



The Arc
High Street
Clowne
S43 4JY

To: Chair & Members of the Council

Contact: Nicola Calver
Telephone: 01246 217753
Email: nicola.calver@ne-derbyshire.gov.uk

Tuesday, 25 February 2020

Dear Councillor

COUNCIL – WEDNESDAY, 4TH MARCH, 2020 AT 10:00

I refer to your recently circulated agenda for the above meeting and now enclose a copy of the papers which were marked 'To Follow'.

Yours faithfully

A handwritten signature in black ink that reads 'Sarah Steenberg'.

Joint Head of Corporate Governance & Monitoring Officer



We speak your language
Polish **Mówimy Twoim językiem**
Slovak **Rozprávame Vaším jazykom**
Chinese **我们会说你的语言**

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COUNCIL

Wednesday, 4th March, 2020 at 10:00 in the Council Chamber, The Arc, Clowne

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10.	Pay Policy Statement Report of the Portfolio Holder – Corporate Governance	3 - 16

Bolsover District Council

Council

4th March 2020

Draft Pay Policy Statement 2020/21

Report of Councillor D McGregor, Portfolio Holder for Corporate Governance

This report is public

Purpose of the Report

- To ask Council to consider and approve for publication the draft Pay Policy Statement attached at **Appendix One**.

1 Report Details

- 1.1 The first Pay Policy Statement was produced in 2012 for Bolsover District Council, and this is updated annually, taking account of available guidance.
- 1.2 The Pay Policy Statement for the Council has now been reviewed and updated for 2020/21.
- 1.3 The information contained within the original Pay Policy Statement was collated from a variety of difference sources, but there was no new information that had not been through an appropriate process of approval at the Council.
- 1.4 Whilst some guidance was provided on the nature of the information that should be contained within the Pay Policy Statement, much was left to individual Councils in terms of style and content.
- 1.5 Given that the NJC are still in negotiations in relation to a pay increase at the time the report was written, this has not been included.
- 1.6 Amendments made to update the document are shown in the attached appendix as tracked changes.

2 Conclusions and Reasons for Recommendation

- 2.1 Under the Localism Act 2011 the Council is required to publish a pay policy statement, with particular reference to the pay of its chief officers and its lowest paid employees.

3 Consultation and Equality Impact

- 3.1 None arising from the report.

4 Alternative Options and Reasons for Rejection

4.1 N/A

5 Implications

5.1 Finance and Risk Implications

None arising from the report.

5.2 Legal Implications including Data Protection

‘Relevant authorities’ as defined by the Localism Act 2011 are required to prepare a pay policy statement for each financial year. This statement must set out an authority’s approach to a range of issues relating to the pay of its workforce, particularly its chief officers and its lowest paid employees.

An authority’s pay policy statement must be published on the authority’s website, and in any other manner that the authority thinks appropriate, in order to be accessible for citizens and enable local taxpayers to take an informed view of whether local decisions on all aspects of remuneration are fair and make best use of public funds.

5.3 Human Resources Implications

None arising from the report.

6 Recommendations

6.1 That Council consider and approve for publication the draft Pay Policy Statement 2020/21 attached at Appendix One.

7 Decision Information

Is the decision a Key Decision? (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	No
District Wards Affected	
Links to Corporate Plan priorities or Policy Framework	

8 Document Information

Appendix No	Title
1	Draft Pay Policy Statement 2020/21
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
Report Author/s	Contact Number
Oliver Fishburn Payroll & Systems Manager	(01246) 242525
Sara Gordon HR & OD Manager	(01246) 217677

BOLSOVER DISTRICT COUNCIL
Pay Policy Statement 2019/20-2020/21

1. Introduction

This Pay Policy for Bolsover District Council has been prepared in accordance with regulation 38 (1) of the Localism Act 2011.

The Council's Pay Policy for Chief Officers which covers appointments, remuneration and terms and conditions of appointment are set at Full Council before they come into force and are prepared annually. The responsibility to approve the Pay Policy cannot be delegated from Council.

This Policy relates to the period from 1st April 2020 to 31 March 2021 and may be amended by Council during this time.

2. Scope

The Pay Policy relates to Chief Officers as defined by the Local Government and Housing Act 1989 and includes the following posts:-

- Head of Paid Service (Chief Executive Officer)
- Monitoring Officer
- Statutory Chief Officer under Section 151 of the Local Government Act 1972
- Non Statutory Chief Officers who report directly to the Head of Paid Service
- Deputy Chief Officers who report directly to a Statutory or Non Statutory Officer

3. Background

3.1. This Council is committed to the principle of equal pay.

3.2. Whole Workforce

3.2.1. In order to secure equal pay within the organisation, job evaluation was applied to all posts (including Chief Officers). Chief Officers carrying out the role of Heads of Service were included in a new grading structure implemented for the whole workforce in April 2009. In 2019, Full Council agreed the new posts of Director, Assistant Director and Head of Service for BDC only, be paid at the same level as joint posts. This grading structure placed Heads of Service who scored more than 741 points on Grade 12 within the Grading Structure at Appendix One. Grade 12 applies

~~to Chief Officers who do not have joint post as described at point 3.3 below. Other Heads of Service scoring less than 741 points were placed within Grade 11 and are not conditioned to the JNC National Agreement for Chief Officers.~~

3.3. Shared Management Team

- 3.3.1. With a view to reducing expenditure and increasing efficiency, this Council has formed a Strategic Alliance with North East Derbyshire District Council
- 3.3.2. In respect of salaries payable for the senior managers appointed to joint posts, Full Council made the decision that payment would be based on North East Derbyshire District Council pay scales, which had been set following an independent review carried out of salaries payable to senior managers in 2008.
- 3.3.3. The costs of shared management posts are met on a 50/50 basis between the two Councils.
- 3.3.4. Significant savings are being made by rolling out the joint senior management positions and the Alliance is committed to finding new ways of improving the efficiency of the Council
- ~~3.3.5. Additional savings were made by further reducing the number of Directors from 4 to 2 with effect from November 2013. The number of Joint Assistant Directors went down from 9 to 8. Following, a further review the 8 became 10 Joint Assistant Directors across the Strategic Alliance.~~
- ~~3.3.6. In March 2018, the 10 Joint Assistant Directors were reduced to 8, and were renamed Heads of Service~~
- 3.3.7. In Autumn 2019, a review was undertaken and a new Director post, Assistant Director post and Head of Service post working solely for Bolsover District Council were established.

4. Remuneration

- 4.1. Regulation 43 (6) of the Localism Act defines remuneration to include salary, bonus, charges, fees and allowances, benefits in kind, increases / enhancements of pension entitlement (if resolved by the Council) and payments on ceasing to hold officer (other than those payable by any enactment).

- 4.1.1. The remuneration details given in this section refer to salary only, the reasons for this are:-

- 4.1.1.1. The Council does not pay bonuses, charges and allowances.
- 4.1.1.2. Fees are only related to the Returning Officer
- 4.1.1.3. Benefits in kind are minimal and exact details are prepared for the HMRC returns following the year end and are not available at the time of preparing the pay multiple in March each year. However the amounts for Chief Officers are published in the Statement of Accounts.

4.2. ~~The majority of~~ **Several of the** Council's Chief Officers ~~Joint Chief Executive Officer, Joint Strategic Directors and Joint Heads of Service~~ hold joint appointments with North East Derbyshire District Council. **The post of Director Development, Assistant Director Development and Head of Service Finance and Resources relates solely to Bolsover District Council.** The Grading Structure for these post are set out below:-

4.2.1. Joint Chief Executive and Joint Strategic Directors/Directors (BDC only)

The shared management team salary scale for the Chief Executive of the Council ranges from £112,498 to £122,050, with increments of £3,000.

The Strategic Directors' salaries are based on a scale of £74,307 to £83,180 with increments of just over £2,000. The incremental scale is shown below:-

Incremental points	Chief Executive	Strategic Directors/Director (BDC only)
1	£112,498	£74,307
2	£115,682	£76,526
3	£118,867	£78,744
4	£122,050	£80,962
5	N/A	£83,180

4.2.2. Joint Heads of Service / Head of Service (BDC only) / Assistant Director (BDC only)

Heads of Service level posts are characterised by their relatively high level of responsibilities, and deputise, as appropriate, in the absence of the

Director. This is an important element in the Council's succession planning and leadership development processes, as well as providing valuable strategic input. At the time of the 2008 review at North East Derbyshire District Council, it was suggested that the market would support an appropriate salary scale of £46,000 to £52,000, with increments of just over £1,400, i.e. approximately 70% of the Chief Officers' salary. This salary range has increased over time by nationally agreed pay awards and the current incremental scale is shown below:-

Incremental Points	Heads of Service / Assistant Director (BDC only)
1	£52,015
2	£53,568
3	£55,121
4	£56,673
5	£58,226

4.2.3. ~~Chief Officer without a Joint Role~~

~~The pay scale which relates to all employees of the Council includes the salary range for the Chief Officer whose duties relate solely to Bolsover District Council. An extract which relates to the Chief Officer range is set out below:-.~~

Grade	Incremental Points	Chief Officer
Grade 12	37	£48,535
Grade 12	38	£49,520
Grade 12	39	£50,503

4.2.4. Remuneration of The Council's Lowest Paid

The Council adopted the Living Wage with effect from 1st December 2013. The annual full time equivalent value of the Living Wage from November 2019 is £17942.34

4.2.4.1. With reference to point 5.4 below, from 2015/16, to date the Council operates an Apprentice Scheme. Apprentices at Level Two and Three are paid on the National Living Wage based on

their age and those at Level Four or above are paid based on the Council's pay scales.

4.3. Relationship between the Remuneration of Chief Officers and employees who are not Chief Officers.

4.3.1. The following tables show the ratio between the Officer Grades paid in 2020/2021 based on full time equivalent salary records at 1st April 2020. An asterisk signifies that this Grade relates to Joint Chief Officers who are paid by North East Derbyshire District Council and there are no Chief Officers on the same Grade at Bolsover District Council. In which case the median salary and the lowest paid salary relates to those employees paid by Bolsover District Council only.

Chief Officer Grade	Point	Amount (£)	Median salary (£)	Pay Multiple
CEO	4	122,050	22,823	5.3:1
Strategic Director* / Director	5	83,179	22,823	3.6:1
Heads of Service /Assistant Director	1	52,015	22,823	2.3:1
Heads of Service /Assistant Director *	2	53,567	22,823	2.3:1
Heads of Service /Assistant Director	3	55,120	22,823	2.4:1
Heads of Service /Assistant Director	5	58,226	22,823	2.6:1

Chief Officer Grade	Point	Amount (£)	Lowest Paid salary (£)	Pay Multiple
CEO	3	122,050	17,942	6.8:1
Strategic Director* / Director	5	83,179	17,942	4.6:1
Heads of Service /Assistant Director	1	52,015	17,942	2.9:1
Heads of Service /Assistant Director	2	53,567	17,942	3.0:1
Heads of Service /Assistant Director	3	55,120	17,942	3.1:1
Heads of Service /Assistant Director	5	58,226	17,942	3.2:1

4.4. The tables in section 4 are available in a CVS file in the Transparency Section of the Council's Website.

5. Definition of Lowest-paid employees

5.1. Following the implementation of Single Status and the NJC Job Evaluation Scheme, local grades were implemented as set out at Appendix One to the Pay Agreement. The lowest paid employee is determined by those whose job evaluation score was below 301 points. These employees were placed on Grade 1, which is a fixed point grade.

5.2. The Council adopted the Living Wage with effect from 1st December 2013.

5.3. The annual full time equivalent value of the Living Wage from [April 2020](#) is £17,942. This will be updated when the Living Wage is reviewed [in November 2021](#).

5.4. With funding from the residual Working Neighbourhoods Fund, the Council will be engaged in an Apprentice scheme during [2020/21](#) for a number of eligible 16 to 18 year olds. To reflect the nature and duration of their employment, this group of employees will not be paid in accordance with the local grades pay scale and will be

paid the minimum wage rate for their age and not the national minimum wage for apprentices. The annual full time equivalent values of the minimum wage for these age groups are £8,778.24 and £12,443.93.

6. This section sets out the Council's Policies relating to the requirements under Regulation 38(4) of the Localism Act.

6.1. The level and elements of remuneration of each Chief Officer

6.1.1. This is set out in section 4.2.

6.2. Remuneration of Chief Officers on recruitment

6.2.1. Decisions on the appropriate appointment within the grade for Chief Officer and for a joint appointment are recommended to Full Council by an Appointments Panel.

6.3. For Chief Officers, recruitment will normally be to the first point of the grade, or in exceptional circumstances will reflect a level commensurate with candidates existing skills and existing skills and experience in the job.

6.4. Increases and additions to remuneration of each Chief Officer

6.4.1. Incremental progression for joint posts are applied at 1st April each year subject to there being at least 6 months service in post at this date, otherwise the increment will be applied between 2nd April and 30th September once 6 months service has been achieved

6.4.2. Incremental progression for non joint posts for new recruits or existing employees who apply for and are appointed to a new post (including secondments). In both cases, increments will only become due from 1st of the month following completion of 12 month's service with the Council from appointment to post. Following this future increments will be awarded automatically on the anniversary of the first increment until the top of the grade is reached. (from pay agreement 2.2.3)

6.4.3. Honoraria and ex gratia payments

6.4.3.1. The Council does not make ex gratia payments.

6.4.3.1.1. An honorarium is payable in circumstances where an employee temporarily takes on duties and responsibilities which are at a higher level than those carried out within their substantive post. This is known as an 'Acting Up Allowance' and details of how this is applied to all employees, including Chief

Officers is set out in Paragraph 5.2 on page 15 of the Pay Agreement.

6.5. The Council does not use performance related remuneration.

6.6. The Council does not pay any bonuses.

6.7. Payment to Chief Officers on ceasing to hold office or employment with the Council

6.7.1. In the case of redundancy, the policy of the Council is to use its discretions under (The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 (as amended) to pay compensation on the basis of actual weekly pay (Regulation 5);

6.7.2. For Joint Officers who work on a shared basis with North East Derbyshire District Council, whose policy on redundancy uses a multiplier on the national redundancy table, compensation is calculated on the basis of a combination of both schemes as follows:

6.7.2.1.1. Service up to date of joint appointment: based on original Council's scheme.

6.7.2.1.2. Service after date of joint appointment: based on 50% per each Council's scheme.

6.7.3. For non-joint posts redundancy compensation is calculated in accordance with BDC scheme.

6.8. The publication of and access to information relating to remuneration of Chief Officers.

6.8.1. The Council will publish this pay policy statement within the transparency section on its website.

6.8.2. The tables in section 4 are available in a CVS file in the Transparency Section of the Council's Website.

6.8.3. For further information about this pay policy statement please contact the Councils on 01246 242525 and ask for the HR and Payroll Section.

7. Other Terms and Conditions

7.1. Place of Work

7.1.1. The principal place employment shall be the main offices of the Council or both Councils or as required within the District. If required to work at a different location no relocation payment is

made. Travel expenses for journeys between the main Council offices will not attract expense payment unless the purpose of the journey is to attend a meeting.

7.2. Hours of Work

- 7.2.1. The hours of work are a minimum of 37 hours per week, for joint posts this is across both Councils. Due to the nature of the post the precise hours cannot be specified, generally it is expected that a reasonable amount of hours is worked necessary to carry out duties of the post and will include evening and weekend meetings as appropriate and bank holiday working in an emergency.

7.3. Secondary Employment

- 7.3.1. Notification of any additional employment must be given to the Council or Councils for joint post. This is to ensure that there is no conflict of interest and to meet the Council obligations under the working time regulations.

7.4. Holiday Entitlement

- 7.4.1. For joint posts the annual leave entitlement across both Councils is 36 days per year plus 3 days per annum to cover the Christmas closedown period. The leave year runs from 1st April to 31 March annually.
- 7.4.2. For non-joint post the annual leave entitlement is 31 days plus 3 days per annum to cover the Christmas closedown.
- 7.4.3. All Chief Officers are entitled to 8 bank holidays plus any additional bank holidays agreed at national level.

7.5. Pensions

- 7.5.1 Employees of the Council pay a contribution to the Pension Scheme relative to their annual full-time equivalent pensionable pay (including pensionable allowances). The contribution rates for 2020/21 are:

Band	Whole-time Pay Range (20/21)	Contribution rate
1	Up to and including £14,400	5.5%
2	Above £14,401 and up to £22,500	5.8%
3	Above £22,501 and up to £36,500	6.5%
4	Above £36,501 up to £46,200	6.8%
5	Above £46,201 up to £64,600	8.5%
6	Above £64,601 up to £91,500	9.9%
7	Above £91,500 up to £107,700	10.5%
8	Above £107,701 up to £161,500	11.4%

9	Above £161,501	12.5%
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The Employer's contribution at BDC is currently 14.9% of pensionable pay.

7.5.2 There are a number of discretions available under the Local Government Pension Scheme, and as a matter of policy, BDC does not exercise any discretion that would represent a cost to the Council.

7.5.3 In respect of the following discretion, the Council has a general policy that any flexible retirement must normally be at no cost to the Council.

- Whether all or some benefits can be paid if an employee reduces their hours or grade (flexible retirement).

7.5.4. The Council has a policy to apply the following discretion:-

- Whether to base redundancy payments on the employee's actual weeks pay rather than limit a weeks pay to the statutory maximum.

7.5.5. Re-employment of employees in receipt of a pension

Under the terms of the Local Government Pension scheme, an employee who has retired from local government service and is in receipt of a pension may reapply for local government employment. However where this happens the pension is subject to abatement, i.e. if the pension added to the new salary is higher than the original salary then the amount of pension will be reduced accordingly. There are currently no re-employed pensioners in senior management positions.

7.6. Car Allowances

7.6.1. Bolsover District Council pay the HMRC rates for business journeys (currently 45p per mile and 5p per mile for passengers)

7.6.2. North East Derbyshire Chief Officers are entitled to claim the lowest band of the national car allowances in the National Car Allowance Scheme for Chief Officers. Currently a lump sum of £846 per annum and 36.9p per mile to 8,500 miles and 13.7p thereafter for business journeys.

7.6.3. Chief Officers with joint post may choose which car allowance scheme to be paid under.

8. Terms and Conditions of Service

The Chief Executive is employed under the terms and conditions of service of the Joint Negotiating Committee for Chief Executives of Local Authorities, and Directors under the terms and conditions of service of the Joint Negotiating Committee for Chief Officers of Local Authorities. There are currently no additional local agreements relating to the employment of Chief Officers that represent a charge on the public purse, with the exception of election duties (see following paragraph).

8.1. Election Duties

The fee for Returning Officer duties is dependent upon the type of election, and is prescribed by Central Government by means of a Fees and Charges Order.

9. Other financial benefits

The Chief Executive and the Council's Strategic Directors and Heads of Service are not in receipt of any financial benefits that are not also available to other employees.

Chief Officers are exempt from receiving the following benefits which other employees receive:

- Shift Allowance
- Weekend Working
- Bank Holiday Working
- Overtime Payments
- Standby/Call Out Payments/Flexible Working