

Pay Policy Statement 2021/2022 April 2021

1.0 Introduction

- 1.1 A pay policy statement is required to be produced annually under Section 38 of the Localism Act 2011. Guidance from the Secretary of State has been taken into account when producing this statement.
- 1.2 Any decision under powers delegated in the council's Constitution with regard to remuneration from 1 April 2021 to 31 March 2022 will be bound by and must comply with this statement.
- 1.3 This statement supports the requirements under the Local Government Transparency Code to publish data on Senior Salaries and Pay Multiple.
- 1.4 The Head of Human Resources and Organisational Development must be consulted prior to any decision impacting on remuneration to ensure compliance with this pay policy statement.

2.0 Scope

- 2.1 This statement sets out the council's policy with regards to:
 - the remuneration of Chief Officers
 - the remuneration of the lowest paid employees
 - the relationship between Chief Officers' remuneration and that of other officers

"Remuneration" for the purposes of this statement includes three elements:

 - basic salary
 - pension
 - all other allowances arising from employment
- 2.2 The council's constitution regards the following as its "Chief Officers"

Chief Executive
Deputy Chief Executive
- 2.3 The council, also has Statutory officer roles (Head of Paid Service; S151 Officer; Monitoring Officer, Data Protection Officer)

- 2.3 There is a statutory requirement that for the purposes of producing this statement the following posts (Leadership Team) be covered by the policy statement as well as the above posts and statutory roles.

Head of Strategic Finance and Property (S151 Officer)
Head of Legal and Democratic Services (Monitoring Officer)
Head of Human Resources and Organisational Development
Head of Shared Revenues and Benefits Service
Head of Operations
Head of Communications, Strategy and Policy
Head of Housing and Health
Head of Planning and Building Control

In this policy statement the term “Chief Officers” refers to the Chief Executive and Deputy Chief Executive roles in that where there are any differences in terms of the policy it is between this group and all other employees.

- 2.4 This policy statement applies to all Council employees, but not to other workers such as casuals, agency workers, etc.
- 2.5 This pay statement does not include the Returning Officer payment. The fees payable to the Returning Officer are set by statute for national elections, and are paid by central government. Fees are, also, payable to the Councils’ Returning Officer for local elections. 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 Council who is appointed under the Representation of the People Act 1983. Whilst appointed by the Council, the role of the Returning Officer is one which involves and incurs personal responsibility and accountability and is statutorily separate from his/her duties as an employee of the Council. As Returning Officer, he/she is paid a separate allowance for each election for which he/she is responsible.

3.0 Objectives

- 3.1 East Herts Council recognises the importance of having a clear written policy statement on pay in order to ensure that employees are fairly rewarded and there is proper public accountability.
- 3.2 In respect of Chief Officers and all other employees the council’s policy is to set remuneration sufficient to attract and retain adequately experienced, trained and qualified individuals to deliver the council’s priorities.
- 3.3 The council aims to be transparent on pay to its employees, prospective employees and the wider community and uses and maintains an effective job evaluation system and procedures to provide

equity and consistency in pay, whilst adhering to the basic principles of the national Local government Single Status pay agreement.

4.0 Remuneration subject to national and local determination

- 4.1 The council is a member of the Local Government Employers' Association for national collective bargaining in respect of Chief Officers and other employees.
- 4.2 Changes from national negotiations generally take effect from 1 April each year and are retrospective to 1 April if agreements are finalised after 1 April.
It is the council's policy to implement national agreements.
- 4.3 The Chief Executive and Deputy Chief Executive are under the JNC conditions of service including pay. All other employees are under the NJC national agreement on pay and conditions of service.
- 4.4 The national pay award (the NJC national agreement) has not yet been agreed for 2021-2022, the JNC award has also not yet been agreed as this tends to be informed by the NJC award. Both have been delayed due to the Covid-19 Pandemic, central government has also determined a public sector pay freeze and although this does not determine the NJC award it is likely to affect negotiations, currently the Trade Unions have said they intend to put forward a Pay Claim and this is expected by the end of February 2021, with regional employer road shows in March 2021. In 20-21 the pay award was finally agreed in September 2020. This Pay Policy Statement will therefore provide that the National Award will be implemented for both NJC and JNC once agreement is confirmed. East Herts will implement increments for applicable staff from the 1st of April 2021 but the national pay award is not expected (due to the delay in negotiations) to be implemented in the April 2021 payroll and will instead be processed as a backdated payment once the award is agreed.
- 4.5 As previously set out in addition to the NJC award applicable for April 2019 East Herts Council negotiated and agreed further investment in pay for all staff through collective bargaining with the recognised trade union Unison. Previously staff could be awarded a local award of an additional 2% payment once they had completed 3 years' service with East Herts. East Herts commissioned EELGA to review the current pay and grades and this demonstrated that the council was below market rates in a number of areas and this was supported by recruitment difficulties therefore an investment in pay was required as was the need to improve the grading structure.
- 4.6 The negotiated local agreement consolidated the previous 2% local award into the basic salaries of all staff regardless of service to

improve recruitment and retention (the local 3 year (retention) award has therefore ceased from 1/4/19). Staff were assimilated to the closest new spinal column point (scp) within the revised NJC rates e.g. an old scp 6 has been assimilated to a new scp 4 rather than a scp 1. The local negotiated agreement also addressed undesirable significant overlaps between grades and to reduce the number of increments in grades so progression through grades and differences between grades became more meaningful and fair. This meant that the base of grades increased along with some additional headroom created where this was appropriate as well as reducing the number of increments within grades. As part of the local collective agreement the terms around Redundancy and Disturbance have been reduced: the previous redundancy multiplier has reduced from 2.6 to 2 and the previous protection on pay when redeployed to a lower paid role has reduced from 3 years to 1.5 years and the same was applied to disturbance allowances (again from 3 years to 1.5 years).

5.0 General Pay Policy

- 5.1 All employees other than Chief Officers have their basic pay determined by a job evaluation scheme to ensure that different jobs which have the same value are paid on the same grade. Grades have between 4-7 spinal column points (increments).
- 5.2 The Chief Executive is paid a fixed spot salary with no set incremental progression. Performance review is facilitated through the East of England Local Government Association .
- 5.3 Heads of Service and the Deputy Chief Executive's progression through the pay range (incremental points) is based on performance (measured through the LT 360° performance review process) rather than by annual time served increments and this can lead to drop of one increment if poor performance has been established.
- 5.4 The Deputy Chief Executive is paid on incremental scale points between a pay range of £92,496 to £102,500 base pay, with set incremental progression also based on performance.
- 5.5 There are no other additional elements of remuneration in respect of overtime, flexi-time, bank holiday working, stand-by payments, emergency call rota, etc, paid to these senior staff (Chief Officers and Leadership Team), as they are expected to undertake duties outside their contractual hours and working patterns without additional payment.
- 5.6 Basic pay is calculated on a pro-rata basis for part-time employees.
- 5.7 All employees (except chief officers) receive local weighting which is called an outer fringe payment which is determined by the NJC, for

2020-2021 this is currently £626pa for a full time employee but will be revised in 2021-2022 once the pay award has been agreed and the increase will be backdated to 1 April 2021.

5.8 Setting Salaries

For the posts of

Chief Executive
Deputy Chief Executive

The council will use robust recruitment processes when making an appointment to these roles, ensuring the best candidate for the role is appointed. In determining the appropriate salary, market testing and bench marking from peer authorities will be considered. Both the Chief Executive and Deputy Chief Executive salaries were benchmarked for 2019-2020 and this has led to a revised spot salary for the Chief Executive appointed from 3 June 2019 in line with market expectations as advised by EELGA and a revised salary range for the Deputy Chief Executive.

5.9 Pay ceilings

For 2021/22 the basic pay ceiling for Chief Executive post will be £123,025 per annum (including an additional payment of £10,000 for Head of Paid Service) plus the percentage agreed by the JNC.

The basic pay ceiling (i.e. including additional payments, salary protection and professional fees where appropriate) for Deputy Chief Executive will be £102,500 plus the percentage agreed by the JNC.

As noted above national agreed pay settlements from the JNC will be applied to the Chief Officer posts with effect from 1 April 2021 once agreed.

For other posts covered by this statement the basic pay ceiling for grade 13 will be £75,321 plus the (Cost of Living) percentage agreed by the NJC (the outer fringe area allowance is paid in addition to these posts):

Grade 13 Posts:

Head of Legal and Democratic Services*

Head of Strategic Finance and Property*

Head of Human Resources and Organisational Development

Head of Operations

Head of Housing and Health

Head of Communications, Strategy and Policy

Head of Planning and Building Control
Head of Shared Revenue and Benefits Service **

* Both of these posts are statutory posts designated as the council's Monitoring Officer and S151 Officer respectively (see additional payments below for further details).

** Head of Shared Revenues and Benefits Service post receives an additional 10% of base salary per annum for shared services role.

5.10 Pay floor

The pay floor is the remuneration of the lowest paid employees. "Lowest paid" is defined as the average pay of employees paid on grade 2. Grade 2 are the lowest grades paid by the council. This year the figure is 0.60% (2 part-time employees) of the council's employees. Where any employee is less than full time their pay is multiplied up to full time and the aggregate full time equivalent pay for the group divided by two to determine the average.

As at 1 April 2021 this average is £20,096 per annum (full time).

The council will not pay basic pay less than the amount applicable to the bottom point of the national pay scales as agreed from time to time by the Local Government Employers (apprenticeships are excluded). Employees in this group will be entitled to all other benefits – local weighting/fringe, pension, redundancy as all other employees.

5.11 Pay multiples

The council does not explicitly set the remuneration of any individual or group of posts by reference to a simple multiple of another post or group of posts.

In terms of overall remuneration packages the council's policy is to differentiate by setting different levels of basic pay to reflect differences in responsibilities.

The council would not expect the remuneration of its highest paid employee to exceed 10 times that of the lowest group of employees. In the case of East Herts Council, the pay of the Chief Executive is 6.12 times the value of the lowest paid employee (calculated using salaries at 1st April 2021).

The council does not belong to the Living Wage Foundation but as our staff salaries (excluding apprenticeships) start at scp 4 which is currently £9.81 per hour plus outer fringe, total is £10.13 per hour (this will increase once the NJC award is agreed) the council is therefore significantly above the current £9.50 per hour set in November 2020 by the foundation and it is also above the National Living Wage set by Government which is currently £8.72.

5.12 Pay ranges are as follows as set on 1 April 2021
(N.B. These will be adjusted by any Pay Award agreed by NJC)

Grade	Minimum £	Maximum £	Median £	Number of employees in the grade *
2	18,933	20,493	19,698	0.84
3	20,903	22,627	21,748	19.96
4	22,627	24,491	23,541	30.97
5	24,491	27,741	25,991	80.95
6	27,741	30,451	29,125	23.81
7	30,451	33,782	32,234	39.20
8	33,782	36,922	35,237	21.03
9	36,922	39,880	38,390	30.36
10	41,881	45,859	43,857	21.55
11	45,859	51,609	48,366	9.68
12	51,609	59,748	55,902	9.50
13	64,530	75,321	69,696	9.00
Deputy Chief Exec	92,496	102,500	97,369	1.00
Total				297.85

* Full Time Equivalent (excludes Casual staff as at 28 January 2021)

5.13 The minimum apprenticeship pay rate set by East Herts is £4.70 for year one, the national living wage rate is paid as appropriate to an individual's age range thereafter (i.e. from year 2).

6.0 Additional payments and Variations

6.1 Additional Payments

The council's policy is not to normally pay any form of "signing on" fee or incentive payment when recruiting. Exceptions may occasionally be agreed for hard to recruit posts.

The statutory posts designated as the council's S151 Officer, Monitoring Officer and Head of Paid Service will receive a payment of £10,000 per year. No officer will receive more than one additional statutory post payment.

6.2 Acting Up and Honorarium payments

The council will ensure that acting up and honorarium payments are paid in a fair and consistent manner across the council.

Acting up payments can be made when an employee undertakes either some or all of the duties of a senior post, for a continuous period of four weeks or more (payment will then be backdated to the beginning of the cover).

Acting up payments do not apply for periods of less than four weeks or when an employee is providing cover for another employee's annual leave

Honorarium payments (Responsibility Allowances) can be made where an employee is required to complete an important project or produce major work output to a high standard that is significantly above and beyond the scope of their normal duties or responsibilities, or for significant additional duties or responsibilities not commensurate with the employee's current job description/grade or for work which is exceptionally onerous (e.g. difficult and/or demanding situations or working to extremely tight timescales).

Where an Honorarium payment is determined to be appropriate for additional work, any additional work time spent on the additional duties/responsibilities for which the honorarium is being awarded should not be accounted for on the flexi-time sheet.

Permanent changes to job roles should be dealt with through the job evaluation process.

The Head of Service in consultation with the Head of HR and OD have the responsibility for implementing and monitoring these arrangements.

6.3 Professional fees and subscriptions.

The council will meet the cost of a legal practicing certificate for all those employees where it is a requirement of their employment. No other professional fee or subscription is paid.

7.0 Market Supplements

Market supplements are only paid in exceptional circumstances where several attempts have been made to recruit and usual recruitment processes have not resulted in an appointment. Market rate will be established by reference to soft market testing, external advice and dialogue with peer authorities.

8.0 Pension

Pension provision is an important part of the remuneration package.

All employees (except those employees over the age of 75) may join the local government pension scheme. The scheme is a statutory scheme with contributions from the employee and from the employer.

All employees will automatically be enrolled into the LGPS pension scheme unless the contract of employment is less than 3 months' duration, although the employee does have the option to 'opt in'.

For more comprehensive details of the local government pension scheme see: <https://lgpsmember.org>

Neither the scheme nor the council adopt different policies with regard to benefits of employees, the same terms apply to the Chief Officers and other employees (although higher paid staff are required to pay a higher contribution in terms of the percentage of pay deducted as a pension contribution).

East Herts Council as an employer is under a legal duty to prepare and publish a written statement of its policy relating to certain discretionary powers under the Regulations which apply to the Local Government Pension Scheme ("the LGPS"). The scheme provides for the exercise of discretion that allow for retirement benefits to be enhanced. The council will consider each case on its merits but has determined that its usual policy is not to enhance benefits for any of its employees. The Policy on Exercise of Employer Discretions reaffirms this in respect of Chief Officers and other employees.

The pension scheme provides for flexible retirement. In applying the flexible retirement provision no distinction is made between the Chief Officers and other employees. The scheme requires that a minimum permanent reduction in working hours of 25% is made and/or there is a reduction in grade and that any consequential payments to the pension fund are recoverable in three years with the discretion to extend the three years in exceptional circumstances. The council's Human Resources Committee will consider requests from a Chief Officer and Leadership Team will consider requests from other employees where there is a cost to the council, if there are no costs the Head of Service can approve in consultation with the Head of HR and OD.

9.0 Annual Leave

Annual leave entitlement is related to both an individual employee's spinal column point and length of continuous service in local government.

The council awards five days additional annual leave for employees that reach five years' local government service.

Spinal Column Point (SCP)	Annual leave entitlement	Annual leave entitlement after 5 years in continuous local government service
4-22	25 days	30 days
23-25	26 days	31 days
26-28	27 days	32 days
29-59	28 days	33 days
Chief Officers	30 days	35 days

Annual leave entitlement is calculated on a pro-rata basis for part-time employees.

10.0 Occupational Sick Pay

Entitlement to sick pay is related to continuous service, measured in complete months or years at the start of the period of absence. Any previous absences in the twelve months before the start of any absence are deducted from the entitlement.

Entitlement to sick pay is in accordance with the provisions of the NJC for Local Authorities, as follows:

During 1st Year	1 month's full pay and (after completing 4 months service) 2 months half pay
During 2nd Year	2 months full pay and 2 months half pay
During 3rd Year	4 months full pay and 4 months half pay
During 4th and 5th Year	5 months full pay and 5 months half pay
After 5 Years	6 months full pay and 6 months half pay

11.0 Expenses

- 11.1 The council will meet or reimburse authorised travel, accommodation and subsistence costs for attendance at approved business meetings and training events in accordance with the council's Expenses policy. The council does not regard such costs as remuneration but as non-pay operational costs. This policy is applied consistently to Chief Officers and other employees.
- 11.2 The council pays car mileage in accordance with HMRC approved rates which are the same for Chief Officers and other employees. The current rates are:

Mileage	HMRC Rates
Car* (first 10,000 business miles per annum)	45p per business mile
Car (after 10,000 business miles per annum)	25p per business mile
Electric Car Rate	4p per business mile
Motorcycle Rate	24p per business mile
Bicycle Rate	20p per business mile
Passenger Rate (employee/member)	5p per passenger per mile

*A Hybrid car falls under the Car HMRC rate of 45p per business mile.

12.0 Redundancy payments and payments on termination

- 12.1 The council has a single redundancy scheme which applies to all employees without differentiation. The council does not provide any further payment to employees leaving the council's employment other than in respect of accrued leave which by agreement is untaken at the date of leaving.
- 12.2 The redundancy payment is based on the length of continuous local government service as set out in the employee contract, the council follows the statutory process in terms of age multipliers and a maximum of 20 years' service, however, no statutory cap is applied to weekly pay and actual weekly pay is used in all cases and the council then further enhances the redundancy payment by applying a multiplier of 2. Details of the full scheme can be found in the council's Redundancy Policy.

13.0 Future appointments

In the event of a vacancy to either a Chief Officer or other employee post the arrangements set out above in regards to pay will apply in respect of permanent appointments.

14.0 Publication and access to information

The publication of and access to information relating to remuneration of Chief Officers' is set out in this document and published on the council's website.