

HAMBLETON DISTRICT COUNCIL

Report To: Council
11 December 2012

From: The Director of Corporate Services

Subject: **STATEMENT OF PAY POLICY**

All Wards

1.0 PURPOSE AND BACKGROUND:

1.1 The Localism Act 2011 requires the Council annually to approve its Statement of Pay Policy. A statement of Pay Policy for 2013/14 was approved by Cabinet on 27 November. A copy is attached as an annex to this report.

2.0 DECISIONS SOUGHT:

2.1 To approve the Statement of Pay Policy.

3.0 RECOMMENDATION:

3.1 That Council approve the attached Statement of Pay Policy of 2013/14.

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Background papers: None

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HAMBLETON DISTRICT COUNCIL – STATEMENT OF PAY POLICY

Introduction

Sections 38 – 43 of the Localism Act 2011 require that the Authority produce a Policy Statement that covers a number of matters concerning the pay of the Authority's staff, principally Chief Officers. This Policy Statement meets the requirements of the Localism Act in this regard and also meets the requirements of guidance issued by the Secretary of State for Communities and Local Government to which the Authority is required to have regard under Section 40 of the Act. This Policy is to be considered and approved by the Full Council at the Council meeting on 11 December 2013. This Policy also has some connection with the data on pay and rewards for staff which the Authority publishes under the Code of Recommended Practice for Local Authorities on Data Transparency and the data which is published under The Accounts and Audit (England) Regulations (2011). It should be noted that the requirements to publish data under the Secretary of State's guidance, the Code of Practice and the Regulations do differ. The data requirements of the Code of Practice and the Accounts and Audit Regulations are summarised at Annex 1 to this Policy Statement.

Definition of officers covered by the Policy Statement

This Policy Statement covers the following posts:

1. Head of the Paid Service, which in this Authority is the post of Chief Executive.
2. Statutory Chief Officers, which in this Authority are the posts of Monitoring Officer and S151 Officer.
3. Non-statutory Chief Officers, (those who report directly to the Head of the Paid Service) which in this authority are the Director posts.
4. Any Officer appointed to an Acting or Interim role in respect of the posts identified in paragraphs 1 to 3 above.

Policy on remunerating the Chief Executive and Senior Officers

The Authority's policy on remunerating Senior Officers is set out on the schedule that is attached to this Policy Statement at Annex 2. It is the policy of this Authority to establish a remuneration package for each Senior Officer post that is sufficient to attract and retain staff of the appropriate skills, knowledge, experience, abilities and qualities that is consistent with the Authority's requirements of the post in question at the relevant time.

Policy on remunerating the lowest paid in the workforce

The Authority applies terms and conditions of employment that have been negotiated and agreed through appropriate collective bargaining mechanisms (national or local) or as a consequence of Authority decisions, these are then incorporated into contracts of employment. The lowest pay point in this Authority is spinal column point 4, this relates to an annual salary of £12,145 and can be expressed as an hourly rate of pay of £6.29 per hour. This pay point and salary was determined by the Authority

as part of a pay scale for employees employed on Local Government Services Terms and Conditions and has been applied since that date. The pay rate is increased in accordance with any pay settlements which are reached through the National Joint Council for Local Government Services.

Policy on the relationship between Chief Officer remuneration and that of other staff

The highest paid salary in this Authority is currently £100,000 which is paid to the Chief Executive. The average median salary in this authority is £27,849. The ratio between the two salaries, the 'pay multiple' is 3.8:1. This Authority does not have a policy on maintaining or reaching a specific 'pay multiple'. Senior Officer salaries are subject to independent review and all other employees are subject to pay rates determined in accordance with National Conditions of Service and local pay determination. The Authority's approach to the payment of all staff is to pay that which the Authority needs to pay to recruit and retain staff with the skills, knowledge, experience, abilities and qualities needed for the post in question at the relevant time, and to ensure that the Authority meets any contractual requirements for staff including the application of any local or national collective agreements, or Authority decisions regarding pay.

Policy on other aspects of Senior Officer remuneration

Other aspects of Senior Officer remuneration are appropriate to be covered by this Policy Statement, these other aspects are defined as recruitment, pay increases, additions to pay, performance related pay, earn back, bonuses, termination payments, transparency and re-employment when in receipt of an LGPS pension or a redundancy/severance payment. These matters are addressed in the schedule that is attached to this policy statement at Annex 3.

Approval of Salary Packages in excess of £100k

The Authority will ensure that, at the latest before an offer of appointment is made, any salary package for any post that is in excess of £100k will be considered by full Council. The salary package will be defined as base salary, any bonuses, fees, routinely payable allowances and benefits in kind that are due under the contract.

Flexibility to address recruitment issues for vacant posts

In the vast majority of circumstances the provisions of this Policy will enable the Authority to ensure that it can recruit effectively to any vacant post. There may be exceptional circumstances when there are recruitment difficulties for a particular post and where there is evidence that an element or elements of the remuneration package are not sufficient to secure an effective appointment. This Policy Statement recognises that this situation may arise in exceptional circumstances and therefore a departure from this Policy can be implemented without having to seek Full Council approval for a change of the Policy Statement. Such a departure from this Policy will be expressly justified in each case and will be approved through an appropriate Authority decision making route.

Amendments to the policy

It is anticipated that this Policy will not need to be amended during the period it covers (until the end of March in the current financial year). However if circumstances

dictate that a change of policy is considered to be appropriate during the year then a revised draft Policy will be presented to Full Council for consideration.

Policy for future years

This Policy Statement will be reviewed each year and will be presented to Full Council each year for consideration in order to ensure that a Policy is in place for the Authority prior to the start of each financial year.

Annex 1

The Secretary of State for CLG Code of Recommended Practice for Local Authorities on Data Transparency indicates that local authorities should publish the following data concerning staff:

- Salaries, names (with an option for individuals to refuse to consent to this), job descriptions, responsibilities, budgets (including overall salary cost of staff reporting), and numbers of staff for all staff in receipt of a salary of more than £58,200
- An organisational chart of the staff structure of the authority including salary bands and details of currently vacant posts
- The 'pay multiple' – the ratio between the highest paid salary and the median average salary of the whole authority workforce

The Accounts and Audit (England) Regulations (2011) require that the following data is included in the authority's accounts:

- Numbers of employees with a salary above £50k per annum (pro-rata for part-time staff) in multiples of £5k.
- Job title, remuneration and employer pension contributions for senior officers. Senior officers are defined as Head of Paid Service, Statutory Chief Officers and Non-Statutory Chief Officers by reference to Section 2 of the 1989 Local Government & Housing Act.
- Names of employees paid over £150k per annum

For the above remuneration is to include:

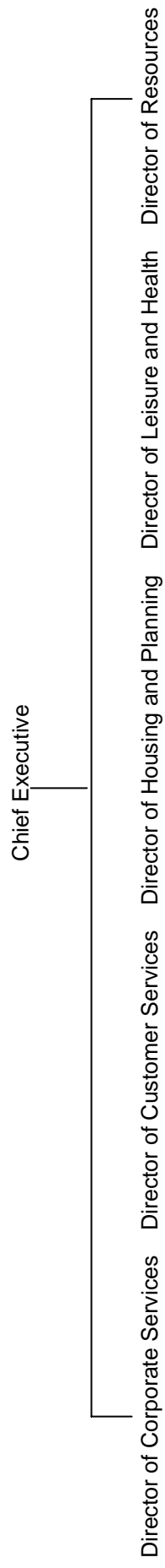
- Salary, fees or allowances for the current and previous year
- Bonuses paid or receivable for the current and previous year
- Expenses paid in the previous year
- Compensation for loss of employment paid to or receivable, or payments made in connection with loss of employment
- Total estimated value of non-cash benefits that are emoluments of the person

For the above pension contributions to include:

- The amount driven by the authority's set employer contribution rate
- Employer costs incurred relating to any increased membership or award of additional pension

Annex 2

Post	Base Salary	Expenses	Bonuses	PRP	Earn-Back	Honoraria	Ex-Gratia Payments	Election Fees	Joint Authority Duties	Severance Arrangements
Chief Executive	£100,000 2 x Increments of £5,000	Travel and other expenses are re-imbursed through normal authority procedures	The terms of the contract of employment do not provide for the payment of bonuses	The terms of the contract of employment do not provide for performance related pay	The terms of the contract of employment do not provide for an element of base salary to be held back related to performance	Honoraria payments for any increased duties and responsibilities do not apply	There are no plans for the postholder to receive any ex-gratia payments	Election duty fees are paid when due in connection with a District Election	There are no payments related to joint authority duties	The authority's normal policies regarding redundancy and early retirement apply to the postholder. No payments were made in the last year and none are anticipated for 2012/13.
Director (x 5) (including Monitoring Officer and Section 151 Officer)	£65,500 2 x Increments of £2,250	Travel and other expenses are re-imbursed through normal authority procedures	The terms of the contract of employment do not provide for the payment of bonuses	The terms of the contract of employment do not provide for performance related pay	The terms of the contract of employment do not provide for an element of base salary to be held back related to performance	Honoraria payments for any increased duties and responsibilities do not apply	There are no plans for the postholder to receive any ex-gratia payments	Election duty fees may be paid in connection with a District Council Election	There are no payments related to joint authority duties	The authority's normal policies regarding redundancy and early retirement apply to the postholder. No payments were made in the last year and none are anticipated for 2012/13.



Aspect of Senior Officer Remuneration	Authority Policy
Recruitment	The post will be advertised and appointed to at the appropriate salary level up to the approved level for the post in question based on skills, knowledge, experience, abilities and qualities.
Pay Increases	The authority will apply any pay increases that are agreed by relevant national negotiating bodies and/or any pay increases that are agreed through local negotiations. The authority will also apply any pay increases that are as a result of authority decisions to significantly increase the duties and responsibilities of the post in question beyond the normal duties and responsibilities that are expected in senior posts.
Additions To Pay	The authority would not make additional payments beyond those specified in the contract of employment.
Performance Related Pay	The authority does not operate a performance related pay system as it believes that it has sufficiently strong performance management arrangements in place to ensure high performance from its senior officers. Any areas of under-performance are addressed rigorously
Earn-Back (Withholding an element of base pay related to performance)	The authority does not operate an earn-back pay system as it believes that it has sufficiently strong performance management arrangements in place to ensure high performance from its senior officers. Any areas of under-performance are addressed rigorously.
Bonuses	The authority does not pay bonus payments to senior officers.

Termination Payments	The authority applies its normal redundancy payments arrangements to senior officers and does not have separate provisions for senior officers. The authority also applies the appropriate Pensions regulations when they apply. The authority has agreed policies in place on how it will apply any discretionary powers it has under Pensions regulations. Any costs that are incurred by the authority regarding senior officers are published in the authority accounts as required under the Accounts and Audit (England) Regulations 2011.
Transparency	The authority meets its requirements under the Localism Act, the Code of Practice on Data Transparency and the Accounts and Audit Regulations in order to ensure that it is open and transparent regarding senior officer remuneration.
Re-employment of staff in receipt of an LGPS Pension or a redundancy/severance payment	The authority is under a statutory duty to appoint on merit and has to ensure that it complies with all appropriate employment and equalities legislation. The authority will always seek to appoint the best available candidate to a post who has the skills, knowledge, experience, abilities and qualities needed for the post. The authority will therefore consider all applications for candidates to try to ensure the best available candidate is appointed. If a candidate is a former employee in receipt of an LGPS pension or a redundancy payment this will not rule them out from being re-employed by the authority. Clearly where a former employee left the authority on redundancy terms then the old post has been deleted and the individual cannot return to the post as it will not exist. The authority will apply the provisions of the Redundancy Payments Modification Order regarding the recovery of redundancy payments if this is relevant. Pensions Regulations also have provisions to reduce pension payments in certain circumstances to those who return to work within the local government service.