



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

Minutes of the Meeting of East Cambridgeshire
District Council held in the Council Chamber, The
Grange, Nutholt Lane, Ely on Thursday 28 May
2014 at 6.00pm

P R E S E N T

Councillor Michael Allan
Councillor Christine Ambrose Smith
Councillor David Ambrose Smith
Councillor Sue Austen
Councillor Anna Bailey
Councillor Ian Bovingdon
Councillor Mike Bradley
Councillor David Brown
Councillor Vince Campbell
Councillor Steve Cheetham
Councillor Paul Cox
Councillor Peter Cresswell
Councillor Lorna Dupré
Councillor Lavinia Edwards
Councillor Coralie Green
Councillor Elaine Griffin-Singh

Councillor Neil Hitchin
Councillor Richard Hobbs
Councillor Julia Huffer
Councillor Mark Hugo
Councillor Bill Hunt
Councillor Chris Morris
Councillor Andy Pearson
Councillor Charles Roberts
Councillor Hamish Ross
Councillor Mike Rouse
Councillor Joshua Schumann
Councillor Carol Sennitt
Councillor Mathew Shuter
Councillor Stuart Smith
Councillor Lisa Stubbs
Councillor Jo Webber

Approximately 10 members of the public/staff were in attendance at the meeting.

Prior to the commencement of formal business, prayers were delivered by Pastor Giles Cornell, The Lighthouse Centre, Ely.

1. PUBLIC QUESTION TIME

There was one public question in six parts received from UNISON relating to the Revised Performance Management (Appraisal) Scheme and Performance Related Increments Policy to be considered at Agenda item 16, as follows:

*Q1. In the financial year 2014/15 - 47 employees left the Council's (of which 32 left voluntarily for other positions and 14 were made redundant (from across the organisation, and **not just** from Management Team). This accounts for a turn-over of approximately a quarter of the workforce, a depressing and costly precedent for the Council to set. Costly not only in monetary terms, but in terms of the expertise and knowledge the Council has lost over the year. With this in mind, do new and existing Members, believe that now is a good time to introduce a scheme that will further demotivate, demoralise and discourage the good-will of employees, upon which this Council heavily depends to deliver services with such a depleted workforce?*

Q2. We believe this Council is unique in respect of what it delivers with such a small and dedicated workforce. That it continues to operate despite the devastating number of redundancies is a testament to the staff who are hard working and "go the extra mile" every day for our residents. Are

members not concerned that this attack on contractual terms and conditions will mean that not only will more experienced staff be lost to larger, neighbouring authorities who still honour contractually agreed conditions of service, but that we will not be able to compete on any level to attract the kind of staff Members desire to realise the promises made to the electorate during the recent election.

Q3. Given this council is now moving to a more Customer focused/ Business model do Members not think it would be prudent to examine the performance of individual services in order to identify where improvements can be made rather than applying a blanket change to all staff terms and conditions that will, inevitably, have a de-motivating effect likely to further reduce performance?

Q4. Unison would be more than willing to work with the employer to improve an appraisal system were the proposals are not, intrinsically, linked to incremental pay rises. Given the problems associated with previous schemes, Unison are anxious to know, prior to implementation, how Members will ensure that all accountabilities and their appraisal process is transparent and equitable across all staffing levels. If the current proposals are not, principally, about saving money, then why is this scheme being rushed through when it will, inevitably, disincentivise the remaining work force and, ultimately, exacerbate the retention crisis?

Q5. Given that the Equalities and Human Rights Commission identify discretionary pay systems such as performance related pay, as 'high risk pay systems'. Are Members not concerned that the proposed pay system will exacerbate and entrench gender pay inequalities within the Council? And, are Members satisfied that a in-depth Equality Impact Assessment of the proposals has been carried out in accordance with the Duty placed on the council by Section 149 of the Equality Act 2010?

Q6. The existing pay structure acknowledges that people may enter a job with little experience, but that this will build over time and this is reflected in the incremental pay progression. Within the proposed pay system, it will be difficult for a younger, less experienced member of staff to achieve the level required to receive an increment. Given the number of technical and professional roles in the Council that require a considerable of knowledge and experience, are members not concerned that failing to recognise the efforts of those just embarking on their careers would have a significant adverse impact on staff retention, resulting in an increase in cost to the Council from high staff turnover with the associated recruitment costs?

The Chairman of Regulatory and Support Services Committee, Councillor Anna Bailey, responded by stating that the questions were largely based on the consultation response letter from UNISON detailed at Appendix 3 of Agenda item 16. Whilst a full written response would be provided to the questions from UNISON, Councillor Bailey stated that she would address many of the issues directly at Agenda item 16.

2. **ELECTION OF CHAIRMAN 2015/16**

It was resolved:

That Cllr Michael Allan be elected to the office of Chairman of East Cambridgeshire District Council for the ensuing Municipal Year 2015/16.

3. **VOTE OF THANKS TO OUTGOING CHAIRMAN OF COUNCIL AND PRESENTATION OF PAST CHAIRMAN'S MEDALLION AND SCROLL**

The Chairman thanked the outgoing Chairman, former Cllr Tony Cornell, for his devotion and hard work in performing his role as Chairman and his civic/ceremonial duties over the past two years. He had been an excellent ambassador for the Council and had demonstrated great diligence in the role. Councillor Allan also acknowledged the outgoing Chairman's assistance and friendship to himself and to everyone he met.

The Chairman then presented former Cllr Tony Cornell with a framed scroll detailing a resolution of thanks to the outgoing Chairman of the Council, a past Chairman's badge and an East Cambridgeshire District Council pill pot emblazoned with the Council's crest. Subsequently, the Chairman presented former Cllr Tony Cornell's wife with a bouquet from the Council as a token of the Council's appreciation for her duties as Consort during his term as Chairman of Council.

4. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs Alderson, Beckett, Chaplin, Every, Tom Hunt, James Palmer and Dan Schumann.

5. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

6. **MINUTES**

It was resolved:

That the Minutes of the Council meeting held on 21 April 2015 be confirmed as a correct record and signed by the Chairman.

7. **APPOINTMENT OF VICE-CHAIRMAN 2015/16**

It was resolved:

That Cllr Peter Cresswell be appointed as Vice-Chairman of East Cambridgeshire District Council for the municipal year 2015/16.

8. **ELECTION RESULTS**

The Council received the East Cambridgeshire District Council election results and list of persons elected as District Councillors on 7 May 2015.

It was resolved:

That the election results be noted.

9. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman made the following announcements:

May I politely remind Members that Council Procedure Rule 16.1 in the Constitution on the content and duration of speeches at meetings, states that:

A speech should relate to the question under discussion or to a point of order or clarification, and no speech may be longer than five minutes, except by consent of the Council/Chairman.

10. **PETITIONS**

No petitions had been received.

11. **MOTIONS**

The following Motion was proposed by Cllr Bill Hunt and seconded by Cllr Charles Roberts:

'This Council requests and instructs the Chief Executive to write to all ex-Councillors who served during the 2011 to 2015 period to express the authority's significant gratitude for services rendered.'

Speaking in support of the motion, Councillor Bill Hunt stated that Councillor Hobbs had given a speech at the last Council meeting thanking the 10 retiring Councillors for their service to the Council. However, the District Council elections had resulted in a very different political outlook to the Council from 4 weeks ago and Councillor Hunt found himself in the position of recognising the service to the Council of another 8 Councillors who had not been re-elected.

Councillor Hunt voiced his belief that all Councillors stood for election to do the best for the communities that they served and that constituents usually did not mind which political party a Ward Councillor represented as long as they were promoting the constituents' interests or dealing with their issues. Therefore, there was as much that united the political parties as divided them. Councillor Hunt stated that the new political composition of the Council would provide special challenges for his Group and the small number of remaining opposition Members, but he hoped that there would be goodwill on both sides and that the Council would be inclusive for all new Members, working in the interests of the Council as a whole.

Councillor Hunt then spoke on the 8 Councillors who had not been re-elected as follows:

Councillor Lindsey Harris was elected as a Liberal Democrat Councillor in May 2011, whilst Councillor Tony Goodge was elected in 2007. Both were independent minded Councillors and Councillor Goodge had a particular knowledge and interest in Internal Drainage Boards. Councillor Neil Morrison was elected to the Council in 1996 and was a passionate advocate for the people of Littleport throughout all of his time on the Council. Councillors Gareth Wilson and Pauline Wilson were both elected as Liberal Democrat Councillors for the Haddenham Ward in 2003 and were tireless advocates for their constituents and Dial-a-Ride.

Councillor Gareth Wilson and myself also 'crossed swords' on a number of occasions at County level, but had a lot in common as well on issues such as Mereham and Gladmans. Councillor Colin Fordham served from 1999 to 2007 and then 2011 to 2015 and was always a sensible and practical voice representing the interests of Soham people.

Finally, we come to two of the longest serving Members of the Council. Councillor Hazel Williams MBE was elected in 1995 for the Burwell Ward and was a knowledgeable and well-respected Councillor whose services to the community resulted in the award of an MBE. Councillor Andy Wright was the longest serving Member of the Council and had been an Independent Littleport Councillor since 1976, holding numerous Chairmanships, including Chairman of Council. He was a strong advocate for his local community and always spoke in a reasoned and forthright manner, sometimes 'against the tide'.

Councillor Dupré commented that losing your seat at an election was like reading your obituary in advance, since much nicer things were said about you than when you were alive. However, Councillor Dupré paid tribute to all of her Liberal Democrat colleagues who had retired or not been re-elected, for their services to the local community and their contribution to the Council. Councillor Dupré expressed the hope that the 3 remaining opposition Councillors on the Council could effectively represent the 48% of local electors who did not vote for the ruling administration.

It was resolved:

On being put to the vote, the motion was unanimously supported.

12. **QUESTIONS FROM MEMBERS**

The following question was received from Councillor Mark Hugo:

'What are the plans to implement Conservative manifesto commitments in the first 100 days of this Council?'

In response, Councillor Charles Roberts circulated a table showing the 100 day commitment of the Conservative administration and stated that the full Corporate Strategy would be submitted to the next Council meeting.

Councillor David Ambrose-Smith expressed disappointment that Littleport Rail Station had not been included in the 100 day commitment.

13. **LEADER AND DEPUTY LEADER OF COUNCIL, GROUP LEADERS AND DEPUTY GROUP LEADERS**

The Council received a report, Q1, regarding details of the Leader and Deputy Leader of the Council, Political Groups, Group Leaders and Deputy Group Leaders for the forthcoming municipal year.

It was resolved:

That the details of the Leader and Deputy Leader of the Council; Political Groups; Group Leaders and Deputies for the forthcoming municipal year, as set out below, be noted:

Conservative

Cllr James Palmer (Leader)
Cllr Charles Roberts (Deputy)

Liberal Democrat

Cllr Lorna Dupré (Leader)
Cllr Sue Austen (Deputy)

In accordance with Article 2.03(b), the declared Leader of the Council is Cllr James Palmer as Leader of the Conservative Group. In accordance with Article 2.03(c), the declared Deputy Leader of the Council is Cllr Charles Roberts as Deputy Leader of the Conservative Group.

14. **POLITICAL PROPORTIONALITY**

The Council received a report, Q2, which gave details of the political balance of the Council and the implications for the allocation of seats on Committees.

Councillor Roberts stated that the proposed allocation of seats in Appendix 2 appeared to be a commonsense way to allow opposition Members to represent the interests of their Wards on the Council and to act as a 'critical friend', and therefore he hoped that it would be unanimously supported.

It was resolved (by a unanimous vote):

1. That Asset Development be made a full Committee with its existing number of 7 Members, the number of Members required to 'Call-in' a Policy Committee/Sub-Committee decision be revised from 5 to 3, and that the Principal Solicitor and Monitoring Officer be authorised to make the necessary amendments to the Constitution.
2. That Council notes the details of the political balance of the Council as set out in Appendix 1 and approves the allocation of seats on Committees, Sub-Committees and other Member Bodies as set out in Appendix 2 of the report.

15. **MEMBERSHIP OF COMMITTEES AND SUB-COMMITTEES (INCLUDING SUBSTITUTES) AND OTHER MEMBER BODIES 2015/16**

Council received a report, Q3, for Members to consider the appointment of Members and Substitute Members to Committees, Sub-Committees and to other Member Bodies for 2015/16.

An updated list of the Membership of the Committees, Sub-Committees and other Member bodies for 2015/16, Appendix 1 of the Officer's report, was tabled at the meeting.

It was resolved:

1. That Mr Raith Overhill be re-appointed as the Independent Person and Mrs Sue Booth as the Deputy Independent Person to assist with Code of Conduct complaints against Councillors in accordance with the requirements of the Standards regime under the provisions of the Localism Act 2011.

2. That the following appointments of Parish Councillor Members on the Corporate Governance and Finance Hearings Sub-Committee be continued for 2015/16:

Parish Council Members:

Rosemary Aitchison (Soham TC)

Tim Owen (Dullingham PC)

3. That Council approves the membership of Committees, Sub-Committees and other Member bodies for 2015/16 set out at Appendix 1 as tabled at the meeting.

16. **SCHEDULE OF ITEMS RECOMMENDED FROM COMMITTEES AND OTHER MEMBER BODIES**

Council considered a report, Q4, which detailed a recommendation from the meeting of the Regulatory and Support Services Committee on 13th April 2015 in respect of the Revised Performance Management (Appraisal) Scheme and Performance Related Increments (PRI) Policy.

The Chairman of Regulatory and Support Services Committee, Councillor Anna Bailey, thanked the Human Resources and Facilities Services Manager, Kathy Batey, for putting the proposed Scheme and Policy together via research of similar schemes both locally and nationally. Councillor Bailey also thanked the 4 respondents to the consultation and expressed her disappointment that UNISON did not send a representative to the Regulatory and Support Services Committee in April and had declined to be involved in the Moderation Panel. Councillor Bailey commented that the current increments Policy had lost credibility over the years.

With regard to the questions raised by UNISON earlier in the meeting under public question time and the comments made in the UNISON consultation response letter, Councillor Bailey addressed the points as follows:

Gender pay inequality – these comments had concerned Councillor Bailey and she had investigated but had not found any examples of unfair pay.

Additional hours would need to be worked to achieve the highest performance ratings - Councillor Bailey gave a reassurance that this was not what the Scheme and Policy was about and that all staff had the ability to achieve the 'excellent' or 'outstanding' ratings.

Equalities Impact Assessment (EIA) – this would be carefully monitored through the Moderation Panel and Councillor Bailey again urged UNISON to join the Panel.

Impact on working relationships within Teams - Councillor Bailey believed that the working relationships within Teams were strong and she did not accept that the Scheme would cause a breakdown in these. She believed that all staff aspired to high levels of performance.

Impact on staff turnover – 47 employees had left the Council in 2014/15 but 32 new staff had joined which, taking account of the 14 redundancies, balanced out.

‘Fair’ or ‘market’ pay – this was a separate issue which would be the subject of a salary review to be conducted. The Council was committed to investigate the issue of the ‘pay gap’.

In concluding, Councillor Bailey stated that PRIs were in addition to any national pay award for staff and ‘satisfactory’ performance is what should be expected of staff. The current Scheme had no means of rewarding staff that went ‘above and beyond’ satisfactory performance. 70% of staff within the Council were at the top of their salary scale and on the current Scheme would not have the ability to achieve further reward for high performance. An 11% return had been achieved on a District-wide survey and of these 65% agreed with a PRI Scheme. This was part of the manifesto on which the Conservative administration had been elected with an overwhelming majority, so Councillor Bailey believed that this gave a mandate for change and represented parity of practice with the private sector.

Councillor Bill Hunt referred to the 6.7% reduction in the Councillors Basic Allowance since 2009/10, which showed that Members also had been prepared to face the economic realities of recent years.

Councillor Green questioned the budgetary impact of the proposals. The Director Support Services stated that there would be no impact on the current year’s Budget and that a projected increase of 1% was anticipated in 2016/17 based upon current experience/expectations, which equated to approx £5,000.

Councillor Dupré stated that, whilst she was not assuming that the current Scheme was fair, there were pitfalls with a PRI Scheme and a degree of subjectivity that was not easy to manage. Some staff had greater opportunities to ‘shine’ than others and there was a danger that appraisals became about pay and not performance. There was also the temptation to give an ‘excellent’ or ‘outstanding’ rating to avoid tensions. Management training was required to ensure fairness in application of the Scheme. The existence of such a Scheme also could affect the recruitment and retention of staff. Any such Scheme needed careful monitoring. Therefore, whilst Councillor Dupré was not inclined to oppose the introduction of such a Scheme, she requested two commitments: firstly, that a 12 month monitoring report would be submitted to Regulatory and Support Services Committee with full information on the operation of the Scheme; and secondly a commitment from the Chairman of the Committee that a report on the impact of the Scheme on gender pay would be submitted to the Committee for discussion.

Councillor Roberts stated that the review had been undertaken with the best of intentions and he believed that the proposed Scheme was an excellent one. He supported the concept of a 12 month monitoring report.

In summing-up, Councillor Bailey emphasised that the Moderation Panel would ensure fairness and consistency in the application of the Scheme and that managers and staff would be trained in the new processes. She gave a commitment that a 12 month monitoring report would be submitted to Regulatory and Support Services Committee. Councillor Bailey also stated that she had given a commitment earlier in the debate that the Equalities Impact Assessment of the Scheme would be monitored on an ongoing basis.

REGULATORY AND SUPPORT SERVICES COMMITTEE – 13 APRIL 2015

Revised Performance Management (Appraisal) Scheme and Performance Related Increments (PRI) Policy

It was resolved:

That the revised Performance Management (Appraisal) Scheme, subject to one Assessment Rating being changed from 'Good' to 'Satisfactory', be adopted with immediate effect and the Performance Related Increments (PRI) Policy be adopted with effect from 1st April 2016.

The meeting concluded at 7.10pm.

Chairman.....

Date: 16 July 2015