

# Leicester City Council

## Pay Policy Statement 2016/17

### 1 Introduction and Purpose

- 1.1 Section 38(1) of the Localism Act 2011 requires all local authorities in England and Wales to produce and publish a Pay Policy Statement for each financial year from 2012/13 onwards. The principle behind this requirement is to increase transparency and accountability in local approaches to public sector pay, particularly in respect of senior staff by enabling public scrutiny.
- 1.2 As specified in the Act, this requirement does not extend to schools and therefore, the Statement does not include school based employees. Leicester City Council's Pay Policy Statement is set out in accordance with the mandatory requirements of the Localism Act and also takes account of The Local Government Transparency Code 2015.
- 1.3 It sets out information on the council's Pay and Conditions of Service for its chief officers and the wider workforce.
- 1.4 The Pay Policy is designed to enable communities to access the information they need to determine whether remuneration, particularly senior remuneration, is appropriate and commensurate with responsibility. In addition, it helps to ensure that policies on pay and reward of the most senior staff are set clearly within the context of the pay of the wider workforce.
- 1.5 The Act recognises that each local authority has the right to determine its own policy towards pay in order to address local priorities, the local market place and its own economic circumstances. However the requirement for the Pay Policy Statement to be approved by Full Council, and encouragement to councils to set up Remuneration Committees to oversee pay policy, involve councillors having a significant role in determining pay. At Leicester City Council, decisions on terms and conditions are made by Employees Committee or the Executive. The Employees Committee serves as the Remuneration Committee.

## **Context**

- 2.1 Leicester City Council is a unitary authority serving the largest city in the East Midlands region with a population of 329,839<sup>1</sup>. It is the largest employer in the city with a current total workforce of 11,433 full time equivalents and a headcount of 15,333. The Council operates under a Mayoral model of governance.
- 2.2 The Council provides a comprehensive set of local authority services to the population of the city encompassing social services, environmental services, highways, economic regeneration, planning, libraries, museums, revenues and benefits, housing, parks and open spaces amongst others.
- 2.3 Five years of budget reductions have seen the Council's grant from central government fall by £86m per year (37 percent in real terms). This had led to cuts of £100m per year being made to the Council's services. By 2019/20, total cuts are estimated to rise to £123m per year since 2010/11 (53 percent in real terms).
- 2.4 In 2013/14, the Council became responsible for the delivery of public health services. The statutory transfer placed a new duty on local authorities to promote the health of their population and as a result, 24 Public Health staff transferred to the Council. These employees continue to be employed on NHS terms and conditions which differ to those of the Council. For this reason some or all of this pay policy statement may not apply to those public health staff.
- 2.5 Although the Leicester and Leicestershire Enterprise Partnership (LLEP) is a separate legal entity, Leicester City Council is the employing body on behalf of that entity. The Director of the LLEP is employed by the Council on the same conditions of service as its Strategic and Divisional Directors, and the LLEP Director and its staff are covered by this Pay Policy Statement.
- 2.6 A key requirement of the Act is to set senior pay in the context of pay of the wider workforce, and specifically its lowest paid staff. The pay of most staff covered by this Pay Policy is governed primarily by a pay structure and associated terms and conditions of service which were implemented in March 2011 for all staff covered by the National Joint Council for Local Government Services (circa 6,119 staff by headcount).

## **3 Scope and Definitions**

- 3.1 This Pay Policy Statement covers all Leicester City Council employees except those employed in schools, apprentices, casual workers, and those employed on NHS terms and conditions (see paragraph 2.4).
- 3.2 The Statement includes policies on:

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<sup>1</sup> Source: Office of National Statistics Census 2011

- a) The level and elements of remuneration for Chief Officers
  - b) The remuneration of lowest paid employees
  - c) The relationship between the remuneration of Chief Officers and other officers
  - d) Other aspects of Chief Officer remuneration
- 3.3 Remuneration in the context of the Localism Act is defined widely to include salary, bonuses, performance related pay, allowances, fees, benefits in kind and contractual arrangements relating to any possible future severance payments.
- 3.4 The definition of chief officer includes head of paid service<sup>2</sup>, strategic directors and divisional directors (ie, directors employed on grade UCOC/T, and the director of public health).
- 3.5 In line with the local government transparency code 2015, the Council publishes a senior management structure chart on their website.

<http://www.leicester.gov.uk/your-council/how-we-work/data-protection-and-foia/transparency-and-open-data>

## **4 Senior Pay**

### Head of Paid Service

- 4.1 Under the mayoral model, the Council retains a statutory role of head of paid service. The salary range for this post is £124,463 - £128,760 pa (two incremental points). There are no additional performance, bonus or ex gratia payments applicable to this role.

### Strategic and Divisional Directors

- 4.2 Appendix one details each chief officer's substantive salary range and current salary. At the time of updating this statement the pay scale for Chief Officers remains the same as 2015/16.
- 4.3 The conditions of service for strategic and divisional directors are in accordance with the joint negotiating committee for chief officers agreement and the local terms and conditions which apply to other staff. Directors do not receive performance related pay, bonuses, benefits in kind or any other additional payments. Those who so wish may have access to workplace car parking at a cost of £870 pa, paid through a salary sacrifice arrangement.
- 4.4 Officers at this level are expected to work those hours necessary to fulfil their duties without additional pay. They receive no additional payments for overtime, standby etc.

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<sup>2</sup> The Council does not have a post of Chief Executive but is still legally required to have a Head of Paid Service.

### Placing on Grades and Incremental Progression

- 4.5 Appointments to both strategic and divisional director grades are normally made on the minimum point of the salary range, unless an appointee is already on a higher salary in which case placing on the grade will reflect this. The only other factor normally taken into account is market forces where necessary. However, market supplements above the grade of the post are not normally awarded at this level. Decisions on placement within the grade are normally taken by the most senior manager involved in the selection process, who may consult the relevant member of the Executive if required.
- 4.6 Progression through the grade is by one increment on 1 April each year, subject to satisfactory performance, until the maximum of the grade is reached.

### Fees

- 4.7 The only chief officer who receives fees is the returning officer who receives payment in line with the guidelines supplied by the electoral commission. The returning officer is the director of delivery, communications and political governance.

### Termination Payments

- 4.8 The Council's policy on termination payments is the same for all staff.
- 4.9 Redundancy payments are based on the number of weeks' pay staff are entitled to in accordance with statute, with reference to their age and length of service, using an actual week's pay. The Council does not pay enhanced redundancy payments for any staff under the discretionary payments regulations.
- 4.10 In terms of early retirement, the Council's normal position is not to top up pension benefits but it will consider requests to do so on a case by case basis. This approach applies to all staff – there are no special arrangements for senior staff. However, the Council reserves the right to enter into settlement agreements for staff in exceptional circumstances.
- 4.11 Where the cost of redundancy pay plus the capital cost associated with the early release of pension is £60k or more, early retirement is subject to approval by the head of paid service and the director of delivery, communications and political governance in consultation with the City Mayor.
- 4.12 The Council has provisions for flexible retirement and for early retirement on compassionate grounds where the employee needs to provide care for a family member for two years or more. The Council does not award additional membership under regulation 12.

- 4.13 The government announced in 23 May 2015 that it is their intention to cap public sector exit payments to a maximum of £95,000, at the time of writing this report these proposals are still in draft form.

#### Value for Money

- 4.14 One of the key issues underlying the requirement to produce a Pay Policy Statement is consideration of whether senior pay levels represent value for money. What do officers provide in return for these levels of remuneration?
- 4.15 Both Strategic and Divisional Directors have significant responsibilities for the delivery of the services under their control using the workforces and budgets they are responsible for. They advise the City Mayor and elected members on council decisions and on the future direction of the authority, guide major projects, plan and deliver a wide range of council services, are responsible for the effective performance of their service area, lead on complex changes, make tough day to day decisions on 'doing more with less' in an extremely challenging economic environment of cut-backs, and commission services from others.
- 4.16 Most are responsible for large numbers of staff or manage highly complex technical areas with smaller staff complements. The numbers of staff managed are included in appendix one. Some senior roles hold statutory responsibilities, such as the head of paid service, section 151 officer role (in charge of the council's finances), electoral registration officer, local returning officer and the monitoring officer role, or responsibilities for safeguarding vulnerable adults or children.
- 4.17 Strategic directors, with the City Mayor and the executive, are responsible for setting out a strategic vision for the way forward for the service areas under their control and providing clear leadership to the organisation. Strategic directors also provide effective management for their departments. Some senior roles focus around partnership working and relationship management with external partners to integrate strategy, maximise effective use of resources or to facilitate or deliver shared agendas.
- 4.18 Strategic directors are responsible for overseeing large departments and divisional directors manage the divisions within departments. The size of budgets varies according to the nature of the service. Details of divisional budgets are attached at appendix two.
- 4.19 The job descriptions for all these roles are available on the Council's website  
<http://www.leicester.gov.uk/your-council/how-we-work/performance-and-spending/senior-salaries-and-job-descriptions/>
- 4.20 The management competencies for divisional directors are set out in appendix three.

## 5 The Wider Workforce

- 5.1 Senior pay needs to be set in the context of the pay policy in relation to the rest of the workforce. The Council's current pay structure for all staff covered by the national joint council for local government services and the joint negotiating committee for local authorities craft and associated employees results from a pay and grading review which was implemented in March 2011, with effect from 1 July 2010. The grading of jobs is determined through job evaluation, using a scheme which is compliant in terms of equal pay for equal value principles.
- 5.2 The structure, which covers the majority of non-schools staff including heads of service, has 15 grades – see appendix four. Each grade has four increments apart from grade one, which has six. Employees are normally appointed to the minimum point of the grade and progress through the grade by one increment on 1 April each year, subject to satisfactory performance, until the maximum of the grade is reached. Sometimes, for market reasons, employees are appointed above the minimum point. Accelerated increments may also be awarded for exceptional performance.
- 5.3 At the time of writing this report agreement has not been reached on the local government pay award for 2016/17. Therefore the structure remains the same as in 2015/16, with a top salary £63,116pa, and lowest salary - the minimum point of grade one - £13,500pa<sup>3</sup>.
- 5.4 The Council has made a positive commitment to support lower paid staff and their families, as such on 1 April 2013 the Council adopted the 'UK Living Wage'<sup>4</sup>, to provide a better standard of living for lower paid employees. The rate has risen each year, and is currently set at £8.25. This is paid via a supplement to all employees on points 2 to 9 of the pay scale, approximately 700 by headcount.
- 5.5 The following local provisions for staff are in place for certain posts:
- Overtime payment at plain time or time and a third
  - Payment at time and a third for work at night, on Saturday and on Sunday
  - Payment at time and a third plus time off in lieu for work on a bank holiday
  - Standby allowance of £100 per week
- 5.6 The Council offers a wide range of training courses and post-entry qualification training to assist staff to progress in their careers. Managers are encouraged to

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<sup>3</sup> In the absence of the national joint council (NJC) reaching a pay agreement to be implemented in time for 1 April 2016, from the 1 April 2016 employees paid on SCPs 2, 3 and 4 will have their basic pay increased in accordance with the 'national living wage' bringing the minimum salary to £13,891, or £7.20 per hour until such a time the NJC finalises a pay agreement.

<sup>4</sup> The UK living wage is an hourly rate set independently and updated annually by The Living Wage Foundation, which Leicester City Council has signed-up to on a voluntary basis. It is different to the 'national living wage', which was announced by the Chancellor in the 2015 budget and comes into effect on 1 April 2016, set at £7.20 per hour for workers aged 25 and over.

develop career ladders linked to achieving relevant competencies, work of the relevant level and financial provision being available. The staff and management competencies are attached at appendix three.

### Market Pay

- 5.7 Sometimes job evaluation results in a salary range which is below the market rate for a particular role. Where there is significant difficulty with recruitment and retention because of this Directors may put forward a business case to the Market Pay Working Group which considers both this and independent market pay data in determining whether it is appropriate to award a market supplement. Market supplements are based on lower, median or upper quartile market pay data figures (or a level between these values) depending on the evidence and are reviewed every two years.
- 5.8 In addition to those staff covered by the pay and conditions described above a small proportion of the non-schools workforce is covered by national pay scales for teachers, educational improvement professionals; educational psychologists, young people's/community service managers and youth and community workers.

## **6 Relationship of Senior Pay to the Pay of the Wider Workforce**

- 6.1 The Hutton report on fair pay recommended that local authorities should publish the ratio of top earner to the median earner in the authority (excluding schools staff and apprentices). At Leicester City Council the ratio, based on the top earner's salary of £127,485 and a median salary of £22,212, was 5.74:1 in 2015/16. The ratio remains the same for 2016/17 however it is likely to be affected by any pay award when agreed. The Council monitors and updates this ratio each year in its Pay Policy, and publishes it on the website.

## **7 Pension**

- 7.1 All staff belonging to the Local Government Pension Scheme (LGPS) make contributions to the scheme based on their salary level as illustrated below:

LGPS Contribution Band	Salary Range	Contribution Rate
1	£0 - £13,600	5.5%
2	£13,601 - £21,000	5.8%
3	£21,201 - £34,400	6.5%
4	£34,401 - £43,500	6.8%
5	£43,501 - £60,700	8.5%
6	£60,701 - £86,000	9.9%
7	£86,001 - £101,200	10.5%
8	£100,201 - £151,800	11.4%
9	More than £151,801	12.5%

- 7.2 At the time of writing this report the Council makes employer's contributions to the scheme at a rate of 20.7 percent, this is set to increase to 21.7 percent on 1 April 2016.
- 7.3 The Council's approach to termination payments is set out in paragraphs 4.8 to 4.13 and is the same for staff at all levels.
- 7.4 If a former employee in receipt of a pension re-joins the council, their pension is not normally abated. The only exception is when added years were awarded when the member previously retired. In this case, if new earnings plus existing pension exceed previous salary, then abatement applies.

## **8 Review**

- 8.1 The Pay Policy Statement will be updated annually as required by the Localism Act.