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## **PAY POLICY STATEMENT 2018/19**

### **1 SUMMARY**

- 1.1 This report presents a revision to the Pay Policy Statement (PPS) to include proposals to address market pressures with Assistant Director salary grades.

### **2 DISCUSSION**

- 2.1 Council has previously agreed a PPS for 2018/19.
- 2.2 Recent resignations within the Leadership Team mean that the Council faces vacancies at a senior level. It is anticipated that the Council will face difficulty in recruiting the necessary skilled senior staff within the constraints of the current salary grading structure for Assistant Directors. Retention of current staff in senior roles is a risk unless the Council keeps abreast of the local/regional job market.
- 2.3 In 2014 Members resolved to implement local pay and grading arrangements for the newly formed Leadership Team. This allows ongoing flexibility to review senior pay and grading and it is now considered timely to do so in order to reflect the current job market. Benchmarking data from neighbouring local authorities is attached in Appendix 2.
- 2.4 If approved, the new salary structure will lead to a review of the Assistant Directors' job descriptions and an assessment (via job evaluation) of where current roles fit within the new scale. It will also provide an opportunity to review the arrangements for the statutory Section 151 Officer role.
- 2.5 A new salary structure will provide flexibility for the Council to attract and retain high calibre staff in key posts, which, particularly during times of financial challenge, is crucial if the Council is to retain high performance levels and deliver services to local people.

### **3 RISK IMPLICATIONS**

- 3.1 Vacant senior posts, if not successfully recruited to, impact directly on operational capacity and affect delivery of strategic objectives.
- 3.2 There is reputational risk associated with a senior level salary offer that is significantly lower than neighbouring local authorities.

### **4 RESOURCE IMPLICATIONS**

- 4.1 The total potential additional cost of implementing the recommended PPS for all Assistant Directors under the current structure is c£100k, assuming current S151 arrangements are maintained. However, this cost is based on the assumption that all Assistant Directors are paid at top of scale which is not likely to be the case immediately; therefore, it is unlikely that this full pressure would materialise in 2019/20. It is anticipated that any additional cost in

2019/20 could be met in the first instance from the underspend generated through holding the vacant senior officer posts unfilled, pending the full review of Assistant Director responsibilities referred to paragraph 2.4. Following completion of this review the salary budgets would need be revisited from 2020/21 onwards and any ongoing pressure built into the base budget for future years.

## 5 LEGAL IMPLICATIONS

- 5.1 The PPS is necessary to comply with the Localism Act 2011.

## 6 EQUALITY AND DIVERSITY IMPLICATIONS

- 6.1 A published PPS should ensure fairness and equality in dealing with issues of pay.
- 6.2 All job roles at the Council are subject to external job evaluation and ranked accordingly, irrespective of protected characteristics of age, disability, gender, race, sexual orientation, religion or belief, gender reassignment, marriage/civil partnerships, pregnancy/maternity.

## 7 RECOMMENDATION

- 7.1 It is proposed that Council **RESOLVES** that the Pay Policy Statement be amended to incorporate the revised local salary grades for Assistant Directors.



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**ROCHFORD DISTRICT COUNCIL  
PAY POLICY STATEMENT 2018/19****1 Introduction**

- 1.1 This Pay Policy Statement (PPS) sets out the Council's approach to the remuneration of its employees to comply with provisions of the Localism Act 2011 to increase accountability, transparency and fairness in the setting of local pay.
- 1.2 This PPS is produced in accordance with Chapter 8 of the Localism Act 2011 ("the Act"). It is made available on the Council's website which also includes separately published data on salary information relating to the Leadership Team.
- 1.3 This PPS complies with the requirements of the Localism Act and the guidance "Openness and accountability in local pay: Guidance under section 40 of the Localism Act 2011", published 17 February 2012).

**2 Definitions**

- 2.1 Pay Spine - For employees subject to the 'National Agreement on Pay and Conditions of Service of the National Joint Council for Local Government Services' (commonly known as the 'Green Book'), the Council uses a pay spine based on national Spinal Column Points up to PO17. The rest of the pay line has been determined based on locally agreed Pay and Conditions. The banded grading structure is shown in the Appendix.
- 2.2 Section 43 of the Localism Act defines the meaning of a Chief Officer. In relation to Rochford District Council's management structure the following is included in the definition of a Chief Officer:
- Statutory Chief Officers (Head of Paid Service, Monitoring Officer and Section 151 Officer)
  - Chief Officer (Strategic Director)
  - Deputy Chief Officers (Assistant Directors)
- 2.3 Employees on Scale 2 are defined as our lowest-paid employees. The Council also employs apprentices who are paid on a fixed rate below the pay spine and receive free professional training as part of their employment. The Council may employ temporary staff to deliver specific time limited activities such as sport coaches, whose remuneration will be based on market rates

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- 3 General Principles Applying to Remuneration of The Leadership Team and other Employees**
- 3.1 All posts have been subject to a job evaluation process to determine the correct grading for the post and to ensure consistency and equality.
- 3.2 The recruitment of the Leadership Team is covered by the Council's Constitution.
- 3.3 The salary for new appointments or promotions will be made at a salary point within the range for the post dependent on skills, knowledge, experience and abilities. Full Council, or a meeting of Members, would be offered the opportunity to vote before salary packages exceeding £100,000 in respect of new appointments are offered. For this purpose, salary packages would include salary, allowances and any benefits in kind.
- 3.4 Increments - Employees will normally receive an annual increment, subject to the top of their grade not being exceeded and subject to satisfactory performance. In exceptional circumstances (e.g. examination success), individuals will receive accelerated increments. Again, this is subject to the top of their grade not being exceeded. Some employees are on a career matrix where progression through the increments will depend on meeting certain criteria. For the Leadership Team incremental progression will be determined locally subject to financial affordability and performance. The Leadership Team comprises the Managing Director, Strategic Director and Assistant Directors.
- 3.5 Pay Awards - For posts evaluated at PO17 or below the values of the scale points in the pay grades are uprated by the pay awards notified from time to time by the National Joint Council for Local Government Services. For posts evaluated at PO 18-20 the values of the scale points in the pay grades are uprated in line with the pay awards notified from time to time by the National Joint Council for Local Government Services. For the Leadership Team the values of the scale points will be reviewed annually and determined locally subject to financial affordability.
- 3.6 Market Supplements – Where market fluctuations and demands are such an additional payment may be necessary in order to recruit and retain staff with appropriate and essential knowledge and skills. This is a discretionary payment. A robust business case must be submitted to the Managing Director/Strategic Director and the Section 151 Officer for consideration. Market supplements will only be paid in exceptional cases where there is evidence submitted such as local and regional benchmarking data and a history or failure to recruit or retain staff in key posts. Market supplements which are in place will be reviewed annually and may be withdrawn at the discretion of the Council. They do not form part of basic pay and there is no contractual right to receive or retain a market supplement. Market supplements allow flexibility for the Council to attract and retain high calibre staff in key posts which, particularly during times of financial challenge, is crucial if the Council is to retain high performance levels and deliver services

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to local people. Market supplements are currently only considered for posts within the Planning and Regeneration Service.

- 3.7 The Managing Director, as Head of Paid Service, has delegated authority to determine and issue guidelines with regard to national and local pay awards.
- 3.8 If there is a future agreement for a pay award, the appendix to this PPS will be updated.
- 3.9 The Council does not apply performance-related pay or bonuses.
- 3.10 On ceasing to be employed by the Council, individuals will only receive compensation in circumstances that:
- (a) are relevant (e.g. redundancy); and
  - (b) are in accordance with the various employer discretions provided by the Local Government Pension Scheme (LGPS); and/or
  - (c) comply with the specific term(s) of a settlement agreement.
- 3.11 Any decision to re-employ an individual who was previously employed by the Council and, on ceasing to be employed, was in receipt of a severance or redundancy payment, or to appoint a Managing Director or member of the Leadership Team who is already in receipt of a pension under the LGPS, will be made on merit.
- 3.12 The Council has a Flexible Retirement policy setting out when this might be allowed. This is where an individual aged 55 or over who reduces their grade or hours of work (or both) may receive all or part of their LGPS benefits immediately, even though they haven't left the Council's employment. This will be allowed only in circumstances where it is demonstrated to be in the Council's interests.
- 3.13 Where changes to a job description result in the downgrading of a post or an employee is permanently redeployed to a post with a lower salary, the individual may be entitled to a limited period of pay protection as per the Council's Managing Organisational Change Policy.

3.14 Salary sacrifice schemes are available.

#### **4 Additional Payments for PO20 and below**

- 4.1 In addition to the basic salary for the post, staff at PO20 and below may be eligible for other payments including, but not limited to:
- Subsistence in line with the National Agreement on Pay and Conditions.
  - Essential and casual car user payments based on co2 bandings.
  - Acting Up allowance where an officer covers the duties of a higher grade position.

- An award in relation to maintaining 100% attendance during a 6 month period may qualify to receive an award
- The Council may pay where membership of a professional organisation is a requirement to carry out the role.
- Overtime is paid in line with the Council's policy, up to staff grade PO2. No overtime is paid to staff above grade PO2.

## **5 Additional Payments for all staff**

- 5.1 Additional payments are made to staff who undertake additional duties such as emergency on-call officers, health and safety departmental co-ordinators, first aiders and fire marshals.

## **6 Remuneration of the Leadership Team**

- 6.1 The Leadership Team's salary range is in accordance with an agreed salary banding and published on the Council's website and reproduced in the Appendix. Staff are subject to ongoing appraisal, and progression on the scale only happens if satisfactory progress is evidenced.
- 6.2 Car mileage is paid at HMRC rates. Essential car payments are not paid. Subsistence allowances will be paid in line with those for other staff.
- 6.3 The members of the Leadership undertaking the statutory roles of Returning Officer and Deputy Returning Officer receive the relevant fee in respect of County, District and Town/Parish Council elections. The fee for undertaking this role is calculated in accordance with a formula previously agreed by the Council. Fees for conducting Parliamentary Elections, European, Police and Crime Commissioner Elections and referenda are determined by way of a Statutory Instrument.

## **7 Relationship between the lowest and highest paid employees**

- 7.1 The Act requires authorities to set out the relationship between the remuneration for their highest paid staff compared to their lowest paid employees and to explain what they think the relationship should be. The Hutton Review recommended the publication of an organisation's pay multiple – the ratio between the highest paid employee and the median average earnings across an organisation - as a means of illustrating that relationship and this is the approach adopted in this PPS.
- 7.2 The Council's current pay multiples, set out below for general guidance, are:
- The ratio of the highest earning officer to the median average of all other employees is 4.24

- The ratio of the median average Chief Officers earnings to the median average of all other employees is 2.38

7.3 The relationship between earnings at the highest and lowest levels is controlled by job evaluation.

## **8 Tax**

8.1 IR35 rules take effect from 6th April 2017. In some circumstances, it can be more cost effective and appropriate to employ individuals through private companies. In these rare instances, compliance with HMRC tax legislation is checked and value for money would need to be demonstrated.

## **9 Transparency and Access to Information**

9.1 This Policy will be published on the Council's website once it has been approved by Full Council. The Council also publishes details and the salary ranges of the Leadership Team on its website.

9.2 The Council will publish details of the remuneration for the Leadership Team in its Financial Statements on the website by 30 June after the year end. The Financial Statements will also include a note setting out the number of employees whose remuneration was £50,000 or more in bands of £5,000.

## **10 Review**

10.1 The Localism Act 2011 requires relevant authorities to prepare a Pay Policy Statement for each subsequent financial year. Our next Statement will be for 2019/20.

10.2 If it should be necessary to amend the Statement during the year that it applies, an appropriate resolution will be made by Full Council. This does not apply to the updating of the Appendix on salary scales if there is a nationally set pay award agreed.

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**ADDENDUM****GRADING STRUCTURE**

Grade	Scale Point Range	
	From	To
Scale 1	6	11
Scale 2	11	13
Scale 3	14	17
Scale 4	18	21
Scale 5	22	25
Scale 6	26	28
SO1	29	31
SO2	32	34
PO1 – 20	33	52
Assistant Director	55	64
Strategic Director	65	69
Managing Director	70	74

**LEADERSHIP TEAM REMUNERATION**

Grade	Salary Range	
	From	To
Assistant Director	£60,000	£75,000
Strategic Director	£80,929	£91,719
Managing Director	£107,906	£119,262

**BENCHMARKING DATA**

1 The data shown in Tables 1 and 2 below has been gathered from the published information on the websites of the other Tier 2 local authorities in Essex. The notes section in the table provides supplementary information on structures.

Authority	Brentwood	Epping	Harlow	Uttlesford	Chelmsford
<b>Population</b>	<b>73,600</b>	<b>130,000</b>	<b>83,000</b>	<b>79,000</b>	<b>168,000</b>
Heads of Service	61,853		90,162		
Assistant Directors		55,356		67,388	
Service Manager	71,790				
NOTES		4 Service Directors and 15 Assistant Directors.	Managing Director plus 5 Heads of Service. Middle managers beneath earning approx.. £50-55k	1 Chief Executive, 2 Directors, 5 Assistant Directors inc. statutory roles at higher salary. Extra pay scale of £67,389 - £75,061 for Assistant Directors who carry out statutory role.	All managers reporting to the 4 Directors are grades 11, 12 or 13:  11: £47,958 - £52,854  12: £54,594 - £60,159  13: £62,136 - £68,478

Table 1

Authority	Braintree	Castle Point	Basildon	Tendring	Maldon	Rochford	Avg
<b>Population</b>	<b>152,000</b>	<b>89,000</b>	<b>180,000</b>	<b>143,000</b>	<b>62,000</b>	<b>83,000</b>	
Heads of Service	69,120	73,666					73,700
Assistant Directors			95,000			62,430	70,044
Service Manager	62,250		90,000		58,538		70,645
NOTES	3 Directors with Heads of Service and Managers reporting in	2 Directors with Heads of Service reporting in	2 Directors with 4 Assistant Directors and 2 Heads of Service reporting in	3 Corp. Directors with 12 Heads of Service reporting in. No data available for Head of Service salaries	3 Directors with 12 Service Managers reporting in. Currently under review	2 Directors with 7 Assistant Directors reporting in. External S151.	

Table 2

**2 Statutory Section 151 and Monitoring Officer Roles - Benchmarking Data**

- 2.1 Section 151(S151) and Monitoring Officer (MO) roles sit at a variety of tiers in other local authorities in Essex therefore it is not possible to compare like for like as salaries reflect seniority in the organisation as well as the statutory role. Table 3 shows the comparisons.
- 2.2 Top of the current Assistant Director salary scale is currently £9k lower than Section 151 roles in all other Essex authorities.

Authority	Monitoring Officer	Section 151	Notes
Brentwood	£71,790	£71,790	MO is Head of Service, S151 is Manager
Epping	£94,216	£89,647	Both Service Directors
Harlow	£90,162	£90,162	Both Heads of Service
Uttlesford	£75,061	£83,403	MO is Assistant Director, S151 is a Director
Chelmsford	£100,000	£110,000	MO is Manager, S151 is Director
Braintree	£66,510	£103,836	MO is Head of Service, S151 is a Corporate Director
Castle Point	£114,000	£80,000	MO is Strategic Director, S151 is a Head of Service
Basildon	£95,000	£140,000	MO is Assistant Director, S151 is a Corporate Director
Tendring	Not available	Not available	Both Heads of Service
Maldon	£55,849	£80,000	MO is Manager, S151 is a Director
Rochford	£62,430	£62,430	MO is Assistant Director, S151 – currently external

Table 3