



## Report to Full Council

**Date:** 20 September 2023

**Title:** Buckinghamshire Council Pay Policy Statement – 1 July 2023

**Relevant councillor:** Councillor Martin Tett, Leader of the Council and Chairman of the Senior Appointments and Pay Committee

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**Recommendation:** To consider and approve the Buckinghamshire Council Pay Policy Statement (1 July 2023).

**Reason for decision:** The council is required to publish a Pay Policy Statement in accordance with Section 38(1) of the Localism Act 2011.

### 1. Purpose

1.1 This Pay Policy Statement is provided in accordance with Section 38(1) of the Localism Act 2011 and will be updated annually.

1.2 This pay policy statement sets out Buckinghamshire Council's policies relating to the pay of its corporate service workforce (excludes Schools employees) for the year 2023-24; in particular:

- a) The remuneration of its Chief Officers;
- b) The remuneration of its "lowest paid employees";
- c) and the relationship between:
  - (i) The remuneration of its chief officers; and
  - (ii) The remuneration of its employees who are not chief officers.

## 2. Legislative Compliance

- 2.1 In determining the council's pay and remuneration policy, the council will comply with all relevant legislation. This includes, The Transfer of Undertaking (Protection of Employment) Regulations 1984 as amended, Part Time Employment (Prevention of less favourable Treatment) Regulations 2000, The Agency Workers Regulations 2010, The Equality Act 2010.
- 2.2 The council will ensure that there is no pay discrimination and that all pay differentials can be objectively justified.

## 3. Scope of Pay Policy Statement

- 3.1 The Pay Policy statement covers all employees

## 4 Definitions

For the purpose of this pay policy statement the following definitions will apply:

- 4.1 "Chief Officer" refers to the following roles within Buckinghamshire Council:

<b>Definition under the Localism Act 2011</b>	<b>Post Held at Buckinghamshire Council</b>
The Head of Paid Service	Chief Executive Officer
The Monitoring Officer	Deputy Chief Executive
Section 151 Officer	Service Director Finance (s.151)
Statutory Chief Officers	Corporate Director Children's Service Corporate Director Adults & Health Director of Public Health
Non-Statutory Officers	Corporate Director Planning Growth and Sustainability Corporate Director Communities Corporate Director Resources

- 4.2 The definition of "Lowest paid employees" refers to those staff employed within grade 1 of the Council's main pay framework, and TUPE'd employees on the lowest pay point of their pay scales.

## **5. Remuneration levels**

- 5.1 The full Council has delegated responsibility to the Senior Appointments and Pay Committee (SAPC) for the approval of remuneration packages for any newly created permanent posts in excess of £100,000 (to include salary, bonus, fees allowances and benefits in kind) offered in respect of a new appointment; and for termination payments, outside of the normal statutory and contractual entitlements, in excess of £100,000 (see 8.1 Severance Payments). SAPC comprises elected Councillors from the main political parties and has responsibility for local terms and conditions of employment for staff.
- 5.2 The general approach is that remuneration at all levels needs to be adequate to secure and retain high-quality employees dedicated to fulfilling the council's business objectives and delivering services to the public. This must be balanced by ensuring remuneration is not, nor is seen to be, unnecessarily excessive. In setting remuneration levels, the council must balance these factors taking account of own unique challenges and opportunities in doing so whilst retaining flexibility to cope with circumstances that may arise which may necessitate the use of market supplements or other such mechanisms for individual categories of posts.
- 5.3 It is essential for good governance that decisions on pay and reward packages for Chief Executives and Chief Officers are made in an open and accountable way. Pay for the "lowest paid employees" and "all other employees' including Chief Officers" is determined by SAPC.
- 5.4 The lowest paid full-time equivalent employee at Buckinghamshire Council in the period 2023/24 will be paid at £20,104 per annum full time equivalent (FTE). The definition of lowest paid employee is a fully competent employee undertaking a defined role and excludes apprentices who are undertaking approved training. The highest paid employee is the Chief Executive who will be paid in the period a salary of £240,000.
- 5.5 The pay multiple between the highest paid employee, the Chief Executive at £240,000 and the median salary of the rest of the workforce at £36,002 is 6.67:1.
- 5.6 The pay multiple between the highest paid employee, the Chief Executive at £240,000 and the lowest paid full-time equivalent employee at £20,104 is 12:1.

## **6. Remuneration Levels**

- 6.1 The council's corporate service pay is determined locally. Grades are determined by recognising what people do – their jobs and responsibilities – and paying them

accordingly using HAY job evaluation. Job evaluation is a consistent process used for determining the relative worth of jobs. Whilst the process is not a science, it is based on the systematic analysis of the different factors found within all jobs.

- 6.2 The Senior Leadership Team comprising of, Chief Officers, Corporate Directors and Service Directors are paid on a Leadership Pay Broad Band and are appointed on a personal contract with a spot salary, with the opportunity for a discretionary additional annual non-consolidated performance payment to those who have 'exceeded' expectations for their role. Each role has pay set individually based on the following components:
- a) The size of the job as determined by Job Evaluation.
  - b) The benchmark data for the market and sector rate for the post.
  - c) The assessed quality of the applicant including skills and experience balanced against candidate expectations.
  - d) Scarcity of the required skills.

Senior Leadership pay for statutory and non-statutory posts will be reviewed annually by SAPC and there is no guarantee of a pay uplift or performance payment.

### 6.3 Professional Technical and Managerial Grades

Professional, technical, and managerial roles are paid on one of two Professional Managerial & Technical pay grades. They are appointed on a personal contract with a spot salary, with the opportunity for a discretionary additional annual non-consolidated performance payment to those who have 'exceeded' expectations for their role. Pay for each role is set individually as outlined in paragraph 6.2.

- 6.4 Pay awards for all corporate service staff will be considered annually after consultation with Trades Unions and employees. Any pay award is determined by SAPC who consider inflation and any significant considerations from elsewhere in the public sector; SAPC will undertake a pay review each year.
- 6.5 The Council's main pay scale comprises Grade 1 to Grade 10 (table 2). Grades 11 to 14 still exist. Each pay grade has three pay points with progression through a grade subject to individual employees receiving a minimum 'achieves' performance rating. Employees may also receive annual additional payments based on exceeding or outstanding performance awarded as a percentage of the individual's salary as a Non-Consolidated Payment.

**Table 2: Buckinghamshire Council Main Pay Grades July 2023- June 2024**

<b>Grade</b>	<b>Pay Point 1</b>	<b>Pay point 2</b>	<b>Pay point 3</b>
<b>1</b>	£23,365	£23,905	£24,445
<b>2</b>	£25,078	£25,663	£26,247
<b>3</b>	£27,354	£27,996	£28,639
<b>4</b>	£30,416	£31,137	£31,858
<b>5</b>	£32,598	£33,139	£33,911
<b>6</b>	£36,002	£36,866	£37,732
<b>7</b>	£40,778	£41,764	£42,752
<b>8</b>	£45,851	£46,967	£48,085
<b>9</b>	£53,412	£54,782	£56,153
<b>10</b>	£60,583	£62,136	£63,690
<b>11*</b>	£67,531	£69,263	£70,995
<b>12*</b>	£74,815	£76,733	£78,653
<b>13*</b>	£84,569	£86,736	£88,904
<b>14*</b>	£94,061	£96,472	£98,883

\* These grades only apply to employees who were on these grades prior to the introduction of Personal contracts for senior Professional, Managerial and Technical staff.

## **7. Charges, fees or allowances**

7.1 There are no specific fees or allowances made to Chief Officers or others in the Leadership team. The Council offers, annual leave purchase, and car lease and bicycle purchase through salary sacrifice schemes to all employees. The Council has negotiated various discounts with local suppliers, including gym memberships and local restaurants, which are available to all employees through the Council's intranet and the School's website. The Council reimburses mileage and travel expenses.

7.2 Market Premiums, Recruitment and/or Retention allowances may be paid to certain 'Hard to Fill' posts, e.g., Children's Social Workers, in accordance with the Council schemes.

### **7.3 Returning Officer**

Section 35 of the Representation of the People Act 1983 requires that a Council should appoint an officer of the Council to be the Returning Officer. The role of the Returning Officer is to ensure that all elections are administered effectively and conducted in accordance with the law. The role is separate from duties as an employee of the Council, and the Returning Officer is not responsible to the Council. The role is directly accountable to the courts as an independent statutory office holder. It is a personal responsibility of the individual designated as the Returning Officer.

Due to the personal responsibility of the role, and with the role being separate from the Council, Returning Officers receive fees to reflect this responsibility. The way in which this fee is calculated is based on the total number of the electorate for the specific election and the number of polling stations that are within the area for the election.

As The Returning Office Fee element is paid as a result of the personal responsibility in delivering the election, it is purely up to the individual themselves as to how they use the fee paid whether to retain the whole fee for themselves or share a percentage or allocation with other officers.

## **8. Severance Payments**

- 8.1 The Council adheres to the Governments Statutory guidance on the making and disclosure of Special Severance Payments by local authorities in England.
- 8.2 The statutory guidance defines Special Severance Payment examples, see below.
  - a) Payments reached under a settlement agreement between the employer and employee to discontinue legal proceedings without admission of fault.
  - b) The value of any employee benefits or allowances which are allowed to continue beyond the employee's agreed exit date.
  - c) Write-offs of any outstanding loans.
  - d) Honorarium payments.
  - e) Hardship payments.
  - f) Payments to employees for retraining related to their termination of employment.
- 8.3 The Council approves Special Severance payments by the following process:
  - a) Payments of £100,000 and above have been delegated for approval to SAPC, as set out in the Localism Act 2011.
  - b) Payments of £20,000 and above, but below £100,000, must be personally approved and signed off by the Chief Executive, s.151 Officer, Monitoring Officer, with a clear record of the Leader's approval.
  - c) Payments below £20,000 must be approved by the Chief Executive, Monitoring Officer, and s.151 Officer.
- 8.4 As a Local Government employer, the Council must comply with its duties under The Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order 1999.
- 8.5 In the event that an employee ceases to hold office and is eligible for a redundancy payment, such payment is determined in accordance with the Council's redundancy policy and procedure that applies to all employees, or any protection rights accrued from a predecessor Council in Buckinghamshire where these have TUPE transferred to the Council.

8.6 Where the payment exceeds £100,000 this must be referred to the Senior Appointments and Pay Award Committee for consideration.

8.7 If an employee who is under notice of redundancy receives an offer of a job from another local authority or associated employer and accepts and starts working for the new employer within 4 weeks of the end of the individual's employment with the Council, there is no dismissal for redundancy payment purposes and therefore the employee is not entitled to a redundancy payment. In cases where the current contract ends on a Friday, Saturday or Sunday, the redundancy payment will not apply where employment commences on or before the fifth Monday following the end of the current contract.

8.8 If the Council employs a Chief Officer already in receipt of a Local Government Pension Scheme pension, the Council will apply the normal pension abatement rules that apply to all employees.

## **9. Transparency**

9.1 In accordance with Chapter 8 of the Localism Act 2011, the Council will prepare a Pay Policy Statement each year in accordance with the Localism Act and related guidance under section 40 provided by the Secretary of State. The annual Pay Policy Statement may be amended from time to time. The Pay Policy Statement and amendments will be approved by Full Council of Buckinghamshire Council.

9.2 The Council's annual Pay Policy Statement and any amendments will be published on its website along with details of remuneration of the Council's Chief Officers.

9.3 Publication of the Pay Policy Statement, any amendments and details of remuneration will be in accordance with the Localism Act 2011 and with the Accounts and Audit (England) Regulations 2011.

9.4 The Council in compliance with the Local Government Transparency Code 2014 publishes information about:

- The number of employees whose remuneration in that year was at least £50,000 in brackets of £5,000
- Details of remuneration and job title of certain senior employees whose salary is at least £50,000, and
- Employees whose salaries are £150,000 or more must also be identified by name