



COUNCIL – 8TH MARCH 2016

SUBJECT: PUBLICATION OF PAY POLICY STATEMENT - LOCALISM ACT 2011

REPORT BY: ACTING HEAD OF HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT

1. PURPOSE OF REPORT

1.1 To seek approval from full Council for the publication of the Authority's Pay Policy.

2. SUMMARY

2.1 The Localism Act 2011 requires Local Authorities to develop and make public their Pay Policy. This includes all aspects of Chief Officer Remuneration (including on ceasing to hold office), and also in relation to the "lowest paid" in the Council, explaining their Policy on the relationship between remuneration for Chief Officers and other groups.

2.2 The provisions in the Localism Act 2011 which relate to Pay Policy statements only apply to employees directly appointed and managed by the Council. Employees who are appointed and managed by school head teachers/Governing Bodies are, therefore, not required to be included within the scope of Pay Policy statements. This reflects the unique employment legislation position whereby all schools employees are employed by the local authority, but decisions about the appointment and management of such employees are mostly discharged by head teachers/governing bodies, as appropriate.

3. LINKS TO STRATEGY

3.1 The report links to the efficient and effective management of the Council's activities. The remuneration of employees is an integral feature of our People Strategy and frameworks, and is a fundamental feature of the employment relationship.

4. THE REPORT

4.1 The Pay Policy Statement

The Pay Policy Statement attached contains the full details of the remuneration position for the Council that it is required to publish under legislation.

4.2 The Pay Policy will be published on the Council's Website, and will be available for access by members of the public, press and interested pressure groups.

- 4.3 It should be noted that the Pay Policy is required to be published on an annual basis, once accepted by Council. There is a requirement under the Localism Act for this to be undertaken before the 31st March each year.
- 4.4 For the purposes of the requirement to publish the statement by the 31 March 2016, the salary details utilised are those in place with effect from the 1 February 2016.
- 4.5 The Hutton Review - "Review of Fair Pay in the Public Sector" (2010) – highlighted issues around Senior Pay, and the relativities with others in the organisation. The policy statement publishes these relativities, and CCBC is well within the advisory guidelines provided. The salary utilised for the Chief Executive calculations is the salary of the Interim Chief Executive, and not that of the substantive post holder.
- 4.6 Members will be aware that the Council is currently a Living Wage Employer. The previous Living Wage rate was £7.85 per hour as covered in last year's Pay Policy. With effect from the 1 November 2015 this rate was increased to £8.26 per hour. As part of the budget setting process for 2016/17, Council, at the meeting held on 24 February 2016, approved the adoption of the new rate as our lowest paid salary point. This has been backdated to take effect from the 1 November 2015. The figures contained in the pay multiples reflect this decision.
- 4.7 Negotiations are ongoing with regard to the pay claims for both JNC and NJC Officers.

Changes to Regulations

- 4.8 With effect from 1 April 2016, all learning support staff in maintained schools and FE colleges in Wales will need to be registered with the Education Workforce Council (EWC). School and FE teachers already register with the EWC. Registration does not depend on a job title and in general if a role supports learning and teaching, workers will need to be registered with the EWC. Following a consultation, the Welsh Government has set a fee for learning support staff of £15 for 2016/17. The Council currently pays the cost of registration with a specific registration body if there is a requirement to be registered in order to practice. Learning support staff will now fall into this category resulting in a cost to the Authority of £19k per annum, which has been agreed by full Council at the meeting held on 24 February 2016 to consider the budget.
- 4.9 The Government has published draft regulations to implement its plans for the recovery of public sector exit payments, where 'high earners' return to the public sector within 12 months of receiving such a payment. Consultation on the proposals ended on 26 January 2016 and a further report will be brought to Council when more information is known about these changes.
- 4.10 The Government is introducing Legislation to cap the total value of exit payments made to the public sector to £95k, as it is keen to ensure that exit payments in the public sector more widely offer a proportionate level of support to employees and are value for money to the taxpayer. Welsh Government must determine if and how they want to take forward similar arrangements in relation to devolved bodies and workforces. A further report will be brought to Council when more information is known about these changes.

5. EQUALITIES IMPLICATIONS

- 5.1 There are no direct potential equalities implications of this report, as it is a statement of current arrangements; therefore no specific Equalities Impact Assessment has been undertaken. Any previous changes to terms and conditions have been assessed for equalities issues, as have other reports relating to CCBC employee pay issues such as the Living Wage report.

- 5.2 In determining the pay and remuneration of all of its employees, the Council will comply with all relevant employment legislation, including:
- The Equality Act 2010, including the requirements specifically in relation to Equal Pay;
 - Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000;
 - The Agency Workers Regulations 2010;
 - The Transfer of Undertakings (Protection of Employment) Regulations 2006, where relevant;
 - The National Minimum Wage Act 1998.

6. FINANCIAL IMPLICATIONS

- 6.1 The £19k cost of the Learning Support staff registration with the Education Welfare Council as detailed in 4.8 has been included in our budgetary plans for 2016-17 onwards.

7. PERSONNEL IMPLICATIONS

- 7.1 The personnel implications arising from the Pay Policy statement and the measures proposed are outlined in the body of the report.

8. CONSULTATIONS

- 8.1 All consultation responses have been reflected in this report.

9. RECOMMENDATIONS

- 9.1 Council agrees the attached Pay Policy Statement (Version 5) for publication on the Council's website.

10. REASONS FOR THE RECOMMENDATIONS

- 10.1 To comply with the legislative requirements of the Localism Act 2011.

11. STATUTORY POWER

- 11.1 Local Government Act 1972
Localism Act 2011
Local Government (Wales) Measure 2011
Local Government (Wales) Act 2015
The Council's Constitution

Author: Lynne Donovan, Acting Head of Human Resources and Organisational Development

Consultees: Cllr Christine Forehead, Cabinet Member for HR and Governance
Cllr Barbara Jones, Deputy Leader and Cabinet Member for Corporate Services
Corporate Management Team
Gail Williams, Interim Head of Legal Services and Monitoring Officer

Appendix 1 Pay Policy Statement – Version 5