

TRAFFORD COUNCIL

Report to: Employment Committee
Date: 29th April 2013
Report for: Decision
Report of: Director of Human Resources

Report Title

Trafford Council's pay policy statement for 2013/14.

Summary

To provide Members with Trafford's pay policy for 2013/14 to ensure that we fully comply with the provisions of the Localism Act 2011.

Recommendation(s)

That Employment Committee reviews the content of the Pay Policy Statement and recommends approval at Full Council.

Contact person for access to background papers and further information:

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Background Papers:

The Code of Recommended Practice for Local Authorities - Department for Communities and Local Government

Openness and accountability in local pay: Guidance under section 40 of the Localism Act 2011 - Department for Communities and Local Government

Relationship to Policy Framework/Corporate Priorities	The report information ensures that we fulfil our statutory obligations to report on how we remunerate our senior management employees fairly and equitably so that they continue to provide excellent services to our customers whilst demonstrating value for money.
Financial	The report information ensures that we comply with financial regulations in respect of data transparency and accounts and audit regulations.
Legal Implications	Compliance with all relevant employment legislation is a critical and a key component of this strategy to ensure that our legal governance structure is robust and can defend employment claims should the need arise.
Equality/Diversity Implications	The pay policy will ensure that we remunerate our employees fairly and with due respect to all equality policies and strategies.
Sustainability Implications	Not applicable.
Staffing/E-Government/Asset Management Implications	Not applicable.
Risk Management Implications	Not applicable.
Health & Wellbeing Implications	Not applicable.
Health and Safety Implications	Not applicable.

1.0 Background

The Pay Policy Statement sets out the Council's approach to pay policy in accordance with the requirements of Section 38 of the Localism Act 2011. This year's policy statement has been revised to include guidance received from the Department for Communities and Local Government, which requires Full Council to approve any severance payments in excess of £100k.

In summary, the Pay Policy Statement identifies:

- √ The method by which salaries and severance payment are determined;
- √ The detail and level of remuneration of the Council's most senior managers;
- √ The committee responsible for ensuring that the Pay Policy Statement is applied consistently, the Employment Committee, which has delegated powers in relation to senior manager employment;
- √ The detail and level of remuneration for the lowest level of post/employee;
- √ The ratio of pay of the top earner and that of the median earner.

2.0 Recommendation

It is recommended that Employment Committee reviews the content of the Pay Policy Statement attached at Appendix 1 and recommends approval at Full Council.

TRAFFORD PAY POLICY STATEMENT 2013/14

1.1 Under section 112 of the Local Government Act 1972, the Council has the “power to appoint officers on such reasonable terms and conditions as the authority thinks fit”. This Pay Policy Statement (the ‘statement’) sets out the Council’s approach to pay policy in accordance with the requirements of Section 38 of the Localism Act 2011.

1.2 The purpose of the statement is to provide transparency with regard to the Council’s approach to setting the pay of its employees (excluding teaching staff working in local authority schools) by identifying;

- the methods by which salaries of all employees are determined;
- the detail and level of remuneration of its most senior staff i.e. ‘Chief Officers’, as defined by the relevant legislation;
- the Employment Committee responsible for ensuring the provisions set out in this statement are applied consistently throughout the Council and recommending any amendments to Full Council.

1.3 Once approved by Full Council, this policy statement will come into immediate effect and will be subject to review on a minimum of an annual basis. The policy for the next financial year will be approved by 31st March each year (this year’s pay policy is being approved in April, in order to capture the late guidance received from the Department for Communities and Local Government in respect to severance payments).

2.0 Legislation relevant to pay and remuneration

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

2.2 Accountability and Decision Making

2.2.1 In accordance with the Constitution of the Council, the Employment Committee is responsible for decision making in relation to the recruitment, pay, terms and conditions and severance arrangements in relation to employees of the Council.

2.2.2 With effect from 1 April 2012 decisions relating to salary packages for new posts above £100k are subject to full Council approval. In addition with effect from 1 April 2013 any severance arrangements agreed in line with the relevant policies that exceed £100k will be subject to full Council approval.

2.3 Pay Structure

2.3.1 The Council uses the nationally negotiated pay spine(s) (i.e. a defined list of salary points) as the basis for its local pay structure, which determines the salaries of the large majority of its (non teaching) workforce together with the use of locally determined rates where these do not apply.

2.3.2 All other pay related allowances are the subject of either nationally or locally negotiated rates, having been determined from time to time in accordance with collective bargaining machinery.

2.3.3 In determining its grading structure and setting remuneration levels for any posts which fall outside its scope, the Council takes account of the need to ensure value for money in respect of the use of public expenditure, balanced against the need to recruit and retain employees who are able to meet the requirements of providing high quality services to the community, delivered effectively and efficiently and at times at which those services are required.

2.3.4 New appointments will normally be made at the minimum of the relevant pay scale for the grade, although from time to time it may be necessary to take account of the external pay levels in the labour market in order to attract and retain employees with particular experience, skills and capacity. Where necessary, the Council will ensure the requirement for such is objectively justified by reference to clear and transparent evidence of relevant market comparators, using data sources available from within the local government sector and outside, as appropriate.

2.3.5 To meet specific operational requirements it may be necessary for an individual to temporarily take on additional duties to their identified role. The Council's arrangements for authorising any additional remuneration relating to temporary additional duties are set out in the Act-up and Additional Payments Policy.

2.3.6 Any temporary supplement to the salary scale for the grade is approved in accordance with the Council's Market Rates Supplement Policy.

2.4 Senior Management Remuneration

2.4.1 For the purposes of this statement, senior management means 'Chief Officers' as defined within the Localism Act. The posts falling within the statutory definition are set out in the data published for the Code of Recommended Practice for Local Authorities on Data Transparency and Accounts and Audit (England) Regulations.

2.4.2 The Chief Executive and Chief Officers receive minimal additions to salary. These include Returning Officer fees for local and other elections as they arise from time to time and car allowance (however as part of the 2013/14 budget proposals, removal of the car allowance scheme is proposed).

2.4.3 We will continue to consider how we can introduce more transparent performance arrangements at a senior management level. Salary progression within the range is linked to attainment of pre-determined objectives and targets as set out in the Performance Development Review process.

2.5 Recruitment of Chief Officers

2.5.1 The Council's policy and procedures with regard to recruitment of Chief Officers is set out within the Council constitution Part 4 Officer Employment procedure rules.

2.5.2 When recruiting to all posts the Council will take full and proper account of all provisions of relevant employment law and its own Equality, Recruitment and Redeployment Policies as approved by Council.

2.5.3 The determination of the remuneration to be offered to any newly appointed Chief Officer will be in accordance with relevant job evaluation methodology, market factors and recruitment policies in place at the time. For new posts, with recommended salary packages in excess of £100k, approval of Full Council is required.

2.5.4 Where the Council is unable to recruit Chief Officer posts, or there is a need for interim support to provide cover for a substantive Chief Officer post, the Council will, where necessary, consider engaging individuals under a 'contract for service'. These will be sourced through a relevant procurement process ensuring the council is able to demonstrate the maximum value for money benefits, from competition, in securing the relevant service.

2.5.5 In assessing such it should be noted that in respect of such engagements the Council is not required to make either pension or national insurance contributions for such individuals. The Council does not currently have any Chief Officers engaged under such arrangements.

2.6 Pension Contributions

2.6.1 Where employees have exercised their statutory right to become members of the Local Government Pension Scheme, the Council is required to make a contribution to the scheme representing a percentage of the pensionable remuneration due under the contract of employment of that employee. The rate of contribution is set by Actuaries advising the Greater Manchester Pension Fund and reviewed on a triennial basis in order to ensure the scheme is appropriately funded. The current rate is set at 17.9% at 1.4.2013.

2.7 Payments on Termination

2.7.1 The Council's approach to statutory and discretionary payments on termination of employment of Chief Officers, prior to reaching normal retirement age, is set out within its policy statement in accordance with Regulations 5 and 6 of the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006 [and if appropriate] Regulation 12 of the Local Government Pension Scheme (Benefits, Membership and Contribution) Regulations 2007.

2.7.2 Any payments falling outside of these provisions or the relevant periods of notice within the contract of employment shall be subject to a formal decision made by the Employment Committee.

2.7.3 Payments on termination in relation to the policy set out above that exceed £100k will be subject to approval of Full Council with effect from 1 April 2013.

2.8 Re-employment / Re-engagement of former Chief Officers

2.8.1 The Organisational Change Policy sets out the arrangements and restrictions by which Chief Officers are re-employed or re-engaged on a contract for services following termination of employment.

2.9 Lowest Paid Employees

2.9.1 The lowest paid persons employed under a contract of employment with the Council are employed on full time [36.25 hours] equivalent salaries in accordance with the minimum spinal column point currently in use within the Council's grading structure.

2.9.2 As at 1st April 2013, this is £12,489 per annum and is used for entry level roles into the organisation that deliver a range of front line and back office services. The Council's entry level salary is currently above the national minimum wage threshold and we track the current national and local initiatives in train regarding low paid staff, benchmarking with our regional counterparts to ensure pay parity. The Council have committed to the introduction of the Living Wage at the rate of £7.20 per hour as part of its ongoing negotiations in relation to new Terms and Conditions arrangements, as part of the 2013/14 budget arrangements.

2.9.3 The Council employs Apprentices who are not considered within the definition of 'lowest paid employees' as they are employed under the national minimum wage rates.

2.9.4 The relationship between the rate of pay for the lowest paid and Chief Officers is determined by the processes used for determining pay and grading structures as set out earlier in this policy statement.

2.9.5 The current pay levels within the Council define the multiple between the median (average) full time equivalent earnings and the Chief Executive as 1:8 and; between the lowest paid employee and average Chief Officer as 1:7.

2.9.6 As part of its overall and ongoing monitoring of alignment with external pay markets, both within and outside the sector, the Council will use available benchmarking information as appropriate. In addition, upon the annual review of this statement, it will also monitor any changes in the relevant 'pay multiples' and benchmark against other comparable Local Authorities.

2.10 Publication

2.10.1 Upon approval by the Full Council, this statement will be published on the Council's Website.