivalent Public Health roles will also be included. (All roles under the NJC terms and conditions will **not** be in scope of this review, but will be subject to a separate options appraisal).

The review initially explored the efficacy of a number of different job evaluation schemes. It was identified that the Local Government Employers (LGE) job evaluation scheme was the best fit.

Subsequently all of the above officer roles were evaluated under the scheme to establish the rank order of roles. The rank order has then been used to model the grading framework that is being presented for this consultation.

The scale of the future changes the Council face mean there is a requirement to deliver a challenging transition to what will be a new Council.

The Future Council has already looked to identify where we are going from and to as an organisation and what that means for our leaders and senior managers such as the following;

- Distributive, community leaders, aligned to the Council's values and behaviours
- Ability to lead, manage and collaborate across organisational boundaries and impact outside of structural sphere of influence
- Great partners, commissioners, contract managers and whole systems thinkers
- Effective performance managers who enable employees to give and achieve their best
- Self-serve, use their discretion to make values based decisions

In order to meet this challenge there will inevitably be new skills, capabilities behaviours and attitudes required to work towards what will be seen as the new normal, as well as embedding our recently developed values and behaviours.

We are looking to develop broad role profiles that align to the proposed grading structure whilst still maintaining the specialisms required for the role and will look to encompass the leadership qualities that the Council believes are going to be key to our success in meeting the challenges.

In addition to this we will need to review the performance management framework for the JNC cadre to ensure it is effectively aligned to our ambition of achieving excellence.

3. FINANCIAL CONTEXT

There were originally 57 FTE in scope of this review with an employee cost of £5,338,293 based on basic salary costs. However, this number has fluctuated during the review due to restructuring and budget savings, and will continue to do so with starters and leavers within the cohort.

The review of the pay and grading framework is in itself is not a cost saving exercise and the modelled proposed structure has been done so to be as close to cost neutral as possible.

Whilst the proposed grade structure aims to be cost neutral there will still be an element of salaries increasing (green circles) and salary reductions (red circles) which is inevitable in such a review.

The proposal to review JNC pay has a cost saving of £361k (inclusive of on-costs) attached to it. Savings are also associated with the proposal to freeze performance related pay for three years, cease subsistence pay and retirement gifts.

4. PURPOSE & DESIGN PRINCIPLES

The purpose of the review is to deliver a new grade structure that is aligned with our vision for our future leaders and provides the flexibility to both attract and retain the capabilities to deliver the vision of the of the future Council. The design principles to achieve this have been defined as follows.

- Reduces the number of grades from 10 to be aligned with the future senior role profiles.
- Progression within the framework will be clearly linked to delivering on the Council priorities, values and the behavioral standards.
- Salary ranges with no set spinal points that will allow flexibility in the level of compensation, enabling the Council to relate reward in consolidated pay to actual performance and the ability pay.
- Contractual flexibility to allow growth within the role to reflect the changing organisational objectives
- It will support the notion of one Council with the expectations of corporate leadership and role flexibility
- Cost neutral on current budget spend for JNC consolidated pay
- Minimise equal pay risk in the new structure
- Transparent, clear and easy to understand
- This structure will set precedent for any future changes to the NJC pay framework

Additionally there is now an overall requirement to identify appropriate mechanisms for addressing the workforce savings proposals. The proposed design principles to inform these are proposed as follows:

- Secure the pre requisite savings
- Seek to minimize the impact on recruitment and retention

5. MODELLING APPROACH & PROPOSED GRADING STRUCTURE

It is often the case that one objective will push modelling in a direction that conflicts with another objective or a constraint. Without a significant additional budget, there is rarely a perfect pay structure that supports all objectives whilst conforming to all constraints.

There are an almost infinite number of possible pay structure variations. The modelling approach is not to look for the perfect pay structure; at least not initially. The modelling approach is to look at a broad range of pay structures and progressively eliminate them in order to ensure the design principles are incorporated into the structure.

As the number of models remaining reduces they are analysed in greater detail. The outcome is a small number of pay structures that can be considered as 'options', which *best fit* the objectives and constraints set by the Council.

In order to reach a proposed grading structure the pay modelling process has involved working through multiple models on differing numbers of grades that were possible options. The models were then appraised and eliminated until they have the desired components. In addition to meeting the agreed design principles the chosen proposed model needed to meet the following criteria after the various options were appraised;

- There to be clear gaps between grades - this reduces the risk of equal pay issues where an employee in a lower grade can be paid higher than an employee scoring higher that is within the next grade.
- There to be logic in the structure design – this is where salary spans and gaps between grades follow logic rather than being random that could be interpreted as manipulation to achieve a desired outcome.
- The structure achieves the desired number of grades first time and doesn't use a phased approach to get to that number.

The number of grades within the models appraised varied and ranged from as high as seven down to four. For each of the models several variations were produced with differing logic for the spans and gaps before the model was discounted.

The proposal for the new grading structure looks to reduce from ten grades down to four in order to align to senior role profiles of Assistant Director, Service Director, Strategic Director and Chief Executive.

The table below illustrates the main components of the structure.

Role	Grade Label	Min Score	Min £	Max £	Span £	Span %	Gap £	Gap %
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Strategic Director	B03	1490	128,802	157,782	28,980	22.5%	14,490	50%
Service Director	B02	1170	96,300	117,968	21,668	22.5%	10,834	50%
Assistant Director	B01	-----	72,000	88,200	16,200	22.5%	8,100	50%

The table above can be interpreted as follows

- Grade Label – this is the grade description and is solely the identifier for the grade band
- Min Score – this is the minimum score required from your evaluation to be placed within the grade band
- Min £– this is the minimum salary for the grade band
- Max £– this is the maximum salary for the grade band
- Span £ - the monetary difference between the minimum and maximum salary for the grade band
- Span % - the percentage difference between the minimum and maximum for the grade band
- Gap £ - the monetary gap between grade bands
- Gap % - The percentage gap between grade bands

The structure offers a logical 22.5% span between the minimum and maximum salary of each grade band. Then the gap between grade bands is based on 50% of the grade span. This structure has been selected for consultation as the number of grade bands align to the four role profiles and it is more logically based compared to the alternative four grade models. In comparison to the previous structure the salary spans were around 11% and grades overlapped by up to 6% with no gaps between grades until beyond L07.

6. ASSIMILATION METHODOLOGY

Assimilation to the grade band will be based on the evaluation score from the JIQ as follows

	Score Range	
B01	800	1169
B02	1170	1489
B03	1490	1899
B04	1900	

Placement within the salary range will be based on your current salary as follows.

- Where your current salary is below that for the grade minimum you will be assimilated to the minimum salary for the grade band (Green Circle)
- Where your current salary is within the salary range you will be assimilated into the grade band at your current salary (White Circle)
- Where your current salary is above the grade maximum you will be assimilated to the maximum for the grade band (Red Circle)

Where salary is reduced as part of the assimilation process the proposal is that there will not be any pay protection.

7. PERFORMANCE AND DEVELOPMENT

As part of the alignment to the new grading structure it is proposed that there will be four role profiles that define the senior leadership for the council as follows.

- Chief Executive
- Strategic Director
- Service Director
- Assistant Director

Whilst there will still be unique duties and responsibilities within roles, the proposed role profiles will define the generic expectations of an officer operating at a senior level within the Council.

With wider salary spans there will be an expectation of salary progression within a grade being reliant on a performance framework that will allow the Council vary the level of reward based on the ability to pay and the level of performance. However, in line with the wider proposals we are consulting on freezing performance related pay from when the Future Council Workforce contract comes into force for NJC employees. This will also form part of the consultation with JNC officers to make the same comparative change.

8. FUTURE COUNCIL WORKFORCE CONTRACT PROPOSALS

A number of the proposals within the basket of options to achieve savings from the cost of employment will impact on JNC officers and cumulatively this could have a significant impact on the pay and reward package. The proposals which were included in the S188 notice issued in December 2015 are as follows:

- Freeze the payment of performance related increments for three years
- Removal of subsistence allowance where you are working away from home
- Amendments to the standard working week to be increased 37 hours whilst contractual hours remaining the same that gives a potential 1.35% reduction in salary. So where you are currently full time on 36.5 hours per week this would be seen as a proportion of 37 hours week so your FTE reduces from 100% to 98.65% See appendix 1 for examples of pension implications
- Review of JNC pay – potential for a 5% reduction
- Removal of retirement gifts and testimonials

These proposals have been developed in the following financial context:

- BCC Gross Expenditure for 2016/17(excluding HRA, Schools Funding & Benefits Payments) is £1,475m
- Employee expenditure for 2016/17 (excluding HRA, Schools Funding & Benefits Payments) is £424m
- Total savings identified in 2016/17 of £88m
- A further £75m savings are required in 2017/18 with a further £88m being needed by 2019/20 i.e. £251m total annual on-going savings by 2019/20

8.1 Considerations

Employee costs is one of our most significant controllable budgets

- We are proposing to reduce headcount by c. 1,200 this financial year and there is a strong likelihood that there will be further significant reductions in 17-18 and 18-19
- We are also proposing to reduce the costs of employment so that we do not have to further reduce our headcount.

These proposals have been developed based on a preference to further reduce the costs of employment rather than the number of people employed.

- An additional reduction in the number of post holders at JNC level at this point in time could impact on our performance and delivery of the outcomes we need to secure for our citizens.

We fully recognise the potential that this could have on individuals, however on balance we believe that the council still offers significant opportunities for senior leaders

- A revised reward package that will offer greater choice through salary sacrifice schemes that enable employees to acquire a benefit that is of value to them whilst making potential savings in tax and NI by reducing their salary for a set period. Examples of a new scheme would be a 'Green Car Scheme' that would give

access to a brand new car that includes road tax, fully comp insurance, maintenance/servicing in return for a set deduction in salary for a specified period.

- Continued access to a defined benefit pension scheme that gives access to a guaranteed income at a time you will most need it.
- The ability to achieve greater work/life integration by giving employees more control over their work and where and when it's done whilst at the same time rethinking the way we achieve our goals through output driven outcomes by being more agile. This should allow you to bring work and life more closely together by knowing you can come to work whilst still making personal appointments and finish your projects. Whilst at the same time providing the right work-life support from career management, technology, flexibility in hours, wellbeing initiatives etc. with the goal of maximising productivity and delivering best value to the Council.

8.2 Review of pay proposals

There is a proposal to achieve a saving of £361k (including on-costs) from the JNC pay budget which is the equivalent of a 5% pay reduction. The effect of this reduction to pay based on current JNC pay scale as at April 2016 would be as follows;

Grade	SCP	Apr-16	Less 5%
L01	1	70,929	67,383
L01	2	72,243	68,631
L01	3	73,556	69,878
L01	4	74,870	71,126
L01	5	76,183	72,374
L01	6	77,497	73,622
L01	7	78,810	74,870
L02	9	75,102	71,347
L02	10	76,492	72,668
L02	11	77,883	73,989
L02	12	79,274	75,310
L02	13	80,665	76,631
L02	14	82,055	77,953
L02	15	83,446	79,274
L03	17	79,274	75,310
L03	18	80,742	76,705
L03	19	82,210	78,099
L03	20	83,678	79,494
L03	21	85,146	80,889
L03	22	86,614	82,283
L03	23	88,082	83,678
L04	25	83,446	79,274
L04	26	84,992	80,742
L04	27	86,537	82,210
L04	28	88,082	83,678
L04	29	89,627	85,146
L04	30	91,173	86,614
L04	31	92,718	88,082
L05	33	91,791	87,201
L05	34	93,491	88,816
L05	35	95,190	90,431
L05	36	96,890	92,046
L05	37	98,590	93,661
L05	38	100,290	95,276
L05	39	101,990	96,890

Grade	SCP	Apr-16	Less 5%
L06	41	100,135	95,129
L06	42	101,990	96,890
L06	44	103,626	98,445
L06	45	105,444	100,172
L06	46	107,262	101,899
L06	47	109,080	103,626
L07	49	106,353	101,035
L07	50	108,323	102,906
L07	51	110,292	104,777
L07	52	112,262	106,648
L07	53	114,231	108,519
L07	54	116,201	110,391
L07	55	118,170	112,262
L08	57	139,516	132,541
L08	58	142,100	134,995
L08	59	144,684	137,449
L08	60	147,272	139,909
L08	61	149,860	142,367
L08	62	152,439	144,817
L08	63	155,018	147,267
L08A	75	131,300	124,735
L08A	76	132,563	125,934
L08A	77	133,825	127,134
L08A	78	135,087	128,333
L08A	79	136,350	129,533
L08A	80	137,613	130,732
L08A	81	138,875	131,931
L10	65	184,325	175,109
L10	66	191,900	182,305
L10	67	195,687	185,903
L10	68	199,475	189,501
L10	69	203,262	193,099
L10	70	207,050	196,697
L10	71	210,837	200,296
L10	72	214,625	203,894
L10	73	218,412	207,492
L10	74	222,200	211,090

Please note that SCP43 is no longer used due to the discrepancy caused by the previous pay award on 01 January 2015 where it became lower than SCP42.

8.3 Review of working week

The proposal is to increase full-time contracted working hours from 36.5 to 37 hours but retain the current contractual hours at 36.5 hours for full time employees but calculate pay as a proportion of 37 hours. This would mean a 1.35% reduction in pay for all employees – full-time and part-time

Whilst for the majority of local authorities the standard working week is 37 hours in Birmingham as part of Single Status, BCC arrangements are that full-time staff are paid for working 37 hours per week even though they work 36.5 hours at present.

9. CONSULTATION AND IMPLEMENTATION

We would like your views and you are invited to comment on the proposed changes as part of the consultation. In order for you to share your views we intend to consult during July and August. In addition to sending out this business case we will:

- Consult with your trades union representatives
- Carry out directorate consultation sessions
- One to one consultation to discuss how the grading proposal could affect you
- One to one consultation on the proposals to change terms and conditions as part of the Future Council Workforce Contract

10. NEXT STEPS

The following table briefly describes the next steps in the process and offers a proposed timeline for achievement.

Description	Activity	Timeline	Owner
Consultation	Share business case	July/August 2016	Claire Ward/Pete Yeung
	Directorate consultation briefing		
	One to one consultation meetings		Strategic Directors
	Trades Union consultation		
Structure agreed	Consider consultation feedback	September 2016	Claire Ward/Pete Yeung
	Draft final business case		
	Communicate to employees		
	Secure internal governance sign off		
Grade Assimilation	Contractual change issued	November 2016	Claire Ward/Pete Yeung
	Assimilation to grading structure	July 2017	

Role Profile	Develop new role profiles that align to new grading structure	November 2016	Claire Ward/Pete Yeung
Performance and Development	Create performance framework	December 2016	Shauna Posaner
Future Council Workforce Contract consultation	Share business case	July/August 2016	Claire Ward/Pete Yeung
	Directorate consultation briefing		
	One to one consultation meetings		Strategic Directors / Line manager
	Trade union consultation	June – September 2016	Claire Ward
Future Council Workforce Contract	Decision made regarding final recommendations	November 2016	Claire Ward
	Implementation of new contract	July 2017	Claire Ward

Appendix 1 Pension Implications

Impact on Pension benefits Full Time employee Pre 14 scheme	Impact on Pension benefits Part-time employee Pre 14 Scheme	Impact on Pension benefits Part-time employee Post 14 CARE scheme	Impact on Pension benefits Full Time employee Post 14 CARE scheme
<p>No change. As pre 14 pension benefits are based on the full time equivalent pay and the FTE pay will not change. The hours change is after April 2014 so will not affect the service calculation for pre 14 service. Example Current hours are 36.50/36.50 pay is £20k, revised actual pay is £19729 for 36.50 hours and full FTE equivalent for 37 hours is £20k. Pre 2014 pension benefits will still be calculated on the FTE pay of £20k</p>	<p>No change. As pre 14 pension benefits are based on the full time equivalent pay and the FTE pay will not change. The hours change is after April 2014 so will not affect the service calculation for pre 14 service. Example Current hours are 18.25/36.50 actual pay is £10k, revised actual pay is £9864 for 20 hours and full FTE equivalent for 37 hours is £20k. Pre 2014 pension benefits will still be calculated on the FTE pay of £20k</p>	<p>If pay reduces the pension benefits will reduce accordingly The CARE benefits are based on 1/49th pay for each year. Therefore, the benefits will reduce. For example current pay is £20k for 36.50 hours. CARE benefits would be 1/49th of £20k = £408. The revised pay would be £19729 and the CARE benefits would be 1/49th = £402. This will only be effective from the implementation date. Previous years are protected</p>	<p>If pay reduces the pension benefits will reduce accordingly - 1.35%. The CARE benefits are based on 1/49th pay for each year. Therefore, the benefits will reduce. For example current pay is £10k for 18.25 hours. CARE benefits would be 1/49th of £10k = £204. The revised pay would be £9864 and the CARE benefits would be 1/49th = £201. This will only be effective from the implementation date. Previous years are protected</p>

Appendix 1 - continued

Additional Pension Impacts
Reduced death in service lump sum. This is based on the last 365 days pay. In cases of ill health retirement the ill health enhancement will be reduced as this is based on CARE pay
If your pay is reduced or increases to your pay are restricted in your last ten years of continuous employment with your employer because you downgrade or move to a job with less responsibility, or as a result of a job evaluation/equal pay exercise, or because of a change to what is specified as pensionable pay in your contract (using the definition of pensionable pay before 1 April 2014), or is restricted for some other reason, you may have the option to have your final pay calculated as the average of any three consecutive years' pay in the last 13 years (ending on a 31 March). Such an option must be made to the Fund no later than one month before leaving. You cannot make use of this option to use earlier years pay in working out your benefits if the reduction or restriction to your pay was as a result of the loss of a temporary increase in pay, or resulted from a reduction in your grade in order to take retirement benefits on flexible retirement.

For further information on pension implications you should contact Sally Plant via email on sally.plant@birmingham.gov.uk or by telephone on 07823 534910.

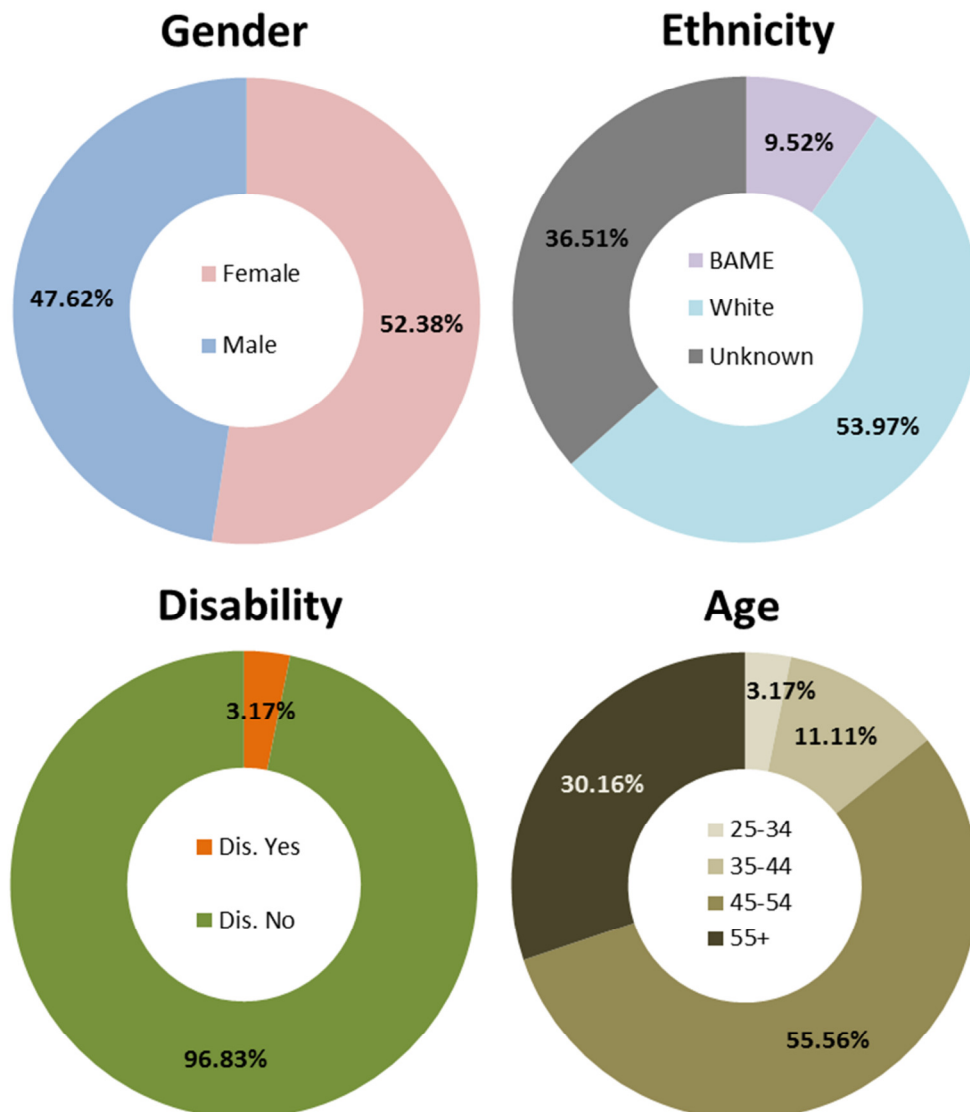
Summary of Findings

The proposals have been analysed, reviewing Birmingham City Council and Acivico JNC officers' data

The payroll data utilised was based on information extracted from the HR/Payroll system (SAP) for the period 01 April 2015 - 31 March 2016. Employee data has been extracted on 18 November 2016 in order to cover the current JNC cohort. We have sought to take all reasonable steps to ensure the data is as valid as practicable. As with any data, there can be issues with its integrity and accuracy. This is something we will continue to review beyond this analysis.

Overall breakdown by protected status for JNC cohort

The JNC cohort consists of 63 employees and the following four charts represent the breakdown by protected characteristic for those employees that will be subject to the proposals.



JNC Pay and grading review

The following table illustrates the proposed four band grading structure for JNC officers and is to take effect 01 July 2017. This has been established following a job evaluation exercise utilising the Local Government Employers evaluation scheme for all JNC roles.

Role	Grade	Min £	Max £
Chief Executive	B04	172,272	211,033
Strategic Director	B03	128,802	157,782
Service Director	B02	96,300	117,968
Assistant Director	B01	72,000	88,200

The proposed structure has been established as close to cost neutral as possible and the following is the impact against the protected characteristics. Whilst the structure is cost neutral there are still changes to pay on assimilations as follows.

Red Circles – current pay is higher than the proposed maximum for the grade the role is being assimilated to. In this case pay will be lowered.

White Circles – current pay is within the pay range of the grade that the role is being migrated to. In this case pay stays the same.

Green Circles – current pay is lower than the minimum for the grade that the role is being migrated to.

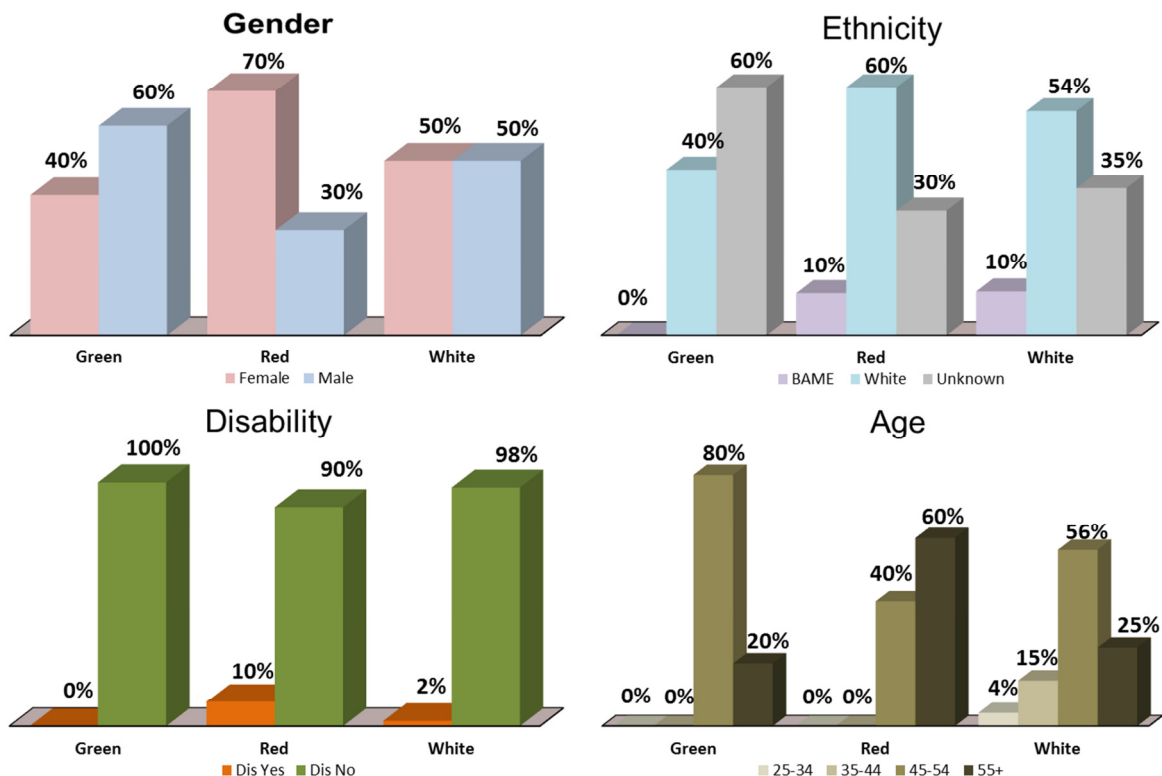
The following table illustrates the percentage of JNC employees affected by the different scenarios on assimilation to the new grading structure.

	Total EE's		Green %		White %		Red %	Average loss	Average loss %
Overall	63	5	7.94%	48	76.19%	10	15.87%	4879	4.70%

The charts below show the circling by within the different protected characteristics.

- **Gender** – Females make up the highest percentage of employees losing pay and this will have been exacerbated by the recent increments and the cost of living pay rise that were effective from 01 April 2016. Had the pay structure have been implemented as planned in April 2016 this would have been a 50%/50% split. Males employees are the highest percentage gaining pay, however the green circles only account for five employees in total so it is in effect one employee difference.
- **Ethnicity** – White employees are the highest losing pay, but due to a high percentage of unknown ethnicities this could be different. The unknown category also account for the highest number of green circles, but as with gender this green circles is a very small group.

- Disability – There a total of two disabled employees and therefore analysis in this characteristic is sensitive to any change in numbers. However, they are not adversely affected by the outcomes.
- Age – Both of the upper age groups make up the numbers for red and green circles with the lower two groups being unaffected by the outcome and remaining as white circles. Older employees that may be approaching retirement and are affected by losing pay will have protection for their pension as the period used for calculation can be nominated in certain circumstances by the employee where they suffer a reduction in pay.



Consultation feedback on JNC Pay and Grading Proposals

Proposal	Suggestions	Comments
Pay Structure	<p>If the Council wishes to remain competitive in JNC pay it is therefore going to have to relax its traditional antagonism to short term and consultancy style contracts.</p> <p>Pay bands too narrow and should consider 2/3 bands with between 33% - 50% span</p> <p>New salary structure for the grades based on market intelligence and need to save money</p>	<p>No articulation of number roles needed to deliver the future council even though demand on leadership is increasing.</p> <p>Would want to see the analysis that led to this design and benchmarking should be shared.</p> <p>Need assurance a review of the competitiveness of the JNC pay offer has been carried out.</p> <p>May foster growth in non-permanent employment options with two JNC appointments consciously changing employment route so not to be affected.</p> <p>How does a four grade structure promote succession with large gaps between grades?</p> <p>Four band structure should be supported and is a positive step.</p> <p>Consideration should be given to the gap between NJC and JNC pay structures to maintain a significant gap between them given the additional level of responsibility at AD level.</p> <p>What does contractual flexibility to allow growth within grade mean?</p> <p>Need reassurance of consistency in roles and responsibilities</p> <p>More information defining differences between AD and SD roles</p> <p>Lack of clarity around progression with grades.</p> <p>Could impact on the organisations ability to drive improvements needed following Warner and Kerslake reviews.</p>
Assimilation methodology	<p>Assimilated based on JE score – this was tested and led to 27 red circles in comparison to 11 in the proposed methodology</p> <p>Longer notice period of a pay reduction</p>	<p>High level of red circles within AD role</p>

Report to:	Council Business Management Committee
Report of:	Chief Executive
Date of Decision:	13th December 2016
SUBJECT:	Future Council Workforce Savings – JNC Savings
Wards Affected:	None
1. Purpose of report:	
<p>1.1 This report follows that taken to CBM in October 2016 which outlined a set of proposals to achieve a reduction in the cost of employing the workforce. This report outlines the approach to be taken in respect of reducing the costs associated with the JNC cadre by £361k.</p>	
2. Decision(s) recommended:	
<p>That CBM delegates authority to the Chief Executive to:</p> <p>2.1 Secure the required saving of £361k through a review of the overall future JNC establishment requirement as informed by the 2017/18 budget setting process; and a rationalisation of the use of senior agency, interims and consultants.</p> <p>2.2 Commence implementation of the in year changes to freeze Performance Related Pay for JNC officers, for 3 years as outlined.</p> <p>.</p>	
3. Report	
<p>3.1 The Council issued a Section 188 notice in December 2015 which included a range of propositions that has become known as the Future Council Workforce Strategy. This report outlines the outcome of the consultation regarding the proposal to reduce the costs associated with the JNC wage bill by £361k per annum.</p> <p>3.2 A package of measures has been agreed by the trades unions to secure wider savings target. All of the measures included in this package also affect the JNC cadre of officers in the Council. These are as follows:</p> <ul style="list-style-type: none"> • Employees would only be eligible to claim subsistence allowance when they are away from home for business after 24 hours. • On the payment of performance related pay: <ul style="list-style-type: none"> ○ For 2016/17, those eligible would be given a one-off lump-sum payment in lieu of an increment for that year. ○ Performance related pay would be suspended from 1 April 2017 to 30 June 2017 for council (non-schools) is applied to employee contracts. ○ There would be a joint management and trade union annual review of the ability of the council to give performance-related payments for the periods 2017-18, 2018-19 and 2019-20. 	

3.3 Detailed consultation has been undertaken with the JNC cadre and their trade union representatives regarding approaches to securing the required savings. This included consideration of a pay cut of 5%, a reduction in the number of posts, reduction in spending on interims & consultants and an expansion of the salary sacrifice scheme. A copy of the consultation feedback can be found in appendix A of this report.

3.4 The key messages from the consultation from both employees and the majority of the trade unions was as follows:

- ✓ The need to have a consistent approach to the treatment of remuneration for all employees, recognising that JNC officers will be affected by the proposals impacting on the wider workforce, including the non-consolidation and then freezing of PRP & changes to subsistence payments.
- ✓ There is a need to remain competitive in the labour market for senior recruitment given the size and scope of the challenges at BCC, and the need for resilient leadership capacity.
- ✓ A cut to JNC pay only will further erode what is already a very small pay differential between JNC officers and those on Grade 7 of the NJC scheme. This differential is likely to erode even further over the coming years as the national pay framework for NJC is reconfigured to accommodate the proposed increase in the National Living Wage.
- ✓ We now have a workforce strategy to develop internal change and transformation capacity so that any future consultancy is truly technical specialist to add value and where internal capacity is either not required on an on-going or regular basis or because of its specialist nature not practicable at this point.
- ✓ The recommended approach is a mechanism of achieving the required saving, with a reduction in the use of agency, interims and consultants. This will be monitored by the Corporate Leadership Team at their monthly performance board, and also the monthly performance board with the Deputy Leader.

4. Financial Observations

The Council continues to operate in challenging financial circumstances due to reducing resources available to fund service provision and investment in assets. In order to ensure that the Council remains financially sustainable and to enable delivery of statutory services to a sufficient standard, the Business Plan & Budget 2016+ set out the requirement for further cumulative savings of around £163m over the next three financial years from 2017/18 onwards.

Spend on direct employee costs accounts for a significant proportion of the Council's allocated budgets. In the context where the Council has a challenging target to deliver savings, a reduction in the costs of employment was identified as part of the solution. As part of the Business Plan 2016+, original proposals relating to workforce reductions were put forward as a means of offsetting the extent of service reductions and associated redundancies, with a target of £18m being deliverable from terms and conditions changes. Within these proposals, there is a requirement to make a saving of £361k from the JNC pay bill. This is separate and in addition to applying the changes to terms and conditions being made to the wider workforce to JNC officers

Expenditure on the JNC cadre and interims in the 2015/16 financial year was £7.8m, and it is anticipated that by the end of the current financial year, expenditure on these two elements will total £7.2m. This represents a forecasted reduction of £0.6m on the previous year's expenditure. Some of this expenditure was supplemented on a one off basis by the DCLG, this funding is not built into the long term budget. This means that the on-going revenue saving will be £361k. Detailed monitoring of expenditure on interims will continue for the remainder of the financial year and for future years in an effort to minimise expenditure as far as practically possible.

Legal Observations

There has been consultation with employees and trade unions concerning the change to terms and conditions of employment in accordance with legislative requirements.

In line with the terms and conditions of JNC Officers they will not be able to have their changes automatically incorporated by means of collective agreement. They will need to be given notice of changes to the contract of employment and have the opportunity to voluntarily accept the contract on the new terms and conditions. In the event that voluntary agreement is not secured consideration will need to be given to a process of dismissal and re-engagement.

If an employee does not accept the amended contract they could resign and there is a risk that they could lodge a tribunal claim for constructive unfair dismissal, wrongful dismissal or breach of contract. The City Council will defend any potential claims that may arise.

Contact Officer:	Claire Ward Assistant Director Workforce Strategy
Telephone No Email address	07500882942 claire.ward@birmingham.gov.uk

Signature:

Chief Officer(s):

Dated:

List of Appendices:

Appendix A Consultation Feedback
Appendix B Equality Impact Assessment

Consultation feedback on JNC and Wider Workforce Savings

Proposal	Suggestions	Comments
Freezing performance related increments	<p>Reward performance with non-consolidated payment</p> <p>Provide alternative non-cash incentives and implement the freeze on alternate years</p> <p>Review year on year along with budget forecasts</p> <p>Look at how increments are awarded e.g. to truly high performers or as market supplements</p>	<p>Could have an adverse effect on R&R</p> <p>Review the ways that managers reward performance and address any opportunities in the proposals</p> <p>Consider how this would be perceived outside BCC and does not show that BCC values its chief officers. Facing reduced numbers in some directorates, but taken on additional work for no additional compensation</p> <p>Don't understand how it interacts with other proposals</p> <p>Does not support the ambition to attract and retain talent</p> <p>Not demonstrating BCC as a good employer and employees feel undervalued</p> <p>Adverse effect on recruitment if they can't see a natural growth in earnings</p> <p>Hard to comment without the pay progression process not yet determined</p> <p>Reactionary to making savings over actual people strategy, explanation of the logic sitting behind reducing the reward package whilst trying to reshape the organisation. Short term fix with long term negative consequences</p> <p>Other authorities couldn't implement this as posed too much risk</p> <p>Performance should not be related to pay</p>
Amending working week resulting in 1.35% reduction	<p>Leave NJC paycales as they are to save on the development cost for SAP HR</p> <p>1% could be saved by not implementing pay award and remaining achieved through reducing agency, consultancy, interims, personal service companies and any other off payroll workers.</p>	<p>Managers may try to circumvent the detrimental effect by paying overtime to compensate for the reduction in pay</p> <p>Would be disproportionate to apply this on top of all the other pay cuts affecting JNC officers.</p> <p>36.5 hour week does not apply to JNC contracts as they regularly work in excess of this for free, in implementing this could lead to the presumption that they can choose to work 36.5 hours and claim flexi time or overtime for hours in excess.</p> <p>Is it in addition to the 5% cut?</p> <p>Bit disingenuous referencing the 36.5 hour working week</p> <p>Should only apply one or the other pay reduction</p>
5% pay reduction		<p>JNC pay reduction proposal is seen as a statement of the value that the Council attaches to its JNC staff</p> <p>Could cause overlap between NJC and JNC pay structures</p>

Proposal	Suggestions	Comments
		<p>Narrow perspective on savings without full consideration of the impacts</p> <p>Not clear enough on what is trying to be achieved</p> <p>Longer term impact on pensions</p> <p>Manchester seen significant uplifts in senior pay</p> <p>How does this effect bench marking carried out</p> <p>Effect on recruitment and retention</p> <p>Politically driven with no rational for 5% feels irrational without evidence to understand the proposal</p> <p>Context of Kerslake and Children's Services overlooked</p>
Review of long service recognition	<p>Maybe scrap the actual gift, but recognise the contribution has been valued</p> <p>Create a financially neutral scheme</p>	<p>Should be celebrating peoples commitment to BCC and public service</p> <p>Good proposal, nice to have not essential</p> <p>It would impact on staff feeling valued and their morale, particularly if they are due to receive a retirement gift or long service award in the year or it ceases.</p>
Subsistence allowance	<p>Exception should be made where overnight stays are required and a clear system introduced with no ambiguity</p>	<p>Most agreed with it and have never claimed it or had no comment</p> <p>No information about how the savings were calculated and whether it's a true reflection of the real savings that can be made</p>
Review of employee benefits package	<p>See if employees would like to reduce hours per week or month and be paid less</p> <p>Reduce annual leave</p> <p>Limit to cashable savings only</p> <p>Move more employees to home working as productivity can be increased</p>	<p>Great idea</p> <p>JNC Officers need to be able to benefit from the agile working opportunities.</p> <p>Need more information on what the offer will be to comment on it</p> <p>One standard flex system</p> <p>Benefits not viewed as valued, no clear examples of development and training, Develop the package in consultation with managers who oversee and implement them</p> <p>No amount of rewards can compensate for the increment freeze and 5% cut</p> <p>Look at total reward package</p> <p>Maximise income that can be achieved as should be able to achieve more than £250K</p>

Summary of Findings

The proposals have been analysed, reviewing Birmingham City Council and Acivico JNC officers' data

The payroll data utilised was based on information extracted from the HR/Payroll system (SAP) for the period 01 April 2015 - 31 March 2016. Employee data has been extracted on 18 November 2016 in order to cover the current JNC cohort. We have sought to take all reasonable steps to ensure the data is as valid as practicable. As with any data, there can be issues with its integrity and accuracy. This is something we will continue to review beyond this analysis.

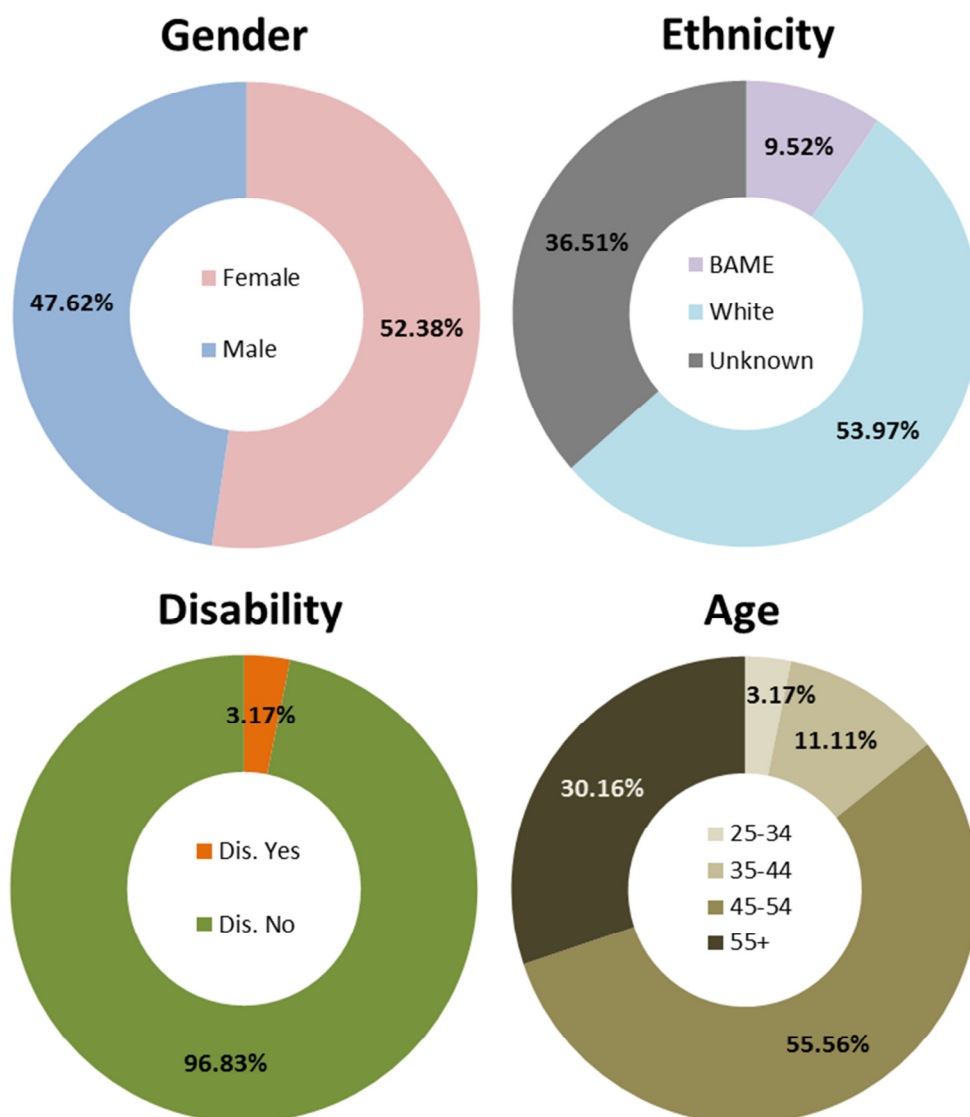
Proposals included in the voluntary offer

The proposals that are being analysed as part of this equality impact assessment are as follows;

- Employees will only be eligible to claim subsistence allowance when they are away from home for business after 24 hours.
- Staff will no longer be reimbursed for retirement gifts
- On performance-related pay:
 - for 2016/17 those eligible will be given a one-off non-consolidated payment for that year where they are not at the top of the grade as at 31 March 2017;
 - no performance-related pay will be applied from 1 April 2017 to 30 June 2017 for Corporate and ACIVICO JNC employees;
 - and there will be a joint management and trade union annual review of the ability of the council to give performance-related payments for the periods 2017-18, 2018-19 and 2019-20.

Overall breakdown by protected status for JNC cohort

The JNC cohort consists of 63 employees and the following four charts represent the breakdown by protected characteristic for those employees that will be subject to the proposals.



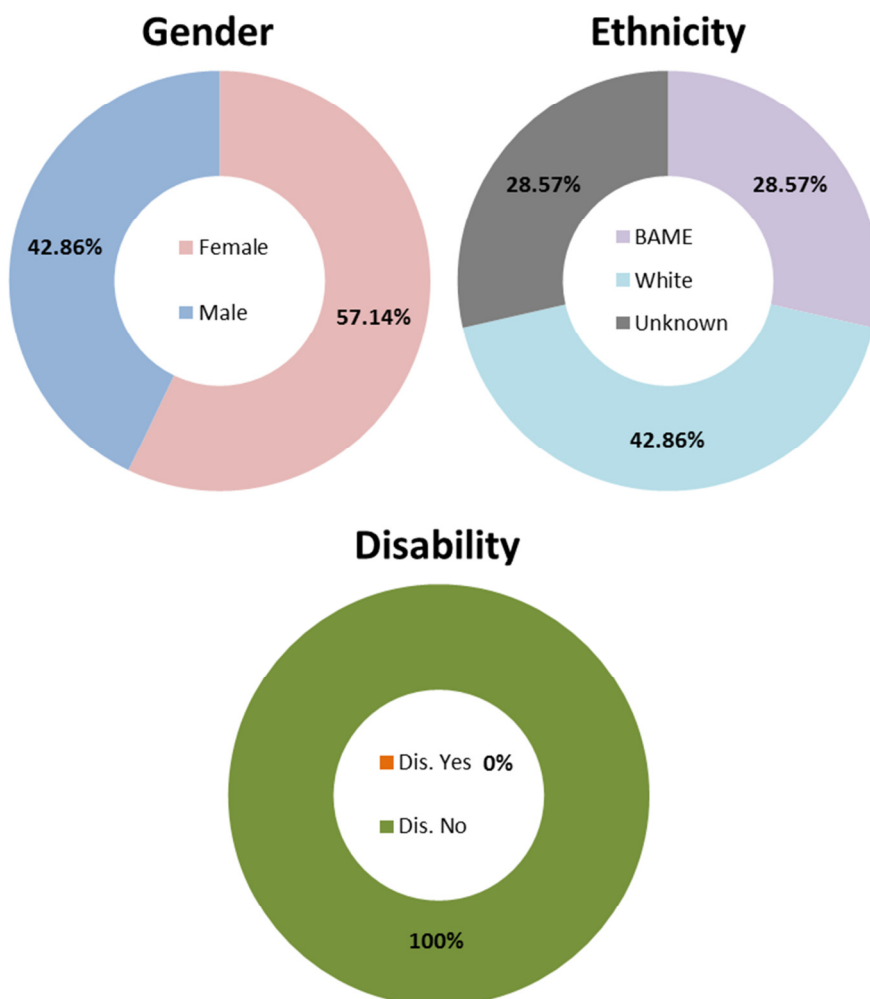
Proposal: Stop paying food and drink allowances for those away on council business

For the period 01 April 2015 – 31 March 2016 only two JNC officers claimed subsistence allowance through payroll. Both of the employees were white male which amounts to 6% of the male gender group and 5.8% of the white ethnicity group.

Current Status – This proposal has been amended as part of the collective agreement for NJC employees to ‘employees will only be eligible to claim subsistence allowance when they are away from home for business after 24 hours’. This will also apply to JNC employees

Proposal: Removal of Retirement Gift

The proposal to remove the retirement gift affects 9.5% of the JNC employee cohort. The following charts show the percentage of JNC employees aged 55+ within their protected groups that have achieved 25 years’ service with Birmingham City Council.



Proposal: Performance-related pay:

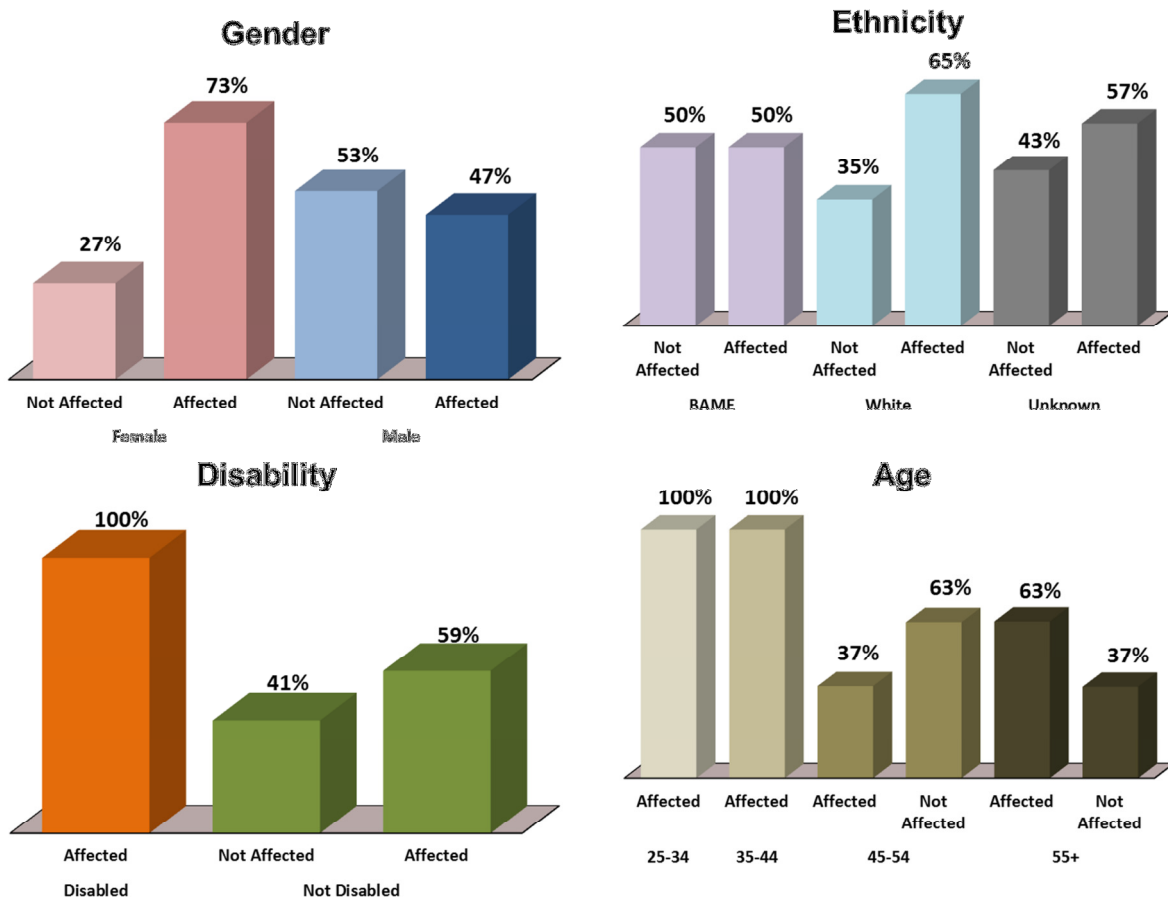
There are three elements to this proposal as below

- for 2016/17 those eligible will be given a one-off payment for that year;
- no performance-related pay will be applied from 1 April 2017 to 30 June 2017 for JNC employees;
- and there will be a joint management and trade union annual review of the ability of the council to give performance-related payments for the periods 2017-18, 2018-19 and 2019-20.

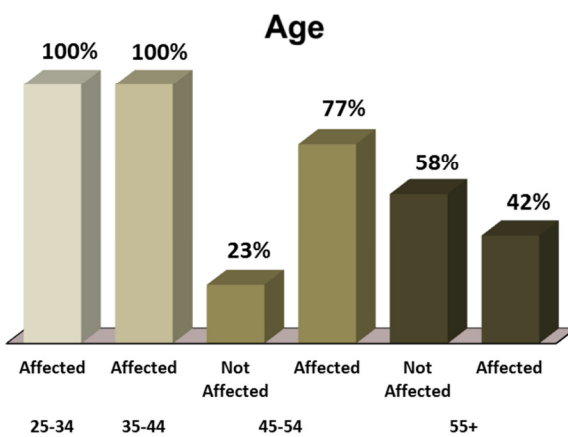
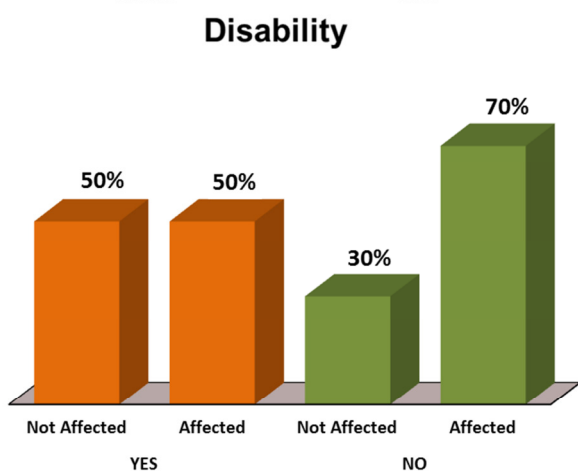
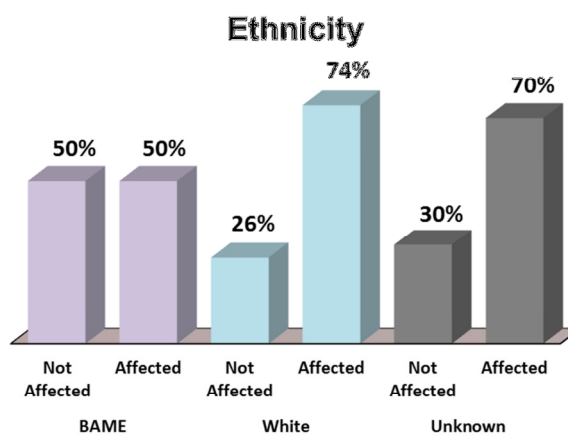
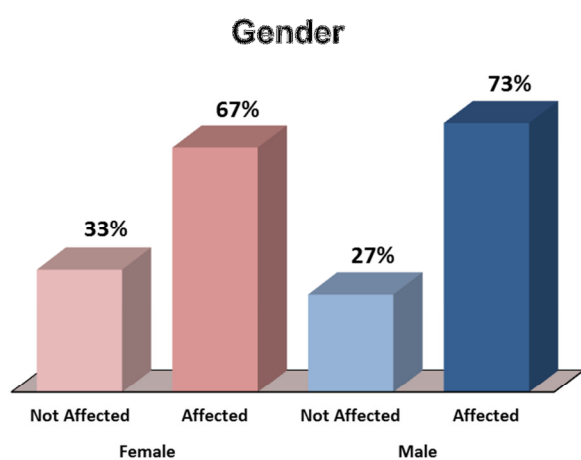
For these proposals the analysis the first two apply when JNC officers are their grading structure then the third applies if an when they transfer to the new proposed structure from 01 July 2017.

Based on the above the first two proposals 60% of JNC employees will be affected as follows:

2016-17 Non Consolidation & Freeze for April 17 – June 17



**Freeze of PRP for 1/07/17- 31/04/18, 2018-19 and 2019-20.
(Migrated to new Pay and Grading framework)**



BIRMINGHAM CITY COUNCIL**PUBLIC REPORT**

Report to:	COUNCIL BUSINESS MANAGEMENT COMMITTEE
Report of:	ACTING CITY SOLICITOR
Date of Decision:	13 DECEMBER 2016
SUBJECT:	HONORARY FREEDOM OF THE CITY
Wards affected:	NOT APPLICABLE

1. Purpose of report:
To consider a proposal that the Honorary Freedom of the City be conferred on the 21 Birmingham Pub Bombing victims.

2. Decision(s) recommended:
2.1 To consider the proposal to confer the Honorary Freedom of the City on the 21 Birmingham Pub Bombing victims and if agreed;
2.2 An extraordinary meeting of the City Council be held on Tuesday 10 January 2017 at 1355 hours for the purpose of considering the proposal to confer the Honorary Freedom of the City on the 21 Birmingham Pub Bombing victims.

Contact Officer:	Phil Wright
Telephone No: E-mail address:	0121 675 0216 Phil_Wright@birmingham.gov.uk

Signature:
Chief Officer(s):
Dated:

List of Background Documents used to compile this Report:
None

3. Background

The City Council has power, under S.249 of the Local Government Act 1972, to confer the Freedom of the City and Honorary Freemen/Freewomen upon persons of distinction and persons who have rendered eminent services to the City. The Council in the past has conferred the Freedom of the City upon various sections of the Armed Forces with The Rifles in 2012 being the most recent. The conferring of Honorary Freemen/Freewomen upon persons of distinction and persons who have rendered eminent services to the City. The last occasion on which the Council exercised this power was in 2011 when former Councillor Peter Hollingworth was honoured.

A resolution to confer this honour must be passed by not less than two-thirds of the total membership of the Council voting thereon at a meeting of the Council specially convened for the purpose. It is therefore necessary for the matter to be considered at an extraordinary meeting of the City Council.

It has been proposed that the Honorary Freedom of the City be conferred on the 21 Birmingham Pub Bombing victims who were killed when two bombs exploded in two City Centre public Houses on 21 November 1974. By conferring the honour, the place of the 21 Birmingham Pub Bombing victims in the history of the City of Birmingham would be recognised.

4 Extraordinary Council Meeting

Should the request be acceptable then It is suggested that the Lord Mayor be invited to call an extraordinary meeting of the City Council, to consider this proposal, for 1355 hours on Tuesday, 10 January 2017 immediately prior to the ordinary Council meeting on that day.

5 Presentation Arrangements

The practice followed on previous occasions has been to present to the recipient of the honour with an illuminated scroll contained within a specially designed silver casket. The Birmingham School of Jewellery and Silversmithing has customarily been invited to suggest designs for the casket.

The presentation ceremony has then normally taken place at a second extraordinary City Council meeting held in the Council Chamber.

In accordance with resolution 2341 passed by this Committee on 17 February 2015 normal practice would be to have the formal presentation for Freemen/Freedom of the City at the conclusion of a meeting of Full Council, followed by a celebratory dinner hosted by the Lord Mayor in the Lord Mayor's Suite. The estimated cost of this would be in the region of £1,500 which would have to be found through a Policy Contingency. The cost of granting the Freedom to former Councillor Peter Hollingworth in 2011 was £10,000 with 85 guests at celebratory dinner.

However with the number of families involved for the Birmingham Pub Bombing victims a different approach may be appropriate. When Liverpool granted Freedom of the City

to the 96 Hillsborough victims a certificate was produced in house for each family and they also received a medal. Each family were given 4 places at the celebratory dinner. It is understood that cost of Liverpool's event was £50,000.

BIRMINGHAM CITY COUNCIL**PUBLIC REPORT**

Report to:	COUNCIL BUSINESS MANAGEMENT COMMITTEE
Report of:	ACTING CITY SOLICITOR
Date of Decision:	22 November 2016
SUBJECT:	DISPENSATION FOR NON-ATTENDANCE OF A COUNCILLOR AT COUNCIL MEETINGS
Ward:	HARBORNE

1. Purpose of report:
1.1 This report provides details of a recommendation that the Council approve a period of absence from meetings by a Councillor pursuant to section 85 of the Local Government Act 1972.

2. Recommendations :
That Council Business Management Committee:
2.1 Note Councillor John Alden has been unable to attend meetings since early October due to ill health and a period of hospitalisation-
2.2 On behalf of the Council, this Committee wishes Councillor John Alden a speedy recovery.
2.3 Approves the non-attendance of Councillor John Alden at Council meetings until 13 March 2017 pursuant to S85 Local Government Act 1072.
2.4 Approves the Chief Executive writing to Councillor Alden as soon as possible, confirming the approval of this committee and to formally wish him a speedy recovery.

Lead Contact Officer(s):	Kate Charlton Acting City Solicitor
Telephone No:	0121 464 1172
E-mail address:	kate.charlton@birmingham.gov.uk

3. Relevant background:

- 3.1 Section 85(i) of the Local Government Act 1972 states “if a member of a Local Authority fails throughout a period of six consecutive months from the date of his last attendance to attend any meeting of the Authority, he shall unless the failure was due to some reason approved by the Authority before the expiry of that period cease to be a Member of the Council.
- 3.2 Attendance in an official capacity at a meeting of a committee or sub-committee of the Council or at any meeting of a joint committee or other such body discharging functions of the Council or at any meeting as a representative of the Council is deemed to be a ‘meeting of the Council’.
- 3.3 The City Solicitor has been advised that Councillor John Alden due to ill health and is expected to be absent for at least 10 weeks. Councillor Alden has not been able to attend council meetings since early October.
- 3.4 If after six months from 13 September 2016 the Council has not approved the absence then the member as a result of the operation of law ceases to be a member of the Council from 13 March 2017. The six months runs from the date of the member's last attendance and approval must be given within that six month period.
- 3.5 Once approval had been given and it can be for no more than 6 months prospectively or retrospectively or a combination of both – then the statutory six months period begins to run again from the end of the period for which approval has been given.
- 3.6 For the avoidance of doubt, if Councillor Alden fails to attend any meeting of the Council by 13 March 2017 he would be disqualified as a Councillor under the statutory provision (Section 85(1) of the Local Government Act 1972) unless the Council passes a further resolution under before that date.

Signatures of approval to submit the report to Committee:

Kate Charlton – Acting City Solicitor:

Dated: 14 November 2016

Reminder: Members must declare all relevant pecuniary and/or non-pecuniary interests relating to any items of business to be discussed at this meeting

BIRMINGHAM CITY COUNCIL

CITY COUNCIL

**Tuesday, 10 January 2017 at 1400
hours in The Council Chamber,
Council House, Birmingham**

A G E N D A

1 NOTICE OF RECORDING

Lord Mayor to advise that this meeting will be webcast for live or subsequent broadcast via the Council's Internet site (www.birminghamnewsroom.com) and that members of the press/public may record and take photographs.

The whole of the meeting will be filmed except where there are confidential or exempt items.

Attached

2 MINUTES

To confirm and authorise the signing of the Minutes of the Meeting of the Council held on 6 December 2016.

(1400-1410)

3 LORD MAYOR'S ANNOUNCEMENTS

To receive the Lord Mayor's announcements and such communications as the Lord Mayor may wish to place before the Council.

(1410-1425)

4 PETITIONS (15 minutes)

To receive and deal with petitions in accordance with Standing Order 8.

As agreed by Council Business Management Committee a schedule of outstanding petitions is available electronically with the published papers for the meeting and can be viewed or downloaded.

(1425-1555)

5 QUESTION TIME (90 minutes)

To deal with oral questions in accordance with Standing Order 9(B)

A. Questions from Members of the Public to any Cabinet Member, Assistant Leader, District Committee Chairman or Ward Forum Chairman (20 minutes)

B. Questions from any Councillor to a Committee Chairman, Lead Member of a Joint Board or Ward Forum Chairman (20 minutes)

C. Questions from Councillors other than Cabinet Members and Assistant Leaders to a Cabinet Member or Assistant Leader (25 minutes)

D. Questions from Councillors other than Cabinet Members and Assistant Leaders to the Leader or Deputy Leader (25 minutes)

6 APPOINTMENTS BY THE COUNCIL (5 minutes)

(1555-1600) To make appointments to, or removals from, committees, outside bodies or other offices which fall to be determined by the Council.

7 EXEMPTION FROM STANDING ORDERS

Councillor Sharon Thompson. to move an exemption from Standing Orders.

**Attached 8 APPOINTMENT OF EXTERNAL AUDITORS
(15 minutes)**

(1600-1615) To consider a report of the Executive.

Councillor to move the following Motion:

“ ”
.

**Attached 9 RESPONSE TO STATUTORY RECOMMENDATION MADE BY THE
COUNCIL’S EXTERNAL AUDITOR
(15 minutes)**

(1615-1630) To consider a report of the Executive.

Councillor to move the following Motion:

“ ”
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(break 1630 -1700)

**Attached 9 TRANSPORT FOR WEST MIDLANDS STRATEGIC TRANSPORT PLAN:
“MOVEMENT FOR GROWTH”
(30 minutes)**

(1700-1730) To consider a report of the.

Councillor to move the following Motion:

“ ”
.

**Attached 10 BIRMINGHAM DEVELOPMENT PLAN
(30 minutes)**

(1730-1800) To consider a report of the.

Councillor to move the following Motion:

“ ”
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Attached **11** **COUNCIL TAX SUPPORT REVIEW**
(15 minutes)

(1800-1815) To consider a report of the .

Councillor Ian Ward to move the following Motion:

“ ”
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Attached **12** **REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEES**
(60 minutes)

(1815-1915) **Rough Sleepers**

To consider a report of the Housing and Homes Overview and Scrutiny Committee together with a commentary from the Executive.

Councillor Victoria Quinn to move the following Motion:

“ ”
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Attached **13** **MOTIONS FOR DEBATE FROM INDIVIDUAL MEMBERS**
(90 minutes)

(1915-2045) To consider the attached Motions of which notice has been given in accordance with Standing Order 4(A).

