



Gloucestershire

COUNTY COUNCIL

APPOINTMENTS COMMITTEE

12.00 pm

**MONDAY
7 MARCH 2016**

**Members' Room - Shire Hall,
Gloucester**

MEETING PAPERS



APPOINTMENTS COMMITTEE

TIME: 12.00 pm
DATE: Monday 7 March 2016
VENUE: Members' Room - Shire Hall, Gloucester

A G E N D A

ITEM	TOPIC	CONTACT
1.	Apologies for absence	Laura Gibbard
2.	Minutes (Pages 1 - 4) To approve the minutes of the meeting held on 29 July 2015.	Laura Gibbard
3.	Public Questions To answer any written public questions about matters which are within the powers and duties of the Committee. The closing date/time for the receipt of questions is 10.00am on 29 February 2016. To answer any oral question(s) put by member of the public with the consent of the Chairman. <i>Depending on the nature of the questions asked it may not be possible to provide a comprehensive answer at the meeting, in which case a written answer will be supplied as soon as reasonably possible after the meeting.</i>	Laura Gibbard
4.	Members' Questions To answer any written members' questions. The closing date/time for the receipt of questions is 10.00am on 29 February 2016.	Laura Gibbard
5.	Pay Policy Statement 2016 (Pages 5 - 18) To consider the Council's Pay Policy Statement, and recommend it to Full Council for approval.	Dilys Wynn Tel: 01452 425824

NOTES

- (a) **MEMBERSHIP** – Cllr Iain Dobie, Cllr Mark Hawthorne, Cllr Jeremy Hilton, Cllr Paul McLain, Cllr Ray Theodoulou and Cllr Lesley Williams

- (b) **DECLARATIONS OF INTEREST** – Members requiring advice or clarification about whether to make a declaration of interest are invited to contact the Monitoring Officer: Jane Burns ☎01452 328478 /fax: 425240/e-mail: jane.burns@gloucestershire.gov.uk prior to the commencement of the meeting.

EVACUATION PROCEDURE - in the event of the fire alarms sounding during the meeting please leave as directed in a calm and orderly manner and go to the assembly point which is outside the main entrance to Shire Hall in Westgate Street. Please remain there and await further instructions.





APPOINTMENTS COMMITTEE

MINUTES of the meeting of the Appointments Committee held on Wednesday 29 July 2015 commencing at 2.00 pm.

PRESENT MEMBERSHIP:

Cllr Mark Hawthorne
Cllr Jeremy Hilton
Cllr Paul McLain

Cllr Ray Theodoulou
Cllr Lesley Williams

Substitutes:

Apologies: Cllr Iain Dobie

8. APPOINTMENT OF CHAIRMAN

***RESOLVED** that Cllr Mark Hawthorne be appointed as the Chairman of the Appointments Committee for the remainder of the 2015-16 civic year.*

9. MINUTES

The minutes of the meeting held on 3 March 2015 were confirmed and signed as a correct record.

10. PUBLIC QUESTIONS

No public questions had been received.

11. MEMBERS' QUESTIONS

No questions from members had been received.

12. EXCLUSION OF THE PRESS AND PUBLIC

***RESOLVED** that the press and public be excluded from the meeting during consideration of the following item of the agenda in accordance with the provisions of Section 100A of the Local Government Act 1972 (Schedule 12A – Paragraphs 1,2 and 3) which are:*

Information relating to an individual

Information which is likely to reveal the identity of an individual

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

13. REQUEST FROM CHIEF EXECUTIVE

Consideration was given to a report from the Director of People Services relating to a request from Pete Bungard, the Chief Executive, for flexible retirement in accordance with the Council's Flexible Retirement Policy. If the request was approved, it would reduce the Chief Executive's working week from 5 to 4 days from September 2015.

The Director of People Services explained that around 80 requests for flexible retirement had been approved since the policy was introduced in 2007. The policy facilitated the retention of key skills, supported succession planning by allowing the transfer of knowledge from Council staff who were entering their final years of employment and allowed the Council to retain key staff who were trying to balance difficult domestic issues with their work.

The Chief Executive's application for flexible retirement was consistent with the Council's Flexible Retirement Policy including guidance for the payback period. The basis of the request was the need for the Chief Executive to balance personal and caring duties with his role at the Council. The Director of Strategic Finance as Section 151 Officer had considered the application and confirmed that it met the requirements of the policy.

Adam Barker, Senior Workforce Adviser at the Local Government Association, was present at the meeting and his advice was appended to the main report. He said that the request, if approved by members, would allow the Council to retain the services of a well known and respected Chief Executive. Furthermore, it was consistent with good employment practice and allowed the Council to plan for the future by providing development opportunities for existing directors.

Members of the committee were supportive of the request recognising that it would allow the Council to retain the Chief Executive's services over a longer period. They noted that deputy arrangements were in place through the new senior management structure. Directors were also on a rota for Gold Command in the event of a major incident.

Members requested that detailed working arrangements be agreed through Group Leaders and that the arrangements be monitored over the next 18 months. It was suggested that a 'usual non-working day' should be identified whilst recognising

Minutes subject to their acceptance as a correct record at the next meeting

that there needed to be some flexibility to allow the Chief Executive to meet his personal and work commitments.

On being put to the vote, the request from the Chief Executive received the unanimous support of members.

RESOLVED that the request from the Chief Executive for flexible retirement be approved in accordance with Council's Flexible Retirement Policy subject to addressing the specific issues raised by members.

CHAIRPERSON

Meeting concluded at 2.50 pm

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APPOINTMENTS COMMITTEE

Appointments Committee Date	7th March 2016
Planned Dates	Approval to Full Council on 23rd March 2016
Officer	Dilys Wynn

Purpose of Report	Compliance with Chapter 8 Pay Accountability of the Localism Act 2011.
Recommendations	To agree the council's draft Pay Policy Statement and recommend it to Full Council for approval
Resource Implications	Officer Time

MAIN REPORT CONTENTS

1 Purpose of Report.

The Localism Act 2011 requires local authorities to produce a pay policy statement for each financial year. The statement must be approved by Full Council no later than 31st March of each year; the latest requires approval by the end of March, 2016.

By way of background, the paper on Fair Pay in the Public Sector by Will Hutton (March 2011) heavily influenced the content of the Act and the overall purpose is to ensure a greater transparency and accountability to the public, on how public money is spent on the remuneration of employees. In doing so the statement has due regard to the Local Government Transparency Code (2014) and Openness and Accountability in Local Pay: Guidance under Section 40 of the Localism Act.

The Localism Act requires that the scope of the statement must cover a specific group of chief officers as defined within the Act as well as the council's lowest paid, which the council is required to define and give reasons for adopting the definition.

The policy statement must set out the council's policies for remuneration for both groups above. It must include its policies relating to the:

- level and elements of remuneration**
- remuneration on recruitment including reengagement
- increases and additions to remuneration
- use of performance-related pay
- use of bonuses
- approach to payment on ceasing to hold office
- publication and access to information relating to remuneration

***Remuneration is defined as salary, bonuses, charges or fees, allowances, benefits in kind, any increase in or enhancement to pension entitlement, any amounts payable on ceasing to be employed or other amounts that may be payable by an enactment.*

As a result the pay policy statement will require the council to make reference to other related publications such as the councils' Pension Policy Statement, policy on severance pay under the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006 and the salaries of employees as published in the councils' Statement of Accounts as defined by the Finance and Audit Regulations 2011.

The statement must also set out the relationship between the remuneration of its chief officers and its employees who are not chief officers, and the government has provided guidance on how this should be calculated (Local Government Transparency Code 2014).

Specifically the revisions are:

- general updates to reflect the changes to staff numbers and budget
- revised pay multiples based on the lowest, highest and median full-time equivalent salaries

- introduction from 6th April 2016 of a statutory requirement for employees with full-time equivalent earnings of £80k or more who leave employment with a redundancy or other severance payment, to repay this to their former employer if re-employed by any public sector organisation within 12 months of the date on which their previous employment ended. The percentage of the severance payment that is subject to recovery reduces incrementally in line with the time that has elapsed since the date of termination
- provision for in-year implementation of national pay awards when agreed
- provision for local implementation of forthcoming legislation to regulate public sector severance payments, including early release of pension benefits
- provision for local implementation of any nationally determined variation to public sector pay and conditions that may follow from the Government's forthcoming consultation

Future developments affecting remuneration

The national pay awards for staff employed under Local Government Services (Green Book) and Chief Officers' conditions of service have not yet been agreed and will therefore be subject to implementation after publication of the 2016-17 Pay Policy Statement. The Pay Policy Statement therefore endorses payment of these awards once the relevant national agreements are finalised; it will not therefore be necessary for Full Council to agree a formal amendment to the Pay Policy Statement later in the year in respect of these national awards.

Regulations are anticipated to come into effect from October 2016 placing a cap on the total of value of severance payments to public sector employees at £95k. The value of the severance payment will include the capitalisation cost of any early release of pension. The position regarding the council's implementation of these regulations will be included in the 2017-18 Pay Policy Statement.

The Government is currently consulting on further measures to regulate severance payments in the public sector with a view to creating greater consistency across the various public sector employers. This consultation includes proposals to review the basis on which public sector employees can be granted early release of pension benefits on redundancy. The position regarding the council's implementation of these regulations will be included in the 2017-18 Pay Policy Statement.

The Government has also announced an intention to consult on potential changes to those elements of public sector pay and conditions of service that are considered to be more favourable than comparable provisions generally available within the private sector. Any such changes that may be implemented during the coming year will be referenced in the 2017-18 Pay Policy Statement.

Revised pay multiples

The revised pay multiples to be published on the council's web-site are as follows, multiples (M) against highest salary shown in brackets.

Current Published	Revised data
Highest salary £161,225	Highest salary £161,225
Lowest salary £14,760 (M = 10.9)	Lowest salary £15,144 (M = 10.6)
Median salary £20,954 (M = 7.7)	Median salary £26,293 (M = 6.1)

Recommendation

The Appointments Committee are asked to approve the attached revised Pay Policy Statement and to recommend its adoption by the Council at Full Council on March 23rd 2016.

Gloucestershire County Council The Pay Policy Statement 2016-17

What is it?

This statement sets out the council's policies for the financial year 2016-2017 relating to the:

- remuneration of chief officers
- remuneration of the lowest paid employees
- relationship between the remuneration of chief officers and employees who are not chief officers

Remuneration for the purposes of this statement includes:

- basic salary
- any other allowance or fee arising from employment
- pension
- redundancy pay

The term 'chief officer' refers to those defined within the Localism Act. In simple terms the policy covers the Chief Executive and those posts which report directly to him/her and also the next management tier below (excluding any secretarial or clerical roles). Under the council's present structure this group comprises the Chief Executive, the cluster chairs and other directors within the senior management cluster groups.

The term 'lowest' paid is defined as a full time employee on the bottom point of grade B of the [Green Book pay scales](#). These are the lowest paid employees other than apprenticeships, which are paid less to reflect the nature of the training and development role. Gloucestershire County Council has paid a discretionary 'Gloucestershire Living Wage supplement' (currently at a rate of £7.85 per hour) to eligible employees at Grade B and C since 1 September 2014.

Why has it been developed?

The purpose of the policy statement is to provide a clear and transparent policy to the public, which demonstrates accountability and value for money. The policy also meets the council's obligations under the Localism Act 2011 and the associated statutory guidance set out in the Openness and Accountability in Local Pay: Guidance under section 40 of the Localism Act 2012 together with the Local Government Transparency Code 2014.

The council's pay arrangements reflect the need to recruit, retain and motivate skilled employees to ensure high levels of performance, balanced with accountability to the public purse. It recognises the importance of flexibility, which is essential in delivering a diverse range of services, and is underpinned by the principles of fairness and equality.

Who does it apply to?

This pay policy statement applies to all non-schools employees of Gloucestershire County Council.

About the Council

The council is a large and complex organisation which is accountable for the provision of a wide range of key services to a population of in excess of 600,000.

These services range from the maintenance of over 3,300 miles of roads; managing the disposal of over 280,000 tonnes of waste; the provision of the county's registration and coroner's services; ensuring that the community are protected from illegal trading practices; planning for emergencies; and the provision of services for the most vulnerable children and adults in our communities. The council is also responsible for providing the Fire and Rescue Service and takes a leading role to promote a thriving economy through supporting economic regeneration. All these demands need to be balanced against a very tight resource base.

The nature of these services requires some of the management team to have a statutory role, making them individually accountable in law for the services they provide. This includes the Chief Fire Officer, Director: Strategic Finance (Section 151 officer), the Monitoring Officer and two directors who are accountable for safeguarding vulnerable adults and children.

The complexity and diversity of these services requires the senior management team to make judgements across a wide range of professional disciplines, work with key partners including government departments and local partners in health and the police; and manage considerable resources.

The senior management team is accountable for delivering these services within a gross budget of £420m, through a staff complement of 3,629 (including the Fire and Rescue Service), in addition to approximately 5,750 in the county's maintained schools.

It is essential for the maintenance of public services that councils and other public bodies can attract talented people into leadership roles, although this must be balanced with the prudent use of public funds.

Policy Statement

Job evaluation

1. The job evaluation (JE) process is applied to all jobs in the council unless the salary is set nationally, (for example, Fire Fighters), including both the highest and lowest paid. JE is the process by which organisations evaluate job size. The biggest and therefore most highly paid jobs are at the top and the smallest, lowest paid at the bottom. The council is committed to fairly determining pay in accordance with the equal pay legislation (now contained in the Equality Act 2010) and the local government 'single status' agreement 1997. The council applies nationally recognised JE schemes, which were introduced in 2003 in consultation and agreement with our recognised trade unions.
2. The Hay JE scheme is used to evaluate senior manager jobs within the council. The GLPC (Greater London Provincial Council) JE scheme is used to evaluate all other posts within the council.

Grades and salary bands

3. Once a job has been evaluated, the score will determine the pay grade or band that will apply to the post.
4. The pay scale that applies to chief officers is called [Executive Reward Bands](#). These pay scales also apply to a number of senior managers (who do not meet the definition of chief officer under the Localism Act 2011).
5. There are two posts which are currently on a 'spot salary' as follows:
 - The Chief Executive
 - The Chief Fire Officer, whose post is also that of a director with responsibility for several other services within the council
6. The council's policy is to apply the nationally negotiated pay award for the following groups of employees:
 - Joint Negotiating Committee for Chief Executives – national Salary Framework and Conditions of Service Handbook
 - Joint Negotiating Committee for Chief Officers of Local Authorities (for employees attached to Executive Reward Bands)
 - National Joint Council for Local Government Services ('Green Book') conditions of service (for employees attached to Grades B-L)
 - National Joint Council for Brigade Managers of Fire and Rescue Services, Constitution and scheme of conditions of service (5th edition) ('Gold Book')
 - Soulbury Committee national negotiating body (for Educational Psychologists and educational advisory posts that are not schools-based)

- National Joint Council for Local Authority Fire and Rescue Services ('Grey Book')
- National Conditions of Service for School Teachers in England and Wales ('Burgundy Book') - relates to teachers employed in maintained schools.

Any changes to the council's pay scales/grading structure are developed through consultation and negotiation with the relevant recognised trade unions, and subject to final approval by the council's Appointments Committee and Full Council as appropriate. Full details of the council's Appointments Committee are set out in the [council's constitution](#).

7. Senior salaries of over £100,000:

The following senior employees have an FTE salary of £100k plus:

- Chief Executive
- Director: Strategic Finance (and Section 151 Officer)
- Commissioning Director: Children's and Families (and Statutory Director of Children's Services)
- Commissioning Director: Adults and DASS (and the Statutory Director of Adult Social Care)
- Chief Fire Officer
- Strategic Commissioning Director and Chair: Communities and Infrastructure

Any future changes to salary scales for Chief Officers will be submitted to Full Council as an amendment to this Policy Statement.

8. The council provides a discretionary Gloucestershire County Council Living Wage Supplement, which has been paid to all eligible employees since 1 September 2014. This enables lower-paid employees to receive an addition to their hourly rate to bring their pay to the designated level; the minimum pay rate for the purposes of the supplement presently being £7.85 per hour. Continuation of the Living Wage Supplement and the rate at which it is to be paid is at the council's discretion and subject to annual review.

Remuneration on recruitment

9. The same recruitment policies apply to all employees regardless of grade, including both the most senior officers and the lower paid, who take up a new appointment with the council.
10. Where there are difficulties in recruiting and it is shown the council are paying below the market rate for the job, a market rate supplement (MRS) may be paid.
11. The amount of the MRS is based on market rate data and is reviewed annually. The MRS is removed or adjusted when market data shows that it is appropriate to do so, or otherwise at the council's discretion. In the case of certain senior chief

officers the MRS would be agreed by Appointments Committee and for all other employees it must be agreed by the Chief Executive. Candidates are normally appointed on the minimum salary point of the grade for the post.

12. If a candidate is already being paid above the minimum point of the post they are applying for, the appointment may in some circumstances be on the next increment above their current salary, subject to the maximum of the grade.
13. The appointment of the Chief Executive and his/her direct reports, including any senior post which holds a statutory role, is undertaken by the Appointments Committee. Appointments to these roles are made within the approved salary range. Appointment of the Chief Executive is subject to the approval of full council.
14. Where it is necessary for a newly appointed employee to relocate in order to take up an appointment the council may, in exceptional circumstances, make a contribution towards the reimbursement of relocation expenses.
15. The council will only make interim appointments in exceptional circumstances, subject to an approved business case.
16. The council is conscious of the need to secure value for money in the contractual arrangements for all appointments, including the need to ensure any individual is not inappropriately enabled to achieve a more favourable position in respect of their tax liabilities ('tax avoidance') than might otherwise apply. The council will therefore have proper regard to this principle in determining the form of contract most appropriate to the particular circumstances of the engagement.

Increases and additions to remuneration

17. The council's policy is to apply any nationally negotiated pay awards to employees at all levels of the council. An exception to this will be where employees have transferred to the council under the Transfer of Undertaking (Protection of Employment) Regulations 2006 ('TUPE'), retaining statutory protection of the pay and conditions that applied with their previous employer. Any pay award in such circumstances will be considered on a case-by-case basis and with due regard to equal pay legislation.
18. For chief officers on the Executive Reward Bands, incremental progression through the band is based on performance measured over a 12 month period. Increments are paid on 1st April each year subject to the performance review, and a minimum of six months service in post at that time. There is no provision for payment of an increment at any other time or in any other circumstances.
19. For employees on the Green Book pay scales, increments are awarded up to the maximum of the grade subject to the employee meeting the requirements of the job. Increments are paid on the 1st April each year, or six months after the start date (if

starting date is between October and April) and there is no provision for the payment of an increment at any other time or in any other circumstances.

The use of bonuses

20. The council does not make any bonus payments.

Payment on ceasing to be employed by the council

21. Redundancy: with the exception of firefighters (see 23 below) the council operates the same redundancy policy for all staff, including chief officers and the lowest paid. The payment mirrors the statutory redundancy table in respect of the 'age' and 'length of service' factors, but provides a multiplier of 1.75 to the number of weeks' pay due and payment is paid on actual weekly pay rather than the statutory minimum. The discretionary application of a multiplier and use of actual pay are permitted under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 (as amended) (LG Regulations 2006), and the council's policy in this regard has previously been approved by the Appointments Committee.

22. The Appointments Committee makes any decision to terminate the contract of those chief officers who report directly to the Chief Executive and will, when giving their approval, apply the council's policy as set out in 21 above.

23. The council will only make early payment of pension benefits in line with the relevant pension scheme regulations and the [Pension Policy Statement](#) which applies to all those staff who are scheme members, irrespective of grade. For those posts that fall within the remit of the Fire Fighters' Pension Scheme, redundancy pay is calculated using the statutory redundancy scheme but based on actual weeks' pay, rather than the statutory minimum. This group fall outside the LG Regulations 2006 as detailed above and therefore the council does not have the discretion to consider enhancing the redundancy payment further.

24. Any payments made in respect of early retirement for fire fighters will be as per the provisions of the [Fire Fighters Pension Scheme\(s\)](#).

25. Any employee of the council who is not employed in a school (a centrally-employed teacher) but is subject to the Burgundy Book (Teachers' national conditions of service) will receive only the statutory redundancy payment if exercising their option to take an enhanced pension under the Teachers Pension Scheme.

Re-engagement

26. The council does not re-engage ex employees who have left with a redundancy or pension or other severance payment, for at least two years, unless in exceptional circumstances (e.g. where an employee may have retrained in an area of skills shortage). A business case is required before a final decision is made and where any regulations on abatement of pension apply, they would be enforced. The same policy applies to all employees.

Any other allowances arising from employment

The following allowances apply to all employees, with the exception of teachers and fire fighters:

Payment for acting up or additional duties

27. Chief Officers are expected to be flexible in managing changing requirements.

Therefore honoraria would only be paid in exceptional circumstances at this senior officer level.

28. In limited situations where when an employee may be required to complete work of a higher graded post or undertake duties outside the scope of their role, the council may consider a payment consistent with JE principles. Any such payments are subject to review and are only for limited periods.

Unsocial hours payments

29. The council does not make unsocial hours payments to Chief Officers.

30. For other employees, the council recognises that certain roles and services require employees to work unsocial hours, or be available to work and therefore on standby. In these circumstances the council has a policy to provide additional payments or time off in lieu for eligible employees.

Recruitment and retention allowances

31. Whilst the council does not currently apply any recruitment or retention allowances it has the scope to locally agree such payments if necessary. The Appointments Committee would agree any such payments for chief officers and for all other employees the decision would be made by Head of Paid Service.

Car and motor cycle allowances

32. Reimbursement of approved business mileage is made in accordance with the council's locally agreed mileage rates. These rates, which mirror the HMRC mileage allowance payments, are reviewed annually.

Election duties

33. Returning Officer Payment – the council is obliged to appoint a County Returning Officer who has specific duties in relation to council elections. A payment is made in relation to this role, which is reviewed every four years, in line with the council election period.

Additional payments for fire officer posts

34. Any additional payments made to fire officer posts are in line with the National Joint Council for Local Authorities Fire and Rescue Services (known as the 'Grey Book') and the National Joint Council for Brigade Managers of Local Authorities Fire and Rescue Services (known as the 'Gold Book').

The relationship between the remuneration of chief officers and employees who are not chief officers

35. The council does not have a policy on pay multiples but recognises that the Hutton Review of Fair Pay in the Public Sector recommends a maximum ratio of the highest remunerated post compared with the lowest remunerated post of 1:20.

36. In accordance with the Local Government Transparency Code (2014), the council uses the principle of pay multiples to provide a wider understanding of the relationship between its highest and lowest paid employees. These multiples can be found [here](#)

Policy review

37. This policy will be reviewed no later than 31 March 2017 and thereafter on an annual basis.

38. The council may amend the policy at any time with Full Council approval. If any amendments are made the revised version will be published on the council's website.

Publication of and access to information relating to the remuneration of chief officers

39. Further information is available in the following documents on the council's website:

- [Statement of Accounts](#)
- [Pension Policy Statement](#)
- [Pay multiples](#)

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