

BEST VALUE COMMISSIONERS

Equal Pay Board
11th September 2024, 2pm till 4pm
Room 125, Council House

Board Members

Pam Parkes, Commissioner and Chair
Chris Tambini, Commissioner
John Biggs, Political Advisor
Joanne Roney, Managing Director
Graeme Betts, Acting Chief Executive
Rishi Shori, Acting Deputy Managing Director
Fiona Greenway, Director of Finance & S151 Officer
Philip McPherson, Oracle Programme Lead
Marie Rosenthal, City Solicitor & Monitoring Officer
Alan Downton, EP Programme Lead
Paul Tullett, Assistant Director, Industrial Relations
Claudia Barnard, PMO Lead Consultant
Eleri Roberts, Assistant Director, Communications
Tom Smith, MHCLG Chief of Staff
Peter Sebastian, Head of Financial Strategy
Richard Berry, Business Analyst
Rob Harris, Head of Service, Finance
Councillor Rob Pocock, Cabinet Member for Transformation, Governance & HR
Will Moody, PA, Commissioners Support Team

Apologies

Craig Cooper, Strategic Director, City Operations
Jackie Belton, Commissioner
John Coughlan, Commissioner
Andy Vaughan, Director, Street Scene
Max Caller, Lead Commissioner

1 Welcome & Introductions

- 1.1 Welcome and introductions completed. Pam summarised for the benefit of new members the purpose of the Equal Pay Board.

2 Previous Minutes and Actions

- 2.1 The minutes of the previous meeting are currently under review. They will be circulated following today's meeting.
- 2.2 The papers for today's meeting were circulated late. Pam Parkes requested that papers be circulated at least 24 hours in advance.

3 Equal Pay Programme Update

- 3.1 Katy Fox presented a robust update on the EP programme. BCC is still working toward the deadline of April 2025 for the EP programme to be complete.

The Commissioners:

Max Caller CBE, John Coughlan CBE, Chris Tambini, Pam Parkes FCIPD, Jackie Belton, Myron Hrycyk, Lord John Hutton, John Biggs.

- 3.2 The team were now working with Mercer on the pay and grading compositions and, evaluation of the benchmark roles continues. There are currently no slippages or risks with this.
- 3.3 Alan Downton provided an update on the progress of Waste Services Transformation re-design and consultation leading to organisational restructuring. A design of the current rounds in waste is being undertaken. Formal consultation has commenced – see the timeline within slide deck for further information.
- 3.4 The job evaluation for these roles is scheduled for 23rd/24th September and this is included in the timetable of consultation. The driver team leader role has been identified as a comparator role for settlement.
- 3.5 BCC are envisaging that industrial action will be instigated by the TU's.
- 3.6 Following the consultation commencing, staff members have been engaging with approximately 50 – 55 staff members showing an interest in VR.
- 3.7 Katy Fox has distributed a paper which provides a set of proposals which includes approximately 100 members of staff being offered to move from GR3 to GR2 as lateral movers with pay protection as per BCC policy – due to the associated loss of pay. Despite this, there may still be some displacement of GR3 colleagues. Out of 173 posts in scope, 24 members of staff are acting up as a GR4. Due to there still being the potential of some grade 3 colleagues being displaced, other roles which are considered as 'reasonable' are being investigated across the organisation. BCC has proposed to pay 6 months of pay protection and 6 months of retention paid as a lump sum. This is a worst-case scenario and amounts to £158000 in retention and £476301 to remove the WRCO role completely.
- 3.8 The legal risks to this were outlined to the board and colleagues requested Commissioner approval for this proposal today.
- 3.9 Pam Parkes advised she would not approve this today as this needs to be discussed with fellow Commissioners and Chief of Staff from MHCLG to ensure it meets the best value policy but also consideration needs to be given to whether it sets long-term precedence.
- 3.10 Chris Tambini shared that he felt from reading the proposal on paper that BCC is suggesting 18 months of pay protection. He challenged BCC about what that would mean if it was applied to everybody across the organisation. There is currently an absence of a Council workforce strategy, and the above proposal would be setting precedence if there were wider changes to be made across the organisation, which would not be affordable for any other workforce redesign.
- 3.11 This ultimately continues the discrimination of treating male workers more favourably.
- 3.12 Marie Rosenthal confirmed that this pay offer has been calculated into litigation.
- 3.13 Chris Tambini further advised that he would like to have further conversations with Commissioners about what other measures could be put in place as a contingency which doesn't give BCC any financial detriment for example: longer time on priority movers etc.
- 3.14 The correct figure of the cost of industrial action was not reported within the slide deck. Chris Tambini requested for this to be reported back.
- 3.15 Pam Parkes advised that despite consultation commencing positively, consultation could become problematic at any point, and it would benefit BCC to have a package available to negotiate with to ensure there isn't a loss of earnings. BCC need to provide a solution which doesn't suggest discrimination or have financial implications.
- 3.16 Alan Downton summarised BCC's current position on job evaluation. Following a Commissioners Strategy Meeting on the 20th of July, the option to look at benchmark roles was decided upon. Benchmarking is continuing.
- 3.17 Originally there were 1880 roles to evaluate this is now down to 1414, and this is to be further reduced by duplicate roles. BCC are required to complete extensive work on clustering job families. Benchmarking will be completed by 30th September 2024 and BCC feels they have reached a position where the Unions will be supportive of option B, however, BCC still needs to engage with national officers via local representatives. The next operational steering group will be on the 19th of September.
- 3.18 Pam Parkes asked whether BCC are close to deploying option E and BCC confirmed they were not because the TUs are actively supporting what is being proposed.
- 3.19 The pay and grading workstream objectives were explained to the board. The new pay and grading model will link to NJC but will also provide pay progression for 5 years. Deeper work is to be completed

with the Finance Commissioner on this. Chris Tambini requested officers take him through this at their earliest convenience.

- 3.20 The incremental steps have been reduced to 5/6 per grade. Some colleagues are already at the top of the grade. A discussion needs to be held about the amount that is going to be budgeted for pay progression.
- 3.21 Due diligence needs to be completed around this area of work. Richard Berry is to invite Peter Sebastian into conversations with Mercer.
- 3.22 Mercer is currently working on a job comparator – they are looking at West Midlands employers and agreed that the pay scales need to be conflated as there are too many grades and SCPs. This will provide better control of the salary budget.
- 3.23 Marie Rosenthal presented an update on EP litigation which is legally privileged.
- 3.24 Negotiations with TUs are still ongoing, and progress is being made.

4 Contract implementation:

- 4.1 Simplified contracts will be issued to BCC employees under the new pay and grading structure. The agreement should be reached in mid-December.
- 4.2 Commissioners felt that early thought needs to be given to what needs to be incorporated into the new contracts. Four strategies have been presented which have been shared with legal colleagues. BCC will bring a paper back to Commissioners outlining the contractual changes and factoring in the current government's future employment rights.
- 4.3 There is an opportunity to review allowances that have financial costs.
- 4.4 The timeline for contract implementation also needs to align with the reimplementation of Oracle.
- 4.5 It has been agreed that the design principles for the new contracts are to be taken to employment committee early for approval.

5 Communications and engagement:

- 5.1 Communications and engagement need to be coordinated in tandem with a clear narrative about the need for change. The overarching objectives and strategy need to be articulated – particularly the council's position. The upcoming communications strategy was presented to the board, and each of the workstreams for equal pay has its channels.
- 5.2 Industrial action and business as usual also have their two-track communication workstreams. The Leader and Deputy Leader are meeting with political colleagues. The Labour Party Conference will undoubtedly intensify communications and press around this.
- 5.3 BCC is bringing itself in line with what is happening nationally (concerning waste).
- 5.4 Eleri Roberts (AD Communications) is to attend all EP boards moving forward.

6 AOB:

- 6.1 There are concerns that a large amount of the workforce has not got access to BCC emails and systems, it is queried about how we are reaching out to these employees.
- 6.2 There are national ballots about pay which is causing media attention.

7 Actions:

- 7.1 Negotiation strategy needs to be noted – especially surrounding the approach. Commissioners requested for this to be actioned as a priority.
- 7.2 Chris Tambini and Fiona Greenway to do their due diligence over the pay and grading options.
- 7.3 The new pay and grading model which will link to NJC but will also provide pay progression for 5 years is to be explored at a deeper level with the Director of Finance and Finance Commissioner. Fiona Greenway is to discuss this with Chris Tambini at the earliest opportunity.
- 7.4 BCC to bring a paper back to Commissioners outlining the contractual changes and factoring in the current government's future employment rights.

8 Date of Next Meeting:

- 8.1 Wednesday 9th October 2024