

## **AYLESBURY VALE DISTRICT COUNCIL – PAY POLICY 2019**

**Councillor Mrs A Macpherson**

**Chairman of the General Purposes Committee**

### **1 Purpose**

- 1.1 The Localism Act introduced responsibilities for local authorities to publish an annual pay policy statement. These statements must articulate an authority's own policies towards a range of issues relating to the pay of its workforce, particularly its senior staff (or 'chief officers') and its lowest paid employees.
- 1.2 The Council first published its Pay Policy in April, 2012, although the guidance states that pay policy statements must be prepared for each financial year and approved by full Council.
- 1.3 A report similar to this was considered by the General Purposes Committee on 21 January, 2019.

### **2 Recommendation for decision**

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| 2.1 Council is asked to approve the AVDC Pay Policy attached as an Appendix (as recommended by the General Purposes Committee). |
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### **3. Supporting information**

- 3.1 The Localism Act requires local authority pay policies to be openly approved by democratically elected councillors. The Act was formally enshrined in law in November, 2011.
- 3.2 The associated guidance, 'Openness and accountability in Local Pay' sets out the requirement for councils to publish their remuneration arrangements, including for chief officers and approve large salary packages in an open session of full council.
- 3.3 Ministers explicitly say in the 2013 Supplementary Guidance that the pay vote ceiling should be set at £100,000. This includes publicly justifying any big bonuses and above inflation annual pay rises, or hiring a person already in receipt of retirement or severance money. Authorities should have an explicit policy in their pay statement on whether or not they permit such practices.
- 3.4 The guidance does not specify that a Council must establish a pay ratio or pay multiple between highest to lowest paid or highest to median salary. Even where it may choose to do so, the Hutton review of Fair Pay in the public sector published in March, 2011 does not recommend a single ratio between highest and lowest paid, or highest and median salary, as there are too many differences in sizes and roles within public sector organisations, so a single ratio does not make sense. Hutton recommended that authorities should be required to publish pay multiples between top pay and median pay and this is published annually, together with senior pay Information, as part of AVDC's data transparency obligations. In 2017/18 (the last complete year of data) the multiple between top pay and median pay was 5.06%.
- 3.5 The pay policy statement must include the authority's policies relating to:
  - a. the level and elements of remuneration for each chief

- officer
- b. remuneration of chief officers on recruitment
- c. increases and additions to remuneration for each chief officer
- d. the use of performance related pay for chief officers
- e. the use of bonuses for chief officers
- f. the approach to the payment of chief officers on their ceasing to hold office under or to be employed by the authority, and
- g. the publication of and access to information relating to remuneration of chief officers.

3.6 The term 'remuneration' covers:

- a. the chief officer's salary or, in the case of a chief officer engaged by the authority under a contract for services, payments made by the authority to the chief officer for those services
- b. any bonuses payable by the authority to the chief officer
- c. any charges, fees or allowances payable by the authority to the chief officer
- d. any benefits in kind to which the chief officer is entitled as a result of the chief officer's office or employment
- e. any increase in or enhancement of the chief officer's pension entitlement (this could include "pension strain") where the increase or enhancement is as a result of a resolution of the authority, and
- f. any amounts payable by the authority to the chief officer on the chief officer ceasing to hold office under or be employed by the authority, other than amounts that may be payable by virtue of any enactment.

**4. Options considered**

- 4.1 None. It is a statutory requirement to publish the Council's pay policy on an annual basis.

**5. Reasons for Recommendation**

- 5.1 To meet the Council's statutory requirements and to demonstrate transparency in the determination and payment of remuneration rates to the taxpayer. As referred to earlier, this matter was considered by the General Purposes Committee and Members agreed that the pay policy should be recommended for approval by Council.

**6. Resource implications**

- 6.1 Officer time in compiling and publishing the information.

**7. Response to Key Aims and Objectives**

- 7.1 None. As this is a statutory requirement.

## AVDC Pay Policy

### 1. How pay is determined

- 1.1 AVDC has local pay arrangements. All pay is decided locally between Members and the Trade Unions/ Employee representatives. The AVDC Pay Negotiating Team is comprised of the Leader of the Council and up to 2 Cabinet Members. This Panel is supported by 2 officers; the Director responsible for Finance and a People and Payroll Manager.
- 1.2 All employed officers at AVDC are on single salary spine grades (1 to 12). All roles within any of the grades are subject to the Hay Job Evaluation criteria. That is, all jobs are assessed on the same criteria and the differential in grade is determined by the responsibilities and competencies of the role. It is not possible to conduct a direct comparison with the nationally negotiated pay scales as job roles and grades in AVDC have, since 1988, been determined locally.
- 1.3 The current salary and grading system was introduced in 1988 as a negotiated collective agreement. This was to ensure a fair and equitable approach to job grading and salary distribution. AVDC worked with Hay to structure the grades and the steps within each grade and the differential salary between grades. Originally, there was a fixed differential (%age) between each of the grades, however, over the years this has eroded due to merging of pay grades, shortening of pay spines and differential pay awards being granted, explained below.
- 1.4 All staff are subject to performance related incremental progression within their grade. A copy of the current salary rates can be found at Appendix 1. The Member, Trades Union and Staff Representative negotiating team met during the Autumn of 2018 to discuss the pay award effective from 1 April 2019. The outcome of this process was that it was agreed that a pay award of 2.5% across all staff grades should be made in respect of the 2019/20 financial year. It was also agreed that all staff would be paid at least the living wage, meaning £9 per hour for staff on lower grades. Staff have been balloted on the offer and have accepted it. The deal will now be reflected in the budget for 2019/20 and salary scales updated accordingly.
- 1.5 Employees who have been transferred in to AVDC will be paid in accordance with their personal terms and conditions as protected by the Transfer of Undertakings (Protection of Employment) Regulations (as amended), which includes, for example, arrangements for any annual pay award.
- 1.6 In 2004, Council approved a 4 year pay strategy which aimed to ensure that all AVDC salaries were based on benchmarks for comparative work. The strategy outlined that the aim was over the 4 year period to bring the median point of each salary grade to 100% of the median salary determined by the Hay market place benchmarking data.
- 1.7 Whilst that pay strategy formally ended in 2008, the Council has continued to apply the principles, using the benchmark data from Hay as a starting point for annual pay negotiations with Unions and Employee Representatives. However, a number of years of significant financial constraints, resulting in low or zero pay awards, have seen all grades move away from their benchmark medians.

1.8 AVDC's Commercial AVDC transformation programme has led to a number of people related strategies designed to deliver the Council's commercial aspirations. As part of this transformation, there was an intention to revisit the pay, reward and recognition strategy with a view to negotiating appropriate mechanisms to reward employees in a modern, commercial environment. This review was delayed in 2018/19 due to various Unitary related announcements. Following the Secretary of States announcement on Nov 1 2018 to combine local government upper tier services in the area this review has now been formally suspended and will be rolled in to the process of unitary transformation.

## **2. Definition of lowest paid and highest paid and the relationship between them**

2.1 AVDC defines its lowest paid employees as those at Grade 1, although apprentice salaries are traditionally lower than Grade 1. The highest paid is defined as the Chief Executive at Grade 12. The relationship between the lowest and highest paid is defined by the single salary spine and grading structure which was established in 1998.

2.2 There is no mechanism in the current pay policy to determine a maximum difference between the salary of the lowest graded worker (Grade 1) and the most senior (Grade 12).

## **3. Remuneration for senior officers including performance related pay**

3.1 As defined in The Accounts and Audit Regulations 2015, a senior employee is an employee whose salary is £150,000 or more per year, or an employee whose salary is £50,000 per year (pro-rata for part-time employees) and who is either:

1. Head of paid service (or a chief officer, as defined)
2. Head of staff, or
3. A person who has responsibility for the management of a major activity, with power to direct and control the expenditure of money (paraphrased)

3.2 For the purposes of this policy, senior employees refer to officers graded SG7 and above and who are a manager in charge of a service area.

3.3 In 2004, Council approved a performance pay element for the role of Chief Executive. This element was used as part of the recruitment attraction package when the role of Chief Executive was advertised in 2006. This was a three year arrangement which ceased in 2010. This element of salary (which is an aggregation over performance related pay payments over 3 years) was permanently consolidated into the Chief Executive's remuneration in 2010, and is contractually binding. Since that date, this amount is not subject to any further increase, except any cost of living increases applicable to all staff.

3.4 At this time, no other officers have performance related pay as part of their remuneration package.

3.5 All salaries at AVDC, regardless of grade or gender, are considered collectively as part of an overall grading and single salary spine and no additional or special pay arrangements put in place for senior salaries. The contractual consolidated performance element of the Chief Executive's pay is in addition to this arrangement, but is fixed and only subject to cost of living increases. Senior salaries are considered alongside all other grades when determining appropriate levels of pay award, including Grade 12 which is the substantive grade of the Chief Executive.

- 3.6 There is no guarantee that the performance related pay element will be incorporated in any future recruitment of senior officers. If the circumstance arose which necessitated the need for a recruitment process to be commenced, it will be discussed and considered at that time, and be subject to Council approval.
- 3.7 In 2016, following the departure and decision not to replace the Deputy Chief Executive, the salaries of the two Corporate Directors were reviewed and, in recognition of the additional commercial and strategic transformation responsibilities required in the role, it was deemed appropriate for them to be remunerated in accordance with Grade 11. The incremental scale points for Grade 11 extend beyond £100,000, the level requiring Council approval, and when the two Directors progress incrementally, they will ultimately exceed the £100,000 threshold.
- 3.8 There may be occasions where it is necessary to pay a market premium in addition to the substantive pay in order to attract a candidate/s of suitable quality, particularly if there are skills shortages in the labour market. This may apply either for fixed term (interim) or permanent appointments. Where the market supplement does not take the total annual salary package beyond £100,000, this market premium may be determined by a Director in consultation with the Chief Executive and the relevant Cabinet Member. Where the proposed market supplement takes the total annual salary package beyond £100,000 this would be subject to full Council approval. The conditions surrounding the payment of market premium will apply in accordance with section 8 of the Hay Agreement, 2000 (updated 2009).
- 3.9 Where market premium is not justified, but external recruitment to a particular role is deemed to require additional financial incentive, the council may consider offering a one-off or staged payment in addition to normal salary within the first 12 months of employment. Payments of this type will require approval by a Director in consultation with the relevant cabinet member. If the proposed payment in addition to salary exceeds £100,000, this will require approval from Council.

#### **4. Additional responsibility allowances and honorarium**

- 4.1 Where staff, of any grade, undertake duties of a higher graded responsibility, they may be eligible for the payment of a responsibility allowance. The allowance reflects the difference between their current salary and normally the lowest spinal point of the grade into which the employee is temporarily undertaking higher level duties. All responsibility allowances are to be paid for specific temporary periods of time, normally restricted to a maximum of 12 months and will be limited to a maximum difference of 2 grades.
- 4.2 Where an employee undertakes part of the responsibilities of a higher graded role, they receive a proportionate payment.
- 4.3 The Council's policies also allow for the payment of honoraria. These are normally one off payments, or a series of monthly payments (normally up to 12), where it is appropriate to acknowledge exceptional performance of a particular task/project. These are approved at Director Level and are paid from service area budgets.
- 4.4 Honoraria requests are directed through People and Culture team who aim to ensure that the levels of payments of honoraria are relatively consistent across grades and service areas. There is no limit on the maximum amount paid in an honorarium.

- 4.5 Variations to the honoraria and additional responsibility payments may be approved by a Director in exceptional circumstances.
- 4.5 If payment of such an allowance takes the total annual remuneration package above £100,000 then payment will be subject to approval by full Council. This shall, however, only apply if the arrangement endured for six months or more. Group Leaders will be kept advised of any such temporary arrangements.

## **5. Payment for electoral duties**

- 5.1 Where employees undertake electoral duties they receive payment for those duties, normally undertaken in work time, in addition to salary. Although it should be noted that the electoral duties undertaken are not in connection with their employment at the Authority\*.
- 5.2 Aylesbury Vale District Council is required to appoint a Returning Officer by virtue of the Representation of the People Act 1983. Whilst appointed by the District Council, the role of the Returning Officer is one which involves and incurs personal responsibility and accountability and is statutorily separate from their duties as an employee of the District Council.
- 5.3 The fees for national elections and referendums are determined by the Government. The local election fees are reviewed annually on a County basis in conjunction with the other District Councils and Milton Keynes Council and are approved by the Chief Executive. The local fees are kept as comparable as possible to those which apply for the national elections and any updating has regard to both the budget and pay situation across the authorities. The fees for any particular election are based on various prescribed calculations relating to for example the size of the electorate, quantity of postal votes and the number of seats contested to reflect the complexity and workload involved. The amount paid to staff assisting the Returning Officer depends on the role they undertake.

\*note: electoral duties (including electoral registration canvas) are undertaken by some substantive AVDC employees and payments are made in the form of overtime, paid alongside their normal pay.

## **6. Other remuneration**

- 6.1 A small number of employees have lease cars for operational reasons, as part of the pool car scheme. The lease car is deemed to be a benefit in kind, and is included in the definition of remuneration. In 2016 the Chief Executive was provided with a lease car with a view to supporting his business and increased travel commitments in pursuing commercial opportunities nationally and beyond.
- 6.2 Some employees are eligible to receive contractual or non-contractual overtime payments in accordance with the locally negotiated scheme. Overtime is not payable to employees on SG7 and above.
- 6.3 From April, 2012, a new recognition scheme was introduced which provides small and mainly non-financial rewards to staff for outstanding or exceptional performance as determined by an employee's regular performance reviews. The recognitions vary in value from non-financial to a maximum of £50 and were introduced to complement the Council's performance management processes. The scheme applies to all staff, regardless of grade.

6.4 There are no other additional elements of the remuneration package for senior officers other than those outlined above.

## **7. Approach to the payment of senior officers on their ceasing to hold office or to be employed by the authority**

7.1 AVDC's redundancy policy applies to all staff regardless of grade and awards redundancy payment at 1.73 of actual weekly salary. The amount payable depends on the employee's age and length of service and is consistent with the statutory table of calculating redundancy pay. The maximum amount payable under this scheme is equivalent to almost 12 months salary.

7.2 The payment of pension strain directly to the LGPS as part of a redundancy payment, which enables the payment of an unreduced pension, is non-discretionary and is determined on an individual basis, by the pension administrator. The cost of redundancy is set against on-going annual salary and employment on-costs (at 35%), typically recovered within two years. Each redundancy decision is approved at Chief Executive level in consultation with the relevant Cabinet Member.

7.3 Employer discretions exist, under the Local Government Pension Scheme, to enhance other pension entitlement upon termination. Any such awards require approval by the Chief Executive and Leader, such awards are rarely made.

7.4 Where an employee accepts voluntary redundancy and an unreduced pension, enabled by the payment of the pension strain they will not be re-employed directly by the Council except in accordance with the Council's Redundancy Procedure.

7.5 Where there exists a dispute between an employee and the Council, the Council reserves the right to consider an ex-gratia payment as part of a severance package. This is subject to the Chief Executive's approval in consultation with the Leader. Such arrangements will be legally protected by a formal Settlement Agreement arranged through the Council's solicitors.

7.6 These arrangements are subject to the Government's proposed reforms on such payments which were due to be implemented during 2017 but are still being awaited. No detail has been provided on the implementation, however, it is expected that the new rules will limit (cap) payments and/or change the way such payments are calculated. AVDC will be required to comply with the new rules, when they are implemented, and will consult with trade union and employee representatives when more details become available.

## **8. Transparency - Senior Employee's Salary Information**

8.1 Each year, the Council publishes the salaries of all senior employees, as described at Section 3.2 of this policy. A copy of the publication is available at view as Appendix 2.

## **9. Revisions**

9.1 Section 1.5 updated to current position (Jan 2019)

9.2 Section 1.8 updated to reflect unitary position (Jan 2019)

9.3 Removal of section 6.3 regarding remuneration of refuse and recycling workers due to a consolidation of payments for these officers during the year. (Jan 2019)

9.4 Revision to Section 7.6 as no change to exit payments has been announced by the government as yet. (Jan 2019)

**Appendix 1**

**Salary Scales  
2018 - 19**

		<b>Salary April '18</b>			<b>Salary April '18</b>
<b>SG1</b>	<b>508</b>	15,672	<b>SG7</b>	<b>672</b>	51,744
	<b>509</b>	16,440		<b>673</b>	52,656
	<b>510</b>	17,256		<b>674</b>	53,580
	<b>512</b>	18,168		<b>675</b>	54,576
	<b>513</b>	19,152		<b>676</b>	55,500
<b>SG2</b>	<b>517</b>	21,540	<b>SG8</b>	<b>682</b>	58,920
	<b>518</b>	22,200		<b>683</b>	59,916
	<b>519</b>	22,848		<b>684</b>	60,960
	<b>520</b>	23,556		<b>685</b>	62,064
	<b>521</b>	24,192		<b>686</b>	63,180
<b>SG3</b>	<b>524</b>	26,556	<b>SG9</b>	<b>692</b>	66,804
	<b>525</b>	27,336		<b>693</b>	67,980
	<b>526</b>	28,152		<b>694</b>	69,180
	<b>527</b>	29,004		<b>695</b>	70,416
	<b>528</b>	29,892		<b>696</b>	71,652
<b>SG4</b>	<b>641</b>	33,336	<b>SG10</b>	<b>903</b>	76,932
	<b>642</b>	34,008		<b>904</b>	78,312
	<b>643</b>	34,692		<b>905</b>	79,704
	<b>644</b>	35,352		<b>906</b>	81,108
	<b>645</b>	36,036		<b>907</b>	82,560
<b>SG5</b>	<b>652</b>	37,860	<b>SG11</b>	<b>952</b>	98,136
	<b>653</b>	38,652		<b>953</b>	99,888
	<b>654</b>	39,408		<b>954</b>	101,664
	<b>655</b>	40,164		<b>955</b>	103,464
	<b>656</b>	40,968		<b>956</b>	105,348
<b>SG6</b>	<b>662</b>	44,424	<b>SG12</b>	<b>992</b>	128,820
	<b>663</b>	45,192		<b>993</b>	131,148
	<b>664</b>	45,996		<b>994</b>	133,500
	<b>665</b>	46,776		<b>995</b>	135,900
	<b>666</b>	47,592		<b>996</b>	138,336

**Appendix 2**

**Senior Salary information**

**As at 18 December 2018**

<b>Job title</b>	<b>Service Area</b>	<b>FTE</b>	<b>Responsible for: (aggregated budget/ no.of staff)*</b>	<b>Pay Band (FTE)</b>	<b>Other remuneration #</b>
Chief Executive		1		£128,820 - £138,336	Loan car
Director	Digital Strategy, Commercial Property & Regeneration, Business Strategy & Support	1	£9,595,600 165	£98,136- £105,348	None
Director	Community Fulfilment, Customer Fulfilment	0.92	£7,277,200 337	£98,136- £105,348	None
Assistant Director	Commercial Property & Regeneration Property	1	£149,500 55	£66,804- £71,652	None
Assistant Director	Customer Fulfilment	1	£2,435,600 180	£66,804- £71,652	None
Assistant Director	Business Strategy & Support	1	£3,475,700 40	£66,804- £71,652	None
Assistant Director	Community Fulfilment	1	£9,341,800 188	£66,804- £71,652	None
Assistant Director	Digital & Transformation	1	£1,470,200 39	£66,804- £71,652	None
Partnership Director	Leap	1	£500,000 14	£58,920 - £63,180	
Contracts & Procurement Manager	Contracts & Procurement	1	£226,900 4	£51,744 - £55,500	
Monitoring Officer & Lead Legal Officer	Legal	1	£(44,200) 2	£58,920 - £63,180	
Digital Delivery Manager	IT	1	£268,400 3	£58,920 - £63,180	
Strategic Finance Manager	Finance	1	£Nil 16	£58,920 - £63,180	
Senior PMO	Project Management	1	£Nil	£51,744 - £55,500	

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Senior PMO	Project Management	1	£Nil	£51,744 - £55,500	
Corporate Governance Manager	Corporate Governance	0.92	£Nil 4	£58,920- £63,180	None
Corporate Commercial Strategy Manager	SEED	1	£166,700 4	£58,920- £63,180	
Corporate People & Culture Lead	People & Culture	1	£Nil 8	£58,920- £63,180	Note – vacant post
Senior HR Business Partner	People & Culture	1	£Nil	£51,744 - £55,500	
Estates & Property Services Operations Manager	Commercial Property	1	£(1,304,000) 11	£51,744 - £55,500	
Commercial Development Manager	Commercial Property	1	£395,700 10	£58,920- £63,180	Note – vacant post
Contracts Performance, Funding & Partnership Development Manager	Contracts, partnerships	1	Depends On Scheme	£51,744 - £55,500	
Strategy & Partnership Manager	Community Fulfilment	1	£279,000 7	£51,744 - £55,500	
Planning Policy Manager	Planning	0.95	£682,400 6	£51,744 - £55,500	
Economic Development & Delivery Manager	Economic Development	1	£246,400 9	£51,744 - £55,500	
Communications & Marketing Manager	Communications & Marketing	1	£Nil 10	£58,920- £63,180	
Group Manager – Customer Relationship	Customer Relationship	1	£958,400 52	£58,920- £63,180	
Group Manager – Commercial Services	Commercial Services	1	£(1,094,600) 44	£58,920- £63,180	

Group Manager – Regulatory Services	Regulatory Services	1	£2,993,800 59	£58,920- £63,180	
Corporate Planner	Planning	1	0	£58,920- £63,180	
Team Manager – Enforcement	Environmental Health	1	£102,600 9	£51,744 - £55,500	
Group Manager – Operational Delivery	Recycling & Waste	1	£4,922,200 145	£58,920- £63,180	None
Aylesbury Town Centre & Regeneration Manager	Commercial Property & Regeneration	1	£184,200 3	£51,744 - £55,500	
Systems Architect	Digital & Transformation	1	£Nil	£51,744 - £55,500	A £20k market premium is attached to this role

# Other remuneration (overtime, bonuses, allowances, benefits in kind)

\* £Nil refers to budgets which are cross charged back to other services

**The total number of employees whose annual FTE pay is more than £50,000 is 36**