

## Purpose and scope

- 1.1 The purpose of the statement is to provide a clear and transparent policy to the public, which demonstrates accountability and value for money for the financial year 2013-14.
- 1.2 The policy meets the Council's obligations under the Localism Act 2011 [Section 38 (1)] and the associated statutory guidance set out in the Openness and Accountability in Local Pay: Guidance under section 40 of the Localism Act (February 2012) together with the Code of Recommended Practice for Local Authorities on Data Transparency (September 2011).
- 1.3 The policy must articulate the Council's own policies towards a range of issues relating to the pay of its direct workforce, in particular its Chief Officers, as defined by the Local Government and Housing Act 1989 and lowest paid employees. Details of 'Chief Officers' employed by the Council can be found on the Council's public website.
- 1.4 The pay arrangements reflect the need to recruit, retain and motivate skilled employees to ensure high levels of performance balanced with accountability on the public purse. The policy recognises flexibility which is essential in delivering a diverse range of services and is underpinned by principles of fairness and equality.
- 1.5 The pay policy statement applies to both the lowest and the highest paid. In accordance with provisions of the Localism Act, it does not extend to schools and this statement does not, therefore, include school based employees.
- 1.6 The statement will be approved by Full Council, i.e. not delegated as an executive or committee function, in advance of the financial year to which it relates and must be reviewed at least annually. Any amendments must be approved by Full Council.
- 1.7 The Council will publish the statement on its website.

## Definitions

For the purposes of this Pay Policy Statement the following definitions apply:

- 2.1 **'Pay'** in addition to base salary includes charges, fees, allowances, benefits in kind, increases in/enhancement to pension entitlements and termination payments where applicable.
- 2.2 **'Chief Officers'** refers to the following roles in the Council:

Statutory Chief Officers are:

- Chief Executive, as Head of Paid Service
- Strategic Director – People & Communities, as Director of Children's services and Director of Adult Social Services
- Divisional Director – Legal & Democratic Services as Monitoring Officer
- Divisional Director –Finance, as Section 151 Officer (Chief Financial Officer)

Non Statutory Chief Officers are:

- Strategic Director – Place
- Strategic Director – Resources

Other Directors/Heads of Service are:

- Senior managers who report director to/or are accountable to a statutory or non-statutory Chief Officer in respect of all or most of their duties.

**2.3 'Lowest paid employee'** refers to those employees refers to those employees in substantive full time employment currently earning £12,145.00 gross per annum. This is the lowest scale point in the council's grading structure and has been assess through the Council's job Evaluation scheme as having the least amount of complexity and responsibility.

## General principles & practice

### 3.1 Principles:

Bath & North East Somerset Council values all its employees and aims to apply a consistent and fair approach to pay and benefits in line with the following principles:

- ❖ To work within financial constraints and use those limited funds in the most effective way to support the Council in the provision of quality cost effective services and its workforce needs
- ❖ To aim for consistency and fairness in the processes used to manage pay and benefits, as appropriate to service delivery and in line with its commitment to remaining within the framework of the relevant national pay and conditions agreements
- ❖ To promote an equal pay agenda by ensuring that pay and job evaluation systems, processes and systems meet legislative requirements and to actively work towards reducing any unjustified gender pay gaps
- ❖ To ensure that our pay and benefits processes and policies are transparent and accessible to all employees
- ❖ To be mindful of the market in making decisions about pay and benefits
- ❖ To be clear about how we recognise and reward performance, whether at whole organisation, service, team or individual level
- ❖ To support a flexible approach to the acceptance of changes to tasks, duties and responsibilities by employees and allow for flexibility between posts.
- ❖ To enable the Council to attract and retain its employees and in order to do so, respond to situations where market forces dictate the necessity to apply supplements to established salaries.
- ❖ Any pay structure must be affordable to introduce and maintain.
- ❖ To aim to retain a core set of benefits for all employees.

### Practice:

### 3.2 Basic pay is determined through

- The job role and it's accountability in the overall context of the Council's services and responsibilities using the HAY job evaluation process which is based on objective criteria and free from discriminatory bias.
- Ensuring that all employees are dealt with on this basis with no distinction being made for senior management appointments including Chief Officers and their Deputies.

- The terms of the relevant national agreements on pay and conditions of service
- The amount available for the pay review process is also impacted by what the Councils which are party to the National Agreements can collectively afford.
- A comprehensive pay and grading structure has been adopted that positions the Council against median salary benchmarking compared to a national data base maintained by the Hay Group, is affordable and offers recruitment and retention incentive. This is kept under review.
- The outcome of reviews into the local pay and grading structures are determined within the terms of this policy and the Council's constitutional arrangements.

*Note: This excludes trainees, apprentices and interns who are paid less to reflect the nature of the training and development role.*

### **3.3 Pay on appointment**

- Staff are normally appointed at the bottom scale point of the grade at which the post has been evaluated.
- Managers have discretion to appoint at a higher scale point within the grade band if the appointee can demonstrate that they are currently earning more than the minimum salary for the grade.

### **3.4 Pay review dates**

- Grade progression (i.e. movement from a lower to a higher salary scale point (scp) within a grade) takes place on 1<sup>st</sup> April of each year until the highest scp is reached.
- Grade progression is subject to satisfactory performance (and may be withheld if performance has been unsatisfactory) and a minimum of 6 months service in the grade. Where 6 months service cannot be achieved by 1 April, progression is considered on the anniversary of six months service.
- Where an increase in pay has been negotiated through the national negotiation framework, it will be implemented with effect from 1st April of the appropriate year. If the negotiations have not been concluded by 1<sup>st</sup> April, the increase will be paid at the earliest opportunity together with back pay from 1<sup>st</sup> April.

### **3.5 Honoraria & other allowances**

- Work outside the scope of the post can be recognised by the award of an honorarium. The conditions and framework are set out in the 'Recognition for work outside the scope of the post' policy. Assessment and payment will be based on non-discriminatory, objective criteria.
- Allowances, for example standby, may be made to employees, below senior managers in connection with their role or pattern of hours they work in accordance with National or local collective agreements.

### **3.6 Re-employment of former local government employees**

The Council retains sufficient flexibility in its response to the re-employment of former local government employees to enable it to respond appropriately to the particular circumstances. It ensures that an open and fair selection process takes place before any appointment is confirmed. 'Merit' is the sole criteria.

If the Council were to re-employ a previous local government employee who had received a redundancy or severance package on leaving, or who was in receipt of a pension covered by the Redundancy Payments (Continuity of Employment in Local Government Modification) Order 1999, known as the Modification Order) (with the same or another authority), then the Council's policy is to ensure that the rules of the Modification Order are applied.

### **3.7 Use of consultants, contractors and temporary 'agency' staff.**

Ordinarily staff will be engaged directly by the Council as employees but on an exceptional basis, where particular circumstances deem it necessary, people may be employed through personal service companies or on an 'agency basis'. When this situation arises, the Council will give detailed prior consideration to the benefit of doing so and that the overriding need to ensure value for money is achieved. Such arrangements must be in accordance with the code of practice and require prior approval by the Strategic Director for the service area.

### **Equal pay**

4.1 The Council is committed to the principle of equal pay for all posts of the same size and value and implemented the national 'single status agreement with effect from 1 April 2007. In order to put its commitment to equal pay into practice the Council:

- reviews regularly its pay grade and rates for all current staff and starting pay for new staff in line with Equality and Human Rights Commission guidance in line with the Council's Equality policy.
- informs employees of how these practices work and how their own pay is arrived at.
- provides training and guidance for managers and supervisory staff involved in decisions about pay and benefits.
- regularly monitors pay and grading data and statistics.

### **Ensuring consistency**

5.1 The Council seeks to ensure consistency through the following processes:

- All departments are provided with the same quality of internal support in the job evaluation process
- The Human Resources Service (in partnership with senior managers, as appropriate) has an on-going responsibility to review pay levels across the Council and highlight any potential anomalies.

If there is an exceptional need to review pay outside of the normal pay review timetable, proposals will be considered and approved by the relevant Director and the Head of Human Resources.

## Pensions

- 6.1 Subject to the provisions of the relevant scheme, all directly employed staff who are the subject of this policy are able to join a contributory statutory pension scheme.
- 6.2 The Council is required to set out its policies relating to discretionary payments, severance packages, employment of staff in receipt of pension and re-engagement of former staff under contracts for services. The Council has in place a policy for flexible retirement which is specifically authorised by statute whereby individual staff, with employer approval, may draw their pension and continue in employment at a lower pay grade/ working shorter hours. The Council considers all proposals on their individual merits but would not take any action beyond that authorised by existing policy without reference to the appropriate Council decision making body.

## Senior pay

- 7.1 The remuneration of the Chief Executive and other senior management appointments in the Council (see Annex 1) is undertaken by external analysts using the Hay Job Evaluation process. Levels of pay have been market-related by being compared to a national data base maintained by the Hay Group of similar posts in a wide range of public and not for profit sector organisations. The pay structure for Chief Officers takes account of the clearly defined additional 'statutory' responsibilities (see section 2 above). Five pay bands will be available place for the most senior officers as set out in the Annex 1.
- 7.2 Any increases in pay rates will be in line with those negotiated nationally by Joint Negotiating Committees (JNC's) for Chief Executives and Chief Officers respectively. The pay policy, whilst agreed in advance of the financial year to which it relates, can be amended during the course of the year to incorporate a pay award negotiated nationally or for other reasons.
- 7.3 Where there is a pay range for a job the Council's adopted aim is to offer an appointment to the minimum point of the appropriate salary band. In order to secure the services of the best candidate it may be necessary to offer a higher amount. In these circumstances approval by the employing Director or members of the appointing Member committee as appropriate, in consultation with the Head of Human Resources, is required
- 7.4 Where a pay band consists of a number of different salary points, any progression to the next incremental point is subject to satisfactorily meeting performance criteria agreed in advance with the Chief Executive or Strategic Director, as appropriate (in consultation with the Group Leader(s)). Any increase is paid from 1 April subject to 12 months service in that pay band and the maximum not being exceeded.
- 7.5 This is no provision for the Council to pay any bonuses, charges, fees or allowances, benefits in kind to senior employees or any other employees other than expenses necessarily incurred in the performance of their duties.

- 7.6 Senior staff are not differentiated from other members of staff in terms of remuneration on resignation or termination. The Council's general arrangements for severance and scheme for discretionary payments apply to this staff group as to all employees.
- 7.7 Other conditions of service are those determined nationally by the JNC's specifically for these appointments or, as locally determined for all other Council staff.
- 7.8 The Council's threshold level for disclosure of senior staff salaries will be at the minimum point of the senior civil service pay scale and above as at 31 March.

## **Relationship between senior pay and the 'lowest paid council employee'**

- 8.1 The grading structure and pay line determine the salaries of the highest and lowest paid Council employees. The Council's highest paid employee is its Chief Executive (see Annex 1). The lowest salary offered for substantive, full time employment is currently £12,145.00 per annum (i.e. the lowest scale point (SCP) within the grading structure).
- 8.2 Following advice in 'Openness and Accountability in Local Pay: Guidance under section 40 of the Localism Act' and in accordance with the Code of Recommended Practice for Local Authorities on Data Transparency the Council publishes the ratio between the highest paid salary and the median salary for the whole of its workforce on its public website. It does not currently have a policy of maintaining or reaching a specific ratio of pay multiple between the Chief Executive and that of its median earner.

## **Publication**

- 9.1 The Council's approach to the publication of and access to information on the remuneration of Chief Officers is to include it on its public website as part of its requirements within the Accounts and Audit (England) Regulations 2011 and in accordance with the Code of Recommended Practice for Local Authorities on Data Transparency.

## **Implementing a new organisational model for the Council**

- 10.1 The Council is in the process of implementing different senior management arrangements to support a new organisational model based upon principles and a general approach agreed on 16 November 2010.

10.2 In order to recruit to the new Strategic Director roles, it has been necessary to determine the level of remuneration and conditions of employment using the general senior pay policy practice and principles set out above. Rates of pay have been established taking the advice of independent analysts and the Hay data base and are as set out below and will be effective from 1 April 2013. Work will continue during the coming year to complete the senior management structures below Strategic Director level. The remuneration for other posts in the new senior management arrangements will be determined within the terms of this policy and the Council's constitutional arrangements.

## **Further information**

For further information on the Council's pay policy please contact the Council's Human Resource Service email [human\\_resources@bathnes.gov.uk](mailto:human_resources@bathnes.gov.uk). Tel: 01225 477203

**SENIOR MANAGEMENT PAY & GRADING**

| BAND  | MIN/MID/MAX POINTS | Composition, Terms & Conditions  |   |
|---|--------------------|--|---|
| <b>CHIEF EXECUTIVE &amp; HEAD OF PAID SERVICE</b> |                    |  |   |
| <b>Band 1</b>                                     | Fixed/Spot         | <ul style="list-style-type: none"> <li>- A fixed salary within the range £145,000 to £155,000 pa taking account of current public sector market median data provided by the independent analysts and the Council's general starting salary policy</li> <li>- No variable element within the remuneration package.</li> <li>- All other conditions in accordance with overall Council pay policy.</li> </ul>  |   |
| <b>STRATEGIC DIRECTORS</b>                        |                    |  |   |
| <b>Band 2</b>                                     | Fixed/Spot         | <ul style="list-style-type: none"> <li>• People &amp; Communities [statutory roles for Children's &amp; Adult Services] (PC)</li> <li>• Place (P)</li> <li>• Resources (R)</li> <li>- A fixed salary within the range £115,000 to £130,000 pa taking account of current public sector market median data provided by the independent analysts and the Council's general starting salary policy</li> <li>- No variable element within the remuneration package.</li> <li>- All other conditions in accordance with overall Council pay policy.</li> </ul> |   |
| BAND  | MIN/MID/MAX POINTS |  |   |
| DIVISIONAL DIRECTORS/Heads of Service             |                    | COMPOSITION  |   |
| <b>Band 4</b>                                     | Minimum            | £91,869  | <ul style="list-style-type: none"> <li>• Safeguarding, Social Care and Family Services (PC)</li> <li>• Learning and Inclusion Service (PC)</li> <li>• Planning &amp; Transport Development (P)</li> <li>• Finance [S.151 Officer] (R)</li> <li>• Property &amp; Facilities [Chief Property Officer] (R)</li> <li>• Legal &amp; Democratic [Monitoring Officer]</li> </ul>                             |
|   | Middle             | £94,572  |   |
|   | Maximum            | £97,275  |   |
| <b>Band 5</b>                                     | Minimum            | £81,063  | <ul style="list-style-type: none"> <li>• Non-Acute Health, Social Care &amp; Housing (PC)</li> <li>• Service Development (PC))</li> <li>• Skills and Employability (P)</li> <li>• Environmental Services (P)</li> <li>• Tourism, Leisure &amp; Culture (P) [Vacant]</li> <li>• Policy &amp; Partnership (R)</li> <li>• Improvement &amp; Performance (R)</li> <li>• Project Management (R)</li> </ul> |
|   | Middle             | £83,763  |   |
|   | Maximum            | £86,469  |   |
| <b>Band 6</b>                                     | Minimum            | £70,254  | <ul style="list-style-type: none"> <li>• Customer Services Revenues &amp; Benefits (R)</li> <li>• Risk &amp; Assurance (R)</li> <li>• Transformation (R)</li> <li>• Human Resources(R)</li> </ul>   |
|   | Middle             | £72,957  |   |
|   | Maximum            | £75,657  |   |

**Notes:**

- Details at 31 March 2013
- Band 3 is not currently in use
- There has been no annual pay award to any of this staff group since April 2008, for other staff since 2009