Assistant Chief Executive's Human Resources

Pay Policy Statement 2021-22

Introduction & Scope

This policy statement sets out the arrangements for the salary and related allowances paid to Chief Officers of the Council, meeting the requirements the Localism Act 2011, and also meeting the requirements of guidance issued by the Secretary of State for Communities and Local Government to which the authority is required to have regard under section 38 to 43 of the Act.

It does not cover teaching staff, whose salaries and terms of conditions of employment are set by the Secretary of State or Academy schools as they are an entirely separate employer covered by the Academies Act 2010 and are responsible for setting salaries for their employees.

The authority is required to publish Chief Officer salaries and disclose details of salaries over £50,000 on an annual basis as part of the Statement of Accounts which is available on the Council's website (http://www.rotherham.gov.uk/).

The Council is committed to and supports the principle of equal pay for all its employees.

Equal pay between men and women is a legal right under both United Kingdom and European Law. The Equality Act 2010 requires employers not to discriminate on grounds of sex, gender reassignment, race and disability and similar rules apply to sexual orientation, religion, pregnancy and maternity and age.

The authority applies terms and conditions of employment that have been negotiated and agreed through appropriate collective bargaining mechanisms (national or local) or as a consequence of authority decisions, which are incorporated into contracts of employment.

Chief Executive and Chief Officers conditions of service are in line with the Joint Negotiating Committees for Chief Executives and Chief Officers. Local agreements and remuneration are determined by Council on recommendation made by the authority's Staffing Committee.

The remuneration of Chief Officers reflects the latest pay award from April 2020 and will be adjusted for any pay award agreed for 2021/22.

This also applies to shared management arrangements with partner organisations, where the job continues to be filled by an employee of the Council.

Definition of officers covered by the Pay Policy Statement

This policy statement covers the following posts:

1. Head of the Paid Service, which in this authority is the post of:

    - Chief Executive

2. Statutory Chief Officers, which in this authority are the posts of:

    - Strategic Director Children and Young People's Services (Director Children's Services)
    - Strategic Director Adults Care, Housing and Public Health (Director Adult Social Services)
    - Strategic Director Finance and Customer Services (Section 151 Chief Finance Officer)
    - Director of Public Health (Director Public Health)
    - Assistant Director Legal Services (Monitoring Officer)

3. Non-statutory Chief Officers, which in this authority are the posts of:

    - Strategic Director Regeneration and Environment
    - Assistant Chief Executive
    - Assistant Director Children's Social Care
    - Assistant Director Human Resources and Organisational Development
    - Assistant Director Financial Services
    - Assistant Director Customer Information and Digital Services
    - Assistant Director Culture, Sport and Tourism
    - Assistant Director Regeneration, Planning and Transport
    - Assistant Director Community Safety and Streetscene
    - Assistant Director Strategic Commissioning
    - Assistant Director Independent Living
    - Assistant Director Housing
    - Assistant Director Education
    - Assistant Director Early Help and Family Engagement
    - Assistant Director Joint Commissioning CCG, Performance and Inclusion

Policy on remunerating Chief Officers

The authority's policy on remunerating Chief Officers is set out on the schedule that is attached to this policy statement at Appendix A. It is the policy of this authority to establish a remuneration package for each Chief Officer post that is sufficient to attract and retain staff of the appropriate skills, knowledge, experience, abilities and qualities that is consistent with the authority's requirements of the post in question at the relevant time.

Policy on other aspects of remuneration of Chief Officers

Other aspects of the remuneration of Chief Officers are appropriate to be covered by this policy statement. These other aspects are defined as recruitment, pay increases, additions to pay, performance related pay, earn back, bonuses, termination payments, transparency, re-employment when in receipt of a Local Government pension or a redundancy/severance payment and pension legislation. These matters are addressed in the schedule attached to this policy statement at Annex B

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Pay Relationship

The lowest pay rate in the authority (excluding apprentice rates) equates to a full time equivalent annual salary of £18,198 and can be expressed as an hourly rate of pay of £9.43. This pay rate and salary was determined by the authority as part of a pay scale for employees employed on the National Joint Council Local Government Services Terms and Conditions.

The highest paid salary in this authority is £172,753 which is paid to the Chief Executive.

The ratio between the two salaries, the 'pay multiple' is 9.5 to 1. Against the median salary of £21,748 this multiple reduces to 8 to 1 and against the average salary of £25,944 to 7 to 1.

The Hutton review considered the multiple should be no greater than 20 to 1 (lower is better) and based on the current situation the Council falls well below this threshold. The authority does not have a policy on maintaining or reaching a specific 'pay multiple', however the authority is conscious of the need to ensure that the salary of the highest paid employee is not excessive and is consistent with the needs of the authority.

These pay rates may increase in accordance with any pay settlements which are reached through the respective national negotiating bodies.

Salary Packages over £100,000

The authority will ensure that before an offer of appointment is made, any salary package for any post that is in excess of £100,000 is considered by Council following recommendation by Staffing Committee.

Flexibility to address recruitment issues for vacant posts

In exceptional circumstances where there are recruitment difficulties; there may be a requirement to consider the payment of temporary market supplements such as 'golden hellos', retention payments or regular monthly payments.

In situations where a market supplement is being considered a report detailing the business case is considered by the Assistant Director of Human Resources & Organisational Development who makes the final decision as to whether a supplement is payable, the amount and the frequency of review. For Chief Officer graded posts where this would result in a pay package in excess of £100k the case will be considered by Council on recommendation made by the Staffing Committee.

Supplements can be reviewed at any time but a review must be undertaken on an annual basis.

Policy Amendment

The Council may seek to change elements within the pay policy as part of any necessary efficiency review or as other circumstances dictate.

This policy statement is reviewed annually and is presented to Council each year for consideration in order to ensure that a policy is in place for the authority prior to the start of each financial year.

Exit Payment Cap and Pension Reforms

It is expected that legislative changes will be implemented in the following areas, in which case the authority will apply changes as appropriate:

- The fixing of a cap on exit payments made to employees departing the public sector
- Recovery of exit payments made to high earners who leave the public sector on or after the implementation date if they return to the public sector within 12 months of leaving.
- Other associated reform of redundancy payment limits and related pension scheme provisions

Pay Policy References

- Agency workers directive 2011
- Hutton Fair Pay in the Public Sector Final Report (March 2011)
- Joint Negotiating Committee for Local Authority Chief Executives
- Joint Negotiating Committee for Chief Officers of Local Authorities
- Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006
- Local Government Pension Scheme (Benefits, Membership & Contributions) Regulations
- Localism Act 2011
- National Joint Council for Local Government Services
- Representation of the People Act 1983
- Rotherham Borough Council Scheme of Delegation
- The Accounts and Audit (England) Regulations (2011)
- The Equality Act 2010
- The Secretary of State for CLG Code of Recommended Practice for Local Authorities on Data Transparency
- Local Government Transparency Code 2015
- HM Treasury Recovery of Public Sector exit payments

Appendix A – Policy on Remunerating Chief Officers 2021/22

The remuneration of Chief Officers reflects the latest pay award from April 2020 and will be adjusted for any pay award agreed for 2021/22.

Head of Paid Service and Statutory Officers

Post	Salary Ceiling	Additional Allowances	Bonus	Profit Related Pay	Earn Back	Pension Enhancement
Chief Executive	£172,753	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Strategic Director Children and Young People's Services	£151,967	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Strategic Director Adults Care, Housing and Public Health	£133,756	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Strategic Director Finance and Customer Services	£123,645	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Director of Public Health	£90,205	£20,000 market pay supplement	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Assistant Director Legal Services	£90,205	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)

Non-statutory Chief Officers

Post	Salary Ceiling	Additional Allowances	Bonus	Performance Related Pay	Earn Back	Pension Enhancement
Strategic Director Regeneration and Environment	£123,645	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Assistant Chief Executive	£105,779	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Assistant Director Children's Social Care	£98,640	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Assistant Director Human Resources and Organisational Development	£90,205	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Assistant Director Financial Services	£90,205	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Assistant Director Customer Information and Digital Services	£90,205	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Assistant Director Culture, Sport and Tourism	£90,205	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Assistant Director Regeneration, Planning and Transport	£90,205	None	The authority does not operate bonus	The authority does not operate	The authority does not operate earn-back	It is not Council policy to award additional

			schemes	performance related pay systems	pay systems	pension entitlement (regulation 31)
Post	**Salary Ceiling**	**Additional Allowances**	**Bonus**	**Profit Related Pay**	**Earn Back**	**Pension Enhancement**
Assistant Director Community Safety and Streetscene	£90,205	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Assistant Director Strategic Commissioning	£90,205	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Assistant Director Independent Living	£90,205	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Assistant Director Housing	£90,205	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Assistant Director Education	£90,205	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Assistant Director Early Help and Family Engagement	£90,205	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)
Assistant Director Joint Commissioning CCG, Performance and Inclusion	£90,205	None	The authority does not operate bonus schemes	The authority does not operate performance related pay systems	The authority does not operate earn-back pay systems	It is not Council policy to award additional pension entitlement (regulation 31)

Appendix B - Policy on other aspects of remuneration of Chief Officers 2021/22

Aspect of Chief Officer Remuneration	Authority Policy
Recruitment	Posts are advertised and appointed to at the appropriate approved salary for the post unless there is evidence that a successful appointment of a person with the required knowledge, experience, skills, abilities and qualities cannot be made without varying the remuneration package. In such circumstances a variation to the remuneration package is appropriate under the Authority's policy. Any changes will be approved through the Authority's appropriate decision making process. Salary packages over £100,000 require Council approval.
Pay Increases	The authority applies any pay increases that are agreed by relevant national negotiating bodies and/or any pay increases that are agreed through local negotiations.
Additions to Pay	The Authority does not make additional payments beyond those specified in the contract of employment.
Performance Related Pay	The Authority does not operate a performance related pay system for Chief Officers as it believes that it has sufficiently strong performance management arrangements in place to ensure high performance from its senior managers. Any areas of under-performance would be addressed through capability procedures.
Earn-Back (withholding an element of base pay related to performance)	The authority does not operate an earn-back pay system whereby a proportion of the employee salary is held back and only paid if specific targets are achieved as it believes that it has sufficiently strong performance management arrangements in place to ensure high performance from its senior managers. Any areas of under-performance would be addressed through capability procedures.
Bonuses	The authority does not have or intends to introduce any bonus schemes.
Termination Payments	The authority's normal redundancy payment arrangements apply to all staff including Chief Officers and the Chief Executive. The authority also applies the appropriate Pensions regulations in circumstances where employees qualify for release of pensions. Council will also be given the opportunity to vote on any severance package with a cost in excess of £100k. The components of any such package will be clearly set out and will include pay in lieu of notice, redundancy payment, pension release costs, settlement payments, holiday pay and any fees or allowances paid.

Transparency	The Authority meets its requirements under the Localism Act, the Local Government Transparency Code 2015 and the Accounts and Audit Regulations in order to ensure it is open and transparent regarding senior officer remuneration.
Re-employment of staff in receipt of a Local Government Pension or a redundancy/severance payment	The authority is under a statutory duty to appoint on merit and has to ensure that it complies with all appropriate employment and equalities legislation. The authority will always seek to appoint the best available candidate to a post who has the skills, knowledge, experience, abilities and qualities needed for the post. If a candidate is a former employee in receipt of a Local Government pension, or received a redundancy payment, this will not rule them out from being re-employed by the authority. Clearly where a former employee left the authority on redundancy terms then the old post has been deleted and the individual cannot return to that post as it will not exist. The authority will apply the provisions of the Statutory Redundancy Payments Modification Order regarding the recovery of redundancy payments if this is relevant and appropriate. Pensions Regulations also have provisions to reduce pension payments in certain circumstances to those who return to work within the local government service. The authority will apply the reforms to exit payments in the public sector, which includes the recovery of exit payments, a cap on exit payment value and associated reforms of redundancy payment limits and related pension scheme provisions, as they become law.
Election Fees	The duties of Electoral Registration Officer are undertaken by the authority's Chief Executive, the remuneration for which is included in their annual salary. The authority's Chief Executive is also the Returning Officer for elections, referendums and other polls. The Returning Officer may appoint deputies and by convention, has chosen to appoint the Director of Legal Services as a Deputy Returning Officer. For national elections, referendums or other polls which may be required by statute, fees are paid in accordance with the amounts specified for each poll by the statutory order issued by the Secretary of State. For local Borough and Parish elections a local scale of fees, which has not increased since 2008, is approved by Council