

# Public Document Pack



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26 January 2015

Dear Councillor

NOTICE IS HEREBY GIVEN THAT a meeting of the **GENERAL PURPOSES COMMITTEE** will be held in the HMS Brave Room at these Offices on Tuesday 3 February 2015 at 6.00 pm when the following business will be transacted.

Members of the public who require further information are asked to contact Rebecca Brough on (01304) 872304 or by e-mail at [rebeccabrough@dover.gov.uk](mailto:rebeccabrough@dover.gov.uk).

Yours sincerely

A handwritten signature in black ink, appearing to be "Nicky", written over a white background.

Chief Executive

General Purposes Committee Membership:

Councillor S M Le Chevalier (Chairman)  
Councillor M D Conolly (Vice-Chairman)  
Councillor M R Eddy  
Councillor C J Smith  
Councillor P Walker

AGENDA

1 **APOLOGIES**

To receive any apologies for absence.

2 **APPOINTMENT OF SUBSTITUTE MEMBERS**

To note appointments of Substitute Members.

3 **DECLARATIONS OF INTEREST** (Page 3)

To receive any declarations of interest from Members in respect of business to be transacted on the agenda.

4 **MINUTES** (Pages 4 - 5)

To confirm the attached Minutes of the meeting of the Committee held on 22 September 2014.

5 **DUTY OFFICER AND EMERGENCY RESPONSE SCHEMES AND PAYMENT POLICIES** (Pages 6 - 22)

To consider the report of the Director of Governance.

6 **EXCLUSION OF THE PRESS AND PUBLIC** (Page 23)

The recommendation is attached.

MATTERS WHICH THE MANAGEMENT TEAM SUGGESTS SHOULD BE CONSIDERED IN PRIVATE AS THE REPORT CONTAINS EXEMPT INFORMATION AS DEFINED WITHIN PART 1 OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AS INDICATED AND IN RESPECT OF WHICH THE PROPER OFFICER CONSIDERS THAT THE PUBLIC INTEREST IN MAINTAINING THE EXEMPTION OUTWEIGHS THE PUBLIC INTEREST IN DISCLOSING THE INFORMATION

7 **LOCAL GOVERNMENT PENSION SCHEME REGULATIONS 2013 - ILL HEALTH RETIREMENT** (Pages 24 - 42)

To consider the report of the Head of Paid Service.

**Access to Meetings and Information**

- Members of the public are welcome to attend meetings of the Council, its Committees and Sub-Committees. You may remain present throughout them except during the consideration of exempt or confidential information.
- All meetings are held at the Council Offices, Whitfield unless otherwise indicated on the front page of the agenda. There is disabled access via the Council Chamber entrance and a disabled toilet is available in the foyer. In addition, there is a PA system and hearing loop within the Council Chamber.
- Agenda papers are published five clear working days before the meeting. Alternatively, a limited supply of agendas will be available at the meeting, free of charge, and all agendas, reports and minutes can be viewed and downloaded from our website [www.dover.gov.uk](http://www.dover.gov.uk). Minutes will be published on our website as soon as practicably possible after each meeting. All agenda papers and minutes are available for public inspection for a period of six years from the date of the meeting.
- If you require any further information about the contents of this agenda or your right to gain access to information held by the Council please contact Rebecca Brough, Team Leader - Democratic Support, telephone: (01304) 872304 or email: [rebeccabrough@dover.gov.uk](mailto:rebeccabrough@dover.gov.uk) for details.

Large print copies of this agenda can be supplied on request.

**Declarations of Interest**

Disclosable Pecuniary Interest (DPI)

Where a Member has a new or registered DPI in a matter under consideration they must disclose that they have an interest and, unless the Monitoring Officer has agreed in advance that the DPI is a 'Sensitive Interest', explain the nature of that interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a DPI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation permitting them to do so. If during the consideration of any item a Member becomes aware that they have a DPI in the matter they should declare the interest immediately and, subject to any dispensations, withdraw from the meeting.

Other Significant Interest (OSI)

Where a Member is declaring an OSI they must also disclose the interest and explain the nature of the interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a OSI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation to do so or the meeting is one at which members of the public are permitted to speak for the purpose of making representations, answering questions or giving evidence relating to the matter. In the latter case, the Member may only participate on the same basis as a member of the public and cannot participate in any discussion of, or vote taken on, the matter and must withdraw from the meeting in accordance with the Council's procedure rules.

Voluntary Announcement of Other Interests (VAOI)

Where a Member does not have either a DPI or OSI but is of the opinion that for transparency reasons alone s/he should make an announcement in respect of a matter under consideration, they can make a VAOI. A Member declaring a VAOI may still remain at the meeting and vote on the matter under consideration.

Note to the Code:

Situations in which a Member may wish to make a VAOI include membership of outside bodies that have made representations on agenda items; where a Member knows a person involved, but does not have a close association with that person; or where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position. It should be emphasised that an effect on the financial position of a Member, relative, close associate, employer, etc OR an application made by a Member, relative, close associate, employer, etc would both probably constitute either an OSI or in some cases a DPI.

Minutes of the meeting of the **GENERAL PURPOSES COMMITTEE** held at the Council Offices, Whitfield on Monday, 22 September 2014 at 6.00 pm

Present:

Chairman: Councillor S M Le Chevalier

Councillors: M D Conolly  
M R Eddy  
C J Smith

Officers: Chief Executive  
Director of Governance  
HR Business Partner (EK Human Resources)  
Team Leader – Democratic Support  
Democratic Support Officer

1 APOLOGIES

There were no apologies for absence received from Members.

2 APPOINTMENT OF SUBSTITUTE MEMBERS

There were no substitute Members appointed.

3 DECLARATIONS OF INTEREST

There were no declarations of interest received from Members.

4 MINUTES

The Minutes of the meeting held on 8 April 2014 were approved as a correct record and signed by the Chairman.

5 LOCAL GOVERNMENT PENSION SCHEME 2014

The Director of Governance presented his report on the Local Government Pension Scheme 2014 to the Committee for its consideration. Members' approval was sought for the Pensions Discretion Policy Statement which was required under the Local Government Pension Scheme Regulations 2013 (the 'Regulations').

On 1 April 2014 the new Local Government Pension Scheme 2014 (LGPS) was introduced requiring all scheme employers to review their existing pension policy statements and publish new policy statements in line with the Regulations. Under Regulation 60 of the LGPS 2013, the Council was required to publish and keep under review a written policy statement on how it would apply the discretionary powers in relation to certain provisions of the scheme.

Members were referred to the new policy statement within the report and advised by the Director of Governance of some of the main changes to the scheme:

- The pension scheme would change from final salary pension scheme to a career average scheme;
- Existing rights of current scheme members would be protected;

- Flexible retirement – would allow flexible retirement from age 55;
- Discretion to ‘switch on’ of 85 Year Rule for 55 – 60 year olds;
- A named adjudicator must be appointed.

Requests under the new scheme would be considered by the Director of Governance, together with the Director of Finance, Housing and Community, in consultation with the Head of EK Human Resources. Any application by a Chief Officer of the Council or a contentious application by an employee would be referred to General Purposes Committee for a decision.

RESOLVED: That the Pension Discretion Policy Statement be approved; and

- (a) That the Chief Executive be appointed as the adjudicator for the purposes of Regulation 74 of the Local Government Pension Scheme Regulations 2013;
- (b) That the Director of Governance be authorised to make any necessary minor changes to the Pensions Discretion Policy Statement.

The meeting ended at 6.20 pm.

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**Subject:** **DUTY OFFICER AND EMERGENCY RESPONSE SCHEMES AND PAYMENT POLICIES**

**Meeting and Date:** **General Purposes Committee – 3 February 2015**

**Report of:** **Nadeem Aziz, Head of Paid Service**

**Classification:** **UNRESTRICTED**

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**Purpose of the report:** This report seeks approval for the introduction of new Duty Officer and Emergency Response Schemes and Payment Policies

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**Recommendation:**

1. The new Emergency Response Scheme and Payment Policy is approved for introduction from 1 January 2015.
2. The new Duty Officer Scheme and Payment Policy is approved for introduction from 1 February 2015.
3. The Director of Governance is authorised to make any minor changes to the schemes and payment policies and any associated adjustments to the Statement of Particulars and Condition of Service documents.

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## 1. Summary

1.1 New Duty Officer and Emergency Response Schemes and Payment Policies have been developed over a number of months. This process has involved detailed discussions and input from those directly affected. Following this a formal 45 day consultation was undertaken with all staff and a successful negotiation process between representatives of Corporate Management Team and the recognised Trade Unions (Unison and GMB (MPO), supported by East Kent HR Partnership has resulted in two new schemes and policies being recommended in this report for introduction back dated to 1 January 2015 for the Emergency Response Scheme and Payment Policy and 1 February 2015 for the Duty Officer Scheme and Payment Policy.

## 2. Introduction and Background

2.1 The objective in preparing these new policies has been to provide increased clarity and transparency, whilst seeking to ensure that each policy is both fair and consistent. These revised policies have not been developed to make budget saving, but simply to ensure that these important services operate effectively and those involved are fairly reimbursed for any disruption sustained and for any work they are required to undertake beyond their normal duties. The two schemes and policies can be found at Appendices 1 and 2.

2.2 The consultation process with the recognised trade unions (GMB and Unison) using Dover District Council's Collective Bargaining Agreement commenced on 17 October 2014. Individual responses were also encouraged via a consultation e-mail address. To comply with the Collective Bargaining Agreement, the consultation period initially was for 45 days; until 5 December 2014, but was then extended by management to 12 December 2014 to allow for response to Frequently Asked Questions and further discussion and negotiations.

- 2.3.1 All feedback received was considered, resulting in some small changes to the policies consulted upon. The responses gave a useful insight to how the services currently operate and are perceived and understood by staff and helped shape the final proposals. The amended policies were then finalised and agreed with the recognised Trade Unions for presentation in this report to the Council's General Purposes Committee.
- 2.3.2 It is proposed that the policies, once approved are implemented from 1 January 2015 for the Emergency Response Scheme and Payment Policy and 1 February 2015 for the Duty Officer Scheme and Payment Policy.

### **3. Identification of Options**

3.1 The options for the General Purposes Committee are:

- (a) To support the proposed new schemes and policies that have been negotiated between representatives of Corporate Management Team and the Recognised Trade Unions, supported by the East Kent HR Partnership. This is the preferred option as after significant discussion each scheme and policy is now considered to be fit for purpose and is consistent with relevant legislation. Adoption will enable relevant parts of the schemes and policies to be aligned within the Conditions of Service.
- (b) Request that Corporate Management Team looks at other options that deliver the desired policies.

### **4. Evaluation of Options**

4.1 The successful negotiation of the two schemes and policies has taken a number of months of analysis, discussion and debate for all parties. There is genuine belief that the policies are equitable and fair, offering as part of the wider Terms and Conditions, reasonable terms for all employees.

### **5. Resource Implications**

5.1 The new schemes will increase the cost of the services by £8,000 pa. A large majority of this increase relates to the Emergency Response Scheme and Payment Policy. The Civil Contingencies Act 2004 (CAA 2004) identifies all district councils as Category 1 Responders. Duties placed upon Category 1 Responders include Emergency Planning and response. The Council has in place strong emergency plans, which have been tested with multi-agency partners and effectively used in real situations, in particular the flooding response during last winter. The new scheme is part of our Emergency Planning and ensures that the Council is able to provide a robust response.

### **6. Corporate Implications**

6.1 Comment from the Director of Finance (linked to the MTFP): Finance has reviewed the paper and has no further comment (VB).

6.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make

6.3 Comment from the Equalities Officer: This report does not specifically highlight any equalities implications however, in discharging their responsibilities members are required to comply with the public sector equality duty as set out in section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15>.

7. **Appendices**

Appendix 1: Duty Officer Response Scheme and Payment Policy

Appendix 2: Emergency Response Scheme and Payment Policy

8. **Background Papers**

Statement of Particulars and Conditions of Service

Contact Officer: David Randall, extension 2141.



## DUTY OFFICER RESPONSE SCHEME AND PAYMENT POLICY

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## POLICY STATEMENT

### 1. INTRODUCTION

1.1 The Council provides a wide range of services to the community, during a standard working week. , The Council is also a Category 1 responder under the Civil Contingencies Act, responding to requests to act by multi agency partners including the emergency services and KCC’s Emergency Planning Team, often being the first port of call for members of the public in some emergency situations. In addition, the Council provides a duty officer response to individual service issues on an “out of hours“ basis.

1.2 As a result of this, the Council recognises that there is a need to provide a Duty Officer out of hours and incident response call out service which will cover all eventualities. This policy outlines the operating principles for this service and the payment that will be made to those staff that operate within them.

### 2. SCOPE

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2.1 This scheme and policy applies fully to those officers detailed at schedule 1, providing an out of hours and incident response call out service. The Incident Response Payment scheme applies to those officers detailed at Schedule 2.

2.2 Other posts where planned or unplanned out of hours work is required from time to time don’t attract a Standby or an Incident Response Payment as this eventuality is reflected in their Job Description and subsequent grade and rate of pay.

2.3 A standard full-time week is 37 hours over five days and a standard day is 7 hours and 24 minutes (7.4 hours). Standard office hours are 8am – 6pm, Monday to Friday.

2.4 It is the responsibility of the Head of Paid Service and Corporate Management Team to monitor the application of this policy.

### **3. ROLES AND RESPONSIBILITIES**

#### Schedule 1

#### **3.1 Duty Response Officer Scheme**

##### **3.1.1 Duty Director**

The Chief Executive and Directors act as the Duty Director and will be on duty out of normal working hours on a rota basis. They will act as a point of reference for Duty Response Officers and will be notified of any incident which is likely to escalate to a serious level.

In discussion with the Duty Response Officer they will co-ordinate the mobilisation of additional resources if required to respond to a serious incident. They will ensure that when required the Duty Response Officer and Incident Liaison Officer are effectively co-ordinated.

The Emergency Activation Officer will liaise with the Duty Director and Duty Response Officer when additional resources are required to provide support to an emergency situation from any of the Council's contractors.

##### **3.1.2 Duty Response Officer**

There will be a designated bank of up to seven members of staff who operate an out of hour's rota as the Duty Response Officer in addition to their standard working hours. Their duties will fall into four main categories:

###### a) Environmental Health

When requested, assist and accompany the Lead Noise Officer during the noise service operating hours, investigating noise complaints out of hours. This includes driving, taking notes and making phone calls, plus other administrative support.

Respond to Environmental Health service related emergency out of hours requests, such as drainage, bonfires, waste issues, as requested by Centra (and any successor body) and/or Regulatory Services Environmental Health Managers.

Respond to out of hours stray dog service requests as required. This involves checking animals for microchips and transporting stray dogs from an agreed collection point (Whitfield Council Offices) to the appointed Stray Dog Kennels and completing required paperwork.

The duty out of hours manual contains details of actions that are ordinarily required in a range of circumstances.

###### b) Environment & Corporate Assets

Respond to out of hours requests relating to the responsibilities of the Environment & Corporate Assets division including such issues as fallen trees, vandalism and

damage to property, alarm calls, fly tipping, pollution incidents, etc. and liaise with relevant service managers as required for advice.

The duty out of hours manual contains details of action that is ordinarily required in a range of circumstances.

#### c) Emergency Response

If required by the Duty Director and/or Emergency Activation Officer, support the Council's response to a multiagency emergency incident. This will include the provision of the Council's vehicle.

#### d) Service Incident Response

If a major service incident or multiple service incidents occur, the Duty Director and Duty Response Officer will in consultation with the relevant Director(s), Head of Service(s) or Service Manager(s) manage the situation, allocating additional staff resource as required and/or prioritise our response.

A Council vehicle will be provided for the Duty Response Officer for use on Council business only. The Duty Officer will, when required provide the Council vehicle to support the Emergency Incident Liaison Officer during a multi-agency emergency.

### **3.2 Lead Noise Officer Scheme**

A Lead Noise officer is on standby between 8pm - 3am Friday and Saturday nights and on Sunday nights when there is a Bank Holiday on the following Monday to respond to late night calls from customers who have, through prior agreement by the EH team, been provided with access to the Out of Hours Noise service.

Service requests from Kent Police, or when requests are made from three or more separate properties regarding a single noise source, are also responded to by the Noise Officer. If a site visit is required to establish whether or not enforcement action is necessary the officer will be accompanied by the Duty Response Officer.

### **3.3 Port Health Officer Scheme**

Dover District Council is a Port Health Authority (PHA) and as part of this function it is responsible for the enforcement of Food, Environmental and Public Safety Controls at the Port of Dover (and parts of the Channel Tunnel). Due to the vast and unpredictable nature of port activities the port operates 24 hours a day 365 days a year and therefore the port health service is required to be able to respond to port health issues and enquires outside of normal office hours. On this basis Port Health cover is provided Weekdays from 17:00 until 22:00 and 10:00 to 16:00 on weekends and bank holidays. This service includes:

- Import Controls for food of non-animal origin (Third Country) and animal products (in free circulation) found to be non-compliant with domestic legislation
- Ship Sanitation Control/ Control Exemption Certificates

- Infectious Disease Controls (i.e. The regulations state that port health must be notified of any cases or symptoms of specified suspected infectious disease on board vessels before they arrive at the port so that port health investigation and inspection etc can take place)

A standby service for infectious disease control is operational 24 hours a day, 365 days of the year.

## Schedule 2

### **3.4 Environmental Health Officer and Building Control Officer Scheme**

Environmental Health and Building Control Officers are outside the standby scheme and an operate a voluntary cascade system to respond to service requests, incidents and emergencies.

### **3.5 Responsibilities**

#### 3.5.1 Staff will:

- Maintain an accurate, up to date record of their working hours;
- Work with their manager to ensure that they achieve a good work/life balance whilst also giving consideration to the needs of the business

#### 3.5.2 Managers will:

- Abide by the principles of the Councils' Duty Officer Response Scheme and Policy;
- Actively monitor and manage the working hours of the staff who act as, Duty Response Officers to help ensure that they achieve a good work/life balance.

#### 3.5.3 Directors will:

- Act as Duty Director and ensure the accurate application of this Policy;
- Ensure all managers are actively aware of the Councils' commitment to equality of opportunity and the well being of its employees.
- When one or more emergency or incident occurs prioritise activity and resources
- Openly and transparently recruit staff to the, Duty Response Officer role and monitor performance.
- Notify EKHR immediately once a member of staff ceases or commences as a Duty Response Officer.

## 4. OPERATING PRINCIPLES

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4.1 It is expected that whilst on duty, officers will not be more than one hours travelling time from the main Council offices and that they will remain fit for work at all times, in line with the Council's Code of Conduct.

4.2 Lead Noise Officers can concurrently be on duty as an Incident Liaison Officer, but will only receive one standby payment. An emergency situation would immediately take priority over a noise investigation. If such a situation arose, the Activation Officer would contact a Regulatory Services Manager to take over responsibility for the noise incident.

4.3 The Duty Director must sign off all claims for Incident Response Payments by the Duty Response Officers at the end of the duty week. These claims should then be passed to EKHR for payment within the agreed monthly deadline.

## 5. RATES OF PAY

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### 5.1 Standby Payments

#### 5.1.1 Duty Directors

Duty Directors will not receive a standby payment whilst on call but may, at the discretion of the Head of Paid Service, receive a one off payment and/or time off in lieu should they be required to co-ordinate a serious incident response.

#### 5.1.2 Duty Response Officers

Duty Response Officers will receive a standby payment. This is a flat rate payment and is based on the G pay scale, point 4, which is currently £18.85 for each day that they are on call. Where an officer is required to respond to an incident either by telephone, email or in person for activity duration of 15 minutes or more, the incident response payment will be as outlined at paragraph 5.2.

#### 5.1.3 Lead Noise Officers

Lead Noise Officers will receive a standby payment. This is a flat rate payment and is based on the G pay scale, point 4, which is currently £18.85 for each day that they are on call. Where an officer is required to respond to an incident either by telephone, email or in person for activity duration of 15 minutes or more, the incident response payment will be as outlined at paragraph 5.2, but paid at G pay grade, scale point 4.

#### 5.1.4 Port Health Officers

Port Health Officers will receive a standby payment. This is a flat rate payment and is based on the G pay scale, point 4, which is currently £18.85 for each day that they

are on call. Where an officer is required to respond to an incident either by telephone, email or in person for activity duration of 15 minutes or more, the incident response payment will be as outlined at paragraph 5.2, but paid at G pay grade, scale point 4.

**5.1.5 Christmas and New Year Period:** (Christmas Day to New Year's Day, inclusive). Duty Response Officers, Lead Noise Officers and Port Health Officers will receive a double standby payment. This is a flat rate payment and is based on twice the G pay scale, point 4, which is currently £37.70 for each day that they are on call. Where an officer is required to respond to an incident either by telephone, email or in person, for activity of 15 minutes or more, the incident response payment will be as outlined at paragraph 5.2

## **5.2 Incident Response Payments**

### **5.2.1 Duty Response Officer**

**5.2.1.1 Monday – Friday 8am – 6pm:** Officers are already reimbursed for this period of attendance. Payment will be at plain time based on the substantive grade of the officer undertaking the role. However, if their substantive grade is lower than the job evaluation of the Duty Response Officer post, they will be reimbursed at that rate. This has been assessed as the H pay grade and is paid at scale point 4

**5.2.1.2 Monday – Friday 6pm – 12 Midnight:** Plain time at the hourly rate based on a job evaluation of the Duty Response Officer post and not based on the substantive grade of the officer undertaking the role. This has been assessed as the H pay scale and is paid at scale point 4.

**5.2.1.3 Monday – Friday 12 Midnight – 6am:** Time and a half at the hourly rate based on a job evaluation of the Duty Response Officer post and not based on the substantive grade of the officer undertaking the role. This has been assessed as the H pay grade and is paid at scale point 4.

**5.2.1.4 Saturday and Sunday:** Time and a half at the hourly rate based on a job evaluation of the Duty Response Officer post and not based on the substantive grade of the officer undertaking the role. This has been assessed as the H pay grade and is paid at scale point 4.

**5.2.1.5 Bank Holidays:** Double time at the hourly rate based on a job evaluation of the Duty Response Officer post and not based on the substantive grade of the officer undertaking the role. This has been assessed as the H pay grade and is paid at scale point 4

**5.2.1.6 Acting as an Incident Response Officer:** When required by the Duty Director and/or Emergency Activation Officer, to support the Council's response to a single or multiagency emergency incident. The Duty Response Officer will be reimbursed at the hourly rate based on the job evaluation of the Incident Liaison Officer post. This has been assessed as the G pay grade and is paid at scale point 4.

### **5.2.2 Lead Noise Officers**

Where an officer is required to respond to an incident either by telephone, email or in person for activity duration of 15 minutes or more, the incident response payment will be as outlined at paragraph 5.2.1, but paid at the relevant grade for their post.

### **5.2.3 Port Health Officers**

Where an officer is required to respond to an incident either by telephone, email or in person for activity duration of 15 minutes or more, the incident response payment will be as outlined at paragraph 5.2.1, but paid at the relevant grade for their post.

### **5.2.4 Environmental Health Officer and Building Control Officer**

Where an officer is required to respond to an incident either by telephone, email or in person for activity duration of 15 minutes or more, the incident response payment will be as outlined at paragraph 5.2.1, but paid at the relevant grade for their post.

### **5.3 Review**

Standby or Incident Response payments will be revised in line with any changes in the Council's Pay Scales.

## **6. EQUALITY STATEMENT**

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6.1 The Council is committed to promoting equality, valuing diversity and combating unfair treatment. We will endeavour to ensure equal access to its policies and procedures and will combat discrimination or less favourable treatment on grounds of any irrelevant consideration, in accordance with the Equality Act 2010.

### **Schedule 1**

#### **Officers entitled to Standby and Incident Response Payments**

Duty Response Officer

Lead Noise Officer

Port Health Officer

**Schedule 2**

**Officers outside the Standby Payment scheme, but entitled to Incident Response Payments**

Environmental Health Officer

Building Control Officer

This schedules are maintained and updated as required by the Head of Paid Service



## EMERGENCY RESPONSE SCHEME AND PAYMENT POLICY

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### POLICY STATEMENT

#### 1. INTRODUCTION

1.1 The Council provides a wide range of services to the community, during a standard working week. The Council is also a Category 1 responder under the Civil Contingencies Act, responding to requests to act by multi agency partners including the emergency services and KCC’s Emergency Planning Team, often being the first port of call for members of the public in some emergency situations. In addition, the Council provides a duty officer response to individual service issues on an “out of hours“ basis as detailed in the Duty Officer Response Scheme and Payment Policy.

1.2 As a result of this, the Council recognises that there is a need to provide an emergency response service. This policy outlines the operating principles for this service and the payment that will be paid to those staff responding to an emergency situation.

#### 2. SCOPE

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2.1 This scheme and policy only applies to those officers acting as Directors, Incident Liaison Officers and Activation Officers.

2.2 This scheme does not apply to any other posts. However, the Payment Policy does apply to those officers required to staff the Emergency Centre and/or respond to multi-agency emergencies.

2.3 A standard full-time week is 37 hours over five days and a standard day is 7 hours and 24 minutes (7.4 hours). Standard office hours are 8am – 6pm, Monday to Friday.

2.4 It is the responsibility of the Head of Paid Service and Corporate Management Team to monitor the application of this policy.

## 3. ROLES AND RESPONSIBILITIES

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### 3.1 Emergency Response Operating Scheme

#### Duty Director

The Chief Executive and Directors act as the Duty Director and will be on duty out of normal working hours on a rota basis. They will act as a point of reference for Activation Officers and will be notified of any incident or emergency which is likely to escalate to a serious level.

In discussion with the Activation Officer they will co-ordinate the mobilisation of additional resources if required to respond to an emergency situation. This will ensure that when required the Duty Response Officer and Incident Liaison Officer are effectively co-ordinated.

They will also act as the Emergency Centre Co-coordinator on any occasion where the DDC Emergency Centre is required.

#### Activation Officer

There will be a designated bank of up to seven members of staff who operate as the Activation Officer on a 24 hour basis, which includes both during office hours and out of hours. During an emergency situation, a shift system may be introduced to provide support to the Activation Officer.

The Activation Officer will act as the first point of contact to co-ordinate the Council's response to a major emergency. The Activation Officer will liaise with the Incident Liaison Officer to assess the situation and its impact on the Council and the community and determine the response measures to be taken by the Council. This will include ensuring that the actions are appropriate, proportionate and (where applicable) integrated with a broader multi-agency response.

The Activation Officer will be responsible for attending or calling into multi agency Tactical Command teleconferences.

During an on-going emergency, where the Emergency Centre hasn't been formally opened, the duty Activation Officer will provide support to the Corporate Services Team (who manage Emergency Planning and Response) during office hours as well as out of hours.

In discussion with the Duty Director, the Activation Officer will be empowered to mobilise additional resources if required to respond to an emergency, which may include the use of additional Incident Liaison Officers and/or the Duty Response Officer. The Activation Officer will also liaise with the Duty Response Officer when additional resources are required to support an emergency situation from any of the Council's contractors.

## Incident Liaison Officer

There will be a designated bank of up to seven members of staff who operate as the Incident Liaison Officer on a 24 hour basis, which includes both during office hours and out of hours. During an emergency situation, a shift system may be introduced to provide support to the Incident Liaison Officer.

The Incident Liaison Officer will act as the Council's liaison officer at the scene of an emergency, working with the other agencies to ensure that the incident is being dealt with in an effective manner. They will represent the Council and relay information to and from the scene. They will ensure that the Activation Officer is kept up to date with relevant information.

During an on-going emergency, where the Emergency Centre hasn't been formally opened, the duty Incident Liaison Officer will provide support to the Corporate Services Team (who manage Emergency Planning and Response) during office hours as well as out of hours.

In addition, if a major service incident or multiple service incidents occur, the Duty Director and Duty Response Officer will in consultation with the relevant Director(s), Head of Service(s) or Service Manager(s) manage the situation, allocating additional staff resource as required and/or prioritise our response.

If the Incident Liaison Officer possesses the necessary training, knowledge and skills to effectively respond to the incident or incidents, they may be required by the Duty Director and/or Activation Officer to support the Council's response to the major service incident or multiple service incidents

### 3.2 Staff will:

- iii) Maintain an accurate, up to date record of their working hours;
- iv) Work with their manager to ensure that they achieve a good work/life balance whilst also giving consideration to the needs of the business

### 3.3 Managers will:

- iii) Abide by the principles of the Council's Shift Premium Policy;
- iv) Actively monitor and manage the working hours of the staff in their areas who act as Activation Officers and Incident Liaison Officers to help ensure that they achieve a good work/life balance.

### 3.4 Directors will:

- vi) Act as Duty Directors and ensure the accurate application of this Policy;
- vii) Ensure all managers are actively aware of the Councils' commitment to equality of opportunity and the well-being of its employees.

- viii) When one or more emergency or incident occurs prioritise activity and resources
- i) Openly and transparently recruit staff to the Activation Officer, and Incident Liaison Officer roles and monitor performance in consultation with the Head of Corporate Services.
- ii) Notify EKHR immediately once a member of staff ceases or commences as an Activation Officer or Incident Liaison Officer.

## 4. OPERATING PRINCIPLES

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4.1 It is expected that whilst on duty, officers will not be more than one hour travelling time from the main Council offices and that they will remain fit for work at all times, in line with the Council's Code of Conduct.

4.2 Lead Noise Officers can concurrently be on duty as an Incident Liaison Officer, but will only receive one standby payment. An emergency situation would immediately take priority over a noise investigation. If such a situation arose, the Activation Officer would contact a Regulatory Services Manager to take over responsibility for the noise incident.

4.3 The Duty Director or Head of Corporate Services must sign off all claims for Incident Response Payments by the Activation Officers and the Incident Liaison Officers at the end of the duty week. These claims should then be passed to EKHR for payment within the agreed monthly deadline.

## 5. RATES OF PAY

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### 5.1 Standby Payments

#### 5.1.1 Duty Directors

Duty Directors will not receive a standby payment whilst on call but may, at the discretion of the Head of Paid Service, receive a one off payment and/or time off in lieu should they be required to co-ordinate an emergency response.

#### 5.1.2 Activation Officers

Activation Officers will receive a standby payment. This is a flat rate payment and is based on the G pay scale, point 4, which is currently £18.85 for each day that they are on call. Where an officer is required to respond to an incident either by telephone, email or in person, for activity of 15 minutes or more, the incident response payment will be as outlined at paragraph 5.2

### **5.1.3 Incident Liaison Officers**

Incident Liaison Officers will receive a standby payment. This is a flat rate payment and is based on the G pay scale, point 4, which is currently £18.85 for each day that they are on call. Where an officer is required to respond to an incident either by telephone, email or in person for activity of 15 minutes or more the incident response payments will be as outlined at paragraph 5.2.

**5.1.4 Christmas and New Year Period:** (Christmas Day to New Year's Day inclusive). Activation Officers and Incident Liaison Officers will receive a double standby payment. This is a flat rate payment and is based on twice the G pay scale, point 4, which is currently £37.70 for each day that they are on call. Where an officer is required to respond to an incident either by telephone, email or in person, for activity of 15 minutes or more, the incident response payment will be as outlined at paragraph 5.2

### **5.2 Incident Response Payments**

**5.2.1 Monday – Friday 8am – 6pm:** Officers are already reimbursed for this period of attendance. Payment will be at plain time based on the substantive grade of the officer undertaking the role. However, if their substantive grade is lower than the job evaluation of the Activation Officer and Incident Liaison Officer posts, they will be reimbursed at that rate. This has been assessed as the G pay scale and is paid at scale point 4.

**5.2.2 Monday – Friday 6pm – 12 Midnight:** Plain time at the hourly rate based on the job evaluation of the Activation Officer and Incident Liaison Officer posts and not based on the substantive grade of the officer undertaking the role. This has been assessed as the G pay scale and is paid at scale point 4.

**5.2.3 Monday – Friday 12 Midnight – 6am:** Time and a half at the hourly rate based on a job evaluation of the Activation Officer and Incident Liaison Officer posts and not based on the substantive grade of the officer undertaking the role. This has been assessed as the G pay scale and is paid at scale point 4.

**5.2.4 Saturday and Sunday:** Time and a half at the hourly rate based on a job evaluation of the Activation Officer and Incident Liaison Officer posts and not based on the substantive grade of the officer undertaking the role. This has been assessed as the G pay scale and is paid at scale point 4.

**5.2.5 Bank Holidays:** Double time at the hourly rate based on a job evaluation of the Activation Officer and Incident Liaison Officer post and not based on the substantive grade of the officer undertaking the role. This has been assessed as the G pay scale and is paid at scale point 4.

### **5.3 Other members of staff**

Where any other officer (except CMT) is required to respond to an emergency either by attending the Emergency Centre, supporting the Corporate Services Team or

responding to a multi-agency emergency situation, either by telephone, email or in person, the incident response payments will be payable as outlined at paragraph 5.2.

#### **5.4 Review**

Standby or Incident Response payments will be revised in line with any changes in the Council's Pay Scales.

## **6. EQUALITY STATEMENT**

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6.1 The Council is committed to promoting equality, valuing diversity and combating unfair treatment. We will endeavour to ensure equal access to its policies and procedures and will combat discrimination or less favourable treatment on grounds of any irrelevant consideration, in accordance with the Equality Act 2010.

DOVER DISTRICT COUNCIL

GENERAL PURPOSES COMMITTEE – 3 FEBRUARY 2015

**EXCLUSION OF THE PRESS AND PUBLIC**

**Recommendation**

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the remainder of the business on the grounds that the items to be considered involve the likely disclosure of exempt information as defined in the paragraph of Part I of Schedule 12A of the Act set out below:

<u>Item</u>	<u>Report</u>	<u>Paragraph Exempt</u>	<u>Reason</u>
7	Local Government Pension Scheme Regulations 2013	1	Information relating to any individual
		5	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings

By virtue of paragraph(s) 1, 5 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

**Agenda Item No 7**

Document is Restricted



By virtue of paragraph(s) 1, 5 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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