

Appendix C – Pay Policy Statement

1. Introduction

Section 38 (1) of the Localism Act 2011 requires English and Welsh local authorities to produce a pay policy statement for 2011/12 and for each subsequent financial year.

The pay policy statement must include:

- The authority's policy on the level and elements of remuneration for each chief officer.
- The authority's policy on the remuneration of its lowest paid employees.
- The authority's policy on the relationship between the remuneration of its chief officers and other officers.
- The authority's policy on other specific aspects of chief officer remuneration such as remuneration on recruitment, increases and additions to remuneration, use of performance related pay and bonuses, termination payments and transparency.

The Act defines remuneration widely as:

- Pay.
- Charges.
- Fees.
- Allowances.
- Benefits in kind.
- Increases/enhancement of pension entitlement.
- Termination payments.

The Act also requires that the pay policy statement:

- Must be approved formally by Council.
- Must be approved by the end of March every year.
- Can be amended in year by Council.
- Must be published on the local authority's website.
- Must be complied with.

2. Determination of Grade

ECC policy is to evaluate all job roles using:

- Local Government Single Status Job Evaluation Scheme – Bands 1-4.
- HAY Job Evaluation Scheme – Bands 5-13.

No evaluation process exists for Soulbury or Youth & Community conditions, but employees are placed within Nationally defined grading structures.

Both job evaluation schemes used are substantial schemes used Nationally and Internationally, and provide the basis for grade determination based upon a range of established factors.

As a result, the grades of the most junior and senior roles in ECC are determined by job evaluation.

3. Background

ECC Policy is that remuneration at all levels of Essex County Council (the lowest to the highest paid employees) must be sufficient to attract, appoint and retain high quality employees while at the same time recognising that pay and benefits are met from public funds.

Pay policy at ECC is currently to apply local pay and conditions with only a small group of employees retained upon National Conditions of Service (within Soulbury, Youth and Community and Teaching groupings and some employees who have TUPE'd into ECC).

The National pay agreement in 1997, known as the Single Status Agreement, required local authorities to reduce the working week of former “blue collar” workers and to introduce a single pay spine for all employees (to replace the separate grading structures that existed). Following negotiation with the trade unions, ECC achieved Single Status in June 2001 and established a grading structure of Bands 1-4 based around the National spinal column point arrangement.

Above Band 4, the national spine was retained for middle managers for a period of time while senior managers remained contracted on local pay arrangements.

In July 2007, following a commissioned grading review undertaken for ECC by the HAY Group, local pay arrangements were refreshed and Bands 7-13 created with wide pay scales subject to performance pay arrangements. From January 2008 this scheme was extended on a voluntary basis to middle managers who were able to opt in to newly formed Bands 5 & 6, and by November 2010 all employees at this level were employed on local arrangements.

In November 2014 employees within Band 4 were invited to opt-in voluntarily to an extension of local pay arrangements. While 99% voluntarily opted in to the new arrangements, the remainder were moved across through a “dismissal and re-engagement” process. The new Band 4 became effective for new employees from November 2014, and for existing employees from 1 April, 2015.

During early 2015, negotiations commenced with the trade unions around replacing the remaining NJC grades (Bands 1-3) with local pay arrangements. A Collective Agreement was reached with the trade unions in October, and employees moved to local pay on 1 December, 2015.

As a result, a minimum of the workforce now remain employed on National Conditions as determined by the Joint National Council for Youth & Community Workers, the Soulbury Committee, Centrally Employed Teachers and other TUPE'd employees, with the remainder employed on local pay arrangements.

The values of the incremental points contained within National grading structures (such as Soulbury, Teaching groupings and Youth & Community) are as determined by national negotiations between the Local Government Employers and the trade unions. Pay claims, generally on an annual basis, are submitted by the trade unions and considered by the Local Government Employers (following consultation with local authorities). ECC Policy is to adopt any changes made to salary scales arising from National negotiation for these groups only.

Local performance pay grades are benchmarked against the HAY London & South East Industrial and Service market. The grading structure applied comprises broad salary bands with no incremental points and all employees are appointed at a spot salary.

The local performance pay grades applied are revisited from time to time to ensure they remain benchmarked against the identified market. Since introduction in July 2007 the salary ranges have been adjusted only once with effect from April 2010. No cost of living awards are applied to these salary ranges.

In the 2015 Budget, the Chancellor of the Exchequer introduced the National Living Wage for employees aged 25 and above with effect from 1 April 2016. The terms of the Collective Agreement reached with the trade unions to bring Bands 1-3 within local pay arrangements means that all permanent and fixed term contract employees will be paid above the level of the National Living Wage at April 2016. From 2017 onwards, the National Living Wage will be the minimum rate paid to ECC's lowest paid permanent employees irrespective of their age.

As ECC transforms into a Commissioning based organisation, the introduction of separate pay or allowance arrangements (for example to best fit traded services) may also be undertaken.

Details of the grading structure for Bands 1-13 are shown at Appendix C(i).

4. Definition of Lowest and Highest Paid Employees

As stated above, ECC Policy is that all grades applied to posts are determined by job evaluation. The lowest paid employees fall within posts evaluated at Band 1 (see Appendix C(i) for values).

Other than the post of Chief Executive, the highest paid posts within ECC fall within posts evaluated at Band 13 (see Appendix C(i) for values).

The relationship between pay at the lowest and highest levels at ECC is controlled by job evaluation.

5. Pay Ratios

The recommendation of the Hutton Report into “Fair Pay in the Public Sector”, as recognised by the Government in the Code of Recommended Practice for Local Authorities on Data Transparency, was that a pay ratio of the salary of the Chief Executive compared to the median average salary in the organisation should be published.

For the financial year 2015/16 this ratio was 1:7.8.

6. Publication of Pay Data

The Council complies with Data Protection Act obligations and will only publish information about an individual officer’s pay where it is required to do so by law. In accordance with the Accounts and Audit (England) Regulations 2011 the Council will publish, with the accounts and on the ECC website, pay information about individual posts for the Chief Executive, Corporate Management Board members and other nominated posts (the Regulations list Chief Officer posts whose pay must be published by reference to individual job title).

In relation to officers whose salary is over £150,000 per annum (pro rata for part time officers) the Council’s accounts will note their pay by reference to their name and job title as required by Regulations. In relation to other officers of the Council, including Directors (who are classified for the purpose of this statement as Deputy Chief Officers) pay information is published relating to salaries of £50,000 or more by reference to total numbers within bands (grouped in bands of £5,000) within the Annual Statement of Accounts which is published on the ECC website.

In the accounts for 2015/16 the Council will publish information about exit packages. This information is given by reference to total numbers within bands (of £20,000 up to £100,000 and thereafter £50,000 bands).

7. Pay Policy upon Appointment

ECC Policy is that there is no restriction upon the salary at which new recruits should be appointed, and appointing managers or Members may use any point within the evaluated salary scale to recognise a successful applicant's experience, qualification, technical knowledge, technical skills and market value.

Where a business need exists, and is approved, a salary supplement may be applied.

8. Governance

As one of the largest local authorities in the UK serving an area with approximately 1.4m residents, ECC Policy is to delegate authority for decision making to the appropriate level and to detail such delegations within the Constitution.

Under ECC's Constitution, the Chief Executive is the Head of the Paid Service and has delegated authority to appoint, dismiss and determine pay for all employees except where this function is specifically delegated to Members. The Chief Executive has authorised certain other officers to appoint and dismiss staff.

The full Council appoints members to a politically balanced "Committee to determine the Conditions of Employment of Chief & Deputy Chief Officers". This committee has authority to recommend to full Council the appointment of the Head of the Paid Service, to appoint and dismiss Chief and Deputy Chief Officers and to consider and approve the recommendations of the Chief Executive and the Leader of the Council in respect of performance payments for Tier 1 and 2 Officers.

This means that Councillors make all appointment and dismissal decisions for Chief Officers and Deputy Chief Officers which includes all staff who are appointed on a salary in excess of £103,000.

A Remuneration Panel, comprised of independent persons, advises on executive pay as required but has no executive power.

The appointment or dismissal of the Head of the Paid Service is required to be approved by the full Council.

9. Pay Progression and Links to Performance Management

By agreement with the trade unions, pay progression of all ECC employees is subject to performance.

ECC Policy operates a five factor performance management scheme (branded as 'Supporting Success') and performance outcomes are directly linked to reward.

The performance review year runs from 1 April until 31 March. Stretching goals and behaviour statements need to be in place within two months of the start of each review year (by 31 May) in order to ensure that employees have a clear idea of what is expected of them in order to achieve a specified level of reward.

Goals are contained within a corporate system (“Perform”) and should be stretching, SMART and link to the Corporate Outcomes Framework, Function and Team Plans.

The scheme rewards only effective performance; ineffective performance is not rewarded. Performance outcome ratings of Level 1 (Not Met) and Level 2 (Developing) will not attract any reward. Performance outcomes of Levels 3 (Achieving), Level 4 (Exceeds) or Level 5 (Exceptional) may attract a base pay increase (in the form of a percentage of salary).

The scheme provides for bonus opportunity under local performance pay arrangements only. Performance outcomes of Level 4 (Exceeds) or Level 5 (Exceptional) may attract a one-off bonus payment (expressed as a percentage of salary).

Levels of base pay increase and bonus payments are determined by ECC annually taking into account market conditions, benchmarking data and affordability. This decision may also result in a base pay freeze, a bonus freeze, or both. Policy allows the application of different arrangements for separate grading groups.

Guidance on the distribution of performance awards is based upon that expected in a highly performing organisation. This **does not** take the form of a “forced” distribution and guidance is as follows:

- Not Met – 5% of eligible employees.
- Developing – 10% of eligible employees.
- Achieving – 60% of eligible employees.
- Exceeds – 20% of eligible employees.
- Exceptional – 5% of eligible employees.

10. Other Reward Mechanisms

(a) In Year Adjustments – Local Performance Pay

Where a post has been evaluated as within locally determined performance pay grades within Bands 5-10, a Policy has been established and agreed by Corporate Management Board to consider business cases for in year adjustments to base pay.

Such cases are expected to be minimal, and will need to meet established criteria.

The governance arrangements to approve submitted business cases are as follows:

- Employees within Bands 5-10 (excluding direct reports) – decision to be made by Executive Director unless recommendation exceeds a 10% increase.
- CMB Direct reports – decision to be made by the Chief Executive.
- Any case where recommendation is for an increase to base pay in excess of 10% - decision to be made by the Chief Executive.
- In the event that a salary adjustment in year needs to be applied to a member of the Corporate Management Board, this matter to be submitted to the Committee to Determine the Conditions of Employment of Chief & Deputy Chief Officers to consider.

(b) Career Progression Schemes

A small number of Career Progression Schemes have been developed and implemented within Functions.

Policy is that such schemes allow additional base pay progression dependent upon employees achieving specified qualifications and experience.

(c) Market Supplements

As a general rule, the benchmarked local performance grades provide relevant and adequate compensation to attract and retain employees for the majority of posts and the necessity to apply a salary supplement should not exist.

Policy is that there may be specific circumstances, however, where an additional market supplement may be required to either attract hard to recruit categories of employees or to retain such employees within the employment of ECC.

In all cases a business case will need to be developed to support the payment of market supplements. The business case will need to be approved by the relevant Executive Director and the Director for Human Resources. Contracts of employment should reflect the nature and duration of the salary supplement. All market supplements applied should be kept under review and withdrawn should the recruitment position improve.

(d) Other Pay Arrangements

As ECC transforms into a Commissioning/Outcomes focussed organisation, it may be necessary to develop segmented pay arrangements to fit the nature of the business. All such pay variations will be approved by Corporate Management Board. Any such arrangements will need to consider the implications of equal pay legislation.

(e) Pay Protection

ECC has a pay protection Policy which provides a mechanism to assist employees to adjust to a reduction in pay arising from organisational change, job evaluation or redeployment.

Pay is protected for a period of 18 months following which the employee reverts to a level of pay within the new substantive grade.

(f) Allowances

ECC has determined a range of Flat Rate Allowances to replace a number of premium payments available under National Conditions. These Allowances were negotiated and agreed with trade unions under the Single Status Agreement.

In some cases, allowances available under the National Conditions remain in place.

A review of Allowances may be undertaken in 2016, subject to negotiation with the trade unions.

(g) Pension

ECC operates the Local Government Pension Scheme and the Teacher Pension Scheme and makes pension contributions as required to all employees who elect to participate in either scheme. Both pension schemes are compliant with Pension Automatic Enrolment legislation.

A number of employees have transferred to ECC under a specific staff transfer arrangement which allowed them to continue membership of the NHS pension scheme. ECC makes contributions on their behalf and complies with Pension Legislation in respect of the NHS scheme.

ECC has determined and published policies around the discretions available under the LGPS.

(h) Lease Car Scheme

ECC operates a lease car scheme, and Policy is that employees at any level within the organisation may be offered participation within the scheme.

Such participation is not subject to seniority and depends entirely upon business need.

(i) Lease Car Cash Alternative Payment

ECC Policy is that employees occupying roles graded at Band 8 and above may either participate in the ECC car leasing scheme without having to demonstrate business need, or receive a cash payment as an alternative.

(j) Private Medical Health Insurance

ECC Policy is that employees occupying roles graded at Band 7 and above may receive Private Medical Health Insurance cover. Upon application, cover is provided for employee and spouse or employee and children.

Employees may upgrade to family cover at their own additional expense. Private Medical Health Insurance provides a Benefit in Kind and is included in P11D statements resulting in a tax liability for participating employees.

(k) Childcare Vouchers

ECC Policy is that all permanent employees may participate in the Childcare Voucher scheme through a salary sacrifice arrangement.

The Government is scheduled to launch a new scheme (introduction date to be determined) designed to assist employees with their childcare costs. ECC will continue to offer the Childcare Voucher scheme to existing users for as long as there is a demand and taxation advantage to offering it.

(l) Cycle to Work Scheme

ECC Policy is that all permanent employees may participate in the Cycle to Work scheme through a salary sacrifice arrangement.

(m) Buying of Annual Leave

Employees are given two opportunities per annum to purchase additional annual leave through a salary sacrifice arrangement.

(n) Individual & Team Rewards

ECC Policy is that employees or teams may receive recognition for undertaking additional duties that are significantly outside the scope of their normal role for a short period of time or excelling in the performance of their duties

Such recognition can take the form of:

- Reward payments
- Reward vouchers
- Award of additional annual leave
- Thank you letters
- E-recognition cards

11. Chief Officer Salaries 2016/17

The Council Policy on the recruitment of Chief Officers is as detailed at paragraphs 7 and 8 of this Statement.

The salary packages applied to posts of Chief Officer and other designated roles for the financial year 2014/15 will be published on the Council website and within the Statement of Accounts.

12. Appointments to Designated Roles 2016/17

The Council Policy on the recruitment of Chief Officers and Deputy Chief Officers is as detailed at paragraphs 7 and 8 of this Statement.

13. Early Retirement/Termination of Designated Roles 2016/17

The Council Policy on the termination of Chief Officers is as detailed at paragraph 8 of this Statement and within the Constitution.

ECC early retirement Policy is that requests for early payment of benefits will be agreed (before the age of 60) only if there is a compelling business reason for doing so.

14. Settlement Agreements

In exceptional circumstances to avoid or settle a claim or potential dispute, ECC may agree payment of a settlement sum. All cases must be supported by a business case and take account of all legal, financial, contractual and other responsibilities.

15. Small Business, Enterprise & Employment Bill

ECC will implement the Repayment of Public Sector Exit Payment Regulations 2015 and the Public Sector Exit Payment Regulations 2016 when these Regulations pass into law (expected 2016).

Appendix C(i) – Salary Ranges

Bands 1 - 13

Band	Minimum	Maximum
Band 1	£13,614	£16,300
Band 2	£15,200	£23,200
Band 3	£17,300	£28,800
Band 4	£22,700	£40,750
Band 5	£28,500	£50,400
Band 6	£35,500	£59,500
Band 7	£46,000	£69,100
Band 8	£55,000	£85,500
Band 9	£66,000	£103,000
Band 10	£78,000	£121,300
Band 11	£94,000	£136,500
Band 12	£98,000	£149,400
Band 13	£135,000	£197,000
Chief Executive	Spot Salary	£195,000