

**South Ayrshire Council**

**Report by Head of Legal, HR and Regulatory Services  
to Cabinet  
of 30 August 2022**

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**Subject: South Ayrshire Fair Pay Agenda**

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**1. Purpose**

- 1.1 The purpose of this report is to provide Cabinet with further information on the proposals with Trade Unions aimed at paying Scottish Social Services Council (SSSC) registration fees for lower paid employees. The report includes proposals on the employees who will be included in this arrangement and arrangements for implementation.

**2. Recommendation**

**2.1 It is recommended that the Cabinet:**

- 2.1.1 **agrees to pay professional registration fees for employees up to and including those at Level 5 (current hourly rate up to £12.77) with effect from 30 August 2022 – this would mean the SSSC registration fees for positions outlined in [Appendix 1](#);**
- 2.1.2 **notes that, if there is a national agreement reached as part of the consultations on the pay award to pay registration fees for any additional employees, then appropriate arrangements will be made to implement that agreement;**
- 2.1.3 **notes that the SSSC will not accept direct payment from the Council, therefore employees will continue to make the payments for their registration and will be reimbursed for the full amount on submission of a receipt;**
- 2.1.4 **agrees that the Recruitment and Selection Policy is updated to reflect this change; and**
- 2.1.5 **approves that the costs of implementing the proposals to be met from employee costs underspend in 2022/23. Future costs will be included as part of payroll management within the annual budget setting process.**

**3. Background**

- 3.1 The South Ayrshire Fair Pay Agenda motion was approved by Council on 3 March 2022. The motion set out - 'UNISON South Ayrshire has welcomed the progress

recently made by South Ayrshire Council through the joint work on the consolidation of the Living Wage. They appreciate that this work has made South Ayrshire Council a more attractive employer with an entry level salary of 3 spinal points above the Scottish Living Wage and have praised our foresight and commitment to this issue.

- 3.2 UNISON South Ayrshire, Council officers and Elected Members are united in their praise and recognition of the outstanding work of our frontline employees during the Covid 19 pandemic. Council wishes to demonstrate our ongoing commitment to the fair pay agenda in South Ayrshire and to continue to reflect our recognition of the dedication and service shown by frontline staff.
- 3.3 Requesting officers to work with the Trade Unions to develop proposals aimed at paying the Scottish Social Services Council (SSSC) registration fees where it is recognised that this expense may be a barrier to recruitment and/or retention of Social Services employees.'
- 3.4 The Trade Unions have been consulted and agree to the proposals as set out in Paragraph 4 below.
- 3.5 Trade unions at a national level have also submitted a request for consideration of payment of professional fees to be included as part of the national pay award. Discussions on this matter are ongoing.

#### **4. Proposals**

- 4.1 The payment of SSSC fees will include everyone up to and including Level 5 - [Appendix 1](#) summarises the positions up to Level 5.
- 4.2 The Council will meet the cost of initial and annual fees for everyone up to and including Level 5.
- 4.3 The date of Cabinet approval will be the effective date and there will be no retrospective backdated payments.
- 4.4 As noted in Paragraph 3.2 above, should a national position be agreed as part of the consultation on the pay award which exceeds the proposals detailed in this report, then the Council will ensure that the necessary arrangements are made to cover any additional payments.
- 4.5 SSSC will not accept direct payments from the Council therefore employees will be required to continue to pay their fees directly to SSSC and reclaim the cost through expenses.
- 4.6 Once approved HR will write to employees regarding the payment of their SSSC fees and the process for reclaiming.
- 4.7 HR will amend the Recruitment and Selection Policy and the revised policy will be submitted to Cabinet in September.

#### **5. Legal and Procurement Implications**

- 5.1 There are no legal or procurement implications arising from this report.

## **6. Financial Implications**

- 6.1 The cost of implementing the proposals will be £21,920 and will be met in year from the 2022/23 employee costs underspend.
- 6.2 Future costs will be included as part of payroll management within the annual budget setting process.

## **7. Human Resources Implications**

- 7.1 The HR implications are set out at Paragraphs 4.1 to 4.6.

## **8. Risk**

### **8.1 *Risk Implications of Adopting the Recommendations***

- 8.1.1 There are no risks associated with adopting the recommendations.

### **8.2 *Risk Implications of Rejecting the Recommendations***

- 8.2.1 Rejecting the recommendations may impact on the reputation of the Council.

## **9. Equalities**

- 9.1 The proposals in this report have been assessed through the Equality Impact Assessment Scoping process. There are no significant potential positive or negative equality impacts of agreeing the recommendations and therefore an Equalities Impact Assessment is not required. A copy of the Equalities Scoping Assessment is attached as [Appendix 2](#).

## **10. Sustainable Development Implications**

- 10.1 ***Considering Strategic Environmental Assessment (SEA)*** – This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy or strategy.

## **11. Options Appraisal**

- 11.1 An options appraisal has not been carried out in relation to the subject matter of this report.

## **12. Link to Council Plan**

- 12.1 The matters referred to in this report contribute to Commitment 2 of the Council Plan: Closing the Gap/ Reduce poverty and disadvantage.

## **13. Results of Consultation**

- 13.1 There has been no public consultation on the contents of this report.
- 13.2 Consultation has taken place with Councillor Ian Davis, Portfolio Holder for Finance, Human Resources and ICT, and the contents of this report reflect any feedback provided.

13.3 Consultation has taken place with the Trade Unions and the contents of this report reflect any feedback.

#### 14. Next Steps for Decision Tracking Purposes

14.1 If the recommendations above are approved by Members, the Head of Legal, HR and Regulatory Services will ensure that all necessary steps are taken to ensure full implementation of the decision within the following timescales, with the completion status reported to the Cabinet in the 'Council and Cabinet Decision Log' at each of its meetings until such time as the decision is fully implemented:

<b>Implementation</b>	<b>Due date</b>	<b>Managed by</b>
Once approved HR will write to employees regarding the decision and arrangements for the payment and process for reclaiming their SSSC fees	31 October 2022	Service Lead – HR and Payroll
Revised Recruitment and Selection Policy to be submitted to Cabinet	27 September 2022	Head of Legal, HR and Regulatory Services

**Background Papers**    **None**

**Person to Contact**    **Catriona Caves, Head of Legal, HR and Regulatory Services  
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Phone 01292 612556  
E-mail [catriona.caves@south-ayrshire.gov.uk](mailto:catriona.caves@south-ayrshire.gov.uk)**

**Date:**    **23 August 2022**

## Summary of Positions

<b>Position Name</b>	<b>HEADCOUNT</b>
Home Carer	293
Hostel Support Worker	11
Housing First Support Worker	2
Mobile Alarm Attendant	11
Mobile Alarm Attendant (Nights)	8
Play Assistant	6
Play Leader	4
School Assistant	16
Senior Social Care Worker (Nights)	1
Social Care Assistant (On-call)	3
Social Care Worker	37
Social Care Worker (Covid19)	2
Social Care Worker (Nights)	12
Supply Child Care Leader	1
Supply Home Carer	41
Supply Home Carer (RE)	1
Supply Hostel Support Worker	37
Supply Housing First Peer Support Worker	11
Supply ICES Home Carer	1
Supply Mobile Attendant	34
Supply Play Assistant	32
Supply Social Care Worker	93
Supply Support Worker (Sheltered Housing)	23
Support Worker	9
Support Worker (Sheltered Housing)	33
<b>Grand Total</b>	<b>722</b>

**South Ayrshire Council  
 Equality Impact Assessment  
 Scoping Template**

Equality Impact Assessment is a legal requirement under the Public Sector Duty to promote equality of the Equality Act 2010. Separate guidance has been developed on Equality Impact Assessment's which will guide you through the process and is available to view here: <https://www.south-ayrshire.gov.uk/equalities/impact-assessment.aspx>

Further guidance is available here: <https://www.equalityhumanrights.com/en/publication-download/assessing-impact-and-public-sector-equality-duty-guide-public-authorities/>

The Fairer Scotland Duty ('the Duty'), Part 1 of the Equality Act 2010, came into force in Scotland from 1 April 2018. It places a legal responsibility on Councils to actively consider ('pay due regard to') how we can reduce inequalities of outcome caused by socio-economic disadvantage, when making strategic decisions. [FSD Guidance for Public Bodies](#) in respect of the Duty, was published by the Scottish Government in March 2018 and revised in October 2021. See information here: <https://www.gov.scot/publications/fairer-scotland-duty-guidance-public-bodies/>

### 1. Policy details

Policy Title	South Ayrshire Fair Pay Agenda – Payment of SSSC registration fees for lower paid employees
Lead Officer (Name/Position/Email)	Wendy Wesson (Service Lead – HR and Payroll) <a href="mailto:wendy.wesson@city-holdings.co.uk">wendy.wesson@city-holdings.co.uk</a>

**2. Which communities, groups of people, employees or thematic groups do you think will be, or potentially could be, impacted upon by the implementation of this policy? Please indicate whether these would be positive or negative impacts**

Community or Groups of People	Negative Impacts	Positive impacts
Age – men and women, girls & boys	No	No
Disability	No	No
Gender Reassignment (Trans/Transgender Identity)	No	No
Marriage or Civil Partnership	No	No
Pregnancy and Maternity	No	No
Race – people from different racial groups, (BME) ethnic minorities and Gypsy/Travellers	No	No
Religion or Belief (including lack of belief)	No	No
Sex – gender identity (issues specific to women & men or girls & boys)	No	No
Sexual Orientation – person's sexual orientation i.e. LGBT+, lesbian, gay, bi-sexual, heterosexual/straight	No	No
Thematic Groups: Health, Human Rights & Children's Rights	No	No

**3. What likely impact will this policy have on people experiencing different kinds of social disadvantage i.e. The Fairer Scotland Duty (This section to be completed for any Strategic Decisions). Consideration must be given particularly to children and families.**

<b>Socio-Economic Disadvantage</b>	<b>Negative Impacts</b>	<b>Positive impacts</b>
Low Income/Income Poverty – cannot afford to maintain regular payments such as bills, food, clothing	No	By paying the fees the relevant employees won't need to worry if they can't pay these due to financial difficulties, therefore this arrangement will support those in socio-economic disadvantage.
Low and/or no wealth – enough money to meet Basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future	No	By paying the fees the relevant employees won't need to worry if they can't pay these due to financial difficulties, therefore this arrangement will support those in socio-economic disadvantage.
Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure/hobbies	No	No
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	No	No
Socio-economic Background – social class i.e. parent's education, employment and income	No	By paying the fees the relevant employees won't need to worry if they can't pay these due to financial difficulties, therefore this arrangement will support those in socio-economic disadvantage

**4. Do you have evidence or reason to believe that the policy will support the Council to:**

<b>General Duty and other Equality Themes Consider the 'Three Key Needs' of the Equality Duty</b>	<b>Level of Negative and/or Positive Impact (High, Medium or Low)</b>
<b>Eliminate unlawful discrimination, harassment and victimisation</b>	No adverse impact - Low

<b>Advance equality of opportunity</b> between people who share a protected characteristic and those who do not	No adverse impact - Low
<b>Foster good relations</b> between people who share a protected characteristic and those who do not. (Does it tackle prejudice and promote a better understanding of equality issues?)	No adverse impact - Low
Increase participation of particular communities or groups in public life	No adverse impact - Low
Improve the health and wellbeing of particular communities or groups	No adverse impact - Low
Promote the human rights of particular communities or groups	No adverse impact - Low
Tackle deprivation faced by particular communities or groups	No adverse impact - Low

## 5. Summary Assessment

<b>Is a full Equality Impact Assessment required?</b> (A full Equality Impact Assessment must be carried out if impacts identified as <b>Medium and/or High</b> )	<b>YES</b> <input checked="" type="checkbox"/> <b>NO</b> <input type="checkbox"/>
<b>Rationale for decision:</b>  Not applicable	
<b>Signed:</b> <i>Wendy Wesson</i>  <b>Date:</b> 21 <sup>st</sup> July 2022	



**South Ayrshire Council  
Equality Impact Assessment including Fairer Scotland Duty**

**Section One: Policy Details\***

Name of Policy	<b>South Ayrshire Fair Pay Agenda – Payment of SSSC registration fees for lower paid employees.</b>
Lead Officer (Name/Position)	Wendy Wesson (Service Lead – HR & Payroll)
Support Team (Names/Positions) including Critical Friend	Noemi Cecconi (HR Policy and Operations Coordinator)

\*The term Policy is used throughout the assessment to embrace the full range of policies, procedures, strategies, projects, applications for funding or financial decisions.

What are the main <b>aims</b> of the policy?	<ul style="list-style-type: none"> <li>To pay professional registration fees for our lower paid employees (up to and including those at Level 5) with effect from 30 August 2022</li> </ul>
What are the intended <b>outcomes</b> of the policy?	<ul style="list-style-type: none"> <li>To improve recruitment and retention of Social Services employees as it is recognised that payment of these fees can be a barrier to both.</li> <li>To demonstrate our ongoing commitment to the fair pay agenda in South Ayrshire.</li> <li>To recognise the dedication and service shown by frontline staff.</li> </ul>

**Section Two: What are the Likely Impacts of the Policy?**

Will the policy impact upon the whole population of South Ayrshire and/or particular groups within the population? (please specify)	This arrangement will only impact our lower paid employee (from Level 1 up to and including those at Level 5) and only those in a profession who requires SSSC registration.
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**Considering the following Protected Characteristics and themes, what likely impacts or issues does the policy have for the group or community?**

**List any likely positive and/or negative impacts.**

Protected Characteristics	Positive and/or Negative Impacts
<b>Age:</b> Issues relating to different age groups e.g. older people or children and young people	No anticipated impact
<b>Disability:</b> Issues relating to disabled people	No anticipated impact
<b>Gender Reassignment – Trans/Transgender:</b> Issues relating to people who have proposed, started or completed a process to change his or her sex	No anticipated impact
<b>Marriage and Civil Partnership:</b> Issues relating to people who are married or are in a civil partnership	No anticipated impact
<b>Pregnancy and Maternity:</b> Issues relating to woman who are pregnant and/or on maternity leave	No anticipated impact
<b>Race:</b> Issues relating to people from different racial groups, (BME) ethnic minorities, including Gypsy/Travellers	No anticipated impact
<b>Religion or Belief:</b> Issues relating to a person's religion or belief (including non-belief)	No anticipated impact
<b>Sex:</b> Gender identity: Issues specific to women and men/or girls and boys	No anticipated impact
<b>Sexual Orientation:</b> Issues relating to a person's sexual orientation i.e. LGBT+, heterosexual/straight	No anticipated impact

Equality and Diversity Themes Relevant to South Ayrshire Council	
<b>Health</b> Issues and impacts affecting people's health	No anticipated impact
<b>Human Rights:</b> Issues and impacts affecting people's human rights such as being treated with dignity and respect, the right to education, the right to respect for private and family life, and the right to free elections.	No anticipated impact

<b>Socio-Economic Disadvantage</b>	
<b>Low Income/Income Poverty:</b> Issues: cannot afford to maintain regular payments such as bills, food and clothing.	By paying the fees the relevant employees won't need to worry if they can't pay these due to financial difficulties, therefore this arrangement will support those in socio-economic disadvantage.
<b>Low and/or no wealth:</b> Issues: enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future	*See above.
<b>Material Deprivation:</b> Issues: being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure/hobbies	No anticipated impact
<b>Area Deprivation:</b> Issues: where you live (rural areas), where you work (accessibility of transport)	No anticipated impact

### Section Three: Evidence Used in Developing the Policy

<p><b>Involvement and Consultation</b> In assessing the impact(s) set out above what evidence has been collected from involvement, engagement or consultation? <b>Who</b> did you involve, <b>when</b> and <b>how</b>?</p>	<p>The South Ayrshire Fair Pay Agenda motion was approved by Council on 3 March 2022. UNISON South Ayrshire, Council Officers and Elected Members are united in their praise and recognition of the outstanding work of our frontline employees during the Covid 19 pandemic. Also, the Council wishes to demonstrate our ongoing commitment to the fair pay agenda in South Ayrshire and to continue to reflect our recognition of the dedication and service shown by frontline staff by.</p> <p>The Trade Unions have been consulted via the Trade Union Liaison Meetings between April and July and agree to the proposals.</p>
<p><b>Data and Research</b> In assessing the impact set out above what evidence has been collected from research or other data. Please specify <b>what</b> research was carried out or data collected, <b>when</b> and <b>how</b> this was done.</p>	<p>Data was collected to establish the number of employees affected and provide an indication of the cost for paying these fees.</p>
<b>Partners data and research</b>	N/A

In assessing the impact(s) set out in Section 2 what evidence has been provided by partners?  Please specify partners	
<b>Gaps and Uncertainties</b> Have you identified any gaps or uncertainties in your understanding of the issues or impacts that need to be explored further?	If there is a national agreement reached as part of the consultations on the pay award to pay registration fees for any additional employees, then appropriate arrangements will be made to implement that agreement.

**Section Four: Detailed Action Plan to address identified gaps in:**

- a) evidence and**
- b) to mitigate negative impacts**

No.	Action	Responsible Officer(s)	Timescale
1	HR to write to the relevant employees regarding the payment of their SSSC fees and the process for reclaiming.	Service Lead – HR and Payroll  HR Policy and Operations Coordinator	By 31 <sup>st</sup> October 2022
2	HR to amend the Recruitment and Selection Policy to reflect this change.	Service Lead – HR and Payroll  HR Policy and Operations Coordinator	By 31 <sup>st</sup> October 2022
3	Payment of fees to the relevant employees	Payroll	On-going

**Note: Please add more rows as required.**

**Section Five - Performance monitoring and reporting**

Considering the policy as a whole, including its equality and diversity implications:

When is the policy intended to come into effect?	Once approved by Cabinet
When will the policy be reviewed?	Arrangements will be reviewed on an annual basis to ensure the process is working and all relevant employees are being paid the fees.
Which Panel will have oversight of the policy?	Cabinet

**Section 6**

**South Ayrshire Council**

**Appendix .....**

**Summary Equality Impact Assessment Implications & Mitigating Actions**

**Name of Policy: South Ayrshire Fair Pay Agenda (Payment of SSSC Fees for lower paid workers)**

This policy will assist or inhibit the Council's ability to eliminate discrimination; advance equality of opportunity; and foster good relations as follows:

<p><b>Eliminate discrimination</b></p> <p>No impact</p>
<p><b>Advance equality of opportunity</b></p> <p>This arrangement will advance equality of opportunity as payment of fees will no longer be a barrier for those in financial difficulties that would either not be able to apply for a job and remain in a job because they can't afford to pay for the fees. This means we can attract and retain candidates from different socio-economic backgrounds.</p>
<p><b>Foster good relations</b></p> <p>No impact</p>
<p><b>Consider Socio-Economic Disadvantage (Fairer Scotland Duty)</b></p> <p>This arrangement will advance equality of opportunity as payment of fees will no longer be a barrier for those in financial difficulties that would either not be able to apply for a job and remain in a job because they can't afford to pay for the fees. This means we can attract and retain candidates from different socio-economic backgrounds.</p>

<b>Summary of Key Action to Mitigate Negative Impacts</b>	
<b>Actions</b>	<b>Timescale</b>
Arrangements will be reviewed on an annual basis to ensure the process is working and all relevant employees are being paid the fees.	Annually from 30 August 2022

**Signed:** Wendy Wesson (Service Lead)

**Date:** 21<sup>st</sup> July 2022