



Pay Policy Statement

Bury Council: Pay Policy Statement 2012 – 2013

The purpose of the statement is to provide transparency in respect of the Council's approach to setting the pay of its employees (excluding teaching staff working in local authority schools) by identifying; the methods by which salaries of all employees are determined; the detail and level of remuneration of its most senior staff and the agreed decision making arrangements for ensuring the provisions set out in this statement are applied consistently throughout the Council.

1.0 INTRODUCTION AND PURPOSE

- 1.1 In accordance with section 112 of the Local Government Act 1972, the Council has the "power to appoint officers on such reasonable terms and conditions as the authority thinks fit". This Pay Policy Statement sets out the Council's approach to pay policy in accordance with the requirements of Section 38 of the Localism Act 2011.
- 1.2 The purpose of the statement is to provide transparency with regard to the Council's approach to setting the pay of its employees (excluding teaching staff working in local authority schools) by identifying;
- the methods by which salaries of all employees are determined;
 - the detail and level of remuneration of its most senior staff i.e. 'Chief Officers', as defined by the relevant legislation;
 - the constitutional arrangements in place for ensuring the provisions set out in this statement are applied consistently throughout the Council and recommending any amendments to the full Council.
- 1.3 Subject to Council approval, this policy statement will come into immediate effect and will be subject to review on a minimum of an annual basis, the policy for the next financial year being approved by 31st March each year.

2.0 CONTEXT: LEGISLATION RELEVANT TO PAY AND REMUNERATION

- 2.1 In determining the pay and remuneration of all of its employees, the Council will comply with all relevant employment legislation.
- 2.2 The Council will ensure there is no pay discrimination within its pay structures and that all pay differentials can be objectively justified through the use of job evaluation mechanisms, which directly establish the relative levels of posts in grades according to the requirements, demands and responsibilities of the role.

3.0 PAY STRUCTURE

- 3.1 The Council uses the nationally negotiated pay spine(s) (i.e. a defined list of salary points) as the basis for its local pay structure. These pay spines are used to determine the salaries of the large majority of the Council's non teaching workforce.

- 3.2 The pay and terms and conditions of employment of the Council's workforce are determined by the following negotiating bodies in accordance with the agreed collective bargaining machinery:
- National Joint Council (NJC) for Local Government Services;
 - The Soulbury Committee, (*educational advisers/inspectors, other school improvement professionals, educational psychologists*)
 - Joint Negotiating Committee (JNC) for Local Authority Craft and Associated Employees;
 - Joint Negotiating Committee for Youth and Community Workers;
 - Joint Negotiating Committee (JNC) for Chief Officers
 - Joint Negotiating Committee (JNC) for Chief Executives
- 3.3 The Council adopts the national pay bargaining arrangements in respect of the establishment and revision of the national pay spines.
- 3.4 The pay of those employees whose terms and conditions fall within the purview of the Joint Negotiating Committee for Chief Executive's and the Joint Negotiating Committee for Chief Officers are also determined by reference to Joint Secretarial advice issued by the JNC for Chief Officers of Local Authorities in 2002. The Joint Secretarial advice recommended the establishment of local salary structures as a result of a move from benchmark to median salaries, identified through the annual salary and numbers survey conducted by the Local Government Employers' Organisation.
- 3.5 All other pay related allowances are the subject of either nationally or locally negotiated rates, having been determined from time to time in accordance with collective bargaining machinery.
- 3.6 In determining its grading structure and setting remuneration levels for any posts which fall outside its scope, the Council takes account of the need to ensure value for money in respect of the use of public expenditure, balanced against the need to recruit and retain employees who are able to meet the requirements of providing high quality services to the community, delivered effectively and efficiently and at times at which those services are required.
- 3.7 New appointments will normally be made at the minimum of the relevant pay scale for the grade, although this can be varied where necessary to secure the best candidate. Where the appointment salary is above the minimum point of the pay scale and is not affected by other council policies, for example promotion, redeployment or flexible retirement, this is approved in accordance with the Officer Delegation Scheme within the [Council's Constitution](#).
- 3.8 From time to time it may be necessary to take account of the external pay levels in the labour market in order to attract and retain employees with particular experience, skills and capacity. Where necessary, the Council will ensure the requirement for such is objectively justified by reference to clear and transparent evidence of relevant market

comparators, using data sources available from within the local government sector and outside, as appropriate.

- 3.9 Any temporary supplement to the salary scale for the grade is approved in accordance with the Council's [Market Supplement Policy](#).

4.0 SENIOR MANAGEMENT REMUNERATION

- 4.1 For the purposes of this statement, senior management means 'chief officers' as defined within the Localism Act; i.e.

- i. The head of the paid service designated under section 4(1) of the [Local Government and Housing Act 1989](#);
- ii. The monitoring officer designated under section 5(1) of that Act;
- iii. A statutory chief officer mentioned in section 2(6) of that Act;
- iv. A non-statutory chief officer mentioned in section 2(7) of that Act;
- v. A deputy chief officer mentioned in section 2(8) of that Act.

- 4.2 The posts falling within the statutory definition are set out below, with details of their salary as at 1st April 2012:

§ **Chief Executive:** The current salary package of the post is £147,822. The salary falls within a range of 5 incremental points between £147,822, rising to a maximum of £160,284. The Chief Executive (Head of Paid Service), also carries out the duties of the Returning Officer in accordance with the Representation of The People Act 1983. The duties of the Returning Officer are separate from the duties undertaken as a local government officer; the office of Returning Officer is totally distinct from the office of Chief Executive and Head of Paid Service. Payments due to the potholder in respect of the conduct of local municipal elections are consolidated within the salary. Payments in respect of the conduct of National Government Elections, European Elections and any National Referenda are paid in addition to salary. These payments are pensionable and subject to deductions for tax and National Insurance.

§ **Deputy Chief Executive:** The current salary package of the post is £122,577. The salary falls within a range of 5 incremental points between £122,577 rising to a maximum of £133,284.

§ **Executive Directors:** The salary package of posts designated as Executive Director fall within a range of 5 incremental points between £94,950 rising to a maximum of £103,041.

§ **Assistant Directors and Designated Heads of Service:** The salary package of these posts fall within a range of 25 incremental points between £50,391 rising to a maximum of £84,396.

- 4.3 When establishing or reviewing the senior management salary structure the Council complies with advice issued by the Joint Negotiating Committee's for Chief Executive's and Chief Officers, on the establishment of a local salary structure based on median salary levels as identified through the annual salary survey. This advice states that when deciding at what level these posts should be remunerated the following factors are to be considered:
- a. The Authority's policy in respect of the pay of its JNC officers and any relationship to the median salary levels for similar Authorities;
 - b. the chief executive's salary;
 - c. the relationship of current salary to the appropriate illustrative national median salary (salaries may be above, around, or below the median);
 - d. any special market considerations;
 - e. any substantial local factors not common to authorities of similar type and size, e.g. London weighting;
 - f. comparative information to be supplied on request by the Joint Secretaries on salaries in other similar authorities;
 - g. top management structures and the size of the management team compared to those of other authorities of similar type and size, and;
 - h. the relative job size of each post, as objectively assessed through job evaluation or otherwise.
- 4.4 Where the Council is unable to recruit chief officers, or there is a need for interim support to provide cover for a substantive chief officer post, the Council will, where necessary, consider engaging individuals under a 'contract for service'. These will be sourced through a relevant procurement process ensuring the council is able to demonstrate the maximum value for money benefits from competition in securing the relevant service. In assessing such it should be noted that in respect of such engagements the Council is not required to make either pension or national insurance contributions for such individuals. The Council does not currently have any chief officers engaged under such arrangements

5.0 RECRUITMENT OF CHIEF OFFICERS

- 5.1 The Council's policy and procedures with regard to recruitment of Chief Officers is set out within the [Chief Officer Recruitment Guidelines](#).
- 5.2 The recruitment of Chief Officers is delegated to the Human Resources and Appeals Panel whose functions include:
- The shortlisting and appointment of Chief Officers and Deputy Chief Officers. The confirmation of appointment of all Chief Officers (with the exception of the Chief Executive/Head of Paid Service) is carried

out in accordance with the [Council Constitution](#) – Officer Employment Procedure Rules and [The Local Authorities \(Standing Order\) \(England\) Regulations 2001](#)

- The shortlisting and appointment of the Chief Executive / Head of Paid Service is carried out in accordance with the [Council Constitution](#) for submission to the Council.

5.3 Where, on appointment the remuneration of a chief officer exceeds £100,000 a recommendation from the Human Resources and Appeals Panel shall be submitted for approval to the Council.

5.4 When recruiting to all posts the Council will take full and proper account of all provisions of relevant employment law and its own Equal Opportunities, Recruitment and Selection Code of Practice and Redeployment Policies as approved by Council.

5.5 The determination of the remuneration to be offered to any newly appointed chief officer will be in accordance with the pay structure and relevant policies in place at the time of recruitment.

6.0 ADDITIONS TO SALARY OF CHIEF OFFICERS

6.1 With the exception of progression through the incremental scale of the relevant grade being subject to satisfactory performance, (which is assessed on an annual basis), the level of chief officer remuneration is not variable dependent upon the achievement of defined targets.

6.2 To meet specific operational requirements it may be necessary for an individual to temporarily take on additional duties to their identified role. The Council's arrangements for authorising any additional remuneration [e.g. honoraria, ex gratia, 'acting up payments] relating to temporary additional duties are set out in the [Council's Constitution](#) and supplementary conditions of service.

6.3 In addition to basic salary, the Chief Executive receives additional pay in respect of Returning Officer duties in accordance with the Representation of The People Act 1983. The duties of the Returning Officer are separate from the duties undertaken as a local government officer; the office of Returning Officer is totally distinct from the office of Chief Executive and Head of Paid Service. Payments due to the postholder in respect of the conduct of local municipal elections are consolidated within the salary. Payments in respect of the conduct of national government elections, European elections and any national referenda are paid in addition to salary. These payments are pensionable and subject to deductions for tax and National Insurance.

6.4 Set out in table 1 below are details of other elements of 'additional pay' which are chargeable to UK Income Tax and do not solely constitute reimbursement of expenses incurred in the fulfillment of their duties;

<i>Payment details</i>	<i>Paid to:</i>
<ul style="list-style-type: none"> • Fees paid for returning officer duties where identified and paid separately; • Salary supplements payable for fulfilling statutory officer duties (e.g. S151 / MO) where identified and paid separately; • Market forces supplements in addition to basic salary where identified and paid separately; • £963 Essential Car User Allowance Lump Sum • Salary supplements or additional payments for undertaking additional responsibilities such as shared service provision with another local authority or in respect of joint bodies, where identified and paid separately. • Any arrangements for payment of untaken annual leave falling outside the requirements of relevant legislation; 	<ul style="list-style-type: none"> • Chief Executive • None payable • None payable • Chief Executive • None payable • None payable

7.0 PENSION CONTRIBUTIONS

7.1 Where employees have exercised their statutory right to become members of the Local Government Pension Scheme, the Council is required to make a contribution to the scheme representing a percentage of the pensionable remuneration due under the contract of employment of that employee.

7.2 The Employer's rate of contribution is set by Actuaries advising the Greater Manchester Pension Fund and reviewed on a triennial basis in order to ensure the scheme is appropriately funded. The triennial valuation covers the period 1 April 2011 to 31 March 2014. The employer's contribution rate, (2012/13) is 17.1%.

7.3 The employee contribution rates, which are defined by statute, (Local Government Pension Scheme Regulations), are currently:

Band	Yearly pay	Rate
1	Up to £12,900	5.5%
2	More than £12,900 and up to £15,100	5.8%
3	More than £15,100 and up to £19,400	5.9%
4	More than £19,400 and up to £32,400	6.5%
5	More than £32,400 and up to £43,300	6.8%
6	More than £43,300 and up to £81,100	7.2%
7	More than £81,100	7.5%

8.0 PAYMENTS ON TERMINATION

8.1 The Councils approach to statutory and discretionary payments on termination of employment of chief officers, prior to reaching normal retirement age, is in accordance with [The Local Government Pension Scheme: Benefits, Membership and Contributions Regulations 2007](#) and Regulations 5 and 6 of the [Local Government \(Early Termination of Employment\) \(Discretionary Compensation\) Regulations 2006](#).

8.2 Any payments falling outside these provisions or the relevant periods of notice within the contract of employment shall be subject to a formal decision made by The Human Resources and Appeals Panel.

9.0 LOWEST PAID EMPLOYEES

9.1 The lowest paid persons employed under a contract of employment with the Council are employed on full time [37 hours per week] equivalent salaries in accordance with the minimum spinal column point currently in use within the Council's grading structure.

9.2 As at 1st April 2012, this is £12,160 per annum which is spinal column point 5 on the NJC salary structure. The Council employs Apprentices who are not considered within the definition of 'lowest paid employees.'

9.3 The relationship between the rate of pay for the lowest paid and chief officers is determined by the processes used for determining pay and grading structures as set out earlier in this policy statement.

9.4 The current pay levels within the Council define the multiple between the median (average) full time equivalent (FTE) earnings and the Chief Executive as 1:7.

9.5 The current pay levels within the Council define the multiple between the lowest paid employees' full time equivalent (FTE) earnings and the Chief Executive as 1:12

9.6 As part of its overall and ongoing monitoring of alignment with external pay markets, both within and outside the sector, the council will use available benchmark information as appropriate. In addition, upon the annual review of this statement, the Council will also monitor any changes in the relevant 'pay multiples' and benchmark against other comparable local Authorities.

10.0 ACCOUNTABILITY AND DECISION MAKING

10.1 In accordance with the Constitution of the Council, the Human Resources and Appeals Panel is responsible for decision making in relation to the recruitment, pay, terms and conditions and severance arrangements in relation to employees of the Council. The Human Resources and Appeals Panel is also responsible for the recruitment selection and appointment of Chief Officers; (see Section 5.0 above).

11.0 RE-EMPLOYMENT / RE-ENGAGEMENT OF FORMER CHIEF OFFICERS

11.1 The Council's policy with regard to the re-employment /re-engagement of former employees (including Chief Officers) was approved by the Executive Committee on 20th October 1999. As a general principle the Council is opposed to re-employing retired employees. However in exceptional circumstances, where it is considered necessary to re-employ or re-engage a former employee who is in receipt of a pension from the Local Government Pension Scheme:-

- (a) There should be clear evidence that the work cannot be undertaken by someone else, either internal, external or through agency staff;
- (b) If the individual is engaged under the terms of a contract for services and claims to be self-employed or a consultant the Assistant Director (Finance and Efficiency) must be satisfied that they meet the criteria laid down by HMRC;
- (c) A former employee should not be re-engaged unless agreement has been given by the Executive Member for Finance and/or the Executive Member for Human Resources and Performance.

12.0 PUBLICATION

Upon approval by the full Council, this statement will be published on the Council's Website.