

## **SPECIAL STANDARDS COMMITTEE – 31<sup>ST</sup> OCTOBER 2008**

### **REPORT OF THE MONITORING OFFICER**

#### **1. Grant of Dispensation under Section 81(4) Local Government Act 2000 – Neath Port Talbot Pay Review 2008.**

1.1 As Members of Committee are aware under Section 81(4) of the Local Government Act 2000 Standards Committees may grant dispensations to a Member of a relevant authority (including a Community Council) allowing the Member to participate in any business where that participation would otherwise be prohibited by the mandatory provisions of the Members' Code of Conduct.

1.2 On the 15<sup>th</sup> August Committee granted a number of dispensations to Members who had members of their family working for the Authority. That dispensation was:

“To speak and vote on issues relating to the business of Neath Port Talbot County Borough Council including relevant personnel matters which do not directly financially advantage or disadvantage or give other direct benefit or disbenefit to a Member or the Member's family who is employed by the County Borough Council...”

1.3 The Authority has been carrying out a Job Evaluation exercise involving all its employees. The result is that certain Officers pay and grades will increase, others decrease, and the remainder stay the same. The scheme having been concluded it is intended to take a report to a Special Cabinet Scrutiny Committee meeting on the 3<sup>rd</sup> November, Special Cabinet on the 3<sup>rd</sup> November, to be discussed at a seminar of all Members on the 3<sup>rd</sup> November and finally to a special meeting of Council on the 5<sup>th</sup> November. At Council Members will be asked to:

## **Purpose of Report**

To seek approval from Members to introduce a new NPT pay structure alongside a package of other proposals relating to pay and conditions of service.

An Agreement in relation to most proposed changes has now been reached at local level between senior officers of the Council and NPT/Regional trade union representatives but all of the proposals set out in this report – from the perspective of the trade unions involved – still require support at a National level.

## **Summary of Recommendations**

It is **recommended** that Council be requested to approve the following proposals:

- a) Approval and implementation of the “NPT Pay Structure and Terms & Conditions Agreement” contained within Appendix A to this report.
  - b) Approval of the additional costs arising, as set out in Section 18 of this report.
  - c) The Council’s Forward Financial Plan to incorporate £1.5 million per annum of efficiency/productivity savings, to be identified and then implemented from April 2011 onwards in partnership with the trade unions.
  - d) The Head of Human Resources be authorised to approve any changes to the proposals set out in this report which may be necessary to facilitate effective implementation of the new pay structure, subject to any major changes required being submitted for further consideration by Members.
- 1.4 The current dispensation to Members who have relatives employed by the Authority and therefore who would have been subject to the Job Evaluation exercise does not extend to business which may directly financially advantage or disadvantage or give other direct benefit or disbenefit to that Member’s relative.

- 1.5 The scheme involves a scoring system for jobs within the Authority. Those scores in each case were arrived at impartially and without Member involvement and to date have been confidential. Consequently, Members do not know the effects of the proposals on their relatives and these will not be set out in the report.
- 1.6 This has been a major exercise by the Authority and is clearly an important matter going to Cabinet and Council, yet with the current dispensations a number of Members would not be able to take part in the meetings.
- 1.7 Standards Committee has the power to grant dispensation to Members where  
  
“the nature of the Member’s interest is such that the Member’s participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority’s business.”
- 1.8 Committee is asked to consider granting dispensation to all Members of Council who have a relative working for the Authority in order to allow them to speak and vote at the above meetings and also to take part in the seminar.
- 1.9 As Members will be unaware of how the report affects their relatives Committee is asked to consider granting the dispensation for the reasons set out in 1.7 above.
- 2.1 One Councillor, Councillor S. Miller is a member and Trade Union Shop Steward of UNISON. She does not receive any payment for carrying out union duties. She is not employed in Local Government but in the Health Service.
- 2.2 Currently, Councillor Miller has dispensation to speak only in respect of Unison/Neath Port Talbot County Borough Council employment related matters not falling within the provisions of Section 112 of the Local Government Act 1972 should such matters come before Neath Port Talbot County Borough Council. This dispensation would not be wide enough to allow Councillor Miller to speak and vote at the above meetings. Consequently, for the same reason Committee is asked to consider widening

Councillor Miller's current dispensation to allow her to speak and vote at those meetings.

3. **Circumstances for granting the Dispensation**

3.1 The circumstances are:-

3.2 "(d) the nature of the Member's interest is such that the Member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business"

3.3 Note: this paragraph derives from Regulation 2 of the Standards Committees (Grant of Dispensations) (Wales) Regulations 2001 and was the circumstance under which applications for dispensations of this sort were previously approved.

4. **Officer Contact**

For further information on this report please contact:-  
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