

## **OADBY AND WIGSTON BOROUGH COUNCIL**

### **PAY POLICY STATEMENT (2021/2022)**

#### **1. Introduction**

- 1.1 Oadby and Wigston Borough Council recognise that remuneration at all levels needs to be adequate to secure and retain high quality employees dedicated to the service of the public. However, in the context of managing scarce public resources with ever decreasing funds and further spending cuts to be made, such remuneration needs to avoid being unnecessarily generous or otherwise excessive.
- 1.2 It is important that local authorities are able to determine their own pay structures in order to address local priorities and to compete in the local labour market.
- 1.3 In particular, it is recognised that senior management roles in local government are complex and diverse functions in a highly politicised environment where often national and local pressures conflict. The Council's ability to continue to attract and retain high calibre leaders capable of delivering this complex agenda, particularly during times of financial challenge, is crucial if the Council is to retain its current high performance levels.

#### **2. Legislation**

- 2.1 Section 38 of the Localism Act 2011 requires local authorities to produce a Pay Policy Statement for each financial year thereafter, by the 31 March.
- 2.2 In determining the pay and remuneration of all employees, the Council will comply with all relevant employment legislation. This includes the Equality Act 2010, Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000, The Agency Workers Regulations 2010, The Fixed Term Employment (Prevention of Less Favourable Treatment) Regulations 2002, and where relevant, the Transfer of Undertakings (Protection of Employment) Regulations 2006.
- 2.3 With regard to the equal pay requirements contained within the Equality Act 2010, the Council ensures there is no pay discrimination in its pay structures and that all pay differentials are objectively justified through the use of an equality-proofed job evaluation mechanism, which directly relates salaries to the requirements, demands and responsibilities of the role.
- 2.4 The Localism Act 2011 and supporting statutory guidance provides details of matters that must be included in this statutory pay policy but also emphasises that each local authority has the autonomy to take its own decisions on pay and pay policies.
- 2.5 The format of this policy statement was approved by Full Council in April 2012 and is subject to review in accordance with the relevant legislation prevailing at that time, currently annually.

#### **3. Scope**

- 3.1. This Pay Policy Statement includes a policy on:-

The level and elements of remuneration for each Chief Officer;

- (a) The remuneration of the lowest paid employees;
- (b) The relationship between the remuneration of Chief Officers and other officers; and

- (c) Other specific aspects of Chief Officer remuneration, fees and charges and other discretionary payments.

3.2. Remuneration in this context is defined widely to include not just pay but also charges, fees, allowances, benefits in kind, increases in enhancements of pension entitlements and termination payments.

#### **4. Senior Pay**

4.1 In this policy the senior pay group covers posts in the top two tiers of the Council. These include the Chief Executive, the Deputy Chief Executive (formerly Director of Finance and Transformation/151 Officer post).

4.2 The numbers in the above posts are as follows:-

- Chief Executive (1)
- Deputy Chief Executive (1)

4.3 The policy for each group is as follows:-

#### **4.4 Chief Executive**

- (a) The Chief Executive's pay is a locally agreed and the Pay Grade currently in the following range:- C1 - 3 £95,587 to £105,196.
- (b) This salary was approved by Full Council and no additional bonus, performance, honoraria or ex gratia payments have been made.
- (c) Salary is subject to annual cost of living increases agreed by Joint Negotiating Committee for Chief Officers (JNC) for Local Authority Chief Executives national conditions.

#### **4.5 Deputy Chief Executive**

- (a) The Deputy Chief Executive's post has been evaluated externally and independently under the HAY Job Evaluation Scheme and the pay grade for the post is currently in the following range:- D4 – 6 £81,751- £86,557.
- (b) This salary was approved by Full Council and no additional bonus, performance, honoraria or ex gratia payments have been made.
- (c) Salary is subject to annual cost of living increases agreed by Joint Negotiating Committee for Chief Officers (JNC) for Local Authority Chief Executives national conditions.

#### **4.6 Heads of Service**

- (a) The Heads of Service posts have been evaluated using the Greater London Provincial Council Job Evaluation Scheme and the Management Levels 1-4 were agreed locally and are currently within the following range:- Heads of Service Management Levels 1 – 4 £51,719 to £72,441
- (b) Salary is subject to annual cost of living increases agreed by the National Joint Committee (NJC) for Local Authority Services.

#### 4.7 **Electoral fees**

Fees are paid for Returning Officer duties with regards to fulfilling Election duties. This does not form part of the post holder's substantive role and these fees are payable as required and can be made to any senior officer appointed to fulfil the statutory duties of this role. The Returning Officer is an Officer of the Borough Council who is appointed under the Representation of the People Act 1983. The role of the Returning Officer involves and incurs personal responsibility and accountability and is statutorily separate from duties as an employee of the Borough Council, hence the additional remuneration which is paid. As Returning Officer, the employee is paid a separate allowance for each election for which they are responsible.

#### 5. **Lowest paid employees**

5.1. The National Living Wage to be paid from 1st April 2021 is £8.91 (2020 - £8.72) per hour and the age threshold has been lowered from 25 years to 23 years. Below age 23 years, The National Minimum Wage applies on a sliding age band scale. The rates to be paid from April 2021 are:-

- 21-22 yrs - £8.36 (2020- £8.20)
- 18-20 yrs - £6.56 (2020- £6.45)
- Under 18 - £4.62 (2020- 4.55)

5.2 There are different rates that apply for those employees classed as an apprentice these rates are set out below. It is compulsory that employers pay the National Living Wage and national Minimum Wage to employees.

5.3 However on 15 March 2013, Councillors resolved to implement the Real Living Wage. The Real Living Wage is distinct from the National Living Wage and National Minimum Wage and is calculated by the Centre for Research in Social Policy which is an independent third party. The Centre for Research in Social Policy focuses on the wage rate that is necessary to provide workers and their families with a basic but acceptable standard of living. The minimum standard of living is socially defined and is often intrinsically linked to other social goals such as the fulfilment of care responsibilities. Any increase to the Real Living Wage is announced on an annual basis in November each year the Real Living Wage rate for November 2020 onwards was set at £9.50 per hour.

5.4 The lowest pay band within the council is Band 1 Scale Points 1 - 3, the pay scale points 1 & 2 have been amended to reflect the real living wage increase in our pay scale structure at Appendix 2 The Council currently employs 7 staff on Band 1 SCP 1.

5.5 The Council also operates an apprenticeship programme that is designed to give young people the opportunity to gain a relevant qualification through study and on-the-job training. The training opportunities afforded to individuals through the apprenticeship programme are not directly comparable to other positions filled by employees within the Council. These apprentices are employed under the Government's National Minimum Wage legislation dependent on their age rather than the flat apprentice rate of £4.30 per hour (2020- £4.15).

#### 6. **Pay Structure**

6.1. The pay structure for all employees except the Chief Executive, Deputy Chief Executive and Heads of Service is established using NJC for Local Authorities Services National Pay Spine. Please see **Appendix 2** for a copy of the Council's current pay structure.

- 6.2. All posts bar those of the Chief Executive and the Deputy Chief Executive are evaluated using the Greater London Provincial Council Job Evaluation Scheme, which is recognised by employers and trades unions nationally. This Scheme allows for robust measurement against set criteria resulting in fair and objective evaluations and satisfies equal pay requirements. In some instances from time to time, the ability to recruit to certain posts is dictated by market forces.
- 6.3. Job evaluation has been carried out in partnership with Trade Unions and in consultation with employees at all levels across the Council. Every post on the establishment has been evaluated and ranked using the Greater London Provincial Council Scheme (Green Book employees) and Hay (Chief Officers and Chief Executive). Both schemes were approved at the Full Council meeting in December 2003.
- 6.4. Following the outcome of the rank order exercise, a new pay and grading structure was designed, agreed and adopted by Full Council on 23 February 2006. Full implementation was achieved in May 2006 and backdated to 1 April 2005. Thereafter all subsequent new or altered jobs have been evaluated by the same scheme.
- 6.5. Progression within the band for all staff is subject to satisfactory performance on 1st April each year, provided that the employee has completed a minimum of 6 months service when an increment is awarded up to the maximum of the band. If the employee has not completed 6 months service, the increment will be payable in the employee's 6th month with the Council subject to satisfactory performance.

## **7. Multipliers**

- 7.1 The current establishment has 170 FTE posts. Publishing the pay ratio of the organisation's top earner to that of its lowest paid earner and median earner has been recommended to support the principles of Fair Pay (Will Hutton, 2011) and transparency.
- 7.2 The Chief Executive's post is the highest paid post at the Council and is paid at £105,196 (1 FTE) per annum and is currently at the top of the pay scale. This is 4.3 times the average earnings in the Council which is £24,491. The Chief Executive's pay is 5.7 times the lowest pay which is £18,278 this is with the recent increase to the real living wage at £9.50 per hour.

## **8. Payments/Charges and Contributions**

- 8.1 From 1st April 2014, there have been significant changes to the Local Government Pension Scheme.
- 8.2 All employees automatically become a member of the Local Government Pension Scheme, unless they exercise the opt-out clause. They will automatically be enrolled onto the "main scheme", where they meet the qualifying criteria.
- 8.3 The level of contribution payable by an employee in the "main scheme" will depend upon their actual salary received, rather than a full time equivalent. This means that part-time employees would only pay against their actual gross salary per annum and would not be expected to pay the higher rate of their full time equivalent. The employee contributions range from 5.5% to 12.5 %.
- 8.4 As an alternative to the "main scheme", employees have the option to enrol onto the "50/50 scheme". If they opt to join the "50/50 scheme" then, rather than making the full

contributions as set out above, they will only have to contribute one half of what they ordinarily would in the “main scheme”; however, the Council continues to pay a full contribution as though the employee were in the “main scheme”. This will obviously reduce the amount of contributions made by the employee to their pension which will have an effect on the overall value of the benefits due to them under the Local Government Pension Scheme (LGPS) when they retire. Members of the LGPS can switch between the main scheme and 50/50 scheme at any time and the appropriate form to do so can be obtained from the People Team.

- 8.5 Under the 2014 regulations of the LGPS, employees who meet the qualifying criteria will automatically be enrolled into the scheme and can only opt-out when they have become an active member. Employees, who elect to opt out of the scheme, must obtain a form to opt out directly from Leicestershire County Council (the scheme providers). The Council cannot opt any employees out of the scheme under the new ruling, nor can it provide the form to do so.
- 8.6 The Council makes employer’s contributions into the scheme; the current rate is 19.4% of the whole time salary.
- 8.7 Employees who are not automatically enrolled onto the 2014 scheme because they did not meet the qualifying criteria can elect to join the People Team. The membership will be effective from the next payroll date.
- 8.8 Employees who had already opted-out of the scheme on or after the Council’s staging date (1 April 2014) will automatically be enrolled under the 2014 ruling on 1 October 2017. This is the final date on which the Council is able to postpone auto enrolment. Once an employee has become an active member of the LGPS they can still choose to opt-out as per the process set out above. This auto-enrolment process will be repeated every three years.

## **9. Discretionary Payments**

- 9.1 The policy for the award of any discretionary payments is the same for all staff regardless of their pay level. The following arrangements apply: ‘Redundancy payments under regulation 5 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England & Wales) Regulations 2006.’
- 9.2 The Council has based redundancy payment calculations on an unrestricted week’s pay but using the statutory age and service related redundancy scale to determine the number of weeks to be used in the calculation. This is payable to employees made redundant with two or more years local government service.
- 9.3 Severance payments under regulation 6 Redundancy – The Council has not elected to pay any additional discretionary compensation in excess of the redundancy payment.
- 9.4 Regulation 18 of the Local Government Pension Scheme (Benefits, Membership & Contributions) Regulations 2007 – Requirements as to time of payment (Flexible Retirement) The Council had agreed to consider applying discretion when a scheme member who is over 55 reduces their hours and/or grade and wishes to receive their accrued pension benefits without having retired from employment. However, under the changes to the Local Government Pension Scheme which came into effect from 1 April 2014, the employee will be advised that early retirement will have an adverse effect on their entitlement to benefits used under the Scheme, and such benefits will be significantly reduced. Under the 2014 Regulations, employees will only be entitled to full benefits under the LGPS when they have reached state pension age. The legislation, in November

2020, implementing the £95k cap on exit payments is currently subject to judicial review proceedings and a further update on the position will be provided after the proceedings, due to be heard next month.

9.5 No additional membership for revision purposes under regulation 12 of the Local Government Pension Scheme (Benefits, Membership & Contributions) Regulations 2007 is awarded.

9.6 No additional pension under regulation 13 of the Local Government Pension Scheme (Benefits, Membership & Contributions) Regulations 2007 is awarded.

## **10. Decision Making**

10.1 Decisions on remuneration are made as follows:-

- Chief Executive Officer local pay level approved by Full Council;
- Pay structure for all other posts approved by Full Council.

## **11. Disclosure**

11.1 The Local Government Transparency Code 2015 requires publications of posts with salaries over £58,200. The Accounts and Audits (England) Regulations 2011 require posts with salaries over £50,000 to be published in the annual accounts The pay policy statement will be published on the Council's website.

11.2 The posts are as follows:-

- Chief Executive
- Deputy Chief Executive
- Head of Law and Democracy
- Head of Community and Wellbeing
- Head of the Built Environment
- Head of Customer Service and Transformation
- Head of Finance

## **12. Performance related pay**

12.1 There are no performance related pay schemes in place.

## **13. Equality and Diversity**

13.1 This Pay Policy Statement will assist the Council in monitoring remuneration across the Council and provide a fair system which avoids discrimination.

### **For further information please contact:-**

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