

**NEWARK & SHERWOOD DISTRICT COUNCIL**

**Pay Policy Statement**

**1. Introduction**

1.1 This document sets out a Statement of Pay Policy for Newark & Sherwood District Council (the Council) for 2019/20 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.

**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
- ensure 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 in relation to:

- 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 in to 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 £17,364. 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 earlier within the policy.

#### 4.5 Living Wage

4.5.1 In April 2013 the Council adopted a policy of paying all employees a Living Wage through the application of a pay supplement to fund the difference between the hourly rates (defined at the lowest substantive point at which a Council officer can be paid) and the Living Wage set by the Living Wage foundation which rose to £9.00 per hour in October 2018. By adopting this policy the Council ensured that the lowest paid employees (refer to definition at 4.4) received at least the Living Wage for each hour that they worked.

4.5.2 The Council's agreed pay scale for 2019/20 provides for a minimum hourly rate of £9.00. This means that with effect from 1 April 2019 there is no longer a requirement to pay the Living Wage Supplement.

#### 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 [\[link to document to be inserted\]](#)

### 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);

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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).

- Deputy Chief Executive (Section 2 (6) and (7) of the Act);
- Directors (Section 2 (7) of the Act);
- Statutory Officers (Section 2 (6) of the Act);
- Business Managers (Section 2 (8) of the Act).

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

- a) the salary or the amount payable in the case of Chief Officers engaged by the authority under a contract for services;
- b) payments made by the authority to the Chief Officers for those services;
- c) any bonuses payable by the authority to Chief Officers
- d) any charges, fees or allowances payable by the authority to Chief Officers;
- e) any benefits in kind to which the Chief Officers are entitled as a result of the Chief Officer's office or employment;
- f) any increase in or enhancement of pension entitlement where the increase or enhancement is as a result of a resolution of the authority, and
- g) 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 [\[link to document to be inserted\]](#)

#### 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:

Scale point 1	£106,000
Scale point 2	£110,160
Scale point 3	£114,240
Scale point 4	£118,320
Scale point 5	£122,400

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 of 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.

In the event that 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 national agreement the Chief Executive is entitled to receive and retain the personal fees arising from performing the duties of Returning Officer, Acting Returning Officer, Local Counting Officer, Deputy Returning Officer or Deputy Acting Returning Officer and similar positions which he or she performs subject to the payment of pension contributions thereon, where appropriate.

In accordance with the agreement the Chief Executive's salary is deemed to be inclusive of all other fees and emoluments with the exception of 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 European Parliamentary Elections (if applicable) 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.

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 the Returning Officer can claim specific fees which are determined on a local 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.

#### 5.3.6 General Terms and Conditions

In accordance with the national agreement the Chief Executive shall enjoy 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

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

Terms and Conditions for Chief Officers [[link to document to be inserted](#)]  
Statutory Officers Honorarium Scheme [[link to document to be inserted](#)]

##### 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

Scale point 1	£90,156
Scale point 2	£94,462
Scale point 3	£97,330
Scale point 4	£100,608

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.

##### 5.4.4 Pay Scale for Directors

Scale point 1	£71,373
Scale point 2	£74,292
Scale point 3	£76,680
Scale point 4	£79,598
Scale point 5	£81,986

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

Director – Governance and Organisational Development  
Director – Growth and Regeneration  
Director – Resources  
Director – Communities and Environment

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

Zone 1/SCP1 £47,759  
Zone 1/SCP2 £48,820  
Zone 1/SCP3 £49,881  
Zone 1/SCP4 £50,942

Zone 2/SCP1 £52,004  
Zone 2/SCP2 £53,065  
Zone 2/SCP3 £54,126  
Zone 2/SCP4 £55,188

Zone 3/SCP1 £56,248  
Zone 3/SCP2 £57,310  
Zone 3/SCP3 £58,372  
Zone 3/SCP4 £59,435

The arrangements for assigning officers to Zones are included in the Pay and Grading Arrangements document [\[link to document to be inserted\]](#) 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 - Public Protection (Scale TBC)  
Business Manager - Financial Services  
Business Manager - Growth & Regeneration  
Business Manager - HR & Organisational Development  
Business Manager - Revenues & Benefits  
Business Manager - Strategic Housing  
Business Manager - Waste & Transport  
Business Manager - Asset Management & Car Parks  
Business Manager - Commercialisation & Major Projects  
Business Manager - Tourism  
Business Manager - Housing, Health & Community Relations  
Business Manager - Legal Services (Scale TBC)

#### 5.4.6 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 of these factors the 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.

In circumstances where Business Managers are offered revised terms of employment on JNC conditions of service they will be aligned to the nearest highest pay point on the pay scale if they are appointed to Zone 1 or to the lowest scale point if they are appointed to Zone 2 or 3.

In circumstances where Corporate Managers are offered revised terms of employment on JNC conditions of service they will be aligned to the most appropriate scale point according to the level of responsibility they have been assigned.

#### 5.4.7 Increases and additions to Remuneration

- Incremental Progression

Incremental progression for Directors and Corporate Managers is by annual increment until the top point of the grade is reached. Before an annual increment is awarded, it must be clearly evidenced that the post holder:

- Has made satisfactory progress against the targets set in their previous performance appraisal;
- Demonstrates, continues to demonstrate or has made substantial progress towards achieving the Council's defined competences for a post at the Director level.

Compliance with these requirements will be assessed through the Council's performance management and appraisal mechanisms, and a decision on whether an annual increment will be paid (where applicable) will be made as part of that process.

Full details of the Pay and Grading Arrangements for Officers engaged on JNC Chief Officer Terms and Conditions of Service can be accessed by following the attached link: [\[link to document to be inserted\].](#)

Once a Business Manager has been appointed to JNC conditions of service they will receive annual increments until such time that they reach the top of the salary scale subject to achieving satisfactory annual performance assessments.

- Pay Awards

Any 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 Section 151 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 that assume the role of Deputy Monitoring Officer and Deputy S151 Officer.

Details of the scheme including information relating to the post holders that are currently in receipt of such payments can be accessed by following the attached link: [\[link to document to be inserted\]](#)

- Expenses

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

#### 5.4.8 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.

#### 5.4.9 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.

#### 5.4.10 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

A number of the Business Managers are 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.

A list of post holders engaged under NJC terms has been included below.

Business Manager – Administration

Business Manager – Customer Services & Communications

Business Manager – Elections & Democratic Services

Business Manager – ICT

Business Manager – Heritage, Culture & Visitors

Business Manager – Parks & Amenities

Business Manager – Planning Policy

Business Manager – Town Centre Development (scale TBC)

Terms and conditions relating to Chief Officers that assume the role of Business Manager is available within the National Agreement on Pay and Conditions of Service document [\[link to document to be inserted\]](#).

### 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<sup>st</sup> 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

[\[Link to protection of earnings document to be inserted\]](#)

[\[link to document\(s\) referenced above to be inserted\]](#)

Market Supplement (which includes arrangements for officers engaged on JNC terms) [\[link to document to be inserted\]](#).

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

Scale/Band	Min SCP/Salary	Medium SCP/Salary	Maximum SCP/Salary	Post
NS13	34 – £36,876	35 - £37,849	36 - £38,813	Business Manager – Administration
NS15	40 – £42,683	41 - £43,662	42 - £44,632	Business Manager – Elections & Democratic Services Business Manager – ICT Business Manager – Parks & Amenities Business Manager – Planning Policy
NS16	43 - £45,591	44 -£46,524	45 - £47,500	Business Manager – Customer Services and Communications Business Manager – Heritage, Culture and Visitors

Note: Changes to grade may occur in year as a consequence of revisions to job description(s) requiring re-evaluation of the post 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 of 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 so as 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 subject to achieving satisfactory annual performance assessments.
- Pay Awards  
Any pay awards are negotiated as part of the collective bargaining arrangements as detailed earlier within the policy.
- Honoraria and Ex Gratia Payments  
Statutory Officers  
The Council currently operates an honorarium scheme for certain officers undertaking statutory officer roles or deputising in those roles (see ante). 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 Section 151 Officer)

In addition to the above the scheme also outlines the arrangements for recompensing officers that assume the role of Deputy Monitoring and Deputy S151 Officer. Ordinarily these roles are undertaken by Chief Officers engaged on JNC terms, however the scheme allows for officers engaged on NJC terms to undertake these roles as may be necessary from time to time.

Details of the scheme including information relating to the post holders that are currently in receipt of such payments can be found in the Statutory Officers Honorarium document [\[link to document to be inserted\]](#)

#### Other

Officers engaged on NJC conditions of service may in some circumstances receive honorariums/ex gratia payments as a consequence of undertaking duties in part or full at a higher level. The amount payable will be different according to each individual set of circumstances to be determined by the respective Director in conjunction with the Human Resources Section. Further details relating to the terms outlined within the NJC conditions of service can be accessed here [\[link to document to be inserted\]](#).

- 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. 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 and it has been unable to recruit/or is struggling to retain current post-holders as a result. In circumstances where this does occur the Council will follow the approved policy recently updated in accordance with national guidance. [\[link to document to be inserted\]](#)

- Expenses

In accordance with the agreement the Council shall pay reasonable out-of-pocket expenses actually incurred.

Meals and Accommodation Charges

Officers will receive subsistence rates based upon the approved rates. Further details in relation to current rates can be found in the Guidance on Travel and Subsistence Allowance [\[link to document to be inserted\]](#).

#### 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 localised arrangements can be found in the National Agreement on Pay and Conditions of Service document [\[link to document to be inserted\]](#).

#### 5.6 General Policies in relation to 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

The Council does not currently provide any form of benefits in kind to employees engaged by the Council.

##### 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 on the basis of 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. [www.lgps2014.org](http://www.lgps2014.org)

The scheme provides for exercise of discretion that 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 in relation to any discretion that may be afforded in respect of pension augmentation can be found in the Redundancy and Discretionary Compensation Policy [[link to document to be inserted](#)]. This policy applies to all officers of the Council irrespective of their status.

#### 5.6.4 *Payment of Chief Officers on their Ceasing to Hold Office Under or to be 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 augmentation can be found in the Redundancy and Discretionary Compensation Policy [[link to document to be inserted](#)]. This policy applies to all officers of the Council irrespective of their status.

#### 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 a decision 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 that 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 appeal panel.

In the case of any voluntary redundancy, compulsory redundancy, efficiency or early retirement (including health related which falls short of meeting 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;
- 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 bought 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 the 1 February 2017 (this is an enabling provision which allows the cap regulations to be made). Final details regarding the regulations and associated guidance is 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 a Local Government Pension/Fire Fighters Pension, Severance or Termination Payment

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

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

The Council will not presume against re-employing former members of staff who have received a payment for redundancy, severance or any other reasons defined under the terms of a settlement agreement if the Council is satisfied that the individual is the best candidate for the post. Likewise the Council will not presume against employing individuals who have received severance or termination payments by another organisation listed on the Redundancy Modifications Order if the Council is satisfied that the individual is the best candidate for the post.

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 employed direct by the Council) operating at the Chief Officer level.

Although the Council will not presume against employing individuals under a contract for services they will only do so in exceptional circumstances for a temporary period of time.

### **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 within.
- 6.2 In addition the Council also publish data on the internet as part of the wider transparency agenda relating to the publication of senior salary information. For the purpose of this exercise the Council publish details relating to post holders earning £50,000 or above in accordance with the threshold preference expressed by the Government.

### **7. Equality Impact Assessment**

- 7.1 This policy has been developed with due regard and consideration for other policies, procedures and agreements currently in operation within the Council and follows the completion of an equality impact assessment, details of which are held in Human Resources.

### **8. Approval/Review**

- 8.1 Before it takes effect, the pay policy statement has to 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 the Policy and Finance Committee for consideration and approval, before being referred through to the JCC to allow for consultation and/or negotiation (where appropriate). Approval of Human Resources policies and procedures are delegated to the Head of Paid Service after prior consultation at the Joint Consultative Committee.
- 8.3 Given that the policy statement relates to terms and conditions of employment as well as making reference to Human Resources policies and procedures it is appropriate for the content of the policy to be considered by the Policy and Finance Committee and any amendments made thereto before the policy is referred on to full Council for approval.
- 8.4 Any proposed changes to terms and conditions of employment including salary arising from collaboration activities e.g. shared services will be subject to the prior approval of the Policy & Finance Committee.
- 8.5 A review of the policy statement will take place annually and the contents of the policy 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 as a consequence of changes to legislation and/or organisational requirements. In the case of legislative

changes where the Council has no discretion the 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 Policy & Finance.