

## Notice of meeting of

### Urgency Committee

**To:** Councillors Steve Galloway (Chair), Gillies, Jamieson-Ball, Potter and Scott

**Date:** Tuesday, 26 June 2007

**Time:** 12.15 pm

**Venue:** The Guildhall

### AGENDA

#### 1. **Declarations of Interest**

At this point, members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.

#### 2. **Minutes** (Pages 3 - 4)

To approve and sign the minutes of the meeting of the Urgency Committee held on 23 May 2007.

#### 3. **Public Participation**

At this point in the meeting members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the Committee's remit can do so. The deadline for registering is Monday 25 June 2007, at 5.00 pm.

**Note: In respect of item 4 below, the decision to be taken is an Executive function. The Urgency Committee will therefore act in an advisory capacity to the Executive Leader, who is authorised to take the decision having regard to that advice.**

**4. Evening Parking Charges (Pages 5 - 12)**

This report seeks Members views on evening parking charges following the approval of the Policy Prospectus by the Executive on 12 June 2007.

**5. Pay Supplements for Chief Officer Posts (Pages 13 - 18)**

This report asks Members to approve a pay supplement for an Assistant Director (AD) post within Learning, Culture and Children's Services, pending a wider review of AD salaries.

**6. Any Other Matters which the Chair decides are urgent under the Local Government Act 1972.**

Democracy Officer:

Name: Simon Copley

Contact details:

- Telephone – (01904) 551078
- E-mail – [simon.copley@york.gov.uk](mailto:simon.copley@york.gov.uk)

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.

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### **Holding the Executive to Account**

The majority of councillors are not appointed to the Executive (38 out of 47). Any 3 non-Executive councillors can 'call-in' an item of business from a published Executive (or Executive Member Advisory Panel (EMAP)) agenda. The Executive will still discuss the 'called in' business on the published date and will set out its views for consideration by a specially convened Scrutiny Management Committee (SMC). That SMC meeting will then make its recommendations to the next scheduled Executive meeting in the following week, where a final decision on the 'called-in' business will be made.

### **Scrutiny Committees**

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

### **Who Gets Agenda and Reports for our Meetings?**

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City of York Council

Minutes

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|           |   |
|-----------|---|
| MEETING   | URGENCY COMMITTEE   |
| DATE      | 23 MAY 2007   |
| PRESENT   | COUNCILLORS STEVE GALLOWAY (CHAIR),<br>MERRETT, REID AND WALLER |
| APOLOGIES | COUNCILLOR POTTER   |

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**39. DECLARATIONS OF INTEREST**

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda.

No interests were declared.

**40. EXCLUSION OF PRESS AND PUBLIC**

RESOLVED: That the press and public be excluded from the meeting during consideration of the following:

Annexes 1 & 2 to Agenda Item 4 (Recruitment of a Replacement Chief Executive) (minute 42 refers) on the grounds that they contained information relating to individuals. This information was classed as exempt under paragraph 1 of Schedule 12A to Section 100A of the Local Government Act 1972 (as revised by The Local Government (Access to Information) (Variation) Order 2006).

**41. MINUTES**

RESOLVED: That the minutes of the meetings of the Urgency Committee held on 20 March 2007 and 27 March 2007 be approved and signed by the Chair as a correct record.

**42. RECRUITMENT OF A REPLACEMENT CHIEF EXECUTIVE**

Members received a report which asked them to approve plans for recruiting to the post of Chief Executive, including the setting of a revised salary for the post and the appointment of a member selection panel.

Officers clarified how the proposed performance element of the salary scale increments would work. They also confirmed that the level of departmental responsibility did not significantly effect the proposed salary. The Director of Resources and the Director of People & Improvement were undertaking a review of Chief Officer pay and it was anticipated that there would be no recommended impact on the salaries of Directors. The review was not yet complete in relation to other Chief Officers. It was proposed

that the allowance relating to the Chief Executive's role as returning officer at local elections be paid in addition to the salary, in common with other local authorities. If any other officer performed this role for local elections, the fee would be payable to them in addition to their salary.

- RESOLVED:
- (i) That it be agreed to proceed with plans to recruit a replacement Chief Executive, including a reviewed salary range of £130k to £145k based on a 5 point scale, with a performance element and local elections allowances in addition;
  - (ii) That a politically balanced member selection panel (2 Liberal Democrat, 2 Labour, 1 Conservative) be appointed, with powers to make an appointment including salary, and that political groups be invited to confirm their nominations to this panel.

REASON: To maintain continuity of leadership and to retain the Council's ability to attract the appropriate level of calibre for the role.

COUNCILLOR S F GALLOWAY  
Chair

The meeting started at 12.30 pm and finished at 1.00 pm.



## Urgency Committee

26 June 2007

Report of the Director of City Strategy

## EVENING PARKING CHARGES

### Summary

1. This report is brought forward to the Urgency Committee following the approval of the "policy prospectus" by the Executive on the 12<sup>th</sup> June. A decision on this is now considered urgent owing to the perceived impact on York's evening economy.

### Background

2. Evening Parking charges in use within the city apply to both car parks and most on street Pay and Display areas. The current tariff is a flat rate of £2 with a 50% discount for residents. To claim the discount residents must display a Minster Badge. This Minster Badge is issued free of charge.
3. Holders of a Minster Badge may also claim a 30p an hour discount on daytime parking rates.
4. In 2006/7 the evening parking charges were budgeted to raise £271,000. Due to software problems with the Pay and Display ticket machine issuing analysis programme it is not possible to say with absolute certainty just how much of the income taken by each machine was taken after 6pm. Reasonable estimates can, however be made by reference to data obtained prior to the software difficulties occurring.
5. On the assumption that the 2006/7 sales after 6pm performance was similar to the 2005/06 the following is estimated :

| <b>Income</b> | Resident       | Non Resident    |                 |
|---------------|----------------|-----------------|-----------------|
| Car park      | £65,900        | £308,000        |                 |
| Street        | £9,100         | £43,000         |                 |
| <b>TOTAL</b>  | <b>£75,000</b> | <b>£351,000</b> | <b>£426,000</b> |

6. It will be seen from this that the bulk of income is derived from non residents.

## Evening Parking Survey

7. There have been repeated claims that the imposition of evening parking charges has damaged the evening economy of York. There is, however only anecdotal evidence to support this allegation. So as to provide some sound evidence the volume of parking taking place in the evening was surveyed over a two week period immediately prior to the publication of this report. This survey covered both on and off street parking areas and yellow line contraventions and was undertaken at 8pm each evening.
8. In order to test out the possibility that there might be a different volume or pattern of evening parking during a week with a bank Holiday to one without, the survey included the whole of a Bank Holiday weekend and the following week and then the weekend/week following.
9. There are a total of 327 on street parking spaces within a five minute walk of the evening economy attractions of the city centre and 2142 off street spaces available (all under the control of the city council). The vast majority of these spaces are, however not convenient to the bulk of the evening economy attractions.
10. Prior to the introduction of evening parking charges there were 247 on street parking spaces and 2191 off street spaces available. The additional spaces (80) were added around the St Helens Square area (40) and Walmgate area (40).
11. The evening surveys were benchmarked using daytime use data taken from the automatic car park counters and ticket sales.
12. On the hypothesis that the evening parking charges were affecting the evening economy the following conditions should have been apparent from the survey work:

### Evening conditions

Car parks – generally empty and much lower use than during the day

On street Pay and Display – generally empty and much lower use than during the day

Yellow line contraventions – much higher than in the day

The survey showed no discernable difference between a Bank Holiday weekend/week and a normal weekend/week. The following generalised results summarise what was found:



**Car Parks**

|              |                                     |
|--------------|-------------------------------------|
| Castle       | generally at between 80 to 95% full |
| Nunnery Lane | generally at between 25 to 35% full |
| Other        | generally at between 8 to 15% full  |

**On street**

|   |                                     |
|---|-------------------------------------|
| Spaces close to Micklegate<br>60% full    | generally at between 40 to 60% full |
| Spaces close to Parliament St<br>60% full | generally at between 50 to 60% full |
| Spaces close to Kings Staith              | generally at around 50 full         |

**Yellow line contraventions**

|                        |             |
|------------------------|-------------|
| Micklegate area        | minimal     |
| Parliament Street area | significant |
| Kings Staith area      | minimal     |

13. In general there were around 180 on street spaces in use in the evening and around 180 off street

Daytime benchmarking showed the following:

**Car Parks**

|              |                                     |
|--------------|-------------------------------------|
| Castle       | generally at between 30 to 40% full |
| Nunnery Lane | generally at between 30 to 45% full |
| Other        | generally at between 20 to 40% full |

**On street**

|  |                                      |
|--|--------------------------------------|
| Spaces close to Micklegate<br>100% full    | generally at between 80 to 100% full |
| Spaces close to Parliament St<br>100% full | generally at between 90 to 100% full |
| Spaces close to Kings Staith               | generally at around 100% full        |

**Yellow line contraventions**

|                        |         |
|------------------------|---------|
| Micklegate area        | minimal |
| Parliament Street area | minimal |
| Kings Staith area      | minimal |

**Analysis**

14. The survey indicates that the on street parking take up in the evening is lower than during the day. Conversely Castle car park is used more extensively in the evening than during the day.
15. Apart from the Parliament Street area there is little contravention of yellow lines. This indicates that those who are wishing to park are using the parking bays provided. If drivers were being deterred from

parking in the city by the evening charges it would have been expected that in areas of high demand paid for parking spaces would be empty whilst yellow line contraventions would be high. Given the high contraventions in the Parliament Street area it cannot be that drivers are fearing being issued with a PCN that is deterring them from shunning paid for parking.

## Conclusions from Survey work

16. The above results suggest that there may be some impact around the Parliament Street area but elsewhere the situation seems to suggest that parking customers are not being deterred by the parking charges.

## Practical issues

### Pay and Display machines

17. Evening Parking charges are collected through Pay and Display machines. Should Members wish to alter the current charges it will therefore be necessary to alter these machines so as to reflect any new charge to be made. This will affect the Tariff Boards – ie the on machine or on car park publicity which advises customers of the charges that apply at different times of the day – and the internal ticket machine software. Depending upon the action required both have cost and time implications. These are detailed in the table below:

| Option |  | Tariff Boards |           | Machine software |           |
|--------|--|---------------|-----------|------------------|-----------|
|        |  | Cost          | Timescale | Cost             | Timescale |
| A      | Remove Evening charges completely                      | £3,000        | 3 weeks   | £4,500           | 6 weeks*  |
| B      | Modify the charges for both resident and non residents | £3,000        | 3 weeks   | £4,500           | 6 weeks** |
| C      | Allow Minster badge holders to park free of charge     | £3,000        | 3 weeks   | £Nil***          |           |

### Notes

\* There are 9 Pay and Display machines which only operate in the evening. If Members were to abolish Evening Tariffs completely these machines would need to be removed from street at a total cost of £2,700. All the machines can be reused to replace older machines that have come to the end of their useful life so reinstatement costs and revised software costs will be met from the allocated maintenance budget.

\*\* Depending upon the tariff selected it may not be possible to technically deliver a software solution as the city council machines are currently operating at the limit of what any Pay and Display systems can operate. If this option is favoured Officer advice in detail should be sought.

\*\*\* The necessary change can be made at the time that any other tariff changes are introduced so there is no direct cost just associated with the Evening Parking consideration.

### **Traffic Order**

18. Any change in tariffs will require the controlling Traffic Order to be modified before any new charges can be levied. This applies irrespective of an increase or a decrease in the level of charge and a £Nil charge for Minster Badge holders in Option C has to be treated in the same way as if an actual fee was being required to be paid. This change can be made by publication of a Notice. The Notice must appear in a local newspaper regularly circulating in the area and at every point where tariffs are published (ie on Pay and Display machines and Tariff Boards).
19. Revised charges cannot be brought into effect until a minimum of three weeks after the publication of the Notice. This process will cost £1,250.

### **Budget**

20. There are no budget allocations within the approved 2007/8 budget that could meet the cost of practically introducing a revised Evening parking charge. The sum of up to £10,000 (depending upon the option selected) will need to be found from within existing budgets to cover these start up costs.
21. It would be possible to introduce changes to the evening parking arrangements at any point in the Financial year. Any part year effect on current budgets would thus need to be considered should a change be made in 2007/8
22. A decision today to eliminate Evening Parking charges for Minster Badge holders would cost in the region of £55,000 in this Financial year. The cost in a full year would be £75,000

## **Implications**

### **Financial**

23. The expected loss of revenue from the introduction of free evening parking for residents in 2007/08 is estimated to be £55,000. Given the council has a gross income budget of £6,200k it is considered that the reduced income from this proposal could be contained within the parking budgets. However this will need to be carefully monitored throughout the year and any shortfall reported through the council's financial monitoring process.
24. In a full year the cost will be £75,000 and it will therefore be necessary to address this ongoing cost through the 2008/09 budget process.
25. The cost of changing signage of up to £10,000 will be met from existing budgets established for this purpose.

### **Other Implications**

26. There are no Human Resources, Equalities, Legal, Crime and Disorder, Information Technology, or Property implications.

## **Risk Management**

27. In compliance with the Councils risk management strategy the main risks that have been identified in this report are those which could lead to the inability to meet business objectives (Strategic) and to deliver services (Operational), leading to financial loss (Financial). Measured in terms of impact and likelihood, the risk score all risks has been assessed at more than 16, This means that at this point the risks need to be balanced against any gains and if Members do decide to modify Evening Parking Charges the implications be very closely monitored particularly with regard to potential impacts upon the council's ability to deliver services and its Statutory Duty to have a balanced budget.

## **Recommendations**

28. It is recommended that:
  - a the views of Members be sought

Reason: As requested in the 'policy prospectus'.

**Contact Details**

**Author:**

Peter Evely  
Head of Network Management  
Network Management  
Tel No. (55) Ext No 1414

**Chief Officer Responsible for the report:**

Bill Woolley  
Director of City Strategy

**Report Approved**  **Date**

**Specialist Implications Officer:** Patrick Looker, Finance Manager, City Strategy

**Wards Affected:**

**All**

**For further information please contact the author of the report**

**Background Papers: None**

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**Urgency Committee****26 June 2007**

Report of the Director of Learning Culture and Children's Services and the Director of People & Improvement

**PAY SUPPLEMENTS FOR CHIEF OFFICER POSTS****Summary**

1. This report asks members to approve a pay supplement for an Assistant Director (AD) post within Learning Culture and Children's Services, pending a wider review of AD salaries. It is urgent because of the need to fill the post of AD of School Improvement and Staff Development in LCCS, following the decision of the current post holder to retire, and the inability to fill the post having already failed one attempt to recruit at the current salary.

**Background**

2. The Council has identified a need to review Chief Officer pay in order that it remains able to attract and retain high calibre staff and that we have the pay policy tools to be flexible and responsive to changing market demands. To this end, a review of Chief Officer pay is currently underway. This review needs to consider our market position as well as the structure of our reward system for Chief Officers.
3. In the meantime, there is a short term consideration around the need to supplement base salary for this particular AD post which has proved difficult to fill. Elected Members have indicated a willingness to consider a supplement to allow this post to pay up to £75,000, which is approximately £5,000 higher than the top of the grade of the existing post.

**Consultation**

4. Consultation has been undertaken with key members and officers.
5. An important consideration is the need to ensure that if a supplement is introduced that it is sufficient to meet the market forces objective, and is also legally fair and equitable. Any proposal for a mechanism to address the recruitment difficulties with the above named LCCS post must also consider its overall fit and equity across the Chief Officer community.

## Options

- Option 1 – Pay the pay supplement as a 'market supplement' in addition to basic pay
- Option 2 – Pay the pay supplement in addition to basic pay based on performance in the post
- Option 3 – Consolidate the pay supplement into the basic pay for the post

## Analysis

- Option 1 – Pay the pay supplement as a 'market supplement' in addition to basic pay
  - 6. Market supplements are paid in addition to basic pay in order to make the total salary of the post attractive to candidates. In order to ensure fairness and not to open us to legal challenge, market supplements must be reviewed annually. This annual process would involve research in the employment market to determine if the level of market supplement was still at the correct level or if the level needs to be adjusted upwards or downwards for the following twelve months. The ability to make this adjustment is built into the employee's contract of employment and would be actioned upon determination of the right level of supplement.
  - 7. Market supplements are very flexible and allow the organisation to respond to the changing employment market without making an on-going commitment into basic pay that cannot be removed at a later date. However they are not as attractive to candidates as other options as although they are subject to superannuation, they can be removed or adjusted on an annual basis.
- Option 2 – Pay the pay supplement in addition to basic pay based on performance in the post
  - 8. Performance related pay differs from market supplements in that the overall salary of the job is uplifted to a level which would attract candidates, in this case £75,000, but an element of the salary, typically between 5% and 10%, would be dependant on performance in the post during the year. Such performance would be measured objectively against pre-agreed criteria with the pay supplement being whole or part paid in a lump sum after this annual assessment. PRP is subject to superannuation and can either be consolidated into basic pay upon payment, or it can be paid as a non-consolidated sum.
  - 9. PRP tends to be more attractive to candidates than market supplements as it is based on their own individual performance and not any variations in the employment market which is beyond their control. However PRP is less flexible than market supplements. A draft proposal for a performance supplement can be found in annex 1.



Option 3 – Consolidate the pay supplement into the basic pay for the post

10. Consolidation of a pay supplement into basic pay effectively means that the basic salary of the post is simply increased. Such arrangements are inflexible in that the salary can not be reduced at a later date if the employment market changes. The lack of a performance element to the payment may also be undesirable in organisational terms.
11. City of York Council has an agreed job evaluation scheme and associated grading structure for Chief Officer posts. The maximum salary within the Chief Officer grading structure is circa £70k. In this instance the post of AD of School Improvement and Staff Development in LCCS has been evaluated and has been found to fall within the Council's existing Chief Officer grade range. Whilst it would be possible for the Council to create an additional grade above the existing top grade, a systematic analysis of the post has determined that there would be no justification for simply increasing the salary for this post and not other Chief Officer posts which fall into the current grade.

### **Corporate Priorities**

12. The recommended course of action in this report supports all the Council's priorities by providing for continuity of overarching officer leadership on all key priorities, and especially the Community and Council leadership priorities.

### **Implications**

13. The report has the following implications:
  - a. **Financial** – The Director of LCCS will manage the financial implications within the budget envelope of LCCS.
  - b. **Human Resources (HR)** – Pay supplements are a significant development for the Council and the implications. Therefore any proposal must be subject to an equality impact assessment. Equal Pay legislation and supporting case law requires that a supplement to pay must not be discriminatory on the grounds of gender. A market supplement would not be paid to all jobs and therefore the basis of payment must be that the market demands it. In addition, to minimise exposure to the risk of grievances and claims for indirect discrimination any pay supplement would have to be applied to all posts identified by the market research, regardless of whether they are vacant or not. There will also need to be a significant piece of staff communication to Chief Officers. Equally the addition of a performance related pay supplement would also need to be considered for all Chief Officer posts, although this can be undertaken as part of the on-going Chief Officer pay review. Consolidation of a pay supplement into basic pay as described in option 3 would create inequality within the existing Chief Officer grading structure which could lead to legal claims from other Chief Officers.
  - c. **Equalities** - There are significant equalities implications which are described above/
  - d. **Legal** - There are no legal implications other than those under the HR implications and the relevant approvals under the Council's constitution.

- e. **Crime and Disorder** - There are no crime and disorder implications
- f. **Information Technology (IT)** - There are no IT implications
- g. **Property** - There are no property implications
- h. **Other** - There are no other implications

### **Risk Management**

14. In compliance with the Council's risk management strategy the main risks that have been identified in this report are those which could lead to the inability to meet business objectives (strategic) and to deliver services (operational), leading to financial loss (financial) and damage to the Council's image and reputation and failure to meet stakeholders' expectations (governance) and those arising.
15. Measured in terms of impact and likelihood, the risk score has been assessed at 20, placing the issue in the high category. Implementation of the recommendation in this paper will reduce the risk to medium.
16. The management of this risk provides the Council with the opportunity to provide enhanced and effective services to all Council customers.

### **Recommendations**

17. It is recommended that Urgency Committee:
  - (i) agrees to implement a supplement which allows the Director of LCCS to pay up to £75,000 in the particular case of the AD for School Improvement and Staff Development in order to facilitate successful recruitment with £5k being applied as a market supplement.
  - (ii) recognises the onward consequences of this particular supplement and the outcome of the review of Chief Officer Pay.

Reason:

In order to enable the Council to recruit to the post of AD for School Improvement and Staff Development

**Contact Details**

**Author:**

Author's name: **Chris Tissiman**  
Title: **Head of HR Services**  
Dept Name: **Chief Executives**  
Tel No. (55)1715

**Chief Officer Responsible for the report:**

Chief Officer's name: **Patrick Scott**  
Title: **Director of Learning Culture and Children's Services**  
Chief Officer's name: **Heather Rice**  
Title: **Director of People and Improvement**  
**Report**  **Date** June 2007  
**Approved**  
*Chief Officer's name:* Patrick Scott  
*Title:* Director of Learning, Culture and Children's Services  
*Chief Officer's name:* Heather Rice  
*Title:* Director of People and Improvement  
**Report**  **Date** June 2007  
**Approved**

**Specialist Implications Officer(s)** *List information for all*

|                                    |                                  |
|------------------------------------|----------------------------------|
| <i>Financial</i>                   | <i>Human Resources</i>           |
| <i>Name</i> Simon Wiles            | <i>Name</i> Chris Tissiman       |
| <i>Title</i> Director of Resources | <i>Title</i> Head of HR Services |
| <i>Tel No.</i> 1100                | <i>Tel No.</i> 1715              |

**Wards Affected:** *List wards or tick box to indicate all*

All

**For further information please contact the author of the report**

**Background Papers:**

None

**Annex 1 –Draft Proposal for a Performance Supplement**

Subject to the satisfactory achievement of agreed targets as outlined in your Annual Objectives document as part of your Performance & Development Review (PDR) process, you will be entitled to a Performance Supplement of up to 10% of your base salary, payable at year end, in accordance with the following scale:

| <b>Performance achievement</b>    | <b>Performance Supplement Payable</b> |
|-----------------------------------|---------------------------------------|
| Less than 60% of targets achieved | Nil                                   |
| 60% targets achieved              | 4% of base salary                     |
| 80% targets achieved              | 6% of base salary                     |
| 90% targets achieved              | 8% of base salary                     |
| 100% targets achieved             | 10% of base salary                    |

This scale is modelled on the following principles;

- Simple to understand and administer
- Pay is a reinforcer not a motivator
- Reward is for outputs / outcomes
- Payout is weighted against high performance

Therefore, it's design is:

- A simple linear scale
- No supplement for below average achievement, i.e. less than 60%
- Final 2% supplement for remaining 10% achievement