

AGENDA FOR

HUMAN RESOURCES AND APPEALS PANEL

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To: All Members of Human Resources and Appeals Panel

Councillors: J Black (Chair), G McGill and I Schofield.

Dear Member/Colleague

Human Resources and Appeals Panel

You are invited to attend a meeting of the Human Resources and Appeals Panel which will be held as follows:-

Date:	Thursday, 27 February 2020
Place:	Lancashire Fusiliers Room - Town Hall
Time:	1.00 pm
Briefing Facilities:	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.
Notes:	

AGENDA

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTEREST

Members of Human Resources Committee are asked to consider whether they have an interest in any of the matters on the Agenda, and, if so, to formally declare that interest.

3 PARENTAL BEREAVEMENT LEAVE *(Pages 1 - 8)*

Simon Bagley, Head of Human Resources will report at the meeting.
Report attached.

4 PAY POLICY *(Pages 9 - 26)*

Simon Bagley, Head of Human Resources will report at the meeting.
Report attached.

5 EXCLUSION OF THE PRESS AND PUBLIC

To consider passing the appropriate resolution under Section 100(A)(4) of the Local Government Act 1972 that the press and public be excluded from the meeting during consideration of the following items of business since they involve the likely disclosure of the exempt information stated.

6 PROPOSED ESTABLISHMENT OF TWO NEW POSTS WITHIN THE DEPARTMENT OF OPERATIONS *(Pages 27 - 52)*

Donna Ball, Executive Director Operations will report at the meeting.

7 PROPOSAL TO RESTRUCTURE THE EDUCATION SWIMMING TEACHERS IN BURY LEISURE SERVICES *(Pages 53 - 62)*

Zilpha Lang, Leisure Services Manager will report at the meeting.

8 SEND BUSINESS DEVELOPMENT POST *(Pages 63 - 74)*

Ruth Wheatley, Strategic Lead (Strategy and Commissioning will update at the meeting. Report attached.

9 URGENT BUSINESS - HIGHER LANE *(Pages 75 - 80)*

A representative from Children's Services will report at the meeting.
Report attached.

10 APPLICATION FOR FLEXIBLE RETIREMENT *(Pages 81 - 86)*

Simon Bagley, Head of Human Resources will report at the meeting.
Report attached

Report to:
CCMT – Remotely
Portfolio – 24th February 2020
HRA – 27th February 2020
JCC - TBA

leave

Date of Meeting:	CCMT – Remotely Portfolio – 24th February 2020 HRA – 27th February 2020 JCC - TBA
Project Lead Officer:	Caroline Schofield Strategic Lead - HR
Project Sponsor:	Simon Bagley Head of Human Resources

1.0 PROJECT DESCRIPTION

- 1.1 The Parental Bereavement Leave and Pay Regulations (known as Jack's Law) will come into effect 060420 subject to Parliamentary approval of the legislation.
- 1.2 The Regulations give parents who suffer the devastating loss of a child 2 week's statutory leave.
- 1.3 This leave gives parents the opportunity to take leave at a time that feels right for them up until the first anniversary of the child's death.

2.0 DECISIONS REQUIRED

- 2.1 To agree the revised policy.

3.0 SUMMARY OF KEY ISSUES

- 3.1 To qualify for the leave, staff members must:

- Lose a child under the age of 18 or
- Suffer a still birth from 24 weeks of pregnancy

The leave entitlement is from 'day one' therefore no qualifying service is required.

- 3.2 Leave can be taken as either a block of 2 weeks, or as 2 separate blocks of one week each taken at different times up until the first anniversary of the child's death.
- 3.3 There are statutory provisions in place around payment for the leave, however, the Council has agreed that, regardless of service, staff will be paid full pay for the duration of the 2 weeks Parental Bereavement Leave.
- 3.4 The Council has a range of support measures in place for staff which are highlighted in the Policy.

4.0 **KEY MILESTONES FOR THIS PERIOD**

- 4.1 The Council policy was developed in accordance with statutory guidance and will be taken to the Trade Union Consultation Meeting (S188) on 5th March 2020.
- 4.2 The Policy will then be electronically signed off by the Chair of the JCC and will go to the next meeting of the JCC which is yet to be arranged.

5.0 **PROGRESS TO DATE**

- 5.1 The revised policy is submitted for approval.

6.0 **RISKS (Including Health and Safety)**

- 6.1 No risks have been identified.

7.0 **FINANCIAL IMPLICATIONS**

- 7.1 The 2 week period of leave will be paid at full pay.

8.0 **EQUALITY AND DIVERSITY**

- 8.1 The policy will be available to all employees.

9.0 **FUTURE ACTIONS**

- 9.1 To publicise and launch the policy.

Parental Bereavement Leave

Bury Council
Strategic Lead - HR

E-mail: HrSupport@bury.gov.uk

Parental Bereavement Leave

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1. Introduction

- 1.1 The Parental Bereavement Leave and Pay Regulations (known as Jack's Law) came into effect on the 060420.
- 1.2 The Regulations give parents who suffer the devastating loss of a child 2 week's statutory leave.
- 1.3 This leave gives parents the opportunity to take leave at a time that feels right for them up until the first anniversary of the child's death.

2. Qualification

- 2.1 To qualify for the leave, employees must:
 - Lose a child under the age of 18 or
 - Suffer a still birth from 24 weeks of pregnancy

The leave entitlement is from 'day one' of the loss therefore no qualifying service is required

3. Entitlement

- 3.1 Qualifying employees are eligible for 2 weeks statutory leave.
- 3.2 Leave can be taken as either a block of 2 weeks, or as 2 separate blocks of one week each taken at different times up until the first anniversary of the child's death.
- 3.3 This leave is in addition to existing parental leave and special leave entitlements.

4. Payment

- 4.1 The Council has agreed that, regardless of service, staff will be paid full pay for the duration of the 2 weeks Parental Bereavement Leave, exceeding the statutory provision which is included below for information:

Statutory provisions provide that for staff with less than 26 week's service the leave will be unpaid. Where staff have been employed for 26 weeks or more and their weekly average earnings are over the lower earnings limit they will be entitled to Statutory Parental Bereavement Pay (SPBP) which will be paid and administered in line with other family related statutory payments like SPP and SMP. Payment will be based on the current statutory payment (or 90% of average weekly earnings where this is lower).

5. Support

- 5.1 Losing a child is every parent's worst fear, but no-one could ever fully understand the utter devastation of such a loss. Managers should reflect the Council's intent and demonstrate compassion and empathy towards staff throughout this difficult time and as far as possible offer any support they might need.
- 5.2 The Council has a range of policies, procedures and guidance in place to help support staff at these difficult times including:

- Workforce Wellbeing Guide including policies relating to health and wellbeing and organisations who offer support and guidance for either physical or mental health and wellbeing and Bereavement <http://intranet/index.aspx?articleid=15091>

The guidance also details the Council's Internal Bereavement Offer, local and national support networks and support through the Bury Directory

- Work/Life Balance Initiatives to help staff during significant life events <http://intranet/index.aspx?articleid=12601>
- Occupational Health Service. – Counselling / Cognitive Behaviour Therapy (CBT) available in work time. Self-Refer on 0161 253 5055.
- Mindful Employer Plus confidential support helpline for mental wellbeing <http://intranet/index.aspx?articleid=15104>
- Bury Council – Bereavement Guidance <https://www.bury.gov.uk/index.aspx?articleid=13885>

6. Process

- 6.1 Employees requesting Parental Bereavement Leave should do so in writing (including by email) to their Manager confirming the date(s) of the leave requested. If unable to do so employees should do this verbally with their Manager.
- 6.2 Managers should approve and forward details to payroll Payroll@bury.gov.uk who will make the necessary pay arrangements.

- 6.3 Managers should record the absence on iTrent seeking advice on how to do this if needed.

7. Review

- 7.1 This Policy will be reviewed in 3 years or before then should any legislative changes to arrangements be made.

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REPORT FOR DECISION

Agenda Item	
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REPORT TO:	CORPORATE CORE MANAGEMENT TEAM JOINT EXECUTIVE TEAM HR PORTFOLIO CORPORATE JCC
DECISION OF:	HUMAN RESOURCES AND APPEALS PANEL COUNCIL
DATE:	4th February 2020 10th February 2020 10th February 2020 12th February 2020 27th February 2020 18th March 2020
SUBJECT:	PAY POLICY STATEMENT
REPORT FROM:	LYNNE RIDSDALE DEPUTY CHIEF EXECUTIVE COUNCILLOR DAVID JONES LEADER OF THE COUNCIL
CONTACT OFFICER:	CAROLINE SCHOFIELD STRATEGIC LEAD – HUMAN RESOURCES
TYPE OF DECISION:	COUNCIL DECISION
FREEDOM OF INFORMATION/STATUS:	The Paper is within the public domain
SUMMARY:	<p>Section 38 (1) of the Localism Act 2011 requires English and Welsh local authorities to produce a Pay Policy Statement for each financial year since 2012/13.</p> <p>The purpose of the Pay Policy 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.</p>

OPTIONS & RECOMMENDED OPTION	<p>The Localism Act requires that pay policy statements and any amendments to them are considered by a meeting of full Council.</p> <p>The attached Pay Policy Statement [2020-2021], at Appendix A, has been drafted to ensure compliance with the Act and it is put before the Council for approval.</p>
IMPLICATIONS:	
Corporate Aims/Policy Framework:	<p>Do the proposals accord with the Policy Framework?</p> <p>Yes</p>
Statement by the S151 Officer: Financial Implications and Risk Considerations:	<p>This report outlines the Council's Pay Policy as required by the Localism Act.</p> <p>The report is a statement of fact.</p> <p>All pay costs are provided for and fully funded within the Council's approved budget.</p>
Statement by Deputy Chief Executive Corporate Core:	<p>The attached Pay Policy Statement (2020-2021) has been drafted to ensure compliance with the Localism Act. There are no additional resource implications arising from the report.</p>
Equality/Diversity implications:	<p>Yes</p> <p>The purpose of the Pay Policy Statement is to provide transparency in respect of the Council's approach to setting the pay of its employees. Pay and grading decisions are based on the application of agreed Job Evaluation Schemes which are designed to eliminate discrimination.</p>
Considered by Monitoring Officer:	<p>Yes JH</p> <p>Section 38 of the Localism Act 2011 sets out that the Council must prepare and approve a pay policy statement for each financial year before 31 March each year. This must then be published as soon as is reasonably practicable following approval.</p>
Wards Affected:	All Wards
Scrutiny Interest:	Internal Scrutiny Committee

TRACKING/PROCESS**DIRECTOR: Exec. Director of Resources**

Chief Executive/ Corporate Leadership Team	Executive Member/Chair	Ward Members	Partners
✓	✓ HR Portfolio		
Scrutiny Committee	Committee	Council	
	✓ HRA	✓	

1.0 BACKGROUND

- 1.1 Section 38 (1) of the Localism Act 2011 requires English and Welsh local authorities to produce a Pay Policy Statement for 2012/13 and for each financial year after that.
- 1.2 Guidance issued by the Department for Communities and Local Government states that the purpose of the Pay Policy Statement is to address the Government's issues with "top end pay" and some of the recommendations set out in the "Hutton review of Fair Pay in the Public Sector Report".
- 1.3 The Act requires Councils to prepare Pay Policy Statements which detail their policy on a range of issues relating to the pay of its employees; in particular, its senior staff ("Chief Officers") and its lowest paid employees.
- 1.4 The provisions do not apply to local authority school employees and neither do they change any existing responsibilities or duties under relevant Employment Legislation. However, all employees are included within the pay ratio calculations.
- 1.5 The Pay Policy Statement must be prepared for each financial year starting with 2012-2013. The Statement must be approved by full Council and then be published, at least, on the Council's web-site. This is to ensure transparency, so that local tax payers can take an informed view of whether local decisions and all aspects of remuneration are fair.
- 1.6 The Council's existing Pay Policy Statement (2019-20) was approved at the meeting of Council held on 10th April 2019.
- 1.7 The matters that must be included in the statutory pay policy statement are:
 - The local authority's policy on the level and elements of remuneration for each chief officer;
 - The local authority's policy on the remuneration of its lowest-paid employees (together with its definition of "lowest-paid employees" and its reasons for adopting that definition);
 - The local authority's policy on the relationship between the remuneration of its chief officers and other officers;
 - The local authority's policy on other specific aspects of chief officers' remuneration: remuneration on recruitment, increases and additions to remuneration, use of performance-related pay and bonuses, termination payments, and transparency.
- 1.8 The Act defines remuneration widely, to include not just pay but also charges, fees, allowances, benefits in kind, increases in/enhancements of pension entitlements, and termination payments.

- 1.9 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 Committee(s) responsible for ensuring the provisions set out in the Pay Policy Statement are applied consistently throughout the Council and recommending any amendments to the full Council.

2.0 PROGRESS

- 2.1 As part of the Council's strategic objectives to secure control and reduce the Chief Officer Pay bill a number of restructures over the last year have resulted in an overall reduction of 2 FTE which is an overall saving including on-costs of £179,935.
- 2.2 The reduction (improvement) in the Council's median gender pay gap figure this year is a result of:
- Female shift into the £8-£10 per hour majority in 2019 (630), up from 485 in the £6-£8 per hour majority last year
 - This raises the overall average earnings for females
 - This last 12 months has seen a general trend of an increase towards the higher pay per hour brackets, for example 215 females are now earning £12-£14 per hour compared to 203 in 2018
 - There is a large jump from 83 females last year earning £18-£20 per hour to 158 this year which equates to a 200% increase in a single year
 - All of these changes increase the overall median as there are now more females occupying higher hourly rated jobs, therefore the median (which is mid-way) has increased
- 2.3 The median pay multiple result has also improved this year due to the reasons in 2.2. Generally females in the middle of the pay spine have earned more overall which is resulting in an equalization of the pay gap where the majority of employees are.
- 2.4 Although the mean gender pay gap figure this year shows a very slight increase (worse position), this doesn't reflect the true changes outlined above for the majority of female employees. It is purely down to the fact that the majority of females have increased their hourly rates, therefore the difference between those females and the lowest female earners has increased in terms of the gap. This has resulted in the average pay gap figure worsening.

3.0 DECISION:

- 3.1 The updated Pay Policy Statement: 2020-2021, which is attached at Appendix A, has been drafted to ensure compliance with the Localism Act and it is put before the Council for approval.

List of Background Papers:-

- 1. DCLG Guidance (2011): Openness and accountability in local pay**
- 2. DCLG Supplementary Guidance (February 2013): Openness and accountability in local pay - Guidance under section 40 of the Localism Act 2011**

Contact Details:-

Caroline Schofield, Strategic Lead – Human Resources
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Pay Policy Statement

Pay Policy Statement 2020 – 2021

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 This policy statement will be subject to review on an annual basis.

1.4 This year’s Pay Policy Statement (2020-21) was taken to Corporate Core Management Team on the 4th February 2020, Joint Executive Team on 10th February 2020, HR Portfolio on the 10th February 2020; JCC on 12th February 2020 and was agreed at Human Resources and Appeals Panel on 27th February 2020 and full Council on the 18th March 2020.

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. This includes legislation such as the Equality Act 2010, Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000, and, where relevant, the Transfer of Undertakings (Protection of Earnings) Regulations.

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. Our pay structure is attached.



Salary_Chart_April_
2019.pdf

3.2 The pay and terms and conditions of employment of the Council's workforce are largely 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 The Council is committed to the principles of equal pay for all its employees, and to ensuring that there is consistency and fairness in the approach to starting salaries and has guidance for managers in this area.

All new appointments (whether new recruits to the Council or an internal candidate) will commence at the minimum spinal column point (SCP) of the relevant grade. Appointments will not be made higher up the grade in order to preserve salary, although pay protection arrangements are available in relevant situations.

Only in exceptional circumstances and on the completion of an evidenced and documented equal pay risk assessment comparing the skills, qualifications and experience of the appointee, other generic post holders and the rest of the team, will appointments be made with a starting salary higher than the minimum point.

In these exceptional circumstances 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 [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.

Any temporary supplement to the salary scale for the grade is approved in accordance with the Council's Market Supplement Policy.

3.9 The Council has three salary sacrifice schemes in place. These are the Cycle to Work scheme, the childcare voucher scheme and the car lease scheme. These schemes and their operation are regulated by Her Majesty's Customs and Excise and there are strict rules around the management of the schemes. The schemes permit employees to "sacrifice" part of their salary in exchange for a benefit; this means that Tax and National Insurance are not paid on the amount sacrificed effectively reducing the cost of the benefit to the employee. These schemes are open to all employees at the Council with the proviso that their salary exceeds the National Minimum Wage after the deduction. In addition to these schemes the Council has a number of other employee benefits.

4.0 CHIEF OFFICER REMUNERATION

4.1 For the purposes of this statement, chief officers are 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. Salaries quoted below are applicable as at 1st February 2020. Also detailed are other officers paid in accordance with the chief officer pay scales. The pay scales are attached.



CHIEF OFFICER
SALARIES 1.4.18 1.4

- **Chief Executive:**

The current Chief Executive was also appointed as Accountable Officer for the CCG with effect from 1st October 2018.

The salary falls within a range of 3 incremental points between £175,249 rising to a maximum of £182,070. 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 post holder 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 salary falls within a range of 5 incremental points between £132,694 and £144,870.

- **Chief Finance Officer**

The joint Chief Finance Officer for the Council and CCG, who acts as the Council's S151 Officer is employed by both the Council and CCG concurrently. His Council position falls within 5 salary bands from £103,818-£112,661 and the Council pay 50% of his salary. He also receives an additional payment from the CCG (agreed by their Remuneration Committee).

- **Executive Directors:**

The current salaries of the post holders designated as Executive Director fall within a range of 5 incremental points between £116,161 and £126,989.

- **Directors, Assistant Directors, Heads of Service and Strategic Leads:**

The grades of these positions fall within a range of 5 incremental points and span across 30 incremental points between £55,096 rising to a maximum of £102,803.

4.3 When establishing or reviewing the senior management salary structure the Council complies with advice issued by the Joint Negotiating Committees for Chief Executives 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, who fall outside of the IR35 Regulations and might be considered as self employed by the HMRC.

5.0 RECRUITMENT OF CHIEF OFFICERS

5.1 The Council's policy and procedures with regard to recruitment of Chief Officers are set out within the Chief Officer Recruitment Guidelines which are due to be reviewed.

5.2 In accordance with the Localism Act (2011), where the proposed annual salary package is £100,000 or more the decision must be voted on by Council before the appointment is confirmed. The requirement to approve salary packages above £100,000 only applies to new appointments and does not apply to existing senior managers whom, for this purpose, are attached (current chief officers forming our Joint Executive Team, together with their direct reports).



JET and Chief
Officer Direct report

5.3 Accordingly 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.

5.4 When recruiting to all posts the Council will take full and proper account of all provisions of relevant employment law and its own Equality, Recruitment and Selection and Redeployment Policies.

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 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 (see 4.2).

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>
Fees paid for returning officer duties where identified and paid separately	Chief Executive
Salary supplements payable for fulfilling statutory officer duties (e.g. S151 / Monitoring Officer) where identified and paid separately	None payable
Salary supplements payable for statutory duties carried out by The Director of Public Health where identified and paid separately	None payable
Market forces supplements in addition to basic salary where identified and paid separately	One payable
Priority Car User Allowance Lump Sums	None payable
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	None payable
Any arrangements for payment of untaken annual leave falling outside the requirements of relevant legislation	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 2017 to 31 March 2020 following which the rate will be set for a further 3 years. The employer's contribution rate is 20.5% and this rate is not expected to change.

7.3 Pension contributions are based on actual [pensionable pay and](#) there are 9 different contribution banding rates between 5.5% and 12.5%. The bandings as at 1st January 2020 are:-

Member Contribution Table

Band	Yearly pay	Main Scheme	50/50 option
1	Up to £14,400	5.5%	2.75%
2	£14,401 - £22,500	5.8%	2.9%
3	£22,501 - £36,500	6.5%	3.25%
4	£36,501 - £46,200	6.8%	3.4%
5	£46,201 - £64,600	8.5%	4.25%
6	£64,601 - £91,500	9.9%	4.95%
7	£91,501 - £107,700	10.5%	5.25%
8	£107,701 - £161,500	11.4%	5.7%
9	£161,501 or more	12.5%	6.25%

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 Regulations 2013](#) 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.

8.3 In accordance with supplementary guidance issued by DCLG on 20th February 2013, Local authorities are required to present details of any severance package paid to an officer where the value of the package exceeds £100,000. Approval of the severance package is subject to a vote by full Council.

8.4 Regulations around an exit payment cap of £95,000 will be enforced once they are implemented.

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 February 2020, this is £17,364 per annum. The Council employs Apprentices who are not considered within the definition of 'lowest paid employees'.

9.3 The National Living Wage for people 25 and over is currently £8.21 per hour and will rise to £8.72 per hour with effect from 1st April 2020. The current pay spine has a minimum hourly rate of £9.00 per hour which is in excess of the National Living Wage. The Foundation Living Wage rose to £9.30 per hour in November 2019.

9.4 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.

10.0 PAY MULTIPLE

10.1 The current pay levels within the Council define the multiple between the median (the half way point between the lowest and highest earner) full time equivalent (FTE) earnings for the whole of the workforce and the Chief Executive (top of pay spine) as 1:8.07 which shows a reduction in the gap from last year.

10.2 The pay multiple has been calculated in accordance with the LGA Local Transparency Guidance. Data relates to the 1st January 2019 – 31st December 2019.

10.3 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 multiple' and benchmark against other comparable local Authorities.

11.0 GENDER PAY GAP

11.1 The Government have brought into force a provision of the Equality Act 2010 on gender pay gap reporting. Although the provision originally only covered the private and voluntary sectors, this was extended to the public sector under the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017.

11.2 The Council is required to take a 'snapshot of data' as at the 31 March 2019 and analyse this to calculate our gender pay gap. We are required to publish the data on the Council website (to remain for at least 3 years) and also on a government site, by 31st March 2020 at the latest. The Gender Pay Gap will be published annually.

11.3 The gender pay gap reporting measures are:

- Mean gender pay gap - The difference between the mean (average) hourly rate of pay of male full-pay relevant employees and that of female full-pay relevant employees
- Median gender pay gap - The difference between the median (mid-point) hourly rate of pay of male full-pay relevant employees and that of female full-pay relevant employees
- Mean bonus gap - The difference between the mean bonus pay paid to male relevant employees and that paid to female relevant employees
- Median bonus gap - The difference between the median bonus pay paid to male relevant employees and that paid to female relevant employees
- Bonus proportions - The proportions of male and female relevant employees who were paid bonus pay during the relevant period
- Quartile pay bands - The proportions of male and female full-pay relevant employees in the lower, lower middle, upper middle and upper quartile pay bands

11.4 The Council's Gender Pay Gap to be published by March 2020 relating to data for 2018-2019 compared with 2017-2018 is shown below:

2017-2018**2018-2019****Women's Hourly Rate: Bonus**

Mean	7.12% lower
Median	5.15% lower

None

Women's Hourly Rate: Bonus

Mean	7.55% lower
Median	3.89% lower

None

This comparison shows an increase in the mean percentage and a reduction in the median for 2018 - 2019.

% of Men and Women in each quarter of the payroll:**2017-2018****2018-2019**

	% of Men	% of Women
Top	32.70%	67.30%
Upper Middle	30.65%	69.35%
Lower Middle	40.12%	59.88%
Lower	16.69%	83.31%

	% of Men	% of Women
Top	34.53%	65.47%
Upper Middle	29.10%	70.90%
Lower Middle	40.45%	59.55%
Lower	18.18%	81.82%

11.5 This represents an improvement in our Median Gender Pay Gap, however we have a slightly worse figure than last year for our Mean Gender Pay Gap. The data will be analysed in more detail and an action plan will be developed.

12.0 ACCOUNTABILITY AND DECISION MAKING

12.1 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).

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

13.1 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 Cabinet Member for Resources and/or the spokesperson for Human Resources.

13.2 The Council will need to prepare for forthcoming Regulations around the recovery of exit payments for higher paid employees who leave the public sector employment and re-join within a year, once the implementation date is known.

14.0 PUBLICATION

This statement will be published on the Council's Website under our Local Government Transparency Section.

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