

# North Herts District Council - Pay Policy Statement 2021/22

## INTRODUCTION

- 1.1 Local Authorities are required by section 38 of the Localism Act 2011 (the Act) to prepare a pay policy statement and view it alongside the Local Government Transparency Code 2015. This statement outlines our current policy and matters required by the Act and the Transparency Codes relating to the pay of staff particularly senior staff and the lowest paid employees.
- 1.2 This annual statement covers the financial year 1 April 2021 to 31 March 2022 and is approved by full Council. It will be subject to review annually and in accordance with new or proposed legislation to ensure that it remains relevant and effective. This statement is published on the Council's Website.

## BACKGROUND

- 2.1 Under the 1997 National Joint Committee (NJC) Single Status Agreement, Councils were required to harmonise pay and conditions for comparable posts; a requirement that affected 1.5 million public sector employees. NHDC completed its pay review in 2004, adopting Hay Job Evaluation and other elements of remuneration. The Hay method of evaluation is widely used by both public and private sector organisations.
- 2.2 The pay award for 2020/2021 was one year pay agreement of 2.75% for all grades and intended to keep pace with the rising National Living Wage.
- 2.3 The Trade Union (Unison) Pay Claim for 20/21/22 is due to be lodged in early 2021. Councils will be consulted on it in order to inform the National Employers' position for when they reach the stage of formally responding. A continuing huge challenge for the National Employers arises from the Government's target for the National Living Wage (NLW) to reach two thirds of median earnings in 2024; current forecasts show that to be £10.69 per hour. This is balanced against the pay freeze for 2021/22 that has been applied to various parts of the public sector, although it does not directly affect Local Government.

## GRADING

- 3.1 Our pay scales contain 16 pay bands which each contain 6 incremental points with the exception of Grade 16 which contains 5 incremental pay points. Grade 1 is the lowest and Grade 16 is the highest of these pay grades. Posts are allocated to a pay band through Hay job evaluation. Incremental progression through the pay points is annual, based on satisfactory performance. The Council does not operate performance related pay or a bonus system. Grades 13 & 15 are not currently used.
- 3.2 The lowest grade is Grade 1. Following the 2020/21 pay increase, the bottom of the Grade 1 pay band is £18,024, the top is £19,200 and the median £18,672.
- 3.3 The Enterprise Act 2016 regulations introduced a Levy for Apprenticeship training set at a rate of 0.5% of an employer's pay bill. The Enterprise Act 2016 also set out that public sector bodies should employ apprentices and may be set targets to increase Apprenticeships and the Levy is now used for the Apprenticeship training.
- 3.4 The Council employs a number of temporary Apprentices each year in

support of helping young people and others gain paid meaningful work experience and to help them go on and find permanent employment. Those doing a Business Administration Apprenticeship will be paid at the bottom of Grade 1, £18,024. The period of employment will be 18 months which is the course timescale for this Apprenticeship.

3.5 The Accounts and Audit Regs 2011 require councils to publish the number of employees who are paid over £50,000. The council employs 18 managers at Grade 12 earning £46,896 to £55,164. These are typically service managers who report directly to Chief Officers.

3.6 The table below shows the current positions for Chief Officers on Grades 14 to 16.

Table 1

<b>Position</b>	<b>Grade</b>	<b>Bottom of Pay Scale £</b>	<b>Top of Pay Scale £</b>
Service Director Commercial	14	65,556	77,100
Service Director Customers	14	65,556	77,100
Service Director Legal & Community	14	65,556	77,100
Service Director Place	14	65,556	77,100
Service Director Regulatory (Plus, allowance of 10% for deputising for the Managing Director)	14	65,556	77,100
Service Director Resources	14	65,556	77,100
Temporary part time Service Director Transformation	14	Pro-rata of 65,556	Pro Rata of 77,100
Managing Director	16	112,236	123,480

3.7 The values of the pay points within these pay grades are up rated by the pay awards notified from time to time by the National Joint Council for Local Government Services. For the Managing Director the up-rate is usually determined via the Joint Negotiating Committee for Chief Executives of Local Authorities and for Service Director grades usually up-rated by the Joint Negotiating Committee for Chief Officers of Local Authorities, as the JNC conditions of service apply to these posts.

3.8 4.4 (aa) of the Council's constitution states that Council will agree any award that exceeds the financial limits set out in this Pay Policy Statement. A salary package includes salary and fees or allowances routinely payable to the appointee and any benefits in kind to which the officer is entitled as a result of their employment. It is proposed that that the limit is retained at £100,000, and therefore will apply to the Managing Director post only, as no other posts are expected to reach this threshold.

3.9 The same limit (£100,000) is currently applied to discretionary severance compensation payment award, which includes:

- Salary paid in Lieu of Notice
- Outstanding Holiday Pay
- Redundancy/Compensation under the Discretionary Compensation Regulations 2006
- Pension strain costs to the Employer

This limit could apply to a much greater range of people, as for pension strain it will depend on length of service, current and recent salary amounts and time until standard retirement date. However, the legislation described below will substantially reduce the situations when this will apply.

3.10 The Restriction of Public Sector Exit Payments Regulations 2020 came into effect in November 2020 and places a cap of £95,000 on exit payments. The main types of payments that will count in the calculation of the exit cap calculation are:

- Redundancy payments
- Severance or ex-gratia payments
- Costs arising from early pension access
- Other benefits granted as part of the exit process that are not payments in relation to employment
- Pay in lieu of notice payments.

The new legislation currently conflicts with existing regulations within the Local Government Pension Scheme (LGPS) and therefore amended pension regulations are expected from LGPS early in 2021. The legislation is also subject to legal challenge.

3.11 Returning Officer/counting officer fees are paid by the parish, North Herts District Council or the Government and are payable to the Returning Officer in respect of Elections and referendums. In setting a scale of fees and charges for local elections (district, town and parish elections) the Council is complying with The Representation of The People Act 1983, (section 36). These fees are approved by Full Council.

#### **4. FUTURE APPOINTMENTS AND INTERIM ARRANGEMENTS**

4.1 If the need arises to provide agency or interim cover the policy is to seek to cap the cost of that appointment at no more than that of the permanent appointment taking into account additional employment costs, pension contributions, national insurance, paid leave etc. However, where necessary a higher “market rate” will be paid to secure a suitable individual and market rate will be established by reference to soft market testing, external independent advice and dialogue with peer authorities.

4.2 Engaging senior people on a temporary basis as a self-employed worker, a consultant or via an agency occurs in isolated instances only. This form of employment is a last resort when it is in the economic or operational interests of the Council.

4.3 The use of severance agreements and “off payroll” arrangements were the subject of Guidance issued for local authorities in March 2015, IR35. From 6 April 2017, responsibility for assessing IR35 status and for deducting and accounting for Pay as You Earn (PAYE) and National Insurance Contributions (NIC) became the responsibility of the public sector body engaging them. The HMRC have developed an on-line tool to assess whether IR35 applies. HR and Accounts worked together on the processes to implement these changes.

## 5 PAY MULTIPLES

- 5.1 In the Hutton Report of March 2011, concern was expressed about multiples in the order of 20 or higher between the lowest and the highest paid employees in Local Authorities. The Council is not required to publish details of these pay multiples but has decided to do so in the interests of transparency.
- 5.2 Under the Local Government Transparency Codes 2014 and 2015, the Council must publish the ratio between the highest paid salary and the median salary of the whole of the Authority's workforce. The highest paid salary including allowances is £124,672. The median salary of the whole of the Local Authority's workforce is £27,636 and the multiple is 4.51.
- 5.3 The multiple of the median of the lowest paid compared to the highest paid has reduced from 7.94 in 2012/13 to 6.52 in 2020/21.

Table 2

<b>Position /Grade</b>	<b>Pay Range (including Car Allowance for Grades 12, 14 &amp; 16)</b>	<b>Median in pay range (inc allowances for Grades 12, 14 &amp; 16)</b>	<b>Multiple of Grade 1 Median</b>
Grade 1	£18,024 - £19,200	£18,672	1
Managing Director - Grade 16	£116,236 – £127,480	£121,852	6.52
Service Directors - Grade 14	£69,056 - £80,600	£74,816	4.01
Service Managers - Grade 12	£49,896 - £58,164	£54,024	2.89

The Council is satisfied that the multiples shown in 5.2 and 5.3 are justifiable and equitable and our rates are set by our Job Evaluation scheme and apply to all the Council's posts.

## 6. CAR ALLOWANCES

- 6.1 Employees who need to use their cars on a frequent basis for work related travel get a frequent car user allowance of £1,239. For all low and frequent car users the mileage is paid at of 45p per mile (up to 10,000 miles per year). If passengers are carried and extra 5p can be claimed per mile.
- 6.2 Senior car allowances are provided to Grades 11 and above as part of the overall reward package to attract and retain staff
- 6.3 Senior Car Allowance
- Grade 11 -12 £3,000 p.a.  
Grade 13 -14 £3,500 p.a.  
Grade 15 -16 £4,000 p.a.

The Senior Car Allowance Mileage Rate is 12.03p per mile.

## 7. OTHER PAYMENTS

- 7.1 Section 38 (4) of the Act specifies that in addition to senior salaries, authorities must also make clear what approach they take to the award of other elements of senior remuneration, including bonuses, performance related pay as well as severance payments. The Council does not use either performance related pay or bonuses. Any other payments such as payments for taking on additional responsibility or covering absences or vacancies are calculated using the same formulas regardless of grade, current pay rates are set out in the Employee Handbook.
- 7.2 Any severance payments should be made in accordance with the Council's Early Severance Policy and prevailing legislative requirements. The only other severance payments would be those set out in a severance settlement agreement or to settle an employment dispute to prevent, resolve or settle an Employment Tribunal Claim. In agreeing the terms for such cases due regard will be given to ensuring the cost is justifiable in relation to the circumstances and that the proposed outcome is in the best interests of the Council and represents a proper use of public funds.

## 8. LOCAL GOVERNMENT PENSION SCHEME CONTRIBUTIONS (LGPS)

- 8.1 The Local Government Pension Scheme is one of the largest public sector pension schemes in the UK and is a valuable part of the pay and reward package for employees working in local government For North Herts District Council, the scheme is administered by Hertfordshire County Council via a contract with the South East fund, the London Pensions Partnership.
- 8.2 The current Employer contribution rate is 18.6% for all grades. This rate was most recently reviewed during the 2019 triennial valuation where the rate remained unchanged from the previous review.
- 8.3 There has been a significant number of changes to the scheme that have gradually reduced benefits and increased employee contribution rates. This is due to the need to maintain the affordability of the scheme, with people living longer and drawing their pension for longer periods. The last significant change to the scheme was in April 2014. The table below shows the Career Average Revaluated Earnings (CARE) scheme which came into effect from 1 April 2014. The Employee Contribution bands for 2019/20 are set out in the table below. Further reforms to the LGPS are expected following the Public Sector Exit Payment Cap which was introduced in November 2020.

<b>LGPS 2014</b>	
<b>Basis of Pension</b>	Career average revaluated earnings CARE
<b>Revaluation Rate</b>	Based on CPI
<b>Accrual Rate</b>	1/49 <sup>th</sup>
<b>Pensionable Pay</b>	Pay including non-contractual overtime and additional hours for part time staff
<b>Employee Contribution Rates</b>	Up to £14,600 5.5% £14,601 - £22,800 5.8%

	£22,801 - £37,100 6.5%
	£37,101 - £46,900 6.8%
	£46,901 - £65,600 8.5%
	£65,601 - £93,000 9.9%
	£93,001 - £109,500 10.5%
	£109,500 - £164,200 11.4%

### **Flexible Retirement Pension Discretion**

- 8.5 The Council allows flexible retirement under its pension discretions. This is where an employee draws their pension and carries on working at a lower grade and/or on reduced hours. It is available to LGPS members who are aged 55 or over, and who, with the Council's consent, permanently significantly reduce their hours and/or reduce their grade. The employee's pension is actuarially reduced if paid before age 65. This policy applies to all grades, but applications would be at the Council's discretion giving due regard to the business implications and succession planning.

### **9. PUBLICATION**

- 9.1 This annual statement applies to the financial year, beginning 1 April 2021 to 31 March 2022. This statement was approved by a meeting of full Council on 11 February 2021. The statement is updated and approved annually by full Council. Where required, Council also delegates authority to update the statement during the year e.g. when awaiting the outcomes of pay negotiations.

- 9.2 In addition to this statement, the Council is required to publish the details of Chief Officer pay in the annual Statement of Accounts. The draft and final Accounts are published on the Council's website. The Council also makes further pay related disclosures on the Open Data page of the website.

### **10. BACKGROUND DOCUMENTS**

- Local Government Transparency Code 2015
- Small Business, Enterprise and Employment Act 2015
- (Draft) The Repayment of Public Sector Exit Payments Regulations 2015
- Enterprise Act 2016
- The use of Severance Agreements and off payroll arrangements - Guidance for Local Authorities March 2015
- Annual Statement of Accounts
- Employee Handbook
- Early Severance Policy
- Market Forces Policy
- NHDC Pension Discretions
- Retirement Policy
- Additional Responsibility Pay Policy