

Appendix - Pay Policy Statement 2020/21

Introduction and Purpose

Under section 112 of the Local Government Act 1972, the Council has the “power to appoint officers on such reasonable terms and conditions as authority thinks fit”. This Pay Policy Statement (the ‘statement’) sets out the Council’s approach to pay policy in accordance with the requirements of Section 38 and 41 of the Localism Act 2011.

The purpose of the statement is to provide transparency with regard to the Council’s approach to setting the pay of its employees by identifying:

- the methods by which the salaries of all employees are determined;
- the detail and level of remuneration of its most senior staff i.e. ‘chief officers’, as defined by the relevant legislation;
- the Committee(s)/Panel responsible for ensuring the provisions set out in this statement are applied consistently throughout the Council and recommending any amendments to the full Council.

Once approved by the full Council, this policy statement will come into immediate effect and will be subject to review on a minimum of an annual basis, the policy for the next financial year being approved by 31st March each year.

The introduction of the Code of Practice for Local Authority on Data Transparency 2013 places additional duties on Local authorities in terms of publication of pay details which are included in the document. The Code also requires the publication of Trade Union Facility Time, which is contained within.

Other legislation relevant to pay and remuneration

In determining the pay and remuneration of all of its employees, the Council will comply with all relevant employment legislation. This includes legislation such as the Equality Act 2010, Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000 and where relevant, the Transfer of Undertakings (Protection of Earnings) Regulations. The Council ensures there is no pay discrimination within its pay structures and that all pay differentials can be objectively justified. This includes the use of job evaluation processes, which

directly establish the relative pay levels of posts according to the requirements, demands and responsibilities of the role.

Pay Structure

In setting the pay of the majority of its employees who are subject to the National Agreement on Pay & Conditions of Service of the National Joint Council for Local Government Services (NJC), the Council uses the nationally negotiated pay spine (a defined list of salary points) as the basis for its local pay structure, together with the use of locally determined rates where these do not apply.

The Council adopts the national pay bargaining arrangements in respect of the Establishment and revision of the national pay spine, for example through any agreed annual pay increases negotiated with joint trades unions.

All other pay related allowances are the subject of either nationally or locally negotiated rates, having been determined from time to time in accordance with collective bargaining machinery. Allowances for such things as relocation, learning and development, business travel and subsistence play a part in supporting the Council's ability to recruit and retain quality staff.

In determining its grading structure and setting remuneration levels for any posts which fall outside its scope, the Council takes account of the need to ensure value for money in respect of the use of public funds, balanced against the need to recruit and retain employees who are able to meet the requirements of providing high quality services to the community, delivered effectively and efficiently and at times at which those services are required.

Where grades with pay scales are used, new appointments will normally be made at the minimum of the relevant scale for the grade, although this can be varied where necessary to reflect the circumstances of the selected candidate.

From time to time it may be necessary to take account of the external pay levels in the labour market in order to attract and retain employees with particular experience, skills and capacity. Where necessary, the Council will ensure the requirement for such comparison is objectively justified by reference to clear and transparent evidence of relevant market comparators, using data sources available from within the local government sector and outside, as appropriate.

Any temporary supplement to the salary scale for the grade is approved in accordance with the Council's Market Factor Supplement Policy.

Senior Management Remuneration

For the purposes of this statement, senior management means the Head of Paid Service, together with those employees (Directors) employed as 'Chief Officers' whose terms and conditions of employment are governed by the National Joint Negotiating Committee for Chief Officers of Local Authorities (J.N.C.). As of 1st April 2021 there will be 11 posts whose salary exceeds £50,000 per annum (Appendix 1). The posts currently within these definitions are set out below, with details of their salary as at 29 January 2021.

Head of Paid Service

The current salary of the post is a spot salary of £104,763.12 annum, with no incremental progression, exclusive of any payment for returning officer duties.

Mayor

The current salary of the post is a spot salary of £50,000.04 annum, with no incremental progression.

Directors

The role of Director of Financial Resources (with Section 151) is £73,334.16 is a spot salary with no incremental progression, the post of Director of Corporate Services and Commercial Strategy is a spot salary of £83,810.52 per annum with no incremental progression plus a 10% Monitoring Officer allowance. The role of Director of Growth and Inclusive Communities and Head of Operational and Commercial Services are currently vacant.

Super Manager

Their current spot salaries with no incremental progression are Public Protection Manager £55,392.48 Planning and Place Manager £54,306.36 and Community Services Manager £50,170.68 per annum.

Market Factor

In 2018, there were two Managers recruited and in order to retain their services their salaries included a market supplement e.g. ICT Manager with a spot salary of £50,170.68 plus 25% and Property & Estates Manager of a spot salary of £50,170.68 plus 10%.

Where the Council is unable to recruit senior managers, or there is a need for interim support to provide cover for a substantive senior management post, the Council will, where necessary, consider engaging individuals under a 'contract for service'. These will be sourced through a relevant procurement process ensuring the Council is able to demonstrate the maximum value for money benefits from competition in securing the relevant service. In assessing such it should be noted that in respect of such engagements the Council is not required to make either pension or national insurance contributions for the individuals concerned.

As stipulated in the Code of Practice for Local Authorities on Pay Transparency 2013, organisational structure charts showing the current structure (Appendix 2) is contained within this document.

Recruitment of Chief Officers

The Council's policy and procedures with regard to recruitment of its Chief Officers is set out within the Officer Appointment Procedure Rules in the Constitution and subject of a report to Personnel Panel and Full Council. When recruiting to all posts the Council will take full and proper account of all provisions of relevant employment law and its own policies, as approved.

The determination of the remuneration to be offered to any newly appointed Chief Officer will be in accordance with the pay structure and relevant policies in place at the time of recruitment.

Additions to Salary of Chief Officers

All Chief Officers (like all Council employees) are subject to satisfactory performance within the Councils annual performance management process - Aim Higher.

To meet specific operational requirements it may be necessary for an individual to temporarily take on additional duties to their identified role. The Council's arrangements for authorising any additional remuneration (e.g. "Acting-up" and honorarium payments) relating to temporary additional duties are set out in the relevant policy.

In addition to basic salary, the following posts receive additional payments as set out below:

- Fee payments pursuant to her appointment as Returning Officer at elections. The fees paid in respect of Parish, District and County Council elections are paid by the District and County Council respectively and are calculated by reference to the number of contested and uncontested wards at each election. Fees for Parish Council elections are calculated on a similar basis and are recharged to each parish council. Fee payments for UK Parliamentary General elections, Police and Crime Commissioner Elections, European elections, and National Referendums are set by central government and are, in effect, not paid by the Council, as the fees are reclaimed. The fee for the Returning Officer therefore varies at each election.
- Separate payments are made to the employees of the Returning Officer who act as Deputy Returning Officers and other staff who work as part of the elections team, and are commensurate with time spent undertaking election duties.

Car and Mileage Allowance

Chief Officers are subject to the Council's Car Allowance Scheme in relation to their use of their own private vehicles on Council business. No Chief Officer is currently designated as an Essential Car User under the Scheme. Casual users are paid the HMRC approved rate of 45p per mile for mileage travelled in their own vehicle on Council business.

Pension Contributions

Where employees have exercised their statutory right to become members of the Local Government Pension Scheme, the Council is required to make a contribution to the scheme representing a percentage of the pensionable remuneration due under the contract of employment of that employee. The rate of contribution is set by Actuaries advising the Cumbria Pension Fund and reviewed on a triennial basis in order to ensure the scheme is appropriately funded. The employer's contribution rate is 18.1%.

The table overleaf sets out the contribution bands which determine the employees' pension contributions, effective from 1 April 2020:

Contribution bandings 2020/21			
		Main Scheme	50/50 Section
Up to	£14,600.00	5.50 %	2.75%
£14,601.00	£22,800.00	5.80 %	2.90 %
£22,801.00	£37,100.00	6.50 %	3.25%
£37,101.00	£46,900.00	6.80 %	3.40%
£46,901.00	£65,600.00	8.50 %	4.25 %
£65,601.00	£93,000.00	9.90 %	4.95%
£93,001.00	£109,500.00	10.50%	5.25%
£109,501.00	£164,200.00	11.40%	5.70 %
£164,201.00	or more	12.50%	6.25 %

Payments on Termination

The Councils approach to statutory and discretionary payments on termination of employment of Chief Officers, prior to reaching normal retirement age, is set out within its Change Management Policy, and Pension Discretion Policy in accordance with Regulations 5 and 6 of the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006 and Regulation 12 of the Local Government Pension Scheme (Benefits, Membership and Contribution) Regulations 2007.

Any severance package over £100,000 will be the subject of a report to Full Council. This will clearly set out the components of the package including salary paid in lieu, redundancy compensation, pension entitlements, holiday pay and bonuses, fees or allowances paid.

Lowest Paid Employees

The Council has adopted the Foundation Living Wage (FLW). The UK Living Wage for outside of London was set at £9.50 per hour. The figure is set annually by the Centre for Research in Social Policy at Loughborough University. The authority will ensure that this is implemented. The review of the FLW takes place annually in November. As at 1st April 2020, the lowest salary is £18,328.26 per annum.

The relationship between the rate of pay for the lowest paid employee(s) and Chief Officers is determined by the processes used for determining pay and grading structures as set out earlier in this policy statement. The lowest salary, which in comparison with the salary of the Head of Paid Services is a ratio of 1:5.9.

As part of its overall and on-going monitoring of alignment with external pay markets, both within and outside the sector, the Council will use available benchmark information as appropriate.

When comparing the salaries of Chief Officers and other employees, it should be noted that Chief Officers have a notional working week of 37 hours but are required by their contract of employment to work without additional pay for additional hours according to the needs of the Council and the role, including evening and weekend working where required. Those employees (the majority) employed under the Agreement on Pay & Conditions of Service of the National Joint Council for Local Government Services have a contractual working week of 37 hours but do not have the same contractual conditions as Chief Officers in respect of additional working hours, and are entitled in appropriate circumstances to additional payments for overtime or time off in lieu.

Pay Multiple

The pay ratio of highest paid salary (including base salary, variable pay, bonuses, allowances and the cash value of any benefit in kind), compared to median earning figure of all employees as at 31st March 2020 is £13.64. The median salary is £27,041.

Accountability and Decision Making

In accordance with the Constitution of the Council, the Executive is responsible for strategic policy decisions in respect of employment matters. Decisions in relation to the recruitment, pay, terms and conditions and severance arrangements of employees of the Council rest with the Head of Paid Service, except where they relate to Chief Officers in which case they rest with the Appointments and Appeals Committee.

Re-employment / Re-engagement of former Chief Officers

The Council will not normally employ, or engage under a contract for services, Chief Officers who have previously received a redundancy or severance payment or who are in receipt of a pension under the Local Government Pension Scheme. The government passed legislation to prevent highly paid individuals who return to the public sector within 12 months of exit from retaining their full exit payment.

Pay practices in relation to external contractors commissioned to deliver services

The Council expects and encourages external contractors commissioned to work on behalf of the Council to ensure that there is no pay discrimination in their approach to remuneration of their employees and that they comply with all relevant employment legislation.

Trade Union Facility Time

Copeland Borough Council recognizes Unison, Unite and GMB trade unions for negotiation and consultation purposes and has a Trade Union Time Off & Facilities Policy, which outlines guidance for allowing time off to undertake trade union activities.

There are two staff who are union representatives. There is currently no union representative who devotes at least 50% of their time to union activity.

So far during the financial year 2020/21 time has been given to union representatives to attend relevant training or attend branch meetings. The average salary of the trade union representative at the Council is £24,582.50.

Publication

The Council will publish this pay policy statement on its website at www.copeland.gov.uk as soon as is reasonably practicable after it has been approved by the Council. Any subsequent amendments to this pay policy statement made during the financial year to which it relates will also be similarly published after they have been approved by the Council.

Appendix 1: Current Structure of posts over £50,000 per annum

Status		Post	Base Salary (£)	Other Payments
1	Head of Paid Service	Head of Paid Services	104,763.12	<p>The Returning Officer's fee for Borough elections is £160 per contested ward.</p> <p>Returning Officer fees for non-local elections are set by legislation prior to the election within Fees and Charges Orders. Deputy Returning Officer fees (County elections) is payable by the county council and the fees are set every 4 years by the county council</p>
2	Statutory Chief Officer which in Copeland Borough Council is the post of:	Director of Financial Resources	73,334.16	
3	Statutory Chief Officer which in Copeland Borough Council is the post of:	Director Corporate Services and Commercial Strategy	83,810.52 plus 10 % Monitoring Officer Allowance	
4	Non Statutory Chief Officer	Director of Growth and Inclusive Communities	81,567.36	Vacancy

5	Non Statutory Manager	Head of Operational and Commercial Services	66,273.00	Vacancy
6	Non Statutory Manager	Mayor	50,000.04	
7	Non Statutory Manager	Place and Planning Manager	54,306.36	
8	Non Statutory Manager	Public Protection Manager	55,392.48	
9	Non Statutory Manager	Community Services Manager	53,241.48	
10	Non Statutory Manager	Property & Estates Manager	50,170.68 plus 10%	
11	Non Statutory Manager	ICT Manager	50,170.68 plus 25%	

APPENDIX 2

Chief Executive
(Head of Paid Service, Acting Returning Officer and Electoral Registration Officer)
Pat Graham

Providing:
Public Protection: Environmental Health
Emergency Planning and Resilience
Whitehaven Hub
Licensing

Planning and Place Manager:
Development Management, Strategic Planning

Corporate Policy
ICT
Nuclear and Energy
Property and Estates
Building Control
Communications
HR/Health and Safety
Political Advisor
Personal Assistants
Policy Officer

Director of Growth and Inclusive Communities
Vacancy

Providing:
Inclusive Growth
Copeland Community Fund
Strategic Housing and Housing Options
Social Inclusion Programme
Equalities and Safeguarding
Well Whitehaven
Health and Wellbeing
LEP Engagement
Beacon Museum
Leisure Contract
Economic Regeneration
Project Management

Director of Corporate Services and Commercial Strategy
Sarah Pemberton

Providing:
Performance and Risk
Elections and Democratic Services
Information Management (GDPR/FOI) and Data Protection
Governance and Constitution
Strategic Commercial
Contract Management
Procurement
Legal
S.I.R.O.

Director of Financial Resources
Steven Brown

Providing:
Budget Strategy and Finance
Payroll
Revenues and Benefits
Internal/External Audit

Head of Operational and Commercial Services
Vacancy

Providing:
Parks and Open Spaces inc. Bereavement
Recycling and Waste Collection
Enforcement
Customer Services (inc. complaints)
Markets
Commercial Development and Growth