

Pay Policy Statement March 2019

Approvals	
Approved by Full Council	Date: 21 February 2018

Version Control			
Version No.	Key Changes	Agreed By/date	Issue Date
V.1	Introduction of Pay Policy Statement	Council	28 March 2012
V. 2	Annual review of Pay Policy Statement	Council	18 March 2013
V. 3	Annual review of Pay Policy Statement	Council	26 March 2014
V. 4	Annual review of Pay Policy Statement	Council	25 March 2015
V.5	Annual review of Pay Policy Statement	Council	23 March 2016
V.6	Annual review of Pay Policy Statement	Council	22 February 2017
V.7	Annual review of Pay Policy Statement	Council	21 February 2018
V8.	Annual review of Pay Policy Statement – incorporating new senior management structure	<u>Council</u>	<u>27 March 2019</u>

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1. Purpose

The Local Government Act 1972, (section 112) sets out the Council's "power to appoint officers on such reasonable terms and conditions as the Authority thinks fit". This Pay Policy Statement (the 'statement') sets out the Council's approach to pay policy in accordance with the requirements of Section 38 of the Localism Act 2011. It also ensures appropriate sections of the Local Authorities (Standing Orders) (Wales) Regulations 2006 the Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2014 are adhered to. Nothing within the provisions of the Localism Act 2011 detract from the Council's autonomy in making decisions on pay that are appropriate to local circumstances and which deliver value for local tax payers.

The purpose of this Pay Policy Statement is to provide transparency with regard to the Council's approach to setting the pay of its employees (excluding those employed under the delegated budget in local authority schools) by identifying:

- the method 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)/Panel responsible for ensuring the provisions set out in this statement are applied consistently throughout the Council and recommending any amendments to Council;
- the approach to the publication of and access to information relating to all aspects of the remuneration of Chief Officer;
- the Council's policy towards the remuneration of its lowest paid employees and the relationship between the remuneration of its Chief Officers and other employees.

The Council is a large complex organisation with a multi-million pound budget. It has a wide variety of functions and provides and/or commissions a range of essential services. The general approach to remuneration levels may therefore differ from one group of employees to another to reflect specific circumstances at a local, Welsh or UK national level. It will also need to be flexible when required to address a variety of changing circumstances whether foreseeable or not.

2. Scope

This statement applies to all Wrexham County Borough Council employees appointed under the following terms and conditions agreed with:

- The National Joint Council for Local Government Services;
- The Joint Negotiating Committee for Local Authority Craft and Associated Employees;
- The Joint Negotiating Committee for Youth and Community Workers;
- The Soulbury Committee;
- The Joint Negotiating Committee for Chief Officers
- The Joint Negotiating Committee for Chief Executives

This statement does not apply to employees appointed by a School Governing Body in respect of whom the “statement” is determined by the relevant Governing Body.

3. Background and Principles

The Council has had an Organisation Development and Workforce Strategy in place since 2012, the current version for 2017 - 2022 was approved by Executive Board on 24 October 2017. This sets out our vision, purpose and priorities in relation to the workforce and describes our intentions to support the delivery of services that help us achieve our goals in the Council Plan. It also provides a framework of integrated workforce policies, procedures and plans that supports our employees to deliver services that ensure Wrexham and its people are supported and enabled to fulfil their potential, prosper and achieve a high standard of well-being

In addition to this strategy, the Employee Pay and Reward Policy was last approved by Executive Board on 9 December 2014. The Employee Pay and Reward Policy seeks to address the aforementioned requirement by describing the Council’s commitment to fair pay and describing the principles, organisation structure and processes that will allow for effective management of the pay structure.

A Pay and Reward Panel was established in 2010 (in accordance with the Employee Pay and Reward Policy). This provides the mechanism for the setting of future pay and reward for the Council’s senior management team by utilising independent external representatives (as required) alongside elected members to make recommendations on all pay and reward matters for this group, including the management and structure of pay and reward; and grounds for pay progression. The Pay and Reward Panel will make annual recommendations to Council on the pay and reward arrangements of the Chief Executive, ~~Executive Directors and Heads of Department and Chief Officers~~. Decisions on the remuneration of the above groups, as defined by legislation as “Chief Officer” posts are to be taken by Council.

The broad principles of the Employee Pay and Reward Policy, and thereby this Pay Policy Statement, are as follows. It will:

- Support the delivery of the Council Plan by encouraging flexibility, improving productivity and by building future capacity across the entire workforce;
- Support the alignment of the strategic objectives with the Organisation Development and Workforce Strategy 2017 – 2022 through workforce planning so that the Council can recruit, develop and retain employees with appropriate knowledge and relevant skills required to deliver and adapt its services;
- Attract, retain and motivate suitably skilled employees so that the Council can perform at its best;
- Pay the Council’s employees at a level that allows services to remain sustainable in a difficult and unpredictable economic climate whilst also

taking into account specific strategic requirements and key market rate factors where relevant and appropriate to recruitment requirements;

- Reward full competence in the current job role through the Council's Performance, Review and Development Framework (using the behavioural competencies) and identify and encourage potential for career development;
- Set pay for all employees in an open and accountable way and communicate the Council's Policy and Pay and Grading Framework to all employees;
- Ensure a fair and consistent approach to remuneration of employees, both in terms of basic pay and other payments;
- Provide a fair, transparent and equality impacted pay structure accessible to all employees.

For the purposes of the Pay Policy Statement, Wrexham County Borough Council has decided that the definition 'Chief Officer' refers to, Chief Executive, ~~Executive Directors~~ and ~~Heads of Department~~ Chief Officers. Throughout the document the term Chief Officer refers to all three these job titles.

The statement was agreed originally by Council on 28 March 2012 and this revision is effective from the date of March Council approval ~~on 21 February 2018~~ and will be subject to review on a minimum of an annual basis in accordance with the relevant legislation prevailing at that time.

The ~~Head of Corporate and Customer Services~~ Head of Service, HR & OD will have the authority to review the policy within the one year period, to make any amendment/s necessary to reflect any changing legal requirements or make minor alterations.

4. Equalities

It is unlawful for the Council to discriminate against employees because of any of the protected characteristics as follows: Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex (gender), Sexual Orientation.

All workers (irrespective of their employment status) are protected by law against discrimination in the course of their employment with the Council. It is unlawful for Managers to discriminate against an individual on the grounds that he or she is "associated with" someone with a particular protected characteristic. The Council will not victimise an employee because he or she has raised a genuine complaint of discrimination, or assisted another employee with a complaint.

Employees are protected against all forms of unlawful discrimination in every aspect of their employment. This will include the pay and terms and conditions, including information that is contained in the Employee Handbook and Human Resources Policies.

5. Core Pay Policy Statement

5.1 Pay Structure

The Chief Executive, ~~Executive Directors and Heads of Department and Chief Officer~~ posts will be evaluated in accordance with the HAY scheme. The pay structure consists of a series of incremental levels within each pay grade for posts evaluated via HAY or GLPC (Greater London Provincial Council job evaluation scheme).

All posts subject to National Joint Council (NJC) conditions for Local Government Services will be evaluated in accordance with the GLPC job evaluation scheme.

Based on the application of the GLPC job evaluation scheme and locally negotiated job evaluation procedure, the Council uses the nationally negotiated pay spine points 6 - 49 inclusive and has added further points 50 – 60 through the implementation of Single Status Part II Local Collective Agreement. In April 2018, further points 61 to 64 have been added as part of a collective agreement agreed by Executive Board 12 December 2017. Appendix 1 details the local grading structure. This determines the salaries of the large majority of the workforce, together with the use of other nationally defined pay scales where relevant.

The Council employs the Chief Executive and the Chief Officers in accordance with the JNC terms and conditions which are incorporated in their contracts. The JNC for Chief Officers and the JNC for Chief Executives negotiate separately on national (UK) annual cost of living pay increases. The Chief Executive and the Chief Officers employed under the JNC terms and conditions are contractually entitled to any nationally determined pay rise and this Council will therefore pay these as and when agreed in accordance with their current contractual entitlement. These include all 'Chief Officer' posts which are the Chief Executive, ~~Executive Directors and Heads of Department and Chief Officers~~.

The Council will consult (via the WLGA, acting on behalf of all Welsh Authorities) with the Independent Remuneration Panel for Wales (paragraph 5.9) when the cost of living rise applied to the Head of Paid Service (Chief Executive) and Chief Officers falls outside the circumstances of a general pay increase applicable to all employees.

All other pay related allowances are the subject of either national or locally negotiated rates, having been determined from time to time in accordance with collective bargaining arrangements and/or as determined by Council Policy. In determining its grading structure and setting remuneration levels for all posts, the Council takes into account 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.

All posts will normally be appointed on the minimum of the grade that was allocated to the job through job evaluation. In exceptional circumstances and where there are compelling and evidenced reasons to support the decision, a new, or newly promoted employee may be appointed to a higher increment. In order to maintain fairness and consistency this must be agreed between the ~~Head of Department~~Chief Officer who is making the appointment in consultation with the ~~Head of Corporate and Customer Services~~Head of Service, HR & OD. ~~If an employee is promoted or re-graded to a higher grade they should receive an incremental increase.~~

Incremental progression applies to all NJC posts, that is, those subject to NJC terms and conditions. Details of incremental progression are outlined in Section 5.12 of the Employee Pay and Reward Policy.

In the future it may be necessary to review whether we need to take account of the external pay market (market supplements) in order to attract and retain employees with particular experience, skills and capacity.

5.2 Senior Management Remuneration

The Local Authorities (Standing Orders) (Wales) Regulations 2006, Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2014 and the Local Government (Wales) Act 2015 will be adhered to with regard to the remuneration of Chief Officer posts (as defined by these Regulations).

The Pay and Reward Panel was established, to consider and provide recommendations on levels of basic pay for the top three tiers of the organisation and to make such recommendations to Council. At an Extraordinary Council Meeting on 22 November 2010 agreement was reached on:

- Terms of reference of the Pay and Reward Panel (Appendix 2)
- Recommendations regarding basic pay levels for the Chief Executive, ~~Executive Directors~~and Chief Officer posts (~~now Heads of Department~~).
- Assimilation and progression arrangements

The Senior Management structure has been amended and Council approved this on ~~23 September 2015~~22 November 2018, this was implemented on 1 April ~~2016~~2019. This review included a check with the HAY group on changes arising out of the removal of the Executive Director roles (tier 2) and the introduction of the role of Chief Officer with some revisions to ~~Head of Departments~~ portfolios. The HAY group also indicated that due to the way the ~~Head of Department~~Chief Officers roles were designed, e.g. as a single large tier with broad portfolios, ~~with their sizes constrained by the Director tier above~~, the approach of generic job descriptions will enabled services to be added, or removed without a material change in the future role size.

The Pay and Reward Panel reviewed the Senior Management pay for ~~2018/2019/2019-2020~~ and at the Council meeting on ~~21 February~~22 November 2018 the following recommendation was approved:

The Pay and Reward Panel's recommendation "that no action should be taken in respect of the current salary grading ranges of the Council's Chief Executive; ~~Executive Directors and Heads of Departments~~ for the ~~2018/2019/20~~ financial year",

be endorsed and that the grading structure remain as set out in Appendix 1 to report [HCCS/58/18HCGS /010/18](#).

[A new pay range was agreed for the Chief Officer role.](#)

It has been previously accepted that nationally awarded pay increases would be paid by the Council as they occur. This is detailed in section 5.1.

The pay levels are detailed below.

Note: For the purposes of this section, senior management means ‘Chief Officer’ as defined within S43 of the Localism Act. The posts falling within the statutory definition are set out below, with details of their basic salary as at 1 April 2017 2019 and 1 April 2018

[Chief Executive range - Effective 1 April 2019 onwards \(no change made\)](#)

SCP	Salary April 2018
CEO Point 5	£130,063
CEO Point 4	£125,901
CEO Point 3	£121,739
CEO Point 2	£117,577
CEO Point 1	£113,415

[Chief Officer range](#)

SCP	Salary April 2019*
CO Point 6	£95,000
CO Point 5	£93,000
CO Point 4	£91,000
CO Point 3	£89,000
CO Point 2	£87,000
CO Point 1	£85,000

[JNC cost of living awards are applied as they occur.](#)

5.2.1 [Chief Executive](#)

The job purpose of the Chief Executive is:

- To work with elected Members to provide leadership, vision and strategic direction for the Council and ensure the Council is appropriately structured, managed and resources directed to deliver corporate priorities and objectives.
- To lead, develop and challenge the [Strategic Senior Leadership Management](#) Team to ensure that the quality of the Council’s management and services are maintained, developed and customer-focused.

- To undertake statutory responsibilities as the Authority's Head of Paid Service.

The current salary of the post holder is £113,415 post. The salary falls within a range of 5 incremental points between £114,313, rising to a maximum of £127,513,063.

5.2.2 ~~Executive Directors~~ Chief Officers

~~The job purpose of an Executive Director Chief Officer is to support the Chief Executive in the overall strategic direction, corporate management and financial leadership of the Council to ensure the outcomes in the Council Plan are met. leadership and management of the Council and in conjunction with the other Director and Heads of Department, ensure the effective delivery of Council priorities, strategies and major projects; to ensure the Council's service activities and resources are properly aligned with the Council's corporate priorities and objectives and as a member of the Strategic Management Team, to play a critical role in driving up performance and efficiency across the Council and its partners for the benefit of citizens, and to work effectively with lead Members, fellow Directors and Heads of Department to help continuously improve both service and individual performance.~~

~~The current new salary range for the post which was introduced 1 April 2019 is within a range of 5-6 incremental points between £91,564-£85,000 rising to a maximum of £99,888-95,000.~~

5.2.3 ~~Heads of Department~~

~~The job purpose of a Head of Department is to provide strategic and operational leadership for the relevant Department; to contribute to the strategic and financial leadership of the Council and to organise, manage and develop services for Wrexham County Borough Council and to work with other Heads of Department to deliver long term sustainable stability to the Authority.~~

~~The current salary for the post is within a range of 6 incremental points between £75,957 rising to a maximum of £86,362.~~

Progression within the incremental scale for Chief Officers (3-2 tiers outlined above)

The opportunity for progression within each band for all three tiers outlined above will occur on 1 April each year and will be based on performance, not time served.

5.3 Recruitment of 'Chief Officers'

The Council's policy and procedures for the recruitment of Chief Officers is set out within the Officer Employment Procedure Rules as set out in Part 4 of the Constitution:

'The full council will approve the appointment of the head of paid service following the recommendation of such an appointment by a committee or sub-committee of the Council.' 'All appointments to ~~Chief Officer~~ Executive Director and Head of Department posts shall be made by a Committee

appointed by the Council advised by the Chief Executive for ~~Executive Director appointments and/or the relevant Executive Director~~ for ~~Head of Department~~Chief Officer appointments'

The Council will comply with its legal obligations by publically advertising any Chief Officer posts, where annual remuneration is £100,000 or more (unless the appointment is for a period of no longer than 12 months). At Wrexham County Borough Council only the Chief Executive post has a salary grade over £100, 000. The Council will ensure that all posts as determined by the 'The Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2014' and 'The Local Authorities (Standing Orders) (Wales) Regulations 2006' are appointed by full Council. The Officer Employment Procedure Rules set out in the Council constitution detail the arrangements for this process.

When recruiting to all posts the Council will take full and proper account of its own Equality and Diversity Policy, Recruitment and Selection Policy, and the Redundancy and Redeployment Policy.

The determination of the remuneration to be offered to any newly appointed 'Chief Officer' will be in accordance with the pay structure and relevant Pay Policy as determined by Council.

Where the Council remains unable to recruit Chief Officers or there is a need for interim support to provide cover for a vacant substantive Chief Officer post, the Council may, where necessary, consider and utilise engaging individuals under 'contracts of service' or exceptionally under 'contracts for service'. These will be sourced in accordance with the relevant procurement process ensuring the council is able to demonstrate the maximum value for money benefits from competition in securing the relevant service. Since 1 January 2015 the Council has not had any Chief Officers engaged under such arrangements.

There are new provisions under Section 143A of the Local Government (Wales) Measure 2011 and section 39 of the Local Government (Wales) Act 2015, Certain provisions have been put in place to prepare for a restructuring of local government in Wales. These provisions relate to recruitment arrangements by 'merging authorities', these provisions would only apply in these circumstances.

5.4 Additions to Salary of Chief Officers

The Council does not apply any bonuses or performance related pay to its Chief Officers. With the exception of progression through the incremental scale of the relevant grade being subject to 'above expectations' performance, which is assessed on an annual basis, the level of remuneration is not variable dependent upon the achievement of defined targets.

In addition to basic salary, set out 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 duties;

5.4.1 Chief Executive

Fees paid for returning officer duties where identified and paid separately. Such fees vary according to which elections are held and when, are calculated by reference to rates specified by the relevant electoral body, and are, except in the case of local elections, paid by those bodies rather than at cost to the Council.

The mileage rates that are applied to this post are the same as NJC rates payable under the Part 3 Agreement, for business mileage incurred. Employees using motor vehicles for the performance of their duties will receive the standard HMRC rate of 45p per mile for all business mileage incurred up to 10,000 miles and 25p per mile thereafter.

The costs of up to two annual subscriptions, for two approved professional bodies are met by the Authority, as outlined in the contract of employment.

5.4.2 Executive Directors

~~The mileage rates that are applied to this post are the same as NJC rates payable under the Part 3 Agreement, for business mileage incurred. Employees using motor vehicles for the performance of their duties will receive the standard HMRC rate of 45p per mile for all business mileage incurred up to 10,000 miles and 25p per mile thereafter.~~

~~The costs of up to two annual subscriptions, for two approved professional bodies are met by the Authority, as outlined in each contract of employment.~~

5.4.2 Heads of Department/Chief Officers

Where statutory duties are attributed to a role, no extra supplements or allowances are paid.

The mileage rates that are applied to this post are the same as NJC rates payable under the Part 3 Agreement, for business mileage incurred. Employees using motor vehicles for the performance of their duties will receive the standard HMRC rate of 45p per mile for all business mileage incurred up to 10,000 miles and 25p per mile thereafter.

The cost of one annual subscription for an approved professional body is met by the Authority as outlined in each contract of employment.

5.5 Payments on Termination

The Council's approach to statutory and discretionary payments on termination of employment of Chief Officers, is set out within its policy statement in accordance with Regulations 5 and 6 of the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006. The statutory rate referred to in Regulation 6 is reviewed annually by the Government, ~~and in April 2016 was set as £489.~~ (Appendices 3 and 4))

All termination payments are fully compliant with HMRC requirements.

Any other payments falling outside the provisions or the relevant periods of contractual notice shall be subject to a formal decision made by the Council or relevant elected members, committee or panel of elected members with delegated authority to approve such payments.

There is further legislation pending in relation to exit payments limits and repayment of exit payments, this will need to be reflected in policy once the position in Wales is known.

5.6 Publication

Upon approval by Council, this statement will be published on the Council's website. In addition, Under 7A (1) (a) of the Accounts and Audit (Wales) (Amendment) Regulations 2010, the Council is required to disclose the number of employees whose remuneration excluding pension contributions was £60k or more in bands of £5k. Under Section 7A (1) (b) of the Accounts and Audit (Wales) (Amendment) Regulations 2010, information regarding employees identified as Senior Officers and whose salary is above £60,000. Persons whose salary is £150,000 or more per year must also be identified by job title and name.

5.7 Lowest Paid Employees

The lowest paid persons employed under a contract of employment with the Council are employed on full time 37 hours equivalent salaries in accordance with the minimum spinal column point currently in use within the Council's grading structure. From 1 April ~~2017-2018~~ the minimum spinal point increased to £~~16,495~~~~15,014~~ (basic full time equivalent) in accordance with the nationally agreed NJC pay award. This equates to £~~8.55~~~~7.78~~ per hour. This will be £~~17,364~~~~15,115~~ which equates to £~~9.00~~~~7.83~~ per hour from 1 April ~~2018-2019~~. Modern Apprentices are not included within the definition of 'lowest paid employees' as they are engaged on Apprentice terms and conditions. The Council adheres to the National Living Wage (NLW) for Apprentices where necessary.

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 (Section 5.1).

The statutory guidance under the Localism Act recommends the use of pay multiples as a means of measuring the relationship between pay rates across the workforce and that of senior managers, as included within the Hutton 'Review of Fair Pay in the Public Sector' (2010).

The current pay levels within the Council define the multiple between the lowest paid (full time equivalent basic pay) employee and the Chief Executive as 1:6.88 1/3/19, (1:7.41 2018, 1:8.64-2017) and; between the lowest paid employee and average Chief Officer as 1:5.39 1/3/19 (1:5.69 2018, 1:6.06 - 2017) as of 1 March. The Hutton report on Fair Pay in the public sector was asked to explore the case for a fixed limit on pay dispersion in the public sector, through a requirement that no public sector manager can earn more than 20 times the lowest paid person in the organisation. The report concluded that the relationship to median earnings was a more relevant measure and the Government's Code of Recommended Practice on Data Transparency recommends the publication of the ratio between highest paid

salary and the median salary of the whole of the Authority's workforce. The multiple between the median full time basic equivalent earnings (excluding schools) and the Chief Executive is 1:5.38 1/3/19 (~~1:5.31 2018, 1:6.17 - 1/4/2017~~) The multiple between the median full time basic equivalent earnings (excluding schools) and average Chief Officer is 1:4.14 1/3/19 (~~1:4.08 2018, 1: 4.33 – 2017/4/17~~) as of 1 March.

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.

5.8 Accountability and Decision Making

In accordance with the Executive Function Procedure Rules as reflected in the Council's Constitution of the Council, Council and Executive Board are responsible for decision making in relation to the recruitment, pay, terms and conditions and severance arrangements in relation to employees of the Council. Only Officers of the Council, who have no personal or pecuniary interest in 'Chief Officer' pay levels and grading structures, will support Members in their decision making on this matter.

5.9 Independent Remuneration Panel for Wales (IRPW)

The IRPW has gained additional powers in relation to Local Authorities Pay Policy Statements which relate to the salary of its Head of Paid Service (Chief Executive) as a result of the commencement of the provisions in the Local Government (Democracy) (Wales) Act 2013 Order. Section 63 of the Local Government Democracy (Wales) Act, (2013 Act) amends the Local Government (Wales) Measure 2011 (the 2011 measure) by inserting a new section 143a. Section 143a enables the IRP to take a view, in relation to principal councils, on anything in their Pay Policy Statement relevant to the salary of their Head of Paid Service. As a result the Council will consult with the Independent Remuneration Panel for Wales before changing the salary of the—Head of Paid Service and will have regard to the Panels' recommendation when making a decision. This will apply when the change being considered falls outside the circumstances of a general pay increase/reduction applicable to all employees'. Further legislation in 2015 has extended this provision from 25 January 2016 until 31 March 2020 to include 'Chief Officers' ~~therefore including Executive Directors and Heads of Department~~ pay decisions. The Independent Remuneration Panel for Wales will have regard to Guidance from Welsh Ministers when considering an application from a Local Authority to vary the salary of its Head of Paid Service.

6. Responsibilities

Managers: Managers are responsible for ensuring that this Pay Policy Statement is consistently applied within their own area.

Trade Unions: Recognised Trade Union representatives have been advised on the development of the Pay Policy Statement.

Human Resources & Organisation Development (HR & OD): is responsible for creation, development, improvement and refinement of this Pay Policy Statement and ensuring the Pay Policy Statement undergoes regular review in line with Legislation. HR & OD will provide advice and guidance on the application of the Pay Policy Statement and where specific responsibilities are outlined within.

The Head of Service, HR & OD

~~Head of Corporate & Customer Services: The Head of Corporate and Customer Services~~ will have overall responsibility for this Pay Policy Statement and will determine the appropriate approval body.

Pay and Reward Panel: The Pay and Reward Panel, has responsibility to review and make recommendations to Council regarding Senior Manager Pay (as appropriate).

7. Record Keeping and Data Protection

All pay information will be held and processed in accordance with the Data Protection Act.

8. Definitions

‘Chief Officer’ means the Head of Paid Service; Monitoring Officer; Statutory Chief Officer (S2(6) of 1989 Act); Non Statutory Chief Officer (S2(7)) and a Deputy Chief Officer (S2(8)). For the purposes of the Pay Policy Statement, Wrexham County Borough Council has decided that this definition refers to the top three tiers of the organisation, i.e. Chief Executive, ~~Executive Directors and Heads of Department~~Chief Officers.

‘Remuneration’ means the Chief Officers salary (or payment under a contract of services); any bonuses, charges, fees or allowances payable by the Authority to the Chief Officer (S43(3)).

GLPC Job Evaluation Scheme: Greater London Provincial Council Job Evaluation Scheme.

9. Reference Materials

9.1 Associated Documents

Employee Pay and Reward Policy
Pay and Reward Panel – Terms of Reference
Single Status Part II and Part III Local Collective Agreements

9.2 Legislation

The Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2014 came into force on 1 July 2014. The Regulations amended the 2006 Regulations which required local authorities to incorporate into their Constitution certain provisions relating to staff, meetings and proceedings. Changes to the Constitution were approved by Council on 24 September 2014, to reflect the new legal requirements. Please refer to Report to Council HCCS/95/14 ‘Proposed Amendments to the Council’s Constitution’.

In determining the pay and remuneration of all of its employees, the Council will comply with all relevant employment legislation. This includes the Equality Act 2010, Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000, The Agency Workers Regulations 2010 and where relevant, the Transfer of Undertakings (Protection of Earnings) Regulations. With regard to the Equal Pay requirements contained within the Equality Act, the Council ensures there is no pay discrimination within its pay structures and that all pay differentials can be objectively justified through the use of equality proofed Job Evaluation mechanisms which directly relate salaries to the requirements, demands and responsibilities of the role. Councils must have due regard to the need to eliminate unlawful discrimination (against employees with protected characteristics), which includes discrimination in pay.

The general gender equality duty includes a requirement to have due regard to the need to eliminate discrimination that is unlawful under the Equal Pay Act (now replaced by the Equality Act 2010).

With regard to the development, publication and use of the Pay Policy Statement, minimum statutory requirements arise from:

- Chapter 8 of the Localism Act 2011 (S38 to S43);
- Guidance May 2017 Pay accountability in Local Government in Wales <http://gov.wales/topics/localgovernment/finandfunding/publications/payaccount/?lang=en> (re openness and accountability in local pay' (under S40);)
- The Code of Recommended Practice for Local Authorities on Data Transparency (Para 12), and;
- The Accounts and Audit Regulations 2010 (S7)
- The Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2014
- The Local Authorities (Standing Orders) (Wales) Regulations 2006
- The Local Government Pension Scheme 2013
- Local Government Pension Scheme (Transitional Provisions and Savings) Regulations 2014
- Section 143A Local Government (Wales) Measure 2011
- Section 39 Local Government (Wales) Act 2015

Under the provisions of S7 of the Accounts and Audit (Wales) Regulations 2010 the Statement of Accounts must be accompanied by a note of the number of employees whose total remuneration (excluding employer's pension contributions) fall in each bracket of a scale in multiples of £5,000 starting with £60,000 (Wales). The amended Regulations introduced a new requirement to disclose individual remuneration details for senior employees, in respect of their employment by the relevant body (whether on a permanent or temporary basis).

For senior employees whose salary is £60,000 (Wales) or more per year but less than £150,000, the Council is required to list employees individually by way of job title. Persons whose salary is £150,000 or more per year must also be identified by name. Disclosure will be made for each financial year under the following categories:

- salary, fees and allowances;
- bonuses;

- expenses allowance;
- compensation for loss of employment;
- employers pension contribution;
- any other emoluments.

APPENDIX 1 – insert <LINK> NJC Pay structure agreed by Executive board 12 March 2019

N J C Salary Scales from 1 April 2019 -

APPENDIX 2

Pay and Reward Panel - Terms of Reference

Version - January 2018

Scope

Council on 22 September 2010 agreed to establish a Pay and Reward Panel to consider senior pay. Senior in this context refers to the Chief Executive, ~~Executive Director and Heads of Department and Chief Officers~~ levels of the organisation.

The scope of the Panel is to:

- Make recommendations on senior pay and reward issues to Council
- Make recommendations on the management of and structure of senior pay and reward, and grounds for pay progression.
- To comply with the requirements set out in the Local Government (Wales) Act 2015, and any subsequent legislation, which relate to senior pay decisions. The panel and the Council must have regard to any Independent Remunerations panel's recommendation when reaching decision on relevant pay. Appendix 1 provides the process to refer any pay recommendation to Independent Remuneration Panel (IRP).

Terms of Reference

These Terms of Reference (ToR) are based on best practice including advice from Hay Consulting and reference to the Senior Salary Review Board (SSRB) report on Public Sector Senior Remuneration as published in March 2010.

The ToR will be developed over time and will allow the Panel the scope to recommend developments and changes to existing senior pay and reward arrangements. They will also be amended and updated on an ongoing basis to ensure effective working and to clarify the scope role, composition, and process within which the Panel will operate. The Terms of Reference will be subject to approval by Council.

The Terms of Reference were reviewed by the Pay and Reward Panel on 2 March 2012, and approved by Council on 28 March 2012. They are also reviewed annually.

Role

The Pay and Reward Panel will make recommendations to Council on the pay and reward of senior managers. It will:

- a) Contribute to the Council's positive reputation with regard to having appropriate and effective corporate governance arrangements for senior pay by operating an independent, transparent and informed approach to managing senior pay through the Pay and Reward Panel.
- b) Develop broad policy decisions for senior pay, having regard to the Council's Pay and Reward Policy

- c) Propose levels of remuneration considered to be sufficient to attract, retain and motivate senior managers of the quality required to run the organisation successfully
- d) Consider the affordability of its proposals
- e) Be sensitive to the context of senior pay, including pay and employment conditions elsewhere in the organisation
- f) Ensure the relationship between reward for senior management tiers and for employees below this level remain reasonable
- g) Ensure individuals are fairly and responsibly rewarded for their individual contribution
- h) Understand what other relevant organisations are paying for similar roles as well as their general approach to reward, and consider whether Wrexham County Borough Council should position itself in relation to 'the market' – for example, whether the Council's approach may be to pay at around the lower quartile, median or upper quartile of the market, etc.
- i) Ensure that proper and professional advice is obtained to assist in its deliberations.

The Panel's recommendations will be based on job evaluation results, data, advice, evidence, and views collected from a number of possible sources – for example:

- External pay data, advice, and facilitation (e.g. from external consultants or other sources)
- The Council's Chief Executive, key documents and reports
- Performance data where relevant.

Membership and support

The Panel will comprise ten Members to give a balanced political background. One Member will act as Chair.

The Head of Department (Corporate and Customer Services) will provide a "secretariat" function to the Panel. He will be responsible for arranging meetings, coordinating and preparing documentation and arranging support, advice and information for the Panel. He will also guide the Panel on relevant policies which affect decision making, such as the Pay and Reward Policy and Equality and Diversity Policy.

The Panel may commission external independent expertise to train and support them in fulfilling their role and/or to provide external data or advice (including relevant market and regional data). The Head of Department (Corporate and Customer Services) will provide details of external experts considered suitable for these purposes in terms of experience, cost and best value for the Panel to select from.

Frequency of meetings and output

The Panel will meet at least annually to maintain an overview of the ongoing suitability of the Council's approach to senior pay. It will review the pay for

senior managers every 2 years and present recommendations accordingly to Council. The Panel would not normally expect to present all of the background data and advice it had received.

The Panel may meet more frequently from time-to-time to discuss changes in relation to the approach or arrangements relating to senior pay (such as linking pay progression to performance or contribution), or as circumstances require. Its recommendations on these issues will also be taken to Council in the manner described above.

Version control – review dates

Original version: 28.3.12

Review dates: 20 January 2016, 8 December 2016, 18 December 2017,

Agreed by Council 22 February 2017

Appendix 1 – Process to refer pay decisions to Independent Remuneration Panel (IRP)

The Welsh Government has produced Guidance on the Independent Remuneration Panel for Wales under Section 143A of the Local Government (Wales) Measure 2011 and Section 39 of the Local Government (Wales) Act 2015. This provision is time limited, in force from 25 January 2016 until 31 March 2020.

1. National pay decisions eg JNC cost of living awards

As a result of national negotiations, if a pay award is made to ‘Chief Officers’ across local authorities which differs from that awarded to other staff, the IRP may consider joint approaches from local authorities. In January 2016 it was agreed that the WLGA would engage with the panel on behalf of all the Welsh Authorities. However this does not fetter the ability of the IRP to make different recommendations to different authorities if they feel so justified.

2. Requirements of the Council’s Pay and Reward panel

2.1 To refer decisions on pay relating to ‘Chief Officers’ as described in the Localism Act 2011; this will therefore apply to the Head of Paid Service – Chief Executive, ~~Executive Directors~~ and ~~Heads of Department~~ Chief Officers.

2.2 If the Council’s Pay and Reward Panel wish to make a recommendation to change the pay of a ‘Chief Officer’ it will consult with the IRP, unless the change being considered is commensurate with a general pay increase or reduction for the Authority’s other staff.

2.3 To provide the IRP with any information it may reasonably require in reaching a conclusion. The IRP may require the following

- Papers/reports prepared by the Authority in relation to the decisions
- Details of the total package available, or under consideration. This could include pension arrangements, severance package, returning officer fees, and performance bonuses. (Full details are set out in the guidance)
- The interdependency of individual salaries within pay structures
- Information concerning other remuneration on offer to other Local Authority Chief Executives/Chief Officers

- Details of agreements made at the National Joint Council level.

2.4 To have due regard to any recommendation the IRP makes in relation to what is in their Pay Policy Statement, and Chief Executive, ~~Executive Director~~ and ~~Chief Officer's~~ Heads of Department's pay.

2.5 The Council/Pay and Reward Panel must have regard to any recommendation when reaching its decision.

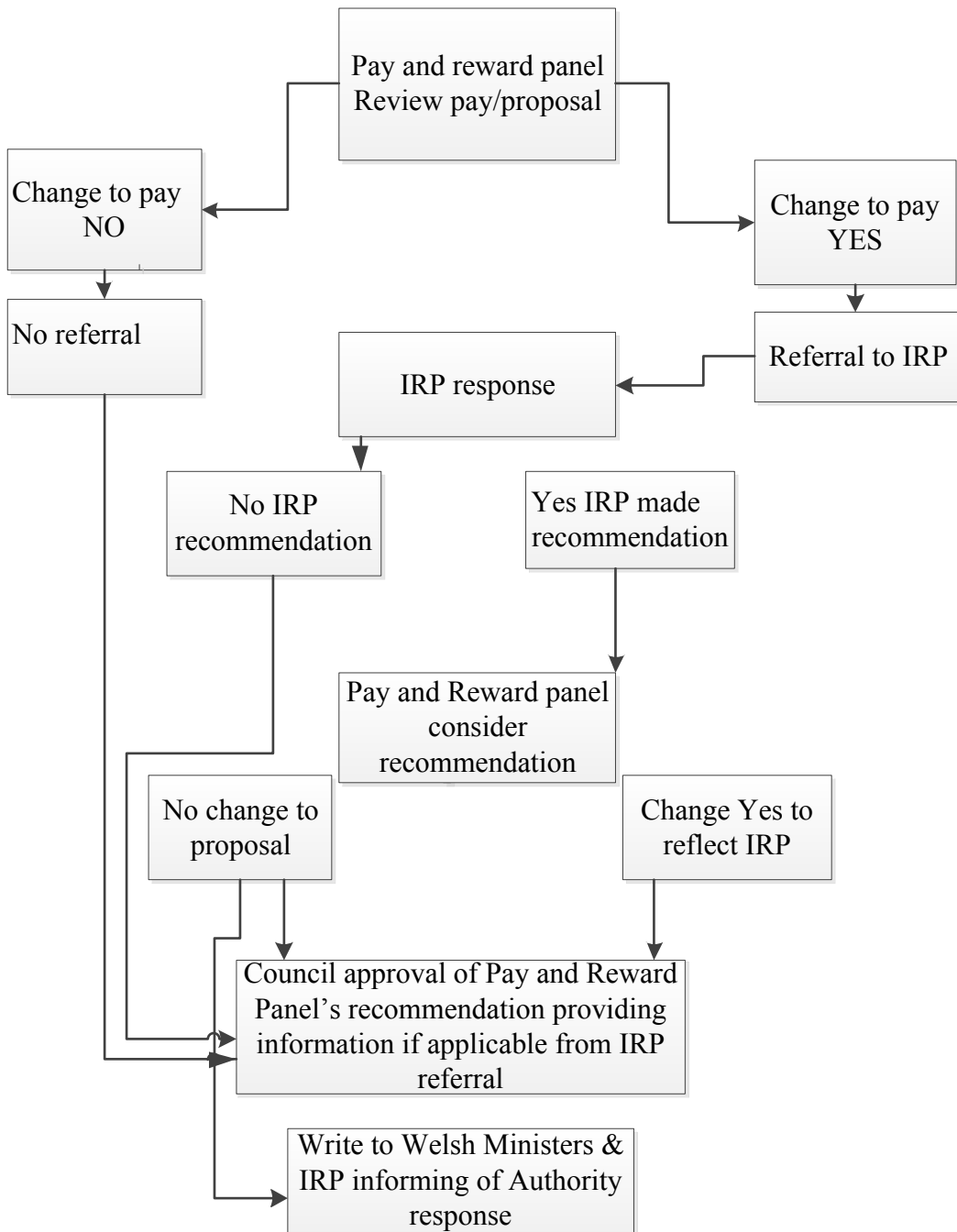
3. Role of the Independent Remuneration Panel (IRP)

3.1 To take a view and make a recommendation on the proposal, the Authority must have regard to the recommendation, they are not obliged to follow it.

3.2 In the event that the Authority does not amend a proposal following the IRP's recommendation, the Authority must notify the Welsh Ministers and the Panel of its response.

If the Welsh Ministers consider that an Authority's response is inconsistent with the Panel's recommendation, the Authority might be subject to a direction from the Welsh Ministers to re-consider the salary.

Process flow



APPENDIX 3



The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006

STATEMENT OF POLICY ON THE EXERCISE OF DISCRETIONARY POWER

REGULATION 5 – Power to increase statutory redundancy payments

Background: The Government reviews the permitted statutory maximum weekly pay rate that an employer may award in a redundancy situation

Discretion: By virtue of this Regulation, employers have the discretion to remove the weekly pay ceiling placed on a redundancy payment under the Employment Rights Act 1996

Policy: Redundancy Payments shall be calculated by reference to actual pay where this exceeds the permitted statutory minimum

Note: The above policy statement confers no contractual right.

Review: The Council may review its policy at any time and should do so on a regular basis.

APPENDIX 4



The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006

STATEMENT OF POLICY CONCERNING THE EXERCISE OF DISCRETIONARY POWERS

Regulation 6 – Discretionary Compensation for Redundancy.

This Regulation provides employers with the discretionary power to compensate staff whose employment is terminated early –

- i) by reason of redundancy, or
- ii) in the interests of the efficient exercise of the Authority's functions, or
- iii) in the case of a joint appointment, because the other holder of the appointment has left it.

Policy – Where it is decided to award compensation under the above Regulation, the amount shall be based on the statutory redundancy payment which is calculated by taking into account a maximum of up to 20 years continuous service reckoned backwards from the date of termination as follows:

- ½ weeks pay for each year of service under age 22.
- 1 weeks pay for service between 22 and 41.
- 1½ weeks pay for service over age 41.
- Subject to an overall maximum of 30 weeks.

The product of the above calculation to be multiplied by 1½. **This provides for a maximum compensation level of 45 weeks pay.**

- The compensation payment set out above is inclusive of any statutory redundancy payment.
- Each case shall be considered fairly on its merits having regard to all relevant circumstances and a decision on the exercise of this discretion made jointly by the Chief Executive and ~~Strategic Director~~Chief Officer, after consulting the Monitoring Officer, the Section 151 Officer and each Member of the Executive Board.*

* (Except for decisions with regard to the Chief Executive, ~~Directors~~ and Chief Officers which will be referred to a meeting of the Council).

- This policy confers no contractual rights.

When considering any application for Voluntary Early Retirement or Voluntary Redundancy under this policy strict regard must be paid to the following criteria

- In the interests of retaining employees with particular skills and competencies and with provision of service delivery as the paramount consideration, it is emphasised that not all volunteers will be allowed to leave the Council's employment under this Scheme.
- All applications will be considered at management's sole discretion, based on a strong business case. Council's grievance procedure will not apply in the case of this Scheme and no complaints will be considered from employees who wish to leave, but whose application is refused.

The business case will need to include but will not be limited to:

- A maximum payback period would normally be no more than two years.
- Support from the relevant ~~Head of Department~~ Chief Officer
- A clear and demonstrable business and financial analysis of the effect on service provision

When determining any application for Voluntary Early Retirement or Voluntary Redundancy under this policy strict regard must be paid to the following criteria

- Consideration by the Chief Officer, Finance & ICT ~~Head of Finance~~ (Section 151 Officer) with regard to the cost of the application taking into account the overall budget pressures in accordance with his statutory role.
- The Council must retain the skills required to continue to deliver priority services and also to deliver the changes required in relation to the Reshaping of the Workforce.
- Current departmental and the Council's financial targets
- Consideration of legal challenge.
- Corporate Priorities
- Regulatory nature of the roles
- Current Service Reviews
- Current workload

Review The Council may review its policy at any time and should do so on a regular basis.