



**Meeting** Council

**Date and Time** Wednesday, 15th January, 2020 at 7.00 pm.

**Venue** King Alfred Conference Chamber, Guildhall, Winchester

**S U P P L E M E N T A R Y   A G E N D A   2**

The following item was not notified for inclusion on the agenda within the statutory deadline. Therefore, the Chairman will need to decide whether or not to accept this item onto the agenda as a matter requiring urgent consideration.

Agenda Item.

**5. TO CONSIDER AND DETERMINE THE FOLLOWING RECOMMENDED MINUTE:**

**b)    AUDIT AND GOVERNANCE COMMITTEE - 9 JANUARY 2020  
PAY POLICY (AG0018) (Pages 3 - 16)**

RECOMMENDED TO COUNCIL:

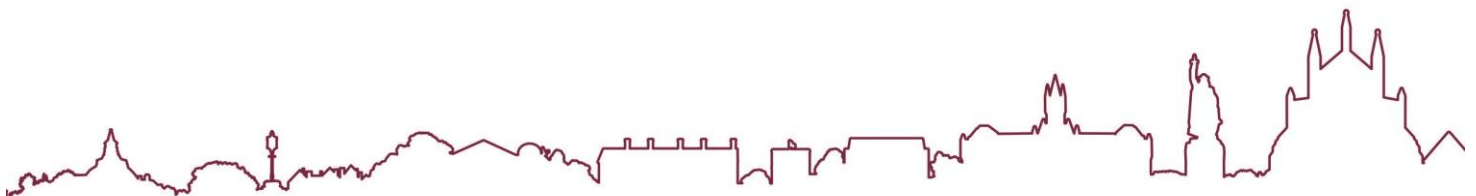
THAT THE PAY POLICY STATEMENT FOR THE FINANCIAL YEAR 2020/2021 BE ADOPTED.

City Offices  
Colebrook Street  
Winchester  
SO23 9LJ

LISA KIRKMAN  
Corporate Head of Resources and  
Monitoring Officer

13 January 2020

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## EXTRACT OF DRAFT MINUTES

### AUDIT AND GOVERNANCE COMMITTEE

9 JANUARY 2020

1. **PAY POLICY STATEMENT 2020/2021**  
([Report AG018 and audio recording refers](#))

The officers responded to Members' questions. These included the future undertaking of an Equality Impact Assessment in relation to the analysis of the gender pay gap and the numbers of lowest paid employees and their working hours (which was clarified as being 3 employees and the quantum related to working a 37 hour week).

The Strategic Director – Resources tabled some amendments to the Policy at the meeting in relation to consistent use of language. This updated version of the Policy is recommended to Council for adoption and is attached to the Minute of this meeting.

**RECOMMENDED:**

**THAT THE PAY POLICY STATEMENT FOR THE  
FINANCIAL YEAR 2020/2021 BE ADOPTED.**

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**Winchester City Council**  
**Pay Policy Statement – Financial Year 2020/2021**

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**1. Purpose**

- 1.1 This Pay Policy Statement is provided in accordance with Section 38(1) of the Localism Act 2011 and will be updated annually from 1 April each year.
- 1.2 The Pay Policy Statement sets out Winchester City Council’s policies relating to the pay of its workforce for the financial year 2020/2021, in particular:
- the remuneration of its Chief Officers
  - the remuneration of its “lowest paid employees”
  - the relationship between:
    - the remuneration of its Chief Officers and
    - the remuneration of its employees who are not Chief Officers
- 1.3 The purpose of the statement is to provide an open and transparent framework that ensures clarity, fairness and consistency in the remuneration of Chief Officers. It also ensures that employees at all levels of the Council are paid on a fair and equitable basis in accordance with equality legislation.

**2. Definitions**

- 2.1 For the purpose of this statement the following definitions will apply:
- 2.2 “**Remuneration**” in addition to salary will also include charges, fees, allowances, benefits in kind, increases in/enhancements to pension entitlements, and settlement payments.
- 2.3 “**Chief Officer**” refers to the Statutory Chief Officers (Head of Paid Service, Monitoring Officer and Chief Finance Officer (“S151 Officer”)) and to Strategic Directors.
- 2.4 “**Lowest paid employees**” refers to those employed on Grade 2 of the Council’s pay framework.
- 2.4.1 The above definition for the “lowest paid employees” has been adopted because Grade 2 is the lowest grade on which employees are paid within the Council’s pay framework.
- 2.4.2 Those engaged on Casual Worker Agreements are paid a fixed hourly rate in line with the voluntary UK Living Wage. They are excluded from the definition of “lowest paid employees”.

- 2.5 **“Employee who is not a Chief Officer”** refers to all employees that are not covered under the “Chief Officer” group above. This includes the “lowest paid employees” i.e. employees on Grade 2 and below.

### **3. Pay Framework and Remuneration Levels**

#### **3.1 General Approach**

- 3.1.1 Remuneration for all employees needs to be at the appropriate level to secure and retain high-quality employees dedicated to fulfilling the Council’s business objectives and delivering services to the public. This has to be balanced by ensuring remuneration is proportionate and appropriate for the role. Each Council has responsibility for balancing these factors and faces its own unique challenges and opportunities in doing so. It is important that Winchester City Council retains flexibility within its pay framework to cope with a variety of circumstances that might necessitate the use of market supplements or other such mechanisms for individual categories of posts where appropriate. Using such solutions should only be short term and regular reviews should ensure that they are discontinued when circumstances change.

#### **3.2 Responsibility for Decisions on Remuneration**

- 3.2.1 It is essential for good governance that decisions on remuneration for the Chief Executive and Chief Officers are made in an open and accountable way and that there is a verified and accountable process for recommending the levels of top salaries.
- 3.2.2 Remuneration for employees at all grades is based on the national agreements on pay as follows:
- National Joint Council for Local Government Services
  - Joint Negotiating Council for Chief Officers
  - Joint Negotiating Council for Chief Executives.
- 3.2.3 Remuneration packages above £100,000 gross per annum must be considered by Cabinet, with a recommendation to Full Council.

#### **3.3 Salary grades and grading framework**

- 3.3.1 Grades for all posts are determined by a consistent job evaluation process. This followed a national requirement for all Local Authorities and other public sector employers to review their pay and grading frameworks to ensure fair and consistent practice for different groups of workers with the same employer.

- 3.3.2 Job Evaluation is a systematic process for ranking jobs within an organisation, ensuring consistency of approach and outcomes appropriate to the complexity and accountability of the role. Where the grade of a post changes as a result of the job evaluation process, any pay adjustment will only be backdated to the date on which the role was considered by a Job Evaluation Panel.
- 3.3.3 The Council's pay structure is based on the pay spine issued by the National Joint Council (NJC) as part of the National Agreement for Local Government Services. Roles are placed within the pay structure on the basis of the evaluated grade of their role.
- 3.3.4 Incremental spinal column points provide for progression in role with the acquisition of skills, experience and competence (subject to satisfactory performance).
- 3.3.5 Pay awards are applied in line with the national agreements detailed in 3.2.2 on an annual basis for all employees, in conjunction with the nationally recognised trade unions.

#### **3.4 Market Review and Market Supplements**

- 3.4.1 The Council will from time to time, benchmark its remuneration with other authorities by comparing a sample of posts. For the purpose of benchmarking and market testing the comparator group comprises public sector authorities in Hampshire, West Sussex and Surrey and authorities in other areas if relevant, who are similar to the Council in terms of size (number of employees and population) and similar relevant factors. Jobs within London Boroughs will not be used for comparator purposes due to London weighting allowance. In exceptional circumstances, other external market pay data, including private sector data, will also be considered where relevant.
- 3.4.2 Where the benchmarking exercise highlights a discrepancy in pay, following consideration of a report made to the Executive Leadership Board, a market supplement may be awarded, subject to annual review.
- 3.4.3 Decisions relating to awarding a market supplement for the Chief Executive will be referred to Cabinet, with a recommendation to Full Council.

### **4. Remuneration**

#### **4.1. General Principles**

- 4.1.1 Remuneration details including benefits in kind are set out in the Council's published Annual Statement of Accounts.

4.1.2 **“Chief Officers”**, as defined in paragraph 2.3 of this statement, are paid within the Council’s pay framework which applies to all other employees. Typically, Chief Officers have received the same percentage pay award as other employees within the Council.

4.1.3 **“Lowest paid employees”**: Winchester City Council is an accredited Living Wage Employer. The Living Wage is paid voluntarily and is set to avoid poverty wages and support the principle that workers should be paid at a level which enables them to achieve an acceptable standard of living. The lowest paid employees are paid within the salary range for Grade 2 which covers five salary points ranging between £17,364 and £18,795.

4.1.4 The lowest paid employees do not include apprentices for whom there are separate pay arrangements.

## **4.2 Honoraria and Additional Responsibilities**

4.2.1 All employees are expected to perform any other duties commensurate with their job grade as reasonably required from time to time. However, there may be occasions where an employee agrees to take on additional duties and responsibilities that may be at the same level of their substantive grade but are beyond the reasonable scope of their normal job remit. In such circumstances, subject to approval from the Executive Leadership Board (“ELB”), an honorarium payment may be awarded. Honoraria should not normally exceed £500, or the value of no more than 2 incremental points, whichever is greater.

4.2.2 The appropriate Strategic Director, in consultation with ELB, may award an “acting up” allowance where an employee takes on temporary increased responsibility.

4.2.3 The amount awarded should reflect the nature and duration of the work or responsibility. Where the employee has been covering the long term absence of a more senior officer, “acting up” payments are calculated based on the difference between the employee’s scale point and the bottom scale point of the role they are covering. Temporary acting-up arrangements of this nature will not exceed more than 12 months duration and should generally be undertaken for at least one month before payment will apply.

## **4.3 Charges, fees or allowances**

4.3.1 No fees for election duties are included in the salaries of Chief Officers. Any additional fees payable for such responsibilities are calculated in accordance with the statutory rules and associated guidance which is published by the Government.

4.3.2 Special fees are paid for Returning Officer duties which are not part of the post holder’s substantive role. These fees are payable as required and can



be made to any senior officer appointed to fulfil the statutory duties of this role.

- 4.3.3 The Returning Officer is an officer of the City Council who is appointed under the Representation of the People Act 1983. Whilst appointed by the City Council, the role is one which involves and incurs personal responsibility and accountability and is statutorily separate from their duties as an employee of the Council. The Returning Officer is paid a separate allowance for each election for which they are responsible.
- 4.3.4 Where the Council's Monitoring Officer or Chief Finance Officer ("S151 Officer") is not a Chief Officer, a special responsibility allowance of £3,000 gross per annum is paid in recognition of the additional requirements of the statutory role.
- 4.3.5 Any allowance or other payment will only be made to an employee in connection with their role or the patterns of hours they work and must be in accordance with the Council's employment policies.
- 4.3.6 Where the Council offers voluntary benefits (e.g. childcare vouchers and employee discount schemes), they are offered to all employees regardless of their role and grade within the Council.

#### **4.4 Performance related pay**

- 4.4.1 Performance is reviewed annually through the Council's appraisal system and the Council reserves the right to withhold increments where performance has not met the required standard and where this has been raised with the employee formally. Beyond annual increments awarded in this way, the Council does not offer performance related pay to any employee.
- 4.4.2 Subject to approval from the appropriate Corporate Head of Service and Strategic Director, an employee may receive more than one increment in any financial year.

#### **4.5 Pension**

- 4.5.1 All employees, as a result of their employment, are eligible to join the Local Government Pension Scheme (LGPS).
- 4.5.2 In addition to the employee's own contribution, the Council makes a contribution of 16.1% towards the pension of each member of the LGPS scheme<sup>1</sup>.

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<sup>1</sup> In addition to the 16.1% contribution, there is also an additional payment for the capital contribution for past service that the Council pays, along with all other members of the Hampshire Pension Fund. In recent years, there has been an annual increase of 1% on the employer contribution. To date, no guidance beyond 01 April 2020 is available from the Pension Administrators.

#### **4.6 Remuneration on appointment and promotion**

- 4.6.1 The remuneration on appointment or following promotion will normally be based on the appointee's level of relevant experience and current remuneration, regardless of whether they are a current employee of Winchester City Council.
- 4.6.2 The chair of the recruitment panel has the discretion to determine the appropriate spinal column point within the agreed pay scale, but the starting salary should not exceed the mid-point of the pay scale. In exceptional circumstances (e.g. the current salary is higher than the mid-point of the scale), the Service Lead: Human Resources (or in their absence, the HR Manager: People), may authorise appointment on a spinal column point which is higher than the mid-point of the scale.

#### **4.7 Relationship between Remuneration of “Chief Officers” and “Employees who are not Chief Officers”**

- 4.7.1 It is the policy of the Council to ensure that the ratio of the remuneration of the highest paid officer and the lowest paid officer is well below the 10:1 ratio recommended as a maximum in the terms of reference for the 2011 Hutton Review of fair pay in the Public Sector.
- 4.7.2 As at 1st April 2019, the appropriate ratios within the Council stand as follows:
- Highest: lowest = 6.9:1
- 4.7.3 This is based on the following:
- Highest paid annual remuneration = £119,850
  - Lowest paid (minimum Grade 2) = £17,365

#### **4.8 Benefits in kind**

- 4.8.1 The Council pays professional fees for officers where it is an essential requirement for the post holder to maintain professional accreditation. Only one set of professional fees are paid per annum.
- 4.8.2 The Council offers a Health Care Cash Plan scheme which is available to all employees regardless of their role and grade within the Council.
- 4.8.3 A Park and Ride pass is offered to all employees, with the exception of those who are designated as “Essential Car Users” who are issued with a permit for one of the car parks nearer to the Council offices, to enable them to meet the specific operational requirements of their role.

#### **4.9 Termination Payments**

4.9.1 Payments made on termination of employment are limited to those expressly required or allowed by law. In accordance with the Council's Constitution, Termination payments which exceed £100,000 (regardless of the post to which they apply and the reasons for the payment), require approval from Full Council.

#### **4.10 Access to Pension Payments**

4.10.1 In some circumstances, an employee may be eligible to access their pension on termination of employment.

4.10.2 The Local Government Pension Scheme ("LGPS") requires employers to prepare and publish a written statement of policy in relation to the payment of pensions. The Council's policy on pensions (and related discretionary payments) is set out in **Annex A** of this document.

#### **5. Redundancy Payments**

5.1 The calculation of redundancy payments is based on the provisions of the Employment Rights Act 1996 and may be subject to revision, should this legislation be amended.

5.2 Redundancy payments are based on a ratio of completed years' service and the employee's age at the effective date of termination, using a multiplier of 1.6. Completed service will be capped at 20 years and the maximum of 48 weeks pay will apply. The Council will use the employee's actual contractual pay to calculate their redundancy payments.

#### **6. Settlement Agreements**

6.1 In exceptional circumstances, and specifically to settle an employment tribunal claim or similar significant dispute, the Corporate Head of Resources can agree settlement payments of up to £10,000.

6.2 In such cases, each decision as to the level of payment will be taken on its merits. Where the proposed termination payment exceeds £10,000, approval from the Section 151 Officer and one other Chief Officer is required.

6.3 In accordance with the Council's Constitution, Settlement Payments which exceed £100,000 (regardless of the post to which they apply) require approval from Full Council.

**7. Re-employment**

- 7.1 When an employee is dismissed on the grounds of redundancy or early retirement with the employer's consent, the Council will not re-employ them for a period of 12 months following the termination.

**8. Data Transparency**

- 8.1 Under the Local Government Transparency Code 2014, remuneration information and a list of responsibilities for employees paid over £50,000 must be published. This information is available on the Council's external website. Senior employees' remuneration can also be found in the Annual Statement of Accounts.

## Annex A

### Pensions Discretions Policy Statement

#### **The Local Government Pension Scheme Regulations 2013 and Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014**

#### **1. Introduction**

- 1.1 This policy statement is made in accordance with Paragraph 60 of the Local Government Pension Scheme Regulations 2013 and Paragraph 2 (2) of Schedule 2 of the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014.
- 1.2 It sets out how Winchester City Council will apply discretionary provisions available within those Regulations.
- 1.3 This policy applies to all employees of Winchester City Council who are members of the Local Government Pension Scheme. It does not apply to Elected Members of the Council.
- 1.4 In formulating and reviewing its policy, the Council:
  - has regard to the extent to which the exercise of discretionary powers, unless properly limited, could lead to serious loss of confidence in the public service; and
  - is satisfied that the policy is workable, affordable and reasonable, having regard to the foreseeable costs.

#### **2. Purpose of this Policy**

- 2.1 This policy aims to provide fairness and consistency in situations where the Council is considering the release of accrued pension benefits.

#### **3. Flexible Retirement – Regulations 30 (6) and 30 (8) (2013 Regulations)**

- 3.1 The Pension Scheme allows for flexible retirement from age 55 with the payment of all or part of accrued pension benefits in situations where the employer agrees to the hours of work or the level of responsibility being reduced **and** to the release of pension benefits. In most cases, the pension benefits will be reduced if taken before normal retirement age.

- 3.2 Flexible retirement can benefit both the employee through enabling a gradual adjustment to retirement and the Council through the ability to retain valuable experience and knowledge; it also increases the opportunity for succession planning and reflects the ethos of flexible working.
- 3.3 The Council will consider all requests for flexible retirement in response to written requests from eligible employees.
- 3.4 The Council will approve requests only where it is in their interests to do so; where there is no adverse impact on the service; where the costs are affordable or where there are likely to be cost savings achieved as a result of the proposal.
- 3.5 A request should typically involve a substantial reduction of at least 40% in salary, either through reduced hours or level of responsibility.
- 3.6 Requests for flexible retirement will be considered by the Executive Leadership Board. Where a request for flexible retirement is from a Chief Officer, the decision will be made by the Chief Executive. Requests for flexible retirement from the Chief Executive will require approval from Full Council.

#### **4. Awarding Additional Pension – Regulation 31( 2013 Regulations)**

- 4.1 The Council will not make use of the provision to award additional pension.
- 4.2 This discretion is therefore not exercised.

#### **5. Shared Cost Additional Voluntary Contributions (SCAVC) and Shared Cost Additional Pension Contributions (SCAPC) – Regulations 16(2) (e) and 16(4) (d) ( 2013 Regulations)**

- 5.1 The Council will exercise discretion to allow Local Government Pension Scheme Members to contribute to a shared cost salary sacrifice additional voluntary contribution scheme.
- 5.2 The Council will not exercise its discretion to allow Local Government Pension Scheme Members to contribute to a Shared Cost Additional Pension Contributions Scheme.

**6. Discretion to “switch on” the 85 year rule for 55 year olds and older but before the age of 60 – Para 1(1) (c) Schedule 2 of the 2014 Regulations**

6.1 The Council will only exercise this discretion where there is a business reason to do so and where any costs associated with the discretion are affordable and sustainable to the Council. Requests will be considered by the Executive Leadership Board.

**7. Waiving Reduction due to Early Payment of Pension – Regulation 30 (8) (2013 Regulations)**

7.1 Employees can retire from age 55 and receive immediate payment of their pension benefits; however, the pension benefits payable will be subject to an actuarial reduction.

7.2 The Council will only exercise the discretion to waive the actuarial reduction where Regulation 30 (7) is applicable (that is where employment is terminated on the grounds of redundancy or in the interest of business efficiency).

7.3 The Council will only exercise this discretion where there is a business reason to do so and where any costs associated with the discretion are affordable and sustainable to the Council. Requests will be considered by the Executive Leadership Board.

**8. Early Payment of Deferred Pension Benefits – Regulation 30 of the LGPS (Benefits, Membership and Contributions) Regulations 2007**

8.1 The Council will not normally exercise this discretion, but may consider it in exceptional circumstances where any costs associated with the discretion are affordable and sustainable to the Council.

8.2 Requests will be considered by the Executive Leadership Board.

**9. Transfer of Pension Rights – Regulation 100 (6) (2013 Regulations)**

9.1 The Regulations permit the employer to extend the normal time limit (currently 12 months) during which a scheme member may transfer service from a previous employer.

9.2 The Council will not make use of the provision to extend the normal time limit.

9.3 This discretion is therefore not exercised.

## **10. Aggregation of Membership - Regulations 22, 7(b) 8(b) (2013 Regulations)**

- 10.1 If a member has previous LGPS membership, the Regulations allow for them to make a decision about whether it is combined with their new LGPS membership.
- 10.2 Any such decision to maintain separate pension benefits must be made within 12 months of becoming an active member.
- 10.3 The Regulations permit the employer to extend the normal timescale.
- 10.4 The Council will not make use of the provision to extend the normal time limit.
- 10.5 This discretion is therefore not exercised.

## **11. Other Discretions**

- 11.1 With the exception of the discretions set out in this policy statement, the Council will not exercise any pension discretions pursuant to the 2013 and 2014 Regulations.

## **12. Review of the Policy**

- 12.1 This policy will be reviewed by Human Resources annually to reflect changes to the appropriate Regulations.