

Staff and Pensions Committee

Monday 13 September 2021

Minutes

Attendance

Committee Members

Councillor Bill Gifford (Vice-Chair)
Councillor John Horner
Councillor Kam Kaur
Councillor Christopher Kettle
Councillor Sarah Millar
Councillor Jill Simpson-Vince

Officers

Barnaby Briggs, Deputy Chief Fire Officer
Neil Buxton, Technical Specialist - Pension Fund Policy and Governance
Sarah Duxbury, Assistant Director - Governance & Policy
Andrew Felton, Assistant Director - Finance
Liz Firmstone, Service Manager (Transformation)
Victoria Jenks, Pensions Admin Delivery Lead
Isabelle Moorhouse, Democratic Services Officer
Chris Norton, Strategy and Commissioning Manager (Treasury, Pension, Audit & Risk)
Keira Rounsley, Senior EDI Practitioner
Kate Sullivan, Lead Commissioner - Culture, Leadership and Performance
Gary Summerfield, Health, Safety & Wellbeing Technical Specialist

1. General

The Chair updated the committee on Councillor Jenns' recovery.

(1) Apologies

Councillor Andy Jenns was substituted by Councillor Kam Kaur

(2) Disclosures of Pecuniary and Non-Pecuniary Interests

None

(3) Minutes of previous meeting

Councillor Christopher Kettle notes that it should say 'officers' instead of 'officer' on page one.

The rest of the minutes were approved as a true and correct record.

2. Warwickshire Fire and Rescue Service Health, Safety and Wellbeing Annual Report 2020/21

Barnaby Briggs (Assistant Chief Fire Officer) informed the Committee that the report covered the Covid-19 pandemic. He noted that the incident mentioned in 3.4.2 was an ongoing investigation in another Brigade but there was no suggestion of equipment failure or other fault.

In relation to Warwickshire, the HSE (Health and Safety Executive) and HMICFRS (HM Inspectorate of Constabulary and Fire & Rescue Services) had both been complementary and had praised the WFRS Covid-19 working arrangements. Barnaby Briggs noted that the two RIDDORs (Reporting of Injuries, Diseases and Dangerous Occurrence Regulations) in 8.1 of the report, involved breathing apparatus used in controlled training environments, which is more continuously used than the equipment used in conventional operational settings so faults identified in the training environment help to provide a warning of what might happen in operational settings. Barnaby Briggs praised the work of Occupational Health (who had continued with the face to face and medical special screening, that they are required to do by law, to keep the fire service going) and Health and Safety teams over the past year.

The Chair praised the work of the fire service following the fire in Leamington.

Councillor Kettle raised the issue of trying not to contaminate water courses when trying to put out a fire in high-risk areas, for example the Ettington Recycling Centre fire.

Barnaby Briggs confirmed that the post fire contamination mentioned in the report was smoke absorbed by the fire fighter's clothes but that contamination from firefighting activities was always a concern. For significant fires (like Ettington), a discussion is normally held with Public Health England (for air contaminants) and the Environment Agency (for water course contaminants) to decide the best course of action.

The Chair noted the complexity of issues that firefighters deal with, especially in difficult locations.

Resolved

That the Staff and Pensions Committee notes and comments upon the report.

3. Annual Equality, Diversity and Inclusion Report 2020-21

Keira Rounsley (Senior EDI Practitioner) outlined the purpose of the report and confirmed that the decisions requested related to the publication of the annual equality information and the gender pay gap to meet statutory government requirements. This report also included the new style Annual Review for EDI

The mean and median gender pay-gaps reduced since last year and are lower than the national average for gender pay-gap figures including the public sector. Ethnicity pay-gap figures also slightly decreased since last year but both were in negative measure which indicated the extent which Black, Asian, and minority ethnic employees earn on average more than their white British or not sated colleagues. This report for the first time, also reported on the Council's disability pay-gap figures where the mean reduced and median increased because there was a less even split of employees with and without a declared disability across all the pay band quartiles, i.e. there were more employees with a declared disability in the lower quartiles than the upper quartiles.

Employee diversity increased across all groups but to increase this further it will be a priority for the 'Our People Strategy' and for the revamped Council equality diversity and inclusion group to consider. Staff network groups had been better attended because of homeworking and had been able to contribute to this area of work. Keira Rounsley commented that the pandemic caused a shift in prioritising EDI nationally.

Paragraph 3.3 of the report set out EDI related information around engagement taken from the check-in surveys. 83% of survey participants felt that Warwickshire County Council valued EDI, which is an increase of 2% compared to the previous year.

In response to Councillor Simpson-Vince, Keira Rounsley stated that the benchmark figures came from comparing with other authorities; the low national benchmark showed how well the Council was doing in comparison. Following a supplementary from Councillor John Horner, Keira Rounsley confirmed that the national benchmark included all types of local authority including the London boroughs. Councillor Kaur suggested also using government benchmarks as well as local authority.

Resolved

That the Staff & Pensions Committee:

1. Approves the publication on the Council's website of the Equality, Diversity & Inclusion (EDI) Annual Review 2020/2021 at Appendix A, to meet the statutory requirement to publish annually equality information relating to employees, including gender pay gap information.
2. Approves the publication on the Government's gender pay gap website of the Council's gender pay gap figures, based on 31 March 2021, as required by the gender pay gap regulations. Appendix B outlines what the Council is required to publish.
3. Notes the performance information in relation to EDI during 2020/2021 and endorses our targets outlined at 3.5, in recognition that continued improvement will take time.
4. Notes the work in our approach to EDI and supports the priority actions for 2021/2022 at 2.7.

4. Sustainable and Resilient Workforce Annual Review 2020/21

Kate Sullivan (Lead Commissioner - Culture, Leadership and Performance) stated that this was a new way to report on health and sickness absence in Warwickshire County Council's workforce and that it replaces the traditional style review presented previously. The report presents to the Committee a focussed annual review, in the new format, which highlights the achievements over the last 12 months, next year's priorities, and the workforce performance data. The new approach supports a focus on continual development, as well as our employer value proposition and ongoing drive around recruitment and retention.

In terms of the headlines from the review, Kate Sullivan advised that absences had significantly reduced from 10.9 days per FTE (full-time equivalent) to 7.45 days in 2020/21 which overachieved against last year's target of a 7% reduction; this was the lowest level in a decade and below the public sector and other local authorities' comparatives for the first time in five years. Regular check-ins had been undertaken with staff which helped track how people were feeling and tailor any support they needed. At least 80% of staff were managing well and 86% of staff felt that wellbeing was being promoted at work. Sustainable and resilient workforce groups had been set up with managers and professionals driving actions to maximise wellness at work. Homeworking and increased hygiene had also contributed to the sickness absence reductions.

Absence caused by stress and mental health reasons made up over 1/3 of absences and this will remain the focus for 2021/22 along with long-term absences which made up 70%. Mental health

absences increased in terms of percentage but reduced in terms of FTE from 3.172 days to 2.47. Two thirds of staff took no absent days in the last 12 months which was an increase from 50% the previous year. Cancer related sickness absence has seen an increase over the last 12 months. Covid-19 related absences did not significantly impact the absence reasons overall however there may be long-term mental health affects which we are yet to see.

Councillor Kam Kaur praised the report but noted that it took a pandemic to reduce absences in the authority. She stated that eight days per FTE was a good benchmark and that the People Directorate would benefit focus and extra support due to their higher absence rates.

In response to Councillor Sarah Millar, Kate Sullivan stated that a paper had been brought to December's Staff and Pensions meeting which focused on agile working. This offer was based on trusting people to work from home effectively; people work at their best in different ways so some may work better at home or the office or a mixture of both. The offer for staff to choose where they wanted to work remained during the pandemic as staff could not come into the office normally. Workforce pilots were ongoing where specific teams would work in a different way, and this will inform our future use of office space and our property assets.

In response to Councillor Jill Simpson-Vince, Kate Sullivan stated that it was hard to collect data showing that absence went down because staff were not commuting but this would be attempted. Following a supplementary from Councillor Millar, Kate Sullivan confirmed that we are not yet sure of the long-term mental health implications of Covid-19, but this would become a priority for consideration in 2021/22. She added that we do expect to absences start to rise as people got out more.

In response to a question from Councillor Kettle, Kate Sullivan stated that the People Directorate likely had more face-to-face contact with the public compared to the Communities Directorate. The cohort of the Communities Directorate was also different to the previous year due to changes in organisational structure, so this made it difficult to compare like for like information from the previous year.

In response to Councillor Millar, Kate Sullivan said that they do not report on schools because they operate independently from the County Council.

The Chair commented that the reduction in absences demonstrated that the Council had been prepared for the pandemic in so far as the fact that staff had access to IT equipment which enabled them to work from home when the need arose.

The Committee agreed that the charts provided were useful and they would like to continue to see them as part of this report.

Resolved

That the Staff & Pensions Committee

1. Notes the performance information in relation to the management of employee sickness absence during 2020/21 and endorses an overall target of 8 days per FTE (with a +/- 1 day tolerance).
2. Notes the work in our approach to developing a sustainable and resilient workforce and supports the priority actions for 2021/2022.

3. Considers for future years whether the use of the charts in section 3 are a complementary addition to the Annual Review, or whether the annual review information would be sufficient.

5. Wellbeing and Volunteering Day

Kate Sullivan informed the Committee that the Chief Executive Officer had requested this item be brought forward for consideration. The pilot scheme was intended to improve staff's physical and mental health post-pandemic, the proposal being to offer staff the opportunity to participate in a meaningful activity where they will learn something new or give something back to the community. Kate Sullivan commented that other private sector companies operate similar schemes for example, Jaguar-Landrover's (JLR) scheme. These schemes are aimed at improving self-esteem and resilience and providing a sense of worth as well as local communities benefitting from the activities. The proposed pilot aligns with the Council's corporate goals and supports the Our People Strategy by providing a development opportunity which also supports personal and emotional wellbeing. Kate Sullivan concluded that if the scheme is successful then proposals would be brought forward for a longer-term approach.

In response to Councillor Millar, Kate Sullivan stated that there is a clear connection between community engagement and personal wellbeing so although the two aspects may seem at first glance to be distinct there is the potential for overlap between them. Kate Sullivan confirmed that a six-month review would take place to see if staff are engaging in the scheme and if so, what sorts of activities and initiatives they are undertaking.

Councillor Simpson-Vince noted that most volunteering sectors want people to commit to volunteering for more than one day. Kate Sullivan recognised the point and added that the Council also supported longer term volunteering which it would promote alongside this initiative.

Councillor Millar suggested that one day volunteering every so often as part of a longer-term commitment would be more welcomed by organisations and would potentially be less stressful for individuals.

Councillor Horner suggested that as it was common to get a group of volunteers working on a small project in areas, the Council could form groups to carry out projects cross-county on a specific day. Kate Sullivan stated that they wanted teams to have the flexibility to do this, but they would like different teams to cooperate with each other.

Sarah Duxbury (Assistant Director – Governance & Policy) added that the pilot scheme would work with staff and other organisations to see what could be achieved in support of the Council's organisational priorities. For example, Cabinet had recently approved the Canal Strategy which this initiative could provide opportunities for staff to support. As part of the implementation of the scheme we would look for similar cross Council initiatives which support our priorities.

Councillor Kettle noted that if the pilot scheme went well then, a more structured approach would be needed for the future i.e. staff are assigned jobs. In response to Councillor Kettle, Kate Sullivan confirmed that feedback on the scheme would be sought as part of the pilot review, and this would feed into future proposals in support of wellbeing.

In response to the Chair, Kate Sullivan agreed to contact JLR to see how they carried out their volunteering scheme and whether the Council could learn anything from their experiences.

In response to a question, it was confirmed that schools and other partner/contracting organisations will not be included in the scheme as they are not run by the council.

Resolved

That the Staff & Pensions Committee supports the proposal to offer a Wellbeing and Volunteering Day to all Warwickshire County Council employees (excluding schools) to be taken by 31st March 2022.

6. Health, Safety & Wellbeing Annual Review

Gary Summerfield (Health and Safety Tech Specialist) presented the report on health, safety and wellbeing which followed the same new style as the previous two items. He reiterated that EDI, absence, and safety were reported on jointly to present a holistic picture, to engage better with staff and to make more informed decisions going forward. Gary Summerfield highlighted the main points as set out in Section 2 of the report

In response to Councillor Horner, Gary Summerfield stated that any accidents that happen at home (while the person is working) should be reported to see if there are any steps that the Council as the employer should be taking to ensure safe home working and to identify if there were any trends. Each matter reported would be considered on a case-by-case basis, but the information would feed through to ensure an overview could be maintained and monitored. Gary Summerfield concluded that muscle-skeletal and posture were the main concerns for the year as people worked more hours at home with fewer breaks away from the screen.

In response to Councillor Kettle, Gary Summerfield stated that the Council had a duty of care to its officers so staff would be provided with any equipment that they reasonably need to do their jobs. Andrew Felton (Assistant Director – Finance) added that additional funding was available to members of staff, with the support of their line manager, so that any extra equipment required to do their job could be purchased i.e. display screens.

Resolved

That the Staff & Pensions Committee:

1. Notes the achievements in relation to the services response to the COVID Pandemic. Highlights of these achievements are summarised in the annual review report.
2. Notes the ongoing work to develop a new health, safety and wellbeing delivery framework outlined in the annual review report
3. Notes and supports the development of our technology platforms to improve essential data collection as outlined in the annual review report.
4. Supports the key focus areas for 2021/2022 as set out in the annual review report.
5. Considers for future committee reports whether the need for the summary health & safety performance data is required to be included as part of this cover sheet, or whether the annual review report would be sufficient for the committee.

7. Pensions Administration Activity and Performance

Vicky Jenks (Pensions Admin Delivery Lead) informed the Committee that the I-Connect project was completed with 179 employers and 16,909 employees on the system. Five employers were not on the system yet due to changes in their payroll providers and one struggling with the I-

Connect system. Support was being provided with this. Vicky Jenks thanked the pension, payroll, and ICT teams for their help with the I-Connect roll out.

10 out of 14 KPIs (key performance indicators) were being achieved and the four not achieved were being addressed. Due to the additional work created by the annual benefit statements project some KPIs were missed. Resources have been moved around to clear any work building up.

I-Connect has reduced the number of breaches due to a better engagement and escalation policy with fund employers.

The McCloud Project (age discrimination remedy) is progressing and further information regarding changes to the local government pension scheme is expected towards the end of the year.

Further legislation regarding exit payments is also expected towards the end of the year.

Annual benefit statements have been produced during the summer; however, 189 statements were not produced at the time of the meeting due to employers needing to correct data submitted. However, 99% of statements were sent out on time. Due to the small number not sent out, this was not deemed of material significance and will not need to be reported to the Pensions Regulator.

There was one stage 1 appeal under the internal dispute's resolution procedure (IDRP), but this was not upheld.

The Chair praised the progress on the I-Connect system and the benefits of it. Vicky Jenks stated that they were consulting with the software supplier of I-Connect to initiate member self-service and allow people to view their pension records, update their personal details and run their own estimates.

Resolved:

Staff and Pensions Committee note and comment on this report.

8. Firefighter Pension Schemes Internal Dispute Resolution Policy

Vicky Jenks informed the Committee that in 2016 it was agreed how stage 1 and 2 appeals would be resolved by the Fire Service and this report was to present for approval updates made to the policy.

Resolved:

That the Committee approves the updated version of the Internal Dispute Resolution Procedure (IDRP) policy document, which reflects that Stage 1 decisions are to be made by an officer nominated by the Chief Fire Officer and that Stage 2 disputes will be dealt with by the Chief Fire Officer, in relation to:

- Firefighters' Pension Scheme 1992 (FPS 1992) Rule H3 (as amended by SI 2013/1392)
- Firefighters' Pension Scheme 2006 (FPS 2006) Part 8 Rule 5
- Firefighters' Pension Scheme 2015 (FPS 2015) Regulation 163
- Firefighters' Compensation Scheme 2006 (FCS 2006) Part 6 Rule 3

9. Review of the Minutes of the Warwickshire Fire and Rescue Service Local Pension Board meeting of 9th June 2021

Neil Buxton (Technical Specialist Pensions Fund Policy and Governance) and Chris Norton (Strategy and Commissioning Manager (Treasury, Pension, Audit & Risk)) clarified for the Committee that these minutes were for information sharing and transparency.

Resolved:

That the Staff and Pensions Committee notes the minutes of the Warwickshire Fire and Rescue Service Local Pension Board meeting.

10. Policy and Regulatory update

Neil Buxton noted that there had been an amendment to the admissions and terminations policy and funding strategy statement (FSS) to reflect changes to legislation that enabled the fund to accept an application to amend employers' contribution rates and more flexibility on how to deal with cessation payments for employers leaving the pension fund. It was noted that there had as a result been a minor amendment to the admissions and terminations policy reflecting that change.

There is an ongoing governance review nationally with the Scheme Advisory Board and the Pension Regulator (TPR) is reviewing its Code of Practice. The consultation by TPR of the code of practice is delayed and the new legislation for this should be implemented in Spring 2022. Officers will, however, start to review policies and practices in anticipation of expected changes from the governance review and code of practice.

There is a consultation on special severance payments (non-statutory payments such as garden leave etc) where the government expects greater transparency and sign-off by local authorities for such payments. Although there is no change to statutory redundancy payments the Government is continuing its review of exit payments.

HM Treasury asked the Government Actuary's Department (GAD) to review the cost management mechanism (where LGPS costs can be shared more equally between employers and members); costs were expected to rise but in fact, the cost of benefits was reduced. Several recommendations were made following this review including a minimum death in service benefit, reduced early retirement factors (that would have meant higher benefits payable on retirement, etc), and possible changes to the contribution rates. These amendments were put on hold because of the potential costs caused by the McCloud settlement. The consultation by GAD has proposed changes to the process of review and includes an amendment to the ceiling and floor before a review takes place from 2% to 3% and greater emphasis on current market conditions. It is unknown if the suggested amendments from the last review (the benefit improvement mentioned above) will be implemented.

Resolved:

That the Staff and Pensions Committee notes and comments on the report.

11. Employers joining and leaving the Warwickshire Pension Fund

Vicky Jenks presented the report and referred to the recommendations.

In response to Councillor Kettle, Vicky Jenks clarified that Sodexo was the firm that applied to the fund and that checks would be made to ensure the firms full company name would be listed on the admission agreement.

Resolved:

That the Staff and Pensions Committee delegates authority to the Strategic Director for Resources to approve applications from the listed employers subject to the applications meeting the criteria set out in the Local Government Pensions Scheme Regulations 2013.

1. New Academies

- Brailes C of E Primary School (1st August 2021)

2. New Employers

- Sodexo (1st August 2021)
- Prime Facilities Services (8th June 2021)

**12. Reports Containing Confidential or Exempt Information
Resolved**

That members of the public be excluded from the meeting for the items mentioned below on the grounds that their presence would involve the disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.