



Report to: Cabinet Meeting - 20 February 2024  
Portfolio Holder: Councillor Paul Peacock, Strategy, Performance & Finance  
Director Lead: Deborah Johnson - Customer Services & Organisational Development  
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<b>Report Summary</b>	
<b>Type of Report</b>	Open Report, Non-Key Decision
<b>Report Title</b>	Pay Policy Statement 2024/25
<b>Purpose of Report</b>	To approve the proposed Pay Policy Statement for 2024/25 which we are required to produce annually in accordance with Section 38 (1) of the Localism Act 2011.
<b>Recommendations</b>	That Cabinet recommend the Pay Policy Statement for 2024/25 to Full Council for approval.
<b>Alternative Options Considered</b>	Not applicable, the publication of the Pay Policy Statement is required by the Localism Act 2011.
<b>Reason for Recommendations</b>	To ensure compliance with Section 38 (1) of the Localism Act 2011.

## **1.0 Background**

1.1 In accordance with Section 38 (1) of the Localism Act 2011, Newark and Sherwood District Council along with all other English and Welsh local authorities were required to produce a Pay Policy Statement each financial year commencing April 2012. In complying with the duties in respect of pay accountability the Council must have regard to any guidance issued or approved by the Secretary of State in summary.

### **1.2 Pay Issues – The National Living Wage**

The National Employers for local government services (LGS) represent the employers of over 1.5m local government workers in England, Wales and Northern Ireland. The local government workforce is the largest public sector workforce in the country and on average is also the lowest paid. Employees work in all parts of the community delivering vital public services for councils, schools, fire authorities, social care and thousands of other areas.

Since its introduction in 2014, the NLW has proven to be a challenge because of its constant close proximity to the bottom end of the LGS national pay spine, which is used by most councils. This has led to pay increases over the past few years to be bottom loaded at the bottom of the pay spine and has eroded the differentials in pay. For example:

The 2022 and 2023 local government pay awards of a flat rate £1,925 on most pay points on the pay spine meant pay was increased by 21% on the bottom pay point to 8% at the top of the pay spine.

#### 1.4 Recruitment & Retention

Recruitment and retention remains challenging with more jobs than jobseekers, coupled with the cost of living, jobseekers are being choosy and selecting roles that pay more. Many sectors are also experiencing skills shortages. Whilst some of our benefits are generous, we are behind on base pay in the jobs market across a wide range of roles.

#### 1.5 Review of Pay and Market Supplements

Full Council approved the recommendation to review pay and market supplements alongside the 2023/24 Pay Policy Statement. Research has been carried out and a review of a number of elements of Pay & Reward is ongoing.

### **2.0 Proposal and Reasons for Recommendation**

2.1 A copy of the full Pay Policy Statement has been appended to this report for review (refer to **Appendix A**). Please note that where the Statement includes links to other policies these will be set up once the document is published on the Council's website.

### **3.0 Implications**

In writing this report and in putting forward recommendations, officers have considered the following implications: Data Protection, Digital and Cyber Security, Equality and Diversity, Financial, Human Resources, Human Rights, Legal, Safeguarding, Sustainability, and Crime and Disorder and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

#### **3.1 Financial Implications**

All costs associated with this document have been accounted for in the 2024/25 budget.

#### **3.2 Equality Implications**

Due regard has been given to equality in relation to this document.

### **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

None.

**NEWARK & SHERWOOD DISTRICT COUNCIL**

**Pay Policy Statement 2024/25**

**1. Introduction**

1.1 This document sets out a Statement of Pay Policy for Newark & Sherwood District Council (the Council) for 2024/24 as required under Section 38 (1) of the Localism Act 2011. The Pay Policy Statement includes details about the remuneration of Chief Officers at the time of recruitment as well as arrangements relating to increases and additions to remuneration, the level and elements of remuneration including salary, bonuses and benefits in kind, the use of performance related pay and bonuses as well as the approach to the payment of Chief Officers on ceasing to hold office. The Statement also considers the lowest pay and median pay levels in the organisation. Pay details within this Statement are shown at rates as of 1 April 2023. At the time of writing, no pay claim for the period of 2024/25 has been received. Once the 1 April 2024/25 pay award has been finalised this Statement will be revised to reflect the new rates.

**2. Objectives of the Policy**

2.1 The objectives of the policy are to ensure:

- transparency in respect of the arrangements for rewarding staff in the organisation and fairness in respect of the reward relationship between the highest and lowest paid; and
- that all decisions on pay and reward for Chief Officers comply with the parameters defined within this Pay Policy Statement.

**3. Policy Statement**

3.1 The Council recognises the importance of administering pay in a way that:

- attracts, motivates and retains appropriately talented people needed to maintain and improve the Council's performance and meet future challenges;
- reflects the market for comparable jobs, with skills and competencies required to meet agreed delivery and performance outcomes;
- operates within the provisions of Chief Officers pay and conditions as set out in the Joint Negotiating Committee for Chief Executives and Chief Officers of Local Authorities;
- operates within the provisions of the national agreement on pay and conditions of service as set out in the National Joint Council for Local Government Services; and
- is affordable and transparent.

## **4. Scope of the Policy**

### **4.1 Individuals Affected**

This policy covers all employees within the organisation including those defined as Chief Officers within Section 2 of the Local Government and Housing Act 1989.

### **4.2 Council Policies**

4.2.1 This statement sets out the Council's policy with regards to:

- the remuneration of the authority's lowest-paid employees (together with a definition of "lowest-paid employees") and the reasons for adopting that definition;
- the relationship between remuneration of Chief Officers and that of other officers (pay multiples); and
- the remuneration of Chief Officers.

4.2.2 The statement also sets out the Council's policy on:

- a) the levels and elements of remuneration for each Chief Officer;
- b) remuneration of Chief Officers on recruitment;
- c) increases and additions to remuneration for each Chief Officer;
- d) the use of performance related pay for each Chief Officer;
- e) the use of bonuses for each Chief Officer;
- f) the approach to the payment of Chief Officers on their ceasing to hold office or being employed by the authority, and
- g) the publication of and access to information relating to remuneration of Chief Officers.

### **4.3 Pay Bargaining - the National Context**

4.3.1 The Council is a member of the Local Government Employers Association for national collective bargaining purposes in respect of Chief Executives, Chief Officers, and other employees of the Council. Separate negotiations and agreements are in place for each of these groups. Changes arising from national negotiations linked to remuneration generally take effect from 1 April each year and on occasions when negotiations conclude after this day any amendments to pay become retrospective to 1 April.

4.3.2 In accordance with the terms and conditions of employment for Council employees it is the Council's policy to implement national agreements regarding pay. In circumstances where nil pay is awarded as part of the collective bargaining process the Council will apply the same principle.

### **4.4 Remuneration of the Council's Lowest Paid Employees**

4.4.1 All posts with the exception of Chief Officers engaged on JNC terms are evaluated using the Greater London Provincial Council (GLPC) Job Evaluation Scheme. This scheme was introduced during 2005 following the conclusion of single status negotiations. At the

same time the Council also introduced a new grading structure to establish the link between evaluated posts and the Council's pay scales.

4.4.2 For the purpose of this policy the Council's "lowest paid employees" are defined as those employees on the lowest pay point available for use by the Council for substantive roles as determined through use of the approved job evaluation scheme and grading structure. This does not include grades or pay points set aside as trainee or development scales but relates to the minimum point for a competent employee appointed into a defined role.

4.4.3 In accordance with the current pay scales the lowest substantive point at which a Council officer can be paid is £22,366 for a full-time post. This is in accordance with the nationally approved pay scales which are subject to change in line with the national collective bargaining arrangements as detailed above.

#### 4.6 Pay Multiples

4.6.1 The Council does not explicitly set the remuneration of any individual or group of posts by reference to a simple multiple of another post or group of posts. The use of multiples cannot capture the complexities of a dynamic and highly varied workforce in terms of job content and skills required. Nor can it ensure that employees are treated fairly and equitably in respect of the value and level of a role that they undertake.

4.6.2 In terms of overall remuneration packages the Council's policy is to differentiate by setting different levels of basic pay to reflect the level of responsibility in line with the approved job evaluation scheme or as determined locally for Chief Officers engaged on JNC terms.

4.6.3 In determining pay for Chief Officers engaged on JNC terms, the Council would not expect remuneration of its highest paid employee to exceed **10** times that of the lowest group of employees, nor would the Council expect the remuneration of the highest paid employee to exceed **7** times that of the median<sup>1</sup> average earnings across the Council.

Pay multiples document [Pay Multiples](#)

### 5. Remuneration of Chief Officers

5.1 For the purpose of this policy Chief Officer includes Chief and Deputy Chief Officers as defined by Section 2 of the Local Government and Housing Act 1989, some of whom may not be employed on Chief Officers' terms and conditions of service. For ease of reference a list of posts to which this policy applies along with the relevant sub sections of the Local Government and Housing Act 1989 has been set out below:

- Chief Executive/Head of Paid Service (Section 2 (6) of the Act);
- Deputy Chief Executive (Section 2 (6) and (7) of the Act);
- Directors (Section 2 (7) of the Act);

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<sup>1</sup> Within the Hutton Review it was suggested that the most appropriate pay multiple to track is that of top executive earnings to the median earnings of each organisation's workforce. Refer to para 2 Hutton Review of Fair Pay in the Public Sector: Final report (March 2011).

- Assistant Director (Section 2 (7) of the Act);
- Statutory Officers (Section 2 (6) of the Act);
- Business Managers on Zone 1 or above (Section 2 (8) of the Act).

5.2 For the purpose of this policy the term remuneration includes:

- the salaries or the amounts payable to Chief Officers engaged by the authority under contracts of employment and / or contracts for services;
- payments made by the authority to the Chief Officers for those services;
- any bonuses payable by the authority to Chief Officers;
- any charges, fees or allowances payable by the authority to Chief Officers;
- any benefits in kind to which the Chief Officers are entitled as a result of their office or employment;
- any increase in or enhancement of pension entitlement where the increase or enhancement is as a result of a resolution of the Authority, and
- any amounts payable by the authority to a Chief Officer on ceasing to hold office under or be employed by the authority, other than Amounts that may be payable by virtue of any enactment.

### 5.3 Chief Executive/Head of Paid Service

#### 5.3.1 Terms and Conditions of Service

The Chief Executive is engaged on Local Authority Chief Executives' conditions of service, negotiated by the Joint Negotiating Committee (JNC). The Chief Executive also assumes the role of Head of Paid Service on behalf of the Council.

#### [Terms and Conditions for Chief Executive](#)

#### 5.3.2 Remuneration

In line with the nationally agreed terms the salary paid to a Chief Executive is determined locally by the employing authority. The salary scale for the post of Chief Executive was approved by the Chief Officers Appointments Panel. Details of the salary scale are included below:

Chief	Scale Point	Salary
	1	118,784.00
	2	123,276.00
	3	127,768.00
	4	132,261.00
	5	136,754.00

Note: The role of Head of Paid Service forms an integral part of the Chief Executive's role and is rewarded as part of the substantive role.

#### 5.3.3 Remuneration on Recruitment

When determining the most appropriate scale point at which to offer the post, consideration is given to the individual's qualifications, experience, and current level

of remuneration (where appropriate). Having considered all these factors the Chief Officers Appointment Panel will then determine the most appropriate scale point at which to make an offer to the successful candidate so as to ensure that the offer is attractive and one which is likely to be accepted.

If the post of Chief Executive became vacant a report including recommendations relating to the salary scale to be applied would be submitted to the Chief Officers Appointments Panel for their consideration before the post was advertised.

#### 5.3.4 Increases and Additions to Remuneration

- Incremental Progression  
Progression through the incremental scale will be subject to performance appraisal by nominated members to be assessed against agreed annual objectives.
- Pay Awards  
Any pay awards are negotiated as part of the collective bargaining arrangements as detailed earlier within the policy.
- Expenses  
In accordance with nationally agreed terms the Council shall pay reasonable out-of-pocket expenses actually incurred.

#### 5.3.5 Arrangements for the Post of Returning Officer

In accordance with the agreement the Chief Executive's salary is deemed to be inclusive of all other fees and emoluments except for Returning Officer duties where separate policy arrangements apply. Details of the policy relating to the appointment and remuneration of Returning Officer are set out below.

The Chief Executive has been formally appointed to act as the Council's Returning Officer. This extends to the role of Deputy Acting Returning Officer for UK Parliamentary Elections, Local Returning Officer for the East Midlands Combined Authority Mayor and Nottinghamshire Police and Crime Commissioner Elections and Counting Officer for any national referendums. The fees associated with these elections/referendums are determined nationally by the Cabinet Office and where appropriate the Combined Authority.

The Chief Executive also acts as Deputy Returning Officer for Nottinghamshire County Council elections, fees for which are determined by Nottinghamshire County Council. These appointments are independent of the Council.

For local government elections and any referendums the Returning Officer can claim specific fees which are determined on a county wide basis across Nottinghamshire having regard to the fees set for national elections. These fees were subject to a benchmarking exercise in 2018 to ensure they were comparable with other county areas and are subject to annual review in line with staff annual pay review process.

### 5.3.6 General Terms and Conditions

In accordance with the national agreement the Chief Executive enjoys terms and conditions in all other respects no less favourable than those accorded to other officers employed by the Council.

### 5.4 Deputy Chief Executive/Directors/Business Managers graded at NS17 on JNC terms

#### 5.4.1 Terms and Conditions of Service

The Deputy Chief Executive, Directors and Business Managers graded at NS17 and above are all engaged on the Conditions of Service for Chief Officers of Local Authorities negotiated by the Joint Negotiating Committee (JNC). In addition to the above some of the post holders assume statutory roles which are recompensed in accordance with the Statutory Officers' Honorarium Scheme.

[Terms and Conditions for Chief Officers](#)  
[Statutory Officers Honorarium Scheme](#)

#### 5.4.2 Remuneration

In line with the nationally agreed terms the salary paid to a Deputy Chief Executive or Director is determined locally by the employing authority.

The current salary scale for Chief Officers engaged on Chief Officer's terms is set out below.

#### 5.4.3 Pay Scale for Deputy Chief Executives

Deputy	Scale Point	Salary
	1	101,253.00
	2	105,994.00
	3	109,152.00
	4	112,761.00

Note: The role of Deputy Head of Paid Service forms an integral part of the Deputy Chief Executive's role and is rewarded as part of the substantive role. The Council's Deputy Chief Executive also holds the title of Director of Resources. No additional remuneration is payable beyond the salary scale as detailed above.

A list of posts included for the purpose of this policy has been set out below:

- Deputy Chief Executive and Director of Resources

#### 5.4.4 Pay Scale for Directors

Director	Scale Point	Salary
	1	80,574.00
	2	83,785.00
	3	86,415.00



	4	89,628.00
	5	92,257.00

A list of posts included for the purpose of this policy has been set out below:

- Director – Customer Services and Organisational Development
- Director – Planning and Growth
- Director – Communities and Environment
- Director – Housing, Health and Wellbeing

#### 5.4.5 Pay Scale for Assistant Director

94%		
Director	Scale Point	Salary
	1	75,857.00
	2	78,877.00
	3	81,350.00

A list of posts included for the purpose of this policy has been set out below:

- Assistant Director – Law and Democratic Services

#### 5.4.6 Pay Scale for Business Managers (NS17) engaged on JNC terms

Zone	Scale Point	Salary
Zone 1	101	54,573.00
	102	55,742.00
	103	56,911.00
	104	58,077.00
Zone 2	201	59,248.00
	202	60,416.00
	203	61,584.00
	204	62,753.00
Zone 3	301	63,920.00
	302	65,089.00
	303	66,259.00
	304	67,429.00
Zone 4	401	68,599.00
	402	69,768.00
	403	70,939.00
	404	72,109.00

The arrangements for assigning officers to Zones are included in the [Pay and Grading Arrangements document for Officers engaged on JNC Chief Officer Terms and Conditions of Service.](#)

A list of post holders engaged under JNC terms has been included below:

- Business Manager – Financial Services
- Business Manager – Revenues and Benefits
- Business Manager – ICT and Digital Services
- Business Manager – Corporate Property
- Business Manager – Environmental Services
- Business Manager – Public Protection
- Business Manager – Heritage and Culture
- Business Manager – Housing and Estates Management
- Business Manager – Regeneration and Housing Strategy
- Business Manager – Housing Maintenance and Asset Management
- Business Manager – Housing Income and Leaseholder Management
- Business Manager – Elections and Democratic Services
- Business Manager – Customer Services
- Business Manager – HR and Training
- Business Manager – Economic Growth and Visitor Economy
- Business Manager – Planning Policy and Infrastructure
- Business Manager – Planning Development

#### 5.4.7 Remuneration on Recruitment/Appointment

When determining the most appropriate scale point at which to offer a post consideration is given to the individual's qualifications, experience, and current levels of remuneration (where appropriate). Having considered all these factors the panel will then determine the most appropriate scale point at which to make an offer to the successful candidate to ensure that the offer is attractive and one which is likely to be accepted.

In circumstances where Business Managers are offered revised terms of employment on JNC conditions of service they will be aligned to the nearest pay point on the pay scale.

#### 5.4.8 Increases and additions to Remuneration

- Incremental Progression  
Incremental progression for Directors and Assistant Directors is by annual increment until the top point of the grade is reached.

Full details of the [Pay and Grading Arrangements for Officers engaged on JNC Chief officer Terms and Conditions of Service](#) can be accessed on our website.

- Pay Awards  
Pay awards are negotiated as part of the collective bargaining arrangements as detailed earlier within the policy.
- Honoraria and Ex-gratia Payments  
The Council currently operates an honorarium scheme for officers undertaking statutory officer roles. There are three statutory officer roles within the Council, details of which are set out below:

- Head of Paid Service \*
- Monitoring Officer \*
- Chief Finance Officer\* (commonly referred to as the s151 Officer)

*\*No Honorarium is paid for carrying out these duties at the substantive level where these are reflected in the terms and conditions of service, but a payment is made to those deputising at this level.*

In addition to the above the scheme also outlines the arrangements for recompensing officers who assume the role of Deputy Monitoring Officer and Deputy Section 151 Officer.

Details of the scheme including information relating to the post holders that are currently in receipt of such payments [Statutory Officers Honorarium Scheme](#)

- Expenses

In accordance with the national agreement the Council pays reasonable out-of-pocket expenses actually incurred.

#### 5.4.9 Arrangements for Election Duties

In accordance with the national agreement Officers are entitled to receive and retain the personal fees arising from carrying out the duties of Deputy Returning Officer and/or Deputy Acting Returning Officer (where applicable) and Deputy Counting Officer.

#### 5.4.10 General Terms and Conditions

In accordance with the national agreement except whether other terms and conditions are referred to in the agreement the Deputy Chief Executive and Directors shall enjoy terms and conditions not less favourable than those accorded to other officers employed by the Council.

#### 5.4.11 Appointment of Officers to JNC Terms and Conditions of Appointment

In circumstances where a Business Manager post is evaluated under the Council's approved Job Evaluation Scheme and receives a score of 739, they will be offered a revised contract of employment on JNC terms. If they accept the offer, they will be subject to the Pay and Grading Arrangements for Officers engaged on JNC Chief Officer Terms and Conditions of Service.

### 5.5 Business Managers

#### 5.5.1 Terms and Conditions of Service

One Business Manager is engaged on the National Agreement on Pay and Conditions of Service negotiated by the National Joint Council for local government services commonly referred to as NJC or Green Book terms.

The post holder engaged under NJC terms has been included below.

- Business Manager – Administrative Services

Terms and conditions relating to Business Managers is available within the [National Agreement on Pay and Conditions of Service document](#).

### 5.5.2 Remuneration

In line with the nationally agreed terms the Council have adopted the Greater London Provincial Council (GLPC) Job Evaluation Scheme. The scheme became effective on the 1 October 2005 following completion of the negotiations relating to single status. The Council also has a pay policy outlining arrangements in respect of:

- Protection of Earnings
- Standby Payments
- Call-out Payments
- Weekend Working
- Night Working
- Shift Allowances
- Overtime Rates
- Bank Holiday Working

[Protection Of Earnings Policy](#)

[Market Supplement \(which includes arrangements for officers engaged on JNC terms\)](#)

The current salary scale for the Business Manager engaged on NJC terms is set out below.

Scale/Band	Min SCP/Salary	Medium SCP/Salary	Maximum SCP/Salary
NS13	£42,403	£43,421	£44,428

Note: Changes to grade may occur in year because of revisions to job descriptions requiring re-evaluation of the posts under the terms of the current job evaluation scheme.

### 5.5.3 Remuneration on Recruitment

When determining the most appropriate scale point at which to offer a post consideration is given to the individuals qualifications, experience, and current levels of remuneration (where appropriate). Having considered all these factors the panel comprising of a Deputy Chief Officer or above will then determine the most appropriate scale point at which to make an offer to the successful candidate to ensure that the offer is attractive and one which is likely to be accepted.

#### 5.5.4 Increases and Additions to Remuneration

- Incremental Progression  
Once an officer has been appointed, they will receive annual increments until such time that they reach the top of the salary scale.
- Pay Awards  
Any pay awards are negotiated as part of the collective bargaining arrangements as detailed earlier within the policy.
- Other  
Officers engaged on NJC conditions of service may in some circumstances receive honoraria/ex gratia payments because of undertaking duties in part or full at a higher level. The amount payable will differ according to each individual set of circumstances to be determined by the respective Director in conjunction with the Business Manager - HR & Training. Further details relating to the terms outlined within the NJC conditions of service can be accessed [the NJC conditions of service can be accessed here](#)
- Market Supplements  
The Council recognises that financial pressures and pay restraints have impacted on the ability of public sector employers to compete in the labour market for some posts. Where the Council finds it difficult to recruit to specific posts and / or retain employees in those posts, the payment of a Market Supplement to base salary may be necessary as set out within the single status agreement. Typically, a Market Supplement is paid where the 'going rate' for a specific job or specialism is higher than that offered by the Council. In circumstances where this does occur the Council will follow the approved policy. [Market Supplements Policy](#)
- Expenses  
In accordance with the agreement the Council pays reasonable out-of-pocket expenses actually incurred.
- Meals and Accommodation Charges  
Officers may receive subsistence rates based upon the approved rates. Further details in relation to current rates can be found in the [Travel and Subsistence Policy](#).

#### 5.5.5 Arrangements for Election Duties

In accordance with the national agreement Officers are entitled to receive and retain the personal fees arising from carrying out the duties of Deputy Returning Officer and/or Deputy Acting Returning Officer (where applicable).

#### 5.5.6 General Terms and Conditions

Parts 2 and 3 of the green book including local arrangements can be found in the [National Agreement on Pay and Conditions of Service document](#).

## 5.6 General Policies on Remuneration and Recruitment

*These policies apply irrespective of status and/or terms that officers of the Council are engaged on.*

### 5.6.1 Performance Related Pay and Bonuses

The Council does not currently operate any form of performance-related pay or bonus schemes.

### 5.6.2 Benefits in Kind

As part of the Workforce Development Strategy a review of benefits has been undertaken and to support employees with the Cost of Living from 01/04/24 the Council will provide benefits in kind to employees for a trial period of 1 year, as follows:

- Health Cash Plan – benefit value of £66/year per person
- Enhanced Mileage Rate – benefit value of 5p/mile

The Council will make appropriate deductions from salary at source in respect of Tax and NI contributions, avoiding the requirement for P11d.

### 5.6.3 The Local Government Pension Scheme and Policies with regard to exercise of discretion.

All employees of the Council have the option to join the Local Government Pension Scheme (LGPS). The scheme is a statutory scheme and operates based on employee/employer contributions with employee contribution rates differing according to earnings. Details of the scheme including current contribution rates can be accessed by following the attached link. <http://www.lgpsregs.org>

The scheme provides for exercise of discretion to allow for retirement benefits to be enhanced. The Council will consider each case on its own merits in accordance with the parameters defined within the policy. Details can be found in the [Redundancy and Discretionary Compensation Policy](#). This policy applies to all officers of the Council irrespective of their status provided they have at least two years continuous service.

### 5.6.4 Payment of Chief Officers on their Ceasing to Hold Office or being employed by the Council

Arrangements relating to the provision of termination payments for the loss of office for Chief Officers and all other officers leaving the authority on the grounds of redundancy, efficiency and early retirement are outlined in the Council's policy. Details in relation to any discretion that may be afforded in respect of pension enhancements can be found in the Redundancy and Discretionary Compensation Policy (link above at 5.6.3). This policy applies to all officers of the Council irrespective of their status provided they have at least two years continuous service.

### 5.6.5 Severance Packages over £75,000

Where a member of staff applies for voluntary redundancy, early retirement, termination on the grounds of efficiency or is made compulsorily redundant the

pension and redundancy entitlements are determined by the Chief Executive in consultation with the Discretionary Payments Panel which is made up of the Chief Executive, the Section 151 Officer, and another Chief Officer. Where appropriate the panel may comprise the nominated deputy for the Chief Executive or the Section 151 Officer.

Appeals against the decisions of the Discretionary Payments Panel will normally be determined by an appeal panel comprising either the Chief Executive, their nominated deputy, the Section 151 Officer, their nominated deputy, or another Chief Officer provided they have not been involved in the initial determination. However, in the case of Chief Officers any appeal shall be determined by the Policy & Finance Committee, or a sub-committee appointed on their behalf acting as an appeals panel.

In the case of any voluntary redundancy, compulsory redundancy, efficiency, or early retirement (including health-related which falls short of meeting the ill health early retirement regulations) in respect of a member of staff where the cost to the Council exceeds £75,000, the Chief Executive shall not determine the matter until he has first consulted a Member Panel comprising the Leaders of all political groups of the Council.

In determining the “*cost to the Council*” for the purposes of this policy, the following will be included:

- the cost of early release of pension (pension strain);
- the cost of any pension enhancement;
- the cost of any redundancy payment (statutory and discretionary);
- the cost of any holiday pay, other fees or pay in lieu of notice.

In determining the “*cost to the Council*”, pension benefits which have been purchased by the employee will be disregarded.

Note: The Council will have regard to the Statutory Instrument laid before parliament on the 24 January 2017 which brought s41 of the Enterprise Act 2016 into force on 1 February 2017 (this is an enabling provision which allows the cap regulations to be made). Final details regarding the regulations and associated guidance are now awaited from East Midlands Councils and once received the Statement along with any other associated policies/procedures will be updated to reflect legislative requirements.

#### 5.6.6 Settlement Agreements

The Chief Executive has delegated authority to determine the terms of Settlement Agreements relating to any member of staff.

In the case of any proposed Settlement Agreement in respect of a Chief Officer, the Chief Executive shall not determine the terms of the Settlement Agreement until he has first consulted a Member Panel comprising the Leaders of all political groups of the Council.

#### 5.6.7 Recruitment of Officers in receipt of Local Government / Fire Fighters Pension, Severance, or Termination Payments

When considering whether to employ individuals in receipt of local government pension or fire fighter pensions the Council is required to have regard to the policy on Pension Abatement as determined by the relevant Administrative Body for the Pension Scheme. It should be noted that the Administrative Body for the purposes of discretion may differ according to where the individual was previously employed.

The Council's current policy on the appointment of former staff as consultants requires that any ex-employee who has taken voluntary redundancy or early retirement not be engaged as a consultant (including under a contract for services) without a formal committee resolution.

The Council will not refrain from re-employing former employees who have received payments for redundancy, severance or any other reasons defined under the terms of a settlement agreement or those individuals who have received similar payments from organisations listed on the Redundancy Modifications Order if it is satisfied that the individuals are the best candidates for the posts.

Where appropriate the Council will also have regard to the regulations and any associated guidance notes produced concerning Exit Pay Recovery for officers returning to the public sector follow exit.

This policy applies to all posts that are advertised within the Council irrespective of their status and is in-keeping with the Council's policy on Recruitment and Selection in respect of ensuring equality of opportunity.

#### 5.6.8 Use of "Off Payroll" Arrangements

For the purpose of this policy "off payroll" arrangements refer to individuals engaged directly under a contract for services (rather than being employed direct by the Council) operating at the Chief Officer level. The Council will only engage individuals under contracts for services in exceptional circumstances and only for a temporary period.

### **6. Publication and Access to Information**

6.1 A copy of this document will be published on the Council's website along with any supporting documents referenced in it.

6.2 Local authorities must display details of the following data on their websites:

- the number of employees whose remuneration in that year was at least £50,000 in brackets of £5,000;
- the name of each employee and details of their remuneration, for employees whose salary is at least £150,000;
- details of remuneration and job title of certain senior employees whose salary is between £50,000 and £150,000 and a list of responsibilities (for example, the services and functions they are responsible for, budget held and number of staff) for all employees whose salaries exceeds £50,000.



**7. Equality Implications**

7.1 This policy has been developed with due regard and consideration to Equalities matters and other policies, procedures, and agreements currently in operation within the Council.

**8. Approval/Review**

8.1 Before it takes effect, the Pay Policy Statement must be approved by a resolution of the Council.

8.2 In accordance with existing Constitutional arrangements proposed amendments to terms and conditions of employment are referred to Cabinet for consideration and approval, before being referred through to the Joint Consultative Committee (JCC) to allow for consultation and/or negotiation (where appropriate). Approval of Human Resources policies and procedures is delegated to the Head of Paid Service after prior consultation at the JCC.

8.3 Given that the Pay Policy Statement relates to terms and conditions of employment as well as referring to Human Resources policies and procedures it is appropriate for it to be considered by Cabinet and any amendments made thereto before it is referred on to Full Council for approval.

8.4 Any proposed changes to terms and conditions of employment including salaries arising from collaboration activities (e.g. shared services) will be subject to the prior approval of Cabinet.

8.5 A review of the Pay Policy Statement will take place annually. It will be referred to Full Council for approval in advance of the financial year to which it relates. In certain circumstances it may be necessary to review the policy in year because of changes to legislation and/or organisational requirements. In the case of legislative changes where the Council has no discretion the Pay Policy Statement will be automatically amended to reflect the revised legislation. In any case where there is discretion or where it is proposed to make in year changes to reflect organisational requirements such changes may be approved by Cabinet.