

Subject:	Council Pay Policy Statement	Status:	For Publication
Report to:	Full Council	Date:	28 th February 2023
Report of:	Head of People and Policy	Lead Member:	Environment and Corporate Services
Key Decision:	<input checked="" type="checkbox"/> Forward Plan <input checked="" type="checkbox"/>	General Exception <input type="checkbox"/>	Special Urgency <input type="checkbox"/>
Equality Impact Assessment:	Required: No	Attached:	No
Biodiversity Impact Assessment	Required: No	Attached:	No
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1.	RECOMMENDATION(S)
1.1	Full Council approves the attached Pay Policy Statement.

2. PURPOSE OF REPORT

2.1 To seek approval for the Council's Pay Policy Statement which is required to be published annually.

3. BACKGROUND

3.1 The Localism Act 2011 (Chapter 8 – Pay Accountability), requires all local authorities to set out its position on a range of issues relating to the remuneration of its employees.

3.2 The Pay Policy Statement must be approved by the Council in an open forum and published on its website by the end of March on an annual basis.

3.3 The Pay Policy Statement is a reflection of the Council's pay policy at the time it is approved, as 'a snap shot in time', that is, as at 1st February 2023.

3.4 The Pay Policy Statement sets out the existing approach to the remuneration of all posts within the Council. In particular it specifies certain mandatory requirements that must be detailed within the Statement, this refers to:

- The pay structure of the Council and how it is set;
- Senior Management Remuneration, providing details of the pay grade for posts defined as Chief Officer and the accompanying allowances;
- The recruitment arrangements for a Chief Officer;
- The relationship between the salaries of Chief Officers and other employees;
- Details of the lowest paid posts within the Council;
- Employer's Pension Contribution details;
- Termination of employment payments.

3.5 The Localism Act refers to the position of Chief Officer, which is defined as:

Head of Paid Service designated under Section 4 (1) of the Local Government and Housing Act (LGHA) 1989.

Monitoring Officer designated under section 5 (1) of the LGHA 1989

Statutory Chief Officer mentioned in section 2 (6) of the LGHA 1989

Non statutory Chief Officers section 2 (7) of the LGHA 1989

A Deputy Chief Officer mentioned in Section 2 (8) of the LGHA 1989.

3.6 Within the Council structure this includes the following posts which are accountable to the Chief Executive:

- Director of Economic Development
- Director of Communities
- Chief Finance Officer (Section 151 Officer)
- Head of Legal Services
- Head of People and Policy

There are a further series of posts which fall within the definition of Chief Officer referred to in the Localism Act, by virtue of being required to deputise for Chief Officers. These have not been specifically listed.

3.7 The Council adopted the Living Wage on 1st April 2013 and became a Foundation Living Wage Employer, the Foundation Living Wage is currently £9.90 per hour.

4. RISK

4.1 There are no specific risk issues for members to consider arising from this report.

5. FINANCE

5.1 The pay and remuneration detailed within the Pay Policy Statement are within the approved budget of the Council.

6. LEGAL

6.1 All relevant comments are covered within the body of the report.

7. POLICY AND EQUALITIES IMPLICATIONS

7.1 The Policies detailed within the Pay Policy Statement have been approved through Council Procedures and in consultation with the Council's recognised Trade Union.

7.2 The job evaluation scheme used to establish the Council's pay and grading structure has been agreed with the Council's recognised Trade Unions.

7.3 Guidance from North West Employers Organisation (NWEO) and Local Government Association has been used to develop this policy.

8. CONCLUSION

8.1 The Pay Policy Statement details the existing contractual entitlements as per current contracts of employment of senior staff with the Council.

8.2 An equality impact assessment was completed in relation to the pay and grading structure following the implementation of the Pay and Grading Review in 2007.

8.3 The Pay Policy Statement meets the legal requirements as per the Localism Act 2011.

Background Papers

Document	Place of Inspection
Pay Policy Statement	Appendix 1

Pay Policy Statement

As at 1st February 2023

1. Purpose of the Policy

Under 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 sets out the Council’s approach to pay in accordance with the requirements of Section 38 of the Localism Act 2011.

The purpose of the statement is to provide transparency with regard to the Council’s approach to setting the pay of its employees by identifying;

- The methods by which salaries of all employees are determined
- The details of the remuneration of its most senior employees, i.e. Chief Officers
- The relationship between the salary of its Chief Officers and other employees

2. Other legislation relevant to pay and remuneration

In determining the pay and remuneration of its employees the Council will comply with all relevant employment legislation. This includes legislation such as the Equality Act 2010, the Part-time Employment (Prevention of Less Favourable Treatment) Regulations 2000 and where relevant, the Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 2014. The Council ensures that there is no pay discrimination within its pay structures and that pay differentials can be objectively justified through the use of job evaluation mechanisms, which directly establish the relative level of posts in grades according to the requirements, demands and responsibilities of the role.

The Council operates the GLPC (Greater London Provincial Council) Scheme for all posts up to and including spinal column point 49. All posts above spinal column point 49 have been job evaluated using HAY, which includes comparative benchmarking data from other local authorities. An Equality Impact Assessment has been undertaken in relation to the Council’s grading structure.

3. Pay Structure

The Council complies with the nationally negotiated spinal column points for all posts up to and including spinal column point 43, which is detailed at Appendix A. Posts above spinal column point 43 are detailed at Appendix B.

The salary increase for all posts within the Council is set nationally, through collective bargaining between the National Employers and Trade Unions. The pay and grading structure for the majority of posts was established as part of the Pay Policy 2007. This Policy was approved by the Council in 2007 and addressed the Council’s approach to the job evaluation of posts and the harmonisation of key terms and conditions of employment. Since 2007, all newly created posts and posts that have varied are subject to evaluation against the Job Evaluation Scheme.

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Where evidence exists of recruitment and retention issues it may be necessary to make additional temporary payments to take account of external pay levels in the labour market in order to attract and retain employees with particular skills, knowledge and experience. In such instances the Council will use evidence of relevant market comparators, using data sources available from within the local government sector and outside, as appropriate.

4. Definitions

The Localism Act refers to the position of Chief Officer, which is defined as:

- Head of Paid Service designated under Section 4 (1) of the Local Government and Housing Act (LGHA) 1989.
- Monitoring Officer designated under section 5 (1) of the LGHA 1989
- Statutory Chief Officer mentioned in section 2 (6) of the LGHA 1989
- Non statutory Chief Officers section 2 (7) of the LGHA 1989
- A Deputy Chief Officer mentioned in Section 2 (8) of the LGHA 1989

Within the Council structure this includes the following posts which are accountable to the Chief Executive:

- Director of Communities
- Director of Economic Development
- Chief Finance Officer (Section 151 Officer)
- Head of Legal Services (Monitoring Officer)
- Head of People and Policy

There are a further series of posts which fall within the definition of Chief Officer referred to in the Localism Act, by virtue of being required to deputise for Chief Officers. These have not been specifically listed.

Remuneration is defined as the pay an individual receives.

5. Chief Executive Remuneration

A new Chief Executive (Head of Paid Services) commences on 1st April 2023. The appointment and terms relating to the appointment were ratified at a meeting of the Council. At that time an independent review of the role and the remuneration package was undertaken. This review involved obtaining guidance and advice from North West Employers Organisation. The previous post holder left at 31st December 2022. Interim arrangements have been put in place to support the Head of Paid Services duties and responsibilities from 1st February to 31st March 2023.

Spinal Point	Salary
Chief Executive	109,180.10

The Chief Executive (Head of Paid Services) salary was reviewed prior to starting the recruitment process in November 2022.

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Additional Allowances:

No Essential car user allowance lump sum is paid to the Chief Executive (Head of Paid Services).

Returning Officer Fees – This is based upon a fee calculated periodically by the Cabinet Office, with the fee being based on a sum of money multiplied per every 10,000 of electorate. The Council appointed the new Chief Executive as the Returning Officer as part of the appointment process in November 2022.

The Council pays the fees for the local election and the fees for other elections, such as Parliamentary and County Council, are paid for externally.

Unlike other Local Authorities, Rossendale Borough Council does not offer lease car or telephone allowance schemes.

The Chief Executive is required to respond to Out of Hours Emergencies, attend evening meetings and out of hour's weekend events for which no payment or time is recoverable.

The other terms and conditions of service relating to this post are in accordance with the Joint Negotiating Committee for Chief Executives of Local Authorities.

Any other allowances relating to the post are the same as for all other posts within the Council, for example, reimbursement of fuel expenditure from business travel and professional fees.

6. Director Remuneration

There are two posts of Director reporting to the Chief Executive:

Director of Economic Development

Director of Communities

	Spinal Point	Salary
Director of Economic Development	Grade 16 (65-69)	£76,160 to £83,582
Director of Communities	Grade 16 (65-69)	£76,160 to £83,582

Additional Allowances:

No essential car user allowance lump sum is paid to the Directors.

Progression through the grade occurs through the payment of an additional annual increment on 1st April, each year.

The other terms and conditions of service relating to these posts are in accordance with the JNC Terms and Conditions for Chief Officers of Local Authorities.

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Any other allowances relating to the posts are the same as for all other posts within the Council, for example, reimbursement of fuel expenditure from business travel.

Unlike other Local Authorities, Rossendale Borough Council does not offer lease car or telephone allowance schemes.

The Directors are required to respond to out of hours' emergencies, attend evening meetings and out of hour's weekend events for which no time off in lieu or payment is made.

7. Statutory Chief Officer and Non Statutory Chief Officer Remuneration

There are three Statutory Chief Officer and Non Statutory Chief Officer posts reporting to the Chief Executive:

Chief Finance Officer (Section 151 Officer)
 Head of Legal Services (Monitoring Officer)
 Head of People and Policy

Salary range:

	Spinal Point	Salary
Chief Finance Officer	Grade 14 (55-60)	£61,198 - £68,059
Head of Legal Services	Grade 10 (44-48)	£49,590 - £53,580
Head of People and Policy	Grade 10 (44-48)	£49,590 - £53,580

Additional Allowances:

Progression through the grade occurs through the payment of an additional annual increment on 1st April, each year.

The other terms and conditions of service relating to the Head of Finance are in accordance with the JNC for Chief Officers of Local Authorities.

The other terms and conditions of service relating to the Head of Legal Services and Head of People and Policy are in accordance with NJC for Local Government Services National Agreement on Pay and Conditions of Service.

Any other allowances relating to the posts are the same as for all other posts within the Council, for example, reimbursement of fuel expenditure from business travel.

The Chief Finance Officer, Head of Legal Services and Head of People and Policy post holders, are required to respond to out of hours' emergencies, attend evening meetings and weekend events for which no pay or time off in lieu is recoverable.

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8. Recruitment of Chief Executive and Chief Officers

Under 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”.

Where there is a requirement to recruit to the post of Chief Executive or Chief Officer, the Council’s Constitution, Part 4, Section 10, Employment Procedure Rules Apply.

9. Salary upon Appointment

Under normal circumstances, all new appointments to a post of Chief Executive or Chief Officer will be made at the bottom spinal column point of the grade, unless there are objective reasons for not doing so. Any appointment above the bottom spinal column point will require the approval of the Appointment Panel.

10. Performance-related Pay

The Localism Act requires Councils to provide details of any performance related pay for its Chief Officers; however, Rossendale Council does not have any such arrangements.

11. Relationship between Chief Executive/Chief Officer Pay and other Employees

The following information is provided to assist with understanding the ratio calculation:

- Chief Executive Salary mid-point = £109,180 (spot salary)
- Chief Officer Median salary = £68,059 (the median point of SCP 55-69)
- Council Median salary = £25,878 (The median SCP point of all employees in RBC)
- Council Lowest salary = £19,099 (Foundation Living Wage)

Pay Ratio

Post	Benchmark Salary	Ratio
Chief Executive salary	Chief Officer Median salary	1: 1.6
Chief Officer salary (mid – point)	Council Median salary	1: 4.2
Chief Executive salary	Lowest salary	1: 5.7
Chief Officer salary (mid - point)	Lowest salary	1: 3.6

The Hutton report, entitled Fair Pay in the Public Sector, contained a recommendation that the Chief Executive's salary should not exceed 20 times that of the lowest pay in the organisation. At Rossendale Borough Council, the pay multiple between the Chief Executive's pay and the lowest paid employee is 1 to 5.7 which falls within this recommended range.

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12. Lowest Paid Employees

The lowest grade on the pay structure is Grade 1 (SCP 1-3) £20,258 - £20,812. The Council became a Foundation Living Wage employer on 1st April 2013, and adopts a minimum hourly pay rate of £9.90 per hour.

The lowest paid group of employees are the cleaners appointed on the Foundation Living Wage.

13. Termination Payments

The Council's Redundancy Policy applies equally to all employees regardless of their grade. A redundancy payment will be paid to an employee when their post is made redundant and there are no suitable redeployment opportunities.

The Council does not have any policy which allows for early retirement or which allows for any increase or any enhancing of an employee's pensionable service.

14. Employer Pension Contribution

The Council contributes to the Local Government Pension Scheme in 2022/23 for all its employees who are members equally at the rate of 17.6% of an employee's salary. This rate of contribution is set by Actuaries advising the Lancashire Pension Fund and is reviewed on a triennial basis.

15. Employee Pension Contribution

Employees in the Local Government Pension Scheme will pay the following annual contributions as at 1st April 2022, based upon their pensionable pay:

Full-time salary	Contribution rate
Up to £15,000	5.5%
£15,001 - £23,600	5.8%
£23,601 - £38,300	6.5%
£38,301 - £48,500	6.8%
£48,501 - £67,900	8.5%
£67,901 - £96,200	9.90%
£96,201 - £113,400	10.5%
£113,401 - £170,100	11.4%
£170,101 & above	12.5%

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16. Engagement of Former Chief Officers in receipt of Pensions

The Council does not have a policy which prevents former Council employees including Chief Officers from applying for and being successfully appointed to any Council job or returning under a contract for service, because they are in receipt of a Public Sector or Local Government Pension. Normal recruitment and selection processes would apply in line with the Council's Equalities Policy or normal procurement rules would apply.

17. Publication of the Policy

The Policy will be published on the Council's Website.

In addition, for posts where the fulltime equivalent salary is at least £50,000, the Council's Annual Statement of Account will include a note setting out the total amount of:

- salary, fees or allowances paid to or receivable by the person in the current and previous year;
- any bonuses so paid or receivable by the person in the current and previous year;
- any sums payable by way of expenses allowance that are chargeable to UK income tax;
- any compensation for loss of employment and any other payments connected with termination of employment
- any benefits received that do not fall within the above.

The information set out within this Policy complements the data the Council is required to publish separately under the Code of Recommended Practice for Local Authorities on Data Transparency and by the Accounts and Audit (England) Regulations 2011.

18. Review of Pay Policy

The Policy will be subject to annual review and must be approved by the Council prior to 31st March each year. If there is a need to amend the Policy between reviews, then any such amendments will be considered by the Cabinet, prior to approval by the Council.

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Appendix A

ROSSENDALE BOROUGH COUNCIL – PAY AND GRADES AT SCP 43 AND BELOW

NJC Pay Scales	April 22			
	SCP	Per Annum	Monthly	Hourly
Grade 1				
	1	20,258	1,688	10.50
	2	20,441	1,703	10.60
	3	20,812	1,734	10.79
Grade 2				
	4	21,189	1,766	10.98
	5	21,575	1,798	11.18
	6	21,968	1,831	11.39
Grade 3				
	6	21,968	1,831	11.39
	7	22,369	1,864	11.59
	8	22,777	1,898	11.81
	9	23,194	1,933	12.02
	10	23,620	1,968	12.24
	11	24,054	2,005	12.47
Grade 4				
	11	24,054	2,005	12.47
	12	24,496	2,041	12.70
	13	24,948	2,079	12.93
	14	25,409	2,117	13.17
	15	25,878	2,157	13.41
Grade 5				
	15	25,878	2,157	13.41
	16	26,357	2,196	13.66
	17	26,845	2,237	13.91
	18	27,344	2,279	14.17
	19	27,852	2,321	14.44
	20	28,371	2,364	14.71
Grade 6				
	21	28,900	2,408	14.98
	22	29,439	2,453	15.26
	23	30,151	2,513	15.63
	24	31,099	2,592	16.12
	25	32,020	2,668	16.60
	26	32,909	2,742	17.06
Grade 7				
	26	32,909	2,742	17.06
	27	33,820	2,818	17.53
	28	34,723	2,894	18.00
	29	35,411	2,951	18.35
	30	36,298	3,025	18.81
	31	37,261	3,105	19.31
	32	38,296	3,191	19.85
Grade 8				
	33	39,493	3,291	20.47
	34	40,478	3,373	20.98
	35	41,496	3,458	21.51
	36	42,503	3,542	22.03
	37	43,516	3,626	22.56
	38	44,539	3,712	23.09
Grade 9				
	39	45,495	3,791	23.58
	40	46,549	3,879	24.13
	41	47,573	3,964	24.66
	42	48,587	4,049	25.18
<i>Top NJC Grade</i>	43	49,590	4,133	25.70

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Appendix B

ROSSENDALE BOROUGH COUNCIL – PAY AND GRADES ABOVE SCP 43

Grade 10	44	49,590	4,133	25.70
	45	50,581	4,215	26.22
	46	51,585	4,299	26.74
	47	52,585	4,382	27.26
	48	53,580	4,465	27.77
Grade 11	48	53,580	4,465	27.77
	49	54,653	4,554	28.33
	50	55,955	4,663	29.00
	51	57,230	4,769	29.66
Grade 12	49	54,653	4,554	28.33
	50	55,955	4,663	29.00
	51	57,230	4,769	29.66
	52	58,512	4,876	30.33
	53	59,824	4,985	31.01
Grade 13	51	57,230	4,769	29.66
	52	58,512	4,876	30.33
	53	59,824	4,985	31.01
	54	61,177	5,098	31.71
CO Grade 14	55	61,198	5,100	31.72
	56	62,566	5,214	32.43
	57	63,942	5,328	33.14
	58	65,320	5,443	33.86
	59	66,696	5,558	34.57
	60	68,059	5,672	35.28
CO Grade 15	60	68,059	5,672	35.28
	61	69,639	5,803	36.10
	62	71,218	5,935	36.91
	63	72,798	6,067	37.73
	64	74,377	6,198	38.55
CO Grade 16	65	76,160	6,347	39.48
	66	78,002	6,500	40.43
	67	79,865	6,655	41.40
	68	81,718	6,810	42.36
	69	83,582	6,965	43.32

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